

An Empire within an Empire

The Upper Canadian Indian Department, 1796-1845

Nathan Ince

Department of History and Classical Studies
Faculty of Arts
McGill University, Montreal

December 2021

A thesis submitted to McGill University in partial fulfilment of the
requirements of the degree of Doctor of Philosophy

© Nathan Ince 2021

Table of Contents

Abstract.....	iv
Résumé.....	v
Acknowledgements.....	vi
Acronyms and Abbreviations.....	vii
 Introduction: “It Is Impossible for Me to Answer for the Guidance of the Indian Department”	 1
Historiography.....	7
Methodology and Sources.....	13
A Note on Language.....	16
Dissertation Outline.....	20
 Chapter One “More Firmly Rooted than Ever”: The Foundations of the Upper Canadian Indian Department, 1754-1796.....	 24
“One General System”: The Era of Sir William Johnson, 1754-1774.....	28
“To Overawe the British Colonies”: War and Reform, 1774-1794.....	34
“The Better Regulation of Our Concerns with the Indian Nations”: Founding the Upper Canadian Indian Department, 1794-1796.....	42
“Clearest Light and Greatest Warmth”: Defining the Indigenous Imperial Relationship.....	50
Conclusion.....	56
 Chapter Two “Much Discretion and Judgement”: Employment, Remuneration, and Corruption in the Upper Canadian Indian Department, 1796-1845.....	 59
“The Intricate Duties of Indian Affairs”: Working for the Indian Department.....	61
“Considerable Trust in Their Integrity”: Corruption and Material Gain.....	85
Conclusion	105
 Chapter Three “The Branches of the Old Tree”: Family Networks and the Upper Canadian Indian Department, 1796-1845.....	 107
“Many Tender Ties”: The Historiography of Family and Empire.....	110
“Well Acquainted with Their Customs, Manners and Language”: Family and the Indian Department.....	114
“By Whom the Indian Department Was First Instituted”: The Johnson-Brant Family Network.....	121

“Exceptional Business Faculties”: The Bertrand-Anderson Family Network.....	131
“Habitual Intercourse and General Knowledge”: The McKee-Clarke Family Network.....	136
Conclusion	142
Chapter Four “The Servants of the Indians”: Indigenous Peoples and the Upper Canadian Indian Department, 1796-1845.....	147
“Defending Our Rights and Protecting Our Liberties”: The Upper Canadian Indian Department in Indigenous Contexts.....	153
“Intimately Known to the Nations”: The British Empire and Indigenous Influence.....	161
“Why Should We Not Look for Our Father’s Favor?”: Indigenous Influence in the Upper Canadian Indian Department.....	168
“Consulting the Wishes of those Faithful Allies”: The Case of the Amherstburg Superintendency, 1814-1820.....	175
“Why Does Our Great Father Place You Here with Your Hands Tied?”: The Indian Department Faces Indigenous Demands.....	183
Conclusion	196
Chapter Five “As Long as the World Should Stand”: Continuity and Change in the Upper Canadian Indian Department, 1812-1835.....	199
“May the Great Spirit Give You Strength and Courage”: The War of 1812-1815 and Its Legacy.....	201
“The Fire Would Be Rekindled”: Post-War Continuity and Change, 1816-1828.....	208
“This Arrangement is of Little Consequence”: Structural Reforms, 1828-1835.....	216
“A Prodigious Useless Expense”: Settler Criticism of the Upper Canadian Indian Department, 1795-1835.....	224
Conclusion	228
Chapter Six “As Englishmen and Brethren”: The Indian Department and the Indigenous-Imperial Relationship, 1796-1845.....	230
“Perfect Traditional Knowledge”: The Upper Canadian Indian Department and <i>Sui Generis</i> Indigenous Communities.....	238
“Give Us Arms and Ammunition that We May Die Like Men!”: The Upper Canadian Indian Department and Indigenous Warriors.....	249
“Nowhere More Friendly Allies”: The Upper Canadian Indian Department and Cross-border Communities.....	263
Conclusion	273

Chapter Seven “To Rivet their Attachment”: The Indian Department and Civilization in Canada, 1796-1845.....	274
“To Secure More Effectually the Services of the Tribes”: Defining Domiciliation.....	278
“Those Qualities which Render Them Useful to Us”: The Historical Background, 1637-1796.....	282
“A General Council Fire for All Nations”: Domiciliation in Upper Canada, 1796-1828.....	288
“Useful and Loyal Subjects”: Domiciliation in Practice at Coldwater and Manitoulin, 1829-1836.....	298
“The Indians Will Forever Remain in Their Half-civilized State”: Opposition to Domiciliation.....	305
“To Seek an Asylum in that Country for which They Fought and Bled”: The Case of the Potawatomi, 1837-1845.....	314
Conclusion.....	321
Chapter Eight “No Reason to Doubt Our Loyalty”: Reformers, Rebellion, and Transformation, 1836-1845.....	323
“Impeding the Progress of Civilization in Upper Canada”: Lieutenant Governor Head and the Legislative Assembly, 1836-1837.....	326
“To Smoke the Pipe of War”: Indigenous Warriors, the Indian Department, and the Rebellion in Upper Canada, 1837-1842.....	333
“A Promise Was Made”: Defending the Fire of Friendship.....	340
“Compelled to Fall into the Rank of the Rest of Her Majesty’s Subjects”: Refashioning the Indian Department, 1841-1845.....	354
Conclusion	365
Conclusion: “No One Should Be Attached to the Department but Those Well Known to the Indians”.....	367
Bibliography.....	371

Abstract

More than simply another branch of the colonial government, the Upper Canadian Indian Department was its own “Empire within an Empire.” During the half-century between 1796 and 1845, the priorities, interests, and attitudes of its employees contributed significantly to the course of Indigenous-Imperial relations in the Great Lakes region. Firmly rooted in the traditions of military alliance and imperial litigation stretching back to the Department’s inception in the 1750s, its members consistently advocated the continuance of the diplomatic practices that had been established in these years. The Upper Canadian Indian Department also remained intimately connected to Indigenous communities. Not only did influential Indigenous individuals anchor the Department’s dense network of family ties, but First Nations communities also played an important role in determining the membership and policies of what was sometimes called “their department.” Rather than being divested of its military character in the years after the War of 1812, the Upper Canadian Indian Department remained willing and able to mobilize, equip, and lead Indigenous warriors, as evidenced by its activities during the period of the Canadian Rebellion. While its unique position had been criticized for decades by settlers eager for unfettered access to Indigenous land and metropolitan officials looking to cut costs, the Indian Department’s remarkable influence and independence only radically diminished with the reforms of 1845 that marked the Department’s incorporation into the government machinery of the growing settler state.

Résumé

Bien plus qu'une simple division du gouvernement colonial, le Département des Indiens du Haut-Canada était son propre *Imperium in Imperio*. Au cours du demi-siècle qui s'est écoulé entre 1796 et 1845, les priorités, les intérêts et les attitudes de ses employés ont significativement contribué au maintien des relations entre les Autochtones et l'Empire dans la région des Grands Lacs. Fermement enracinés dans les traditions d'alliance militaire et de ligature impériale qui remontent à la création du Département dans les années 1750, ses membres ont constamment prôné la continuation des pratiques diplomatiques qui avaient alors été établies. Le Département des Indiens du Haut-Canada est également resté intimement lié aux communautés autochtones. D'influents personnes autochtones enracinaient en effet le Département dans un dense réseau de liens familiaux, mais plus encore, les communautés des Premières nations jouaient un rôle important dans les choix de la composition et des politiques de ce qu'on appelait parfois « leur département ». Loin d'être dépouillé de son caractère militaire dans les années suivant la guerre de 1812, le Département des Indiens du Haut-Canada est resté disposé et capable de mobiliser, d'équiper et de diriger des guerriers autochtones, comme en témoignent ses activités pendant la période de la Rébellion Canadienne de 1837-1838. Bien que sa position unique ait été critiquée pendant des décennies par des colons désireux d'avoir un accès sans limites aux terres autochtones et par des fonctionnaires métropolitains cherchant à couper dans les dépenses, l'influence et l'indépendance remarquables du Département des Indiens n'ont radicalement changé qu'avec les réformes de 1845 qui ont marqué l'incorporation du Département dans l'appareil gouvernemental de l'État colonial en expansion.

Acknowledgements

I first want to thank my supervisory committee, Elizabeth Elbourne, Elsbeth Heaman, and especially Allan Greer for their hard work in shaping this dissertation. Their expertise and encouragement have made this work immeasurably stronger. Two other professors at McGill University, Catherine Desbarats and Jason Opal, not only helped me navigate graduate school but significantly shaped my outlook on history. I cannot thank them enough.

My brilliant colleagues at McGill have helped me enormously. In particular, I want to thank Mike Davis, Fannie Dionne, Sam Derksen, Sandra-Lynn Leclaire, Stephan Pigeon, Cynthia Tang, and Carleigh Nicholas. I hope soon we can enjoy a coffee or tisane together. I also want to extend my sincere gratitude to Rammy Saini who first welcomed me into Ferrier 333 where so much of this dissertation was written and where so many of these friendships were formed.

On a less personal but no less important note, I want to thank SSHRC and McGill University for providing the funding that made this dissertation possible.

I also want to acknowledge the support of my family throughout this long journey: Hannah Ince, Matthew Leisinger, Bethany Ince, Paul Bottinelli, Marika Ince, Bill Verutis, Martin Ince, Liwen Zhang, e soprattutto mia nonna Carmen Vidotto. Grazie mille di tutto!

Over the past six years, a number of people not directly involved in this dissertation have nonetheless contributed to making my life a richer place. I owe a deep debt of gratitude to my four oldest friends, Alek Eng, Ankur Goswami, James Gillem, and Tanner Rudnick, for the stability they have lent to my life. DeeDee Edouard-Williams has encouraged, supported, and challenged me, and I owe her my sincerest thanks. I also want to thank the Black Watch (Royal Highland Regiment) of Canada for the skills I learned and the friends I made during my time with the unit.

Finally, Ashlin Edick deserves a special thank-you. She has helped see this dissertation through to the bitter end, and I know we are both excited to find out what comes next.

Acronyms and Abbreviations

DCNY	O’Callaghan, E.B., and Berthold Fernow. <i>Documents Relative to the Colonial History of the State of New York</i> . 15 vols. Albany: Weed, Parsons, and Company, 1853-1887.
DCB	Dictionary of Canadian Biography
LAC	Library and Archives Canada
Parliamentary Papers 1839	Great Britain, House of Commons. <i>Copies or Extracts of Correspondence since 1st April 1835, between the Secretary of State for the Colonies and the Governors of the British North American Provinces Respecting the Indians in Those Provinces</i> . London: House of Commons, 1839.
PWJ	Sullivan, James, Andrew C. Flick, Albert B. Corey, and Milton W. Hamilton, eds. <i>The Papers of Sir William Johnson</i> . 14 vols. Albany: The University of the State of New York, 1921-65.
RAIC	Report on the Affairs of the Indians of Canada, published in two installments: <i>Appendix to the Fourth Volume of the Journals of the Legislative Assembly of the Province of Canada</i> (Montreal: Rollo Campbell, 1845), Appendix EEE; <i>Appendix to the Sixth Volume of the Journals of the Legislative Assembly of the Province of Canada</i> (Montreal: Rollo Campbell, 1847), Appendix T.

Introduction:
“It Is Impossible for Me to Answer for the
Guidance of the Indian Department”

In a letter dated July 20, 1794, John Graves Simcoe vented his frustrations to George Hammond, the British envoy to the government of the United States of America. As the first lieutenant governor of the newly created province of Upper Canada, Simcoe faced numerous difficulties, but the primary subject of this letter was the ongoing crisis between the United States, the British Empire, and a powerful Indigenous confederacy over the future of the Ohio Valley. While the unfolding conflict presented a complex mix of diplomatic and logistical problems, Lieutenant Governor Simcoe identified the management of the Indian Department as a particular challenge. The entire British position in the Great Lakes region depended on maintaining the same alliances with Indigenous nations that had proven so critical during the Revolutionary War, and the task of retaining these crucial allies fell to the Indian Department. Despite being the senior British official in the region, however, Simcoe felt largely powerless to direct the work of the Department. Under pressure to account for every element of the ongoing crisis, Simcoe wrote to Hammond “it is impossible for me to answer for the guidance of the Indian Department, of necessity under present circumstances an ‘*Imperium in Imperio*,’ and particularly as all transactions must be managed by interpreters and agents who solely are acquainted with the customs and manners of [the Indians], and with their language.”¹

Simcoe’s description of the Indian Department as an “empire within an empire” was an apt characterization. From its founding in the 1750s to the middle years of the 1840s, the Indian

¹ John Graves Simcoe to George Hammond, 20 July 1794, in *The Correspondence of Lieut. Governor John Graves Simcoe, with Allied Documents Relating to His Administration of the Government of Upper Canada*, ed. E.A. Cruikshank, (Toronto: Ontario Historical Society, 1923-31), 2:329.

Department occupied a unique position in the administration of British North America. Given the exceptional nature of its duties and the unusual qualifications required of its members, the Indian Department remained largely independent from the rest of the administration in British North America. Governors with no experience of Indian Affairs before arriving in the continent were more than happy to follow the advice of the officers of the Indian Department, and thus in practice the Indian Department formed its own miniature administration over one small part of the British Empire.

Simcoe's brief account of the Indian Department (frequently abbreviated in this dissertation as ID) reveals another important fact. In his letter to Hammond, the first lieutenant governor of Upper Canada pointed out that the Indian Department was "managed by interpreters and agents who solely are acquainted with the customs and manners of these people, and with their language." As Simcoe lamented, such unique diplomatic skills were not easily acquired, and this was reflected in the backgrounds of the men employed in the Indian Department. Very few of them were born east of the Atlantic, and almost all came to prominence among local Indigenous communities before securing an Imperial appointment. Many of the employees were Indigenous themselves, or at least had important Indigenous ancestry. Many others had intimate family connections to First Nations communities through their wives or children. While these sorts of longstanding and intimate connections with First Nations communities were fundamental to the work of the Upper Canadian Indian Department, they also served to differentiate it from other parts of the colonial administration. The men employed in the ID tended to be much better versed in the ceremonies and language of Indigenous-Imperial diplomacy than in the developing techniques of modern bureaucracy that were taking shape in the major administrative centres of the Empire.

Simcoe's observation on the peculiar nature of the Indian Department, however, was more than a comment on the individuals who made up the ID; it applied to the very structure of Indian Affairs. The framework within which the Indian Department functioned was not simply an imperial invention but was instead the joint creation of early ID officials and representatives from the numerous nations of northeastern North America. During the eventful period of diplomacy and conflict between 1754 and 1764, these actors created a working constitution to govern the Indigenous-Imperial relationship. As delineated in numerous treaties, speeches, wampum belts, petitions, and ceremonies, this framework relied heavily on ancient diplomatic practices first established by Indigenous nations. Simcoe was right therefore when he identified that this relationship was based on "the customs and manners of these people." He was likewise correct in identifying familiarity with Indigenous languages as a key part of this diplomacy, as these languages served as the *linguae francae* of the Indigenous-Imperial relationship.

The longevity of this Indigenous-Imperial framework is remarkable. While important changes took place both in the administration of the British Empire and in the diverse societies of the Great Lakes region in the decades after the end of Simcoe's tenure as lieutenant governor in 1796, the principles at the heart of the Indigenous-Imperial relationship established in the period surrounding the Seven Years' War remained largely intact into the 1840s. Accordingly, the Indian Department continued to adhere to the same traditions and practices it had since the days of Sir William Johnson until well into the nineteenth century.

The endurance of the founding principles of the Indian Department is perhaps best illustrated by the career of Thomas Gummersall Anderson, who served in the Indian Department from 1815 to 1858. Already by 1840, he had been employed as an officer in the ID for a quarter of a century, and in January of that year T.G. Anderson had particular reason to be optimistic that

his employment would continue on the same footing for many years to come. For the past twenty-five years, Anderson had been repeatedly frustrated by the British Empire's relative indifference to the geopolitical importance and material welfare of the Indigenous communities of the upper Great Lakes. Ever since the Empire had abandoned the western nations in the Treaty of Ghent of 1814, Anderson had worked alongside his Indigenous partners to maintain a viable Indigenous-Imperial alliance in the region despite the general metropolitan disinterest in this project. Now at the dawn of a new decade, Anderson sensed that his persistence was about to pay off. The outbreak of armed insurrection in the Canadas in 1837, followed by cross-border raids and the threat of a war with the United States, had suddenly heightened the importance of the Indian Department in the calculus of the colonial administration. Writing to his superior at the head of the Upper Canadian Indian Department, Anderson expressed his confidence that "the Indian Department may be put on a permanent and respectable footing, for it has been going down hill ever since the last war, but now that the importance of its being well organized is again manifest we may indulge hopes of its being raised to the situation it deserves as an arm of defence to the country."²

Most members of the Upper Canadian Indian Department at the opening of the 1840s shared Anderson's view of the history and nature of their department. While significantly smaller than it had been at the time of the Treaty of Ghent, the membership of the department was still largely made up of those who had fought in the war of 1812-1815, or the sons of those who had. Even while elected representatives and government officials from the Upper Canadian Legislature to the Palace of Westminster advocated policies to substantially remake Indigenous-newcomer relations in Upper Canada throughout the 1820s and 1830s, the actual work of the Department on the ground remained largely unchanged from earlier decades. The membership of the Indian

² T.G. Anderson to S.P. Jarvis, 6 January 1840, 66701, vol. 72, RG10, Library and Archives Canada (LAC).

Department likewise remained unchanged, and the outlook of these members continued to be firmly rooted in older traditions of imperial ligation and Indigenous diplomacy that had vexed Lieutenant Governor Simcoe in 1794.

The discrepancy between the views of ID officials like T.G. Anderson and contemporary policies outlined in Toronto, Quebec, and London suggests that the Upper Canadian Indian Department itself deserves to be taken as an object of investigation distinct from the broader study of British or Canadian Indian policy. The divergence between the views of Indian Department employees such as Anderson and these policymakers likewise recalls Lieutenant Governor Simcoe's observation that the Indian Department constituted its own centre of power with its own structure and logic. The individuals who made up the Department in the half-century from Simcoe's complaint to Hammond in 1794 and the implementation of the recommendations of the Bagot Commission in 1845 had their own histories and interests. Almost exclusively, they gained their positions because of their close connections to and influence with Indigenous nations. They were connected to each other by a dense network of family ties, with positions frequently passing from father to son. The majority of members also had intimate family connections to First Nations communities through their partners, ancestors, or children. Indigenous peoples themselves played an important role in determining the membership of the department during this period, suggesting replacements on the death of former members or petitioning for the removal of officials with whom they were unhappy. Altogether, these elements mean that the Indian Department should be understood as a network of ambiguous Upper Canadian elites as much as a branch of the King's service.

This dissertation proposes to undertake the first full-scale investigation of the Upper Canadian Indian Department. Much more than simply an arm of the colonial administration, this

network of individuals, along with their families and allies, made up its own centre of power and influence within Upper Canada, its own “Empire with an Empire.” Certainly, the members of the Indian Department had to execute a delicate balancing act if they wanted to get the most out of their position. On one hand, they had to fulfill the expectations of the Indigenous communities from whom a large amount of their political capital and economic prosperity ultimately derived. On the other hand, they had to serve the interests of the Imperial administrators whose patronage greatly augmented both. The Indian Department however was more than an interface between two opposing groups. The interests of its members transcended this simple dichotomy, and the employees of the Indian Department sought to shape the views of both Indigenous communities and Imperial administrators to their own benefit. Generally this meant that members of the Indian Department advocated for a conservative vision of the Indigenous-Imperial relations rooted in military alliance and imperial ligation, as what made most Upper Canadian Indian Department employees more useful than missionaries, schoolteachers, or other civil servants who might have replaced them was their ability to conduct traditional diplomacy in times of peace and lead warriors in times of war.³ The members of the Indian Department were not entirely successful in their efforts to maintain a conservative vision of the Indigenous-Imperial relationship throughout the 1820s and 1830s, but their continued advocacy for the longstanding framework first established in the middle decades of the eighteenth century was successful enough that many entertained hopes for a general revival of its principles in the wake of the Canadian Rebellion.

T.G. Anderson’s expectations that the 1840s would be a renaissance for the Indian Department proved to be disappointed. The retreat of Imperial authority and the growth of the

³ This formulation comes from Governor General Sir James Kempt’s own views on the membership of the Indian Department, see James Kempt to George Murray, 23 February 1829, in *Papers Relative to the Aboriginal Tribes in British Possessions* (London: House of Commons, 1834), 36.

settler-colonial state following the union of the Canadas in 1841 meant that the aftermath of the Rebellion rather witnessed the final collapse of the old order that the Indian Department had long defended. The increasing influence of the elected assembly over Indian Affairs and the corresponding bureaucratization of governance in Canada during these years sidelined older diplomatic traditions and the elites who had overseen them. Canadian administrators in the early 1840s, such as governors general Sydenham, Bagot, and Metcalfe, were eager to remake the Empire's relationship with First Nations and to bring these communities "into the rank of the rest of Her Majesty's subjects." The implementation of the recommendations of the Bagot Commission in 1845 marked the ascendancy of these new principles, and at the same time marked the demise of the traditions that had been central to the Indian Department since its foundation in the middle decades of the eighteenth century.

Historiography

The Indian Department in Upper Canada has received a certain amount of attention from historians. It appears in one way or another in numerous academic works examining nearly every element of the history of the Great Lakes region in the late eighteenth and early nineteenth centuries, including works on the British Empire, the colony of Upper Canada, or the development of the Canadian state.⁴ The Upper Canadian Indian Department also plays a supporting role in a number of works that are rooted in U.S. historiography or the history of the Great Lakes borderlands, notably those of Richard White, Alan Taylor, and Lawrence B.A. Hatter.⁵ Naturally,

⁴ John Clarke, *Land, Power and Economics on the Frontier of Upper Canada* (Montreal: McGill-Queen's University Press, 2001); Gerald M. Craig, *Upper Canada: The Formative Years, 1784-1841* (Toronto: McClelland and Stewart, 1963); James Heartfield, *The Aborigines' Protection Society: Humanitarian Imperialism in Australia, New Zealand, Fiji, Canada, South Africa, and the Congo, 1836-1909* (New York: Columbia University Press, 2011).

⁵ Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (Cambridge: Cambridge University Press, 1991); Alan Taylor, *The Divided Ground: Indians, Settlers, and the Northern Borderland of the American Revolution* (New York: Alfred A. Knopf, 2006); Alan Taylor, *The Civil War of 1812: American Citizens, British Subjects, Irish Rebels, and Indian Allies* (New York: Vintage Books, 2011);

the Upper Canadian Indian Department also figures prominently in many studies of Indigenous peoples in the Great Lakes region, including those by Rhonda Telford, Susan M. Hill, Donald B. Smith, Peter S. Schmalz, and Janet E. Chute, among many others.⁶

Despite its strong presence in various historiographies, the Upper Canadian Indian Department *per se* has much more rarely been the subject of historical investigation. Those works that do examine the management or composition of the Department itself can be broadly divided into two categories: those that consider the Indian Department in Upper Canada in the context of long established patterns of frontier exchange and intercultural alliance, looking back into the eighteenth and seventeenth centuries, and those that study the Department in light of the developing Canadian settler state, looking forward to the establishment and expansion of the Dominion in the second half of the nineteenth century. Prominent works in the first more retrospective approach to the study of the Upper Canadian Indian Department include those by Reginald Horsman, Robert S. Allen, and Colin Calloway, among others.⁷ While the present dissertation owes much to this literature, one unfortunate tendency within this literature is to take the year 1815 as the endpoint of the imperial-military framework of Indigenous-Imperial relations.

Lawrence B.A. Hatter, *Citizens of Convenience: The Imperial Origins of American Nationhood on the U.S.-Canadian Border* (Charlottesville : University of Virginia Press, 2017).

⁶ Rhonda Telford, "How the West Was Won: Land Transactions Between the Anishinabe, the Huron and the Crown in Southwestern Ontario," in *Papers of the Twenty-Ninth Algonquian Conference*, ed. David H. Pentland (Winnipeg: University of Manitoba, 1998), 352-367; Rhonda Telford, "The Nefarious and Far-Ranging Interests of Indian Agent and Surveyor John William Keating, 1837-1869" in *Papers of the Twenty-Eighth Algonquian Conference*, David H. Pentland ed. (Winnipeg: University of Winnipeg, 1997), 372-402; Susan M. Hill, *The Clay We Are Made Of: Haudenosaunee Land Tenure on the Grand River* (Winnipeg: University of Manitoba Press, 2017); Donald B. Smith *Sacred Feathers: The Reverend Peter Jones (Kahkewaquonaby) and the Mississauga Indians*, 2nd ed. (Toronto: University of Toronto Press, 2013); Janet E. Chute, *The Legacy of Shingwaukonse: A Century of Native Leadership* (Toronto: University of Toronto Press, 1998); Peter S. Schmalz, *The Ojibwa of Southern Ontario* (Toronto: University of Toronto Press, 1991).

⁷ Reginald Horsman, *Matthew Elliott: British Indian Agent* (Detroit: Wayne State University Press, 1964); Robert S. Allen, "The British Indian Department and the Frontier in North America, 1755-1830," *Canadian Historic Sites* 14 (1975): 21; Colin Calloway, *Crown and Calumet: British-Indian Relations, 1783-1815* (Norman: University of Oklahoma Press, 1987); Robert S. Allen, *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815* (Toronto: Dundurn Press, 1992); Timothy D. Willig, *Restoring the Chain of Friendship: British Policy and the Indians of the Great Lakes, 1783-1815* (Lincoln: University of Nebraska Press, 2008).

This approach fails to address the remarkable conservatism and enduring influence of the Indian Department over the following three decades, and consequently does little to credibly address the important transformations that did eventually take place in the Indian Department in the middle years of the nineteenth century.

As for the second approach to the study of the Indian Department, the tendency to see the Department in Upper Canada as a present-day Canadian bureaucracy-in-waiting owes much to the fact that a substantial amount of work on the Department's history has been written by members of the Canadian Department of Indian Affairs themselves. From the writing of Deputy Superintendent Duncan Campbell Scott in 1914, to the extensive work of the Department's research branch in the 1960s, 1970s, and 1980s, it is not surprising that researchers and writers attached to the twentieth-century Department of Indian Affairs viewed the Upper Canadian Indian Department as an earlier version of their own.⁸ This tendency is part of a wider trend in Canadian historiography to study Indigenous-newcomer relations in the late-eighteenth and early-nineteenth centuries primarily in anticipation of the eventual development of the Canadian settler state, best represented in the work of authors like James D. Leighton or John L. Tobias.⁹ Authors who broadly follow this approach have produced impressive scholarship, but at a cost. Since these works tend

⁸ Duncan C. Scott, "Indian Affairs, 1763-1841," in *Canada and its Provinces: A History of Canada and its Institutions by One Hundred Associates*, eds. Adam Short and Arthur G. Doughty, (Toronto: Glasgow, Brook, and Company, 1914-1917), 4:695-725; The importance of the work of the research branch of the Department of Indian Affairs in the historiography of the Canadian Indian Department and Indian affairs is summarized in Robert J. Surtees, *Canadian Indian Policy: A Critical Bibliography* (Bloomington: Indiana University Press, 1982), 31-32, 58. For prominent examples of this work relevant to the Upper Canadian Indian Department, see John F. Leslie and Ron Maguire eds., *The Historical Development of the Indian Act*, 2nd ed. (Ottawa: Treaties and Historical Research Centre, 1978); John F. Leslie, *Commissions of Inquiry into Indian Affairs in the Canadas, 1828-1858: Evolving a Corporate Memory for the Indian Department* (Ottawa: Treaties and Historical Research Centre, 1985); Robert J. Surtees, *Indian Land Surrenders in Ontario, 1763-1867* (Ottawa: Treaties and Historical Research Centre, 1984); Ian V.B. Johnson, *Pre-Confederation Crown Responsibilities: A Preliminary Historical Overview* (Ottawa: Treaties and Historical Research Centre, Indian and Northern Affairs Canada, 1984).

⁹ James D. Leighton, "The Compact Tory as Bureaucrat: Samuel Peters Jarvis and the Indian Department, 1837-1845," *Ontario History* 73 (1981): 40-53. John L. Tobias, "Protection, Civilization, Assimilation: An Outline of Canada's Indian Policy," in *As Long as the Sun Shines and Water Flows*, eds. Ian Getty and A.S. Lussier (Vancouver: University of British Columbia Press, 1983), 39- 55.

to focus on answering questions relevant to contemporary Canadian society, they come up somewhat short in terms of exploring the actual state of Indigenous-newcomer relations in the period up to the 1840s.¹⁰ Perhaps more insidiously, reading the modern bureaucratic state backwards in time can obscure both the contingency of developments in Indigenous-newcomer relations and the importance of Indigenous agency in this history. Such an approach can unintentionally serve to normalize the disenfranchisement and dispossession of Indigenous peoples that culminated in the genocidal policies of the Dominion period by implying that the history of the preceding centuries was only ever leading to the development of the modern Canadian state.

Despite their differences, both the retrospective and anticipatory approaches to the study of the Upper Canadian Indian Department demonstrate a marked preoccupation with identifying a singular decisive turning point in the history of Indigenous-newcomer relations in the region. As already mentioned, the year 1815 stands as a crucial turning point for most works in the historiography that consider the Indian Department from the perspective of frontier diplomacy and intercultural exchange. For the second category of historiography, the period 1815-1830 is usually taken as marking a similar shift.¹¹ Support for the idea that the year 1830 in particular marked a crucial turning point is usually based on the transfer of control over the Indian Department from the Commander of the Forces in British North America to the oversight of the Lieutenant Governor of Upper Canada, although as will be discussed in Chapter Five this administrative reorganization was much less significant than has often been asserted.

¹⁰ One warning against this approach is found in Alain Beaulieu, "Les pièges de la judiciarisation de l'histoire autochtone," *Revue d'histoire de l'Amérique française*, vol. 53, no. 4 (Winter 2000), 541-51.

¹¹ One recent work that complicates this idea of a shift to civilization is E.A. Heaman, "Space, Race, and Violence: The Beginnings of 'Civilization' in Canada," in *Violence Order, and Unrest: A History of British North America, 1749-1876*, eds. Elizabeth Mancke et al. (Toronto: University of Toronto Press, 2019), 137-158.

A common element among a large number of the works cited above is the privileged position they give to “policy” in the study of Indigenous-newcomer relations. Two of the most comprehensive accounts of the development of Canadian Indian Affairs can be taken as examples of this tendency, one from the retrospective historiography centered on military alliance and one from the anticipatory perspective chiefly concerned with Canadian state formation. The first is Robert S. Allen’s *His Majesty’s Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815*. Paired with his earlier work on the Indian Department, Allen’s scholarship presents an excellent overview of British Indian Affairs in the late eighteenth and early nineteenth centuries.¹² As the subtitle of his work illustrates, however, Allen is largely interested in the broader frameworks adopted by British policy makers in order to achieve a particular imperial objective. The actual shape of the Indigenous-Imperial relationship on the ground consequently receives somewhat less attention. The second work is John F. Leslie’s *Commissions of Inquiry into Indian Affairs in the Canadas, 1828-1858: Evolving a Corporate Memory for the Indian Department*. Published as part of the work of the Department of Indian Affairs’ Treaties and Historical Research Centre in 1985, Leslie’s work remains the best overview of the official development of Indian Department policy in the mid-nineteenth century.¹³ However, like Allen’s work, Leslie’s focus on the development of policy does little to explain what the actual work of the Indian Department looked like during these crucial decades.

Understanding policy at the highest levels of the administration in Canada and London is crucial to understanding the management of the Upper Canadian Indian Department, and this dissertation likewise examines policy decisions made by secretaries of state and governors general.

¹² Allen, “The British Indian Department and the Frontier in North America, 1755-1830.”

¹³For a fuller account of this historiography, see Ted Binnema, “Protecting Indian Lands by Defining *Indian*, 1850-76,” *Journal of Canadian Studies* 48, no. 2 (2014): 7.

However, there are serious shortcomings to investigating Indian Affairs principally from the perspective of these policy makers. The Indian Department into the middle years of the nineteenth century remained on the periphery of the Canadian and Imperial states, and the people who had the most influence over its daily working were not officials in Whitehall or the Chateau St. Louis, but the officers and interpreters employed at the various outposts on the fringes of the Empire. By making extensive use of the archives of the Indian Department itself, this dissertation seeks to present a history of the Department more in line with how it actually operated on the ground.

This approach necessarily involves understanding how Indigenous societies understood and interacted with the Indian Department. Recently, an increasing number of high-quality works have been produced that examine the social, cultural, and political lives of First Nations communities in northeastern North America from the seventeenth to the mid-nineteenth centuries. This newer scholarship tends to place the experiences of Indigenous communities themselves front and centre and only examines relations with newer arrivals in as much as they impacted this central concern. This is an important addition to older works that, while cognizant of the unique organization and motivations of First Nations societies, were chiefly concerned with Indigenous communities' interactions with European empires. Examples of authors who have adopted this more Indigenous-centric approach include Cary Miller, Michael J. Witgen, Susan B. Hill, and Kayanesenh Paul Williams, Alan Ojiig Corbiere, and Heidi Bohaker.¹⁴ Works such as these have been essential to my understanding of the Upper Canadian Indian Department as a joint creation that owed its existence to Indigenous forms of leadership and diplomacy as much as to imperial

¹⁴ Cary Miller, *Ogimaag: Anishinaabeg Leadership, 1760-1845* (Lincoln: University of Nebraska Press, 2010); Michael J. Witgen, *An Infinity of Nations: How the Native New World Shaped Early North America* (Philadelphia: University of Pennsylvania Press, 2012); Hill, *The Clay We Are Made Of*; Kayanesenh Paul Williams, *Kayanerenkó:wa: The Great Law of Peace* (Winnipeg: University of Manitoba Press, 2018); Alan Ojiig Corbiere "Anishinaabe Treaty-Making in the 18th- and 19th-Century Northern Great Lakes: From Shared Meanings to Epistemological Chasms" (PhD diss., York University, 2019); Heidi Bohaker, *Doodem and Council Fire: Anishinaabe Governance through Alliance* (Toronto: University of Toronto Press, 2020).

structures and policies. It is my hope that future iterations of this research can continue to deepen this engagement with the above literature in order to more fully delineate the confluence of Anishinaabe, Haudenosaunee, Imperial, creole, and settler leadership structures that met within the context of the Upper Canadian Indian Department.

Another important branch of scholarship that has had a substantial impact on this present work is the field that might be called frontier biography. These are works that focus on the lives of significant individuals in the history of the American trans-Alleghany west, many of whom also served in the British Indian Department.¹⁵ Biographies such as those by Reginald Horsman, James A. Clifton, Colin G. Galloway, and Larry Nelson helped immensely in providing personal details that otherwise did not appear in the archive of the Indian Department. In much the same vein, the various entries published in the *Dictionary of Canadian Biography* have also been extremely helpful for this dissertation. While this biographical approach has been an important point of departure, its one significant shortcoming is that by focusing on the lives of exceptional individuals the wider networks that made up the world of the Indian Department are somewhat obscured. I hope that this dissertation goes some distance to placing a few of these individuals into their wider social, political, familial, and cultural contexts.

Methodology and Sources

This dissertation is founded on the extensive archives of the Indian Department located in Library and Archives Canada's (LAC) Record Group 10 (RG10). This enormous collection not

¹⁵ Horsman, *Matthew Elliott: British Indian Agent*; James A. Clifton, "Personal and Ethnic Identity on the Great Lakes Frontier: The Case of Billy Caldwell, Anglo-Canadian," *Ethnohistory* 25, no. 1 (1978): 69-94; Colin G. Galloway, "Simon Girty: Interpreter and Intermediary," in *Being and Becoming Indian: Biographical Studies of North American Frontier*, ed. James A. Clifton (Chicago: The Dorsey Press, 1989), 33-68; Larry L. Nelson, *A Man of Distinction Among Them: Alexander McKee and the Ohio Country Frontier, 1754-1799* (Kent: Kent State University Press, 1999), 174-177.

only presents an incredible overview of the work of the Indian Department, but the documents contained therein touch on almost every aspect of Indigenous life during the late eighteenth and early nineteenth centuries. From my own reading, it seems that this immense archive has yet to be fully utilized by researchers, and I hope this dissertation can act as an overview for scholars looking to dig into this exceptional collection. Alongside RG10, this research draws on a wide variety of other archives. The military records contained in LAC's Record Group 8 provide an excellent counterbalance to the documents produced by the employees of the ID in RG10. The correspondence between the colonial administrators and the secretaries of state in LAC's MG11, C.O. 42, Q Series likewise presents an important perspective. Other important sources include the personal and professional papers of the Claus family, the archives of the office of the Governor General in LAC's Record Group 7, and smaller collections at the Archives of Ontario, Burton Historical Collection at the Detroit Public Library, and the McCord Museum in Montreal. All this is supplemented by numerous published sources.

It is common to observe in works of history that sources are biased. While this is may be true, fortunately not all sources on the Indian Department are biased in the same way. The members of the Indian Department were certainly interested in highlighting their own influence, dependability, and good behaviour. The fundamental importance of this self-interest plays a central role in this dissertation. But while the correspondence of Indian Department employees tends to paint a rosy picture of their own work, in wider Upper Canadian society the Indian Department tended to be deeply unpopular. Settler representatives in the Legislative Assembly, administrators like Lieutenant Governor Simcoe, Methodist and other dissenting missionaries, and especially military officers disgusted with the power and influence of their unlettered frontier counterparts

frequently heaped criticism on “that wretched department.”¹⁶ Additionally, the British Empire had a real interest in ascertaining the actual views of First Nations leaders, as will be discussed in Chapter Four. Speeches, petitions, and other representations from Indigenous communities against members of the Indian Department were thus taken very seriously and could play a major role in determining the careers of its officers, interpreters, and other employees. By balancing a variety of sources and by bearing in mind the fundamental importance of the self-interest of its members, I have attempted to produce a dissertation relatively free from the biases inherent in the different sources available. It is my sincere hope that future research can reveal how close I came to the mark.

The years 1796-1845 form the core of this research. While ideally the entire history of the Imperial Indian Department from 1755 to the transfer of jurisdiction over Indian Affairs to the Province of Canada in 1860 would be considered together, this century-long history would be somewhat excessive for the present dissertation. The year 1796 marks a convenient starting point. A number of important employees either died or joined the Department this year, and a number of important administrative reforms were enacted. Most importantly, however, 1796 marked the evacuation of the British garrisons from the western posts of Michilimackinac, Detroit, and Niagara they had occupied since the end of the Seven Years’ War. The Indian Department was accordingly forced to relocate to St. Joseph’s Island, Amherstburg, and Fort George in what is today Niagara-on-the-Lake, where they attempted to maintain diplomatic relations with the nations living in U.S. territory over the next forty years, even as the international border became more and more of an obstacle. The year 1845 likewise marks a natural concluding point, as the important

¹⁶ Major General Procter to Lieutenant Colonel Harvey, 15 June 1815, 109-110, vol. 258, RG8, LAC.

recommendations made by the commissioners appointed by Governor General Bagot were put into place in that year.

The limitation of this research to Upper Canada, rather than the two Canadas more generally, is likewise the regrettable result of practical constraints. Up until 1830, the two branches of the Indian Department were united under the nominal control of the Superintendent General, Sir John Johnson. After 1845, they were again reunited. Throughout the period under consideration here, these two branches shared crucial practices, structures, and traditions. Ideally, they would be studied side by side. There are however three important ways in which the situation in Upper Canada differed significantly from Lower Canada. First, Upper Canada had a much larger Indigenous presence than Lower Canada; enumerated in 1829 as 3,501 in Lower Canada compared to 15,188 in Upper Canada.¹⁷ Second, the legal and diplomatic frameworks for Indigenous-newcomer interactions were different in the two provinces, perhaps best illustrated by the fact that Upper Canada lay inside the limits delineated by the Royal Proclamation of 1763. Third, Indigenous-Imperial relations in Upper Canada were of increased importance because of the connections Indigenous communities there maintained with the populous and powerful nations in U.S. territory. Despite these differences, it is my hope that this dissertation can serve as a point of departure for an examination of the Indian Department in Lower Canada during the same time period.

A Note on Language

As this dissertation depends primarily on the archives of the Indian Department, it generally privileges the language used in that archive. An important example of this can be found in the names used for the various First Nations of the Great Lakes region herein, such as the

¹⁷ Return of Indians in Lower and Upper Canada for the Year 1829, (no date), 767, vol. 268, RG8, LAC.

Mississauga, Odawa, Ojibwe, Potawatomi, Wyandot, Munsee, Delaware, Shawnee, and Sauk, among others. The spelling of these names has been standardized, and in a few cases modernized where historical appellations have a clearly analogous contemporary form. As the most important example of this modernization, I have opted to use the spelling Ojibwe rather than Chippewa.¹⁸ The principal motivation for sticking relatively closely to the names that appear in the archives is in order to not obscure differences that were important to contemporaries but that might be erased by adopting more modern language. For example, three different communities in Upper Canada could be grouped under the broader heading of Lenape: the Delaware on the Grand River, the Munsee on the Thames, and the Moravian community at Fairfield. Each of these communities however had a unique history and a distinct political organization, even as they recognized a broader cultural unity.¹⁹ For similar reasons of attempting to maintain historical clarity, I have opted to use the names of the constituent peoples of the Six Nations as they appear in the Indian Department archive, Mohawk for the Kayen'kehaka, Seneca for the Onondawa:ga, Oneida for the Onyata'a:ka, and so on.²⁰ When talking about broader cultural groups rather than relatively discrete political communities, however, this dissertation occasionally adopts language not widely used in the ID archive. The terms Lenape and Kayen'kehaka are both used for this purpose, as are

¹⁸ While Chippewa is much more widely used in the ID archive, even in the nineteenth century it was recognized that this was simply another spelling of Ojibwe. See for example Peter Jones, *History of the Ojebway Indians* (London: A.W. Bennett, 1861), iii, 31. As another important spelling modernization, I have opted to use Odawa rather than Ottawa. While there might be an argument for sticking even more closely to the archival language, no information is lost by adopting these modern forms as I use them simply as synonyms for the language used in the archival sources.

¹⁹ For an excellent example of broader unity between these three very different communities, see Interpretation of a Council held at Amherstburg, 22 June 1820, 310, vol. 260, RG8, LAC. For more on the Lenape, see Gunlög Maria Fur, *A Nation of Women: Gender and Colonial Encounters among the Delaware Indians* (Philadelphia: University of Pennsylvania Press, 2009), 6.

²⁰ These names come from Hill, *The Clay We Are Made Of*, 289-290. Maintaining this usage is particularly important since the term Mohawk was sometimes used to described multiethnic communities that were not necessarily exclusively Kayen'kehaka in origin, especially the community known as the Mohawk of the Bay of Quinte. This can be compared with the situation at Kahnawake, see for example Matthieu Sossoyan, "The Kahnawake Iroquois and the Lower-Canadian Rebellions, 1837-38" (MA diss., McGill University, 1999), 18.

the adjectives Anishinaabe and Iroquoian.²¹ The term Haudenosaunee is also occasionally used in this way when referring to the confederacy otherwise called the Six Nations. These terms I take as sufficiently current to require no additional explanation than that offered here.

The most important exception to the use of historical language is that the term “Indian” has generally been replaced with the terms Indigenous and First Nations, which will be used synonymously throughout. Where the word Indian forms one part of an important contemporary concept, however, it has been retained. The most obvious example of this is in the title of the Indian Department itself. The expression “Indian Affairs” also appears throughout this dissertation. In a capitalized form, I use this phrase to refer specifically to imperial or colonial attempts to manage relations with Indigenous peoples. The term “Indian policy” in turn refers to the practices and ideas that governed the formation of Indian Affairs. Throughout this dissertation, Indian Affairs and Indian policy are generally used to invoke imperial or colonial points of view. Phrases such as “Indigenous-Imperial framework” or “Indigenous-Imperial relations” are used when discussing more collaborative approaches. The term “Visiting Indians” is also occasionally used in this dissertation to refer to Indigenous communities living primarily in United States territory who crossed the border to take part in the distribution of the annual presents. This was the language used by the ID at the time and is in no way meant to delegitimize the eventual settlement of many of these communities within the internationally recognized borders of British North America. Indeed, as will be explored in Chapter Seven, members of the Upper Canadian Indian Department were among the strongest supporters of the rights of these communities to settle permanently within British Canada.

²¹ In a few instances, the plural noun form Anishinaabeg also appears.

Names of individuals generally appear in this dissertation in the form they most often take in the archive. When these are Indigenous-language names, such as Assiginack, Bauzhigeeshigwashekum, or Tekarihogen, a standard spelling has been adopted.²² Many of the individuals who play a part in this dissertation commonly went by both Indigenous-language and non-Indigenous language names. When presenting these names in full, such as upon first introduction or when it might be appropriate to remind the reader that these individuals were part of Indigenous cultures, these individuals will appear with their Indigenous-language name first, followed by their so-called Christian name and family name. Given that one of the major arguments of this dissertation is the interconnectivity of the Indian Department and Indigenous communities, there is a strong argument for a more widespread use of Indigenous-language names, even for individuals who were not themselves of Indigenous descent, such as James Givins, William Claus, and Henry Charles Darling.²³ Further research in the archives is sure to reveal more Indigenous-language names for non-Indigenous members of the Indian Department, and I hope that future work based on this present research can more fully reflect the diverse naming practices that were widespread in the Great Lakes region both among Indigenous and newcomer communities in the eighteenth and early-nineteenth centuries.

The words “chief” and “warrior” are also used in this dissertation largely in the same way they appear in the archive of the Indian Department. Not everyone who the Indian Department identified as a “chief” held a recognized position of authority in an Indigenous community.²⁴ The title of chief as used by the Indian Department was often intended to identify Indigenous men who

²² The name Tekarihogen was more accurately a title, but it appears in the Indian Department archive as the name for Hendrick, the Tekarihogen of the Mohawk who died in 1830.

²³ While not following it exactly, I am guided by the approach of Kayanesenh Paul Williams, *Kayanerenkó:wa: The Great Law of Peace*, ix-x.

²⁴ Gordon J. Smith, “Capt. Joseph Brant’s Status as a Chief, and Some of His Descendants,” *Ontario Historical Society Papers and Records* 12 (1914): 89-101.

possessed particular influence, or who could serve a particular purpose in the Empire's relationship with Indigenous peoples.²⁵ Similarly, when the Indian Department referred to "warriors" they were not referring to any specific warrior society, but rather to the mass of young men over the age of 15 who did not fall into the category of chief.²⁶

A few other linguistic choices are worth pointing out. This dissertation makes minimal use of quotation marks to indicate use-mention distinctions. After an initial introduction to a term or concept, subsequent references will be made without the intervention of punctuation. Throughout the dissertation, I capitalize both Empire and Imperial when I am discussing the British Empire and its particular policies, officers, and institutions. This capitalization is intended to recall that the British Empire was a specific polity with its own structures and history, distinct from empires and imperialisms more broadly. Finally, except where the original form of a quotation provides important additional context, spelling, capitalization, and punctuation have been modernized for the sake of readability.

Dissertation Outline

The following dissertation is divided into eight chapters. Three of these chapters are largely organized chronologically, dealing with particular time periods and the changes that occurred in the Department during them. Chapter One discusses the foundation and early years of the Indian Department from 1754 to 1794, as well as the developments that took place between 1794 and 1796 that contributed to the coalescence of a distinct branch of the Indian Department in Upper Canada. This first chapter also outlines the formation of an agreed-upon constitution governing the relationship between the British Empire and the First Nations of the northeastern North

²⁵ This is similar to Richard White's concept of an alliance chief, see White, *The Middle Ground*, 39.

²⁶ For a fuller discussion of the above distinctions, see Cary Miller, *Ojimaag: Anishinaabeg Leadership, 1760-1845*.

America. Drawing on longstanding Indigenous diplomatic language, this framework is described using the metaphor of a mighty “Fire of Friendship.” While the rest of this dissertation primarily focuses on the period after 1796, the enduring importance of the traditions, practices, and frameworks that were established during this earlier period remains an important theme throughout later chapters.

Chapter Five is the second of these three chronological chapters, covering the period from the War of 1812 to 1835. While the province of Upper Canada as a whole underwent a number of fundamental changes during these decades, this chapter demonstrates that the history of the Upper Canadian Indian Department in this period was much more strongly marked by continuity than previous studies have suggested. Chapter Eight examines the crucial years from 1836 to 1845, the final period under consideration here. These years witnessed the first serious attempts to dismantle the Indian Department as it had existed since the late eighteenth century. The upheaval of the Rebellion years, however, demonstrates that the Department was able to work together with its Indigenous allies to push for the renewal of the older framework of the Fire of Friendship in the context of the crises of domestic insurrection and foreign invasion. The final part of this chapter examines the final unraveling of this framework in the years following the union of the two Canadas, culminating in the important reforms of 1845.

The remaining five chapters discuss themes that were central to the organization and operation of the Indian Department in the period 1796-1845. Chapter Two is divided into two sections, both examining important elements of the Department’s work on the ground; the first outlines the various positions within the ID, and the second discusses the different venues its employees could pursue to maximize material gain from their employment therein. Chapter Three explores the role of family ties in the composition of the Indian Department, demonstrating that

the cross-cultural kinship networks that bound its members together not only constituted one of the chief organizing principles of the Upper Canadian ID but were also central to the Department's work of diplomacy, military mobilization, and imperial ligation.

Chapter Four presents an overview of the interactions between Indigenous communities and the Upper Canadian Indian Department. According to an interpretation that appears to have been widespread among First Nations communities, the Indian Department was "their Department," and Indigenous leaders and speakers consistently applied pressure to maintain their influence in its composition and operations. Chapter Six examines the views of the members of Upper Canadian Indian Department regarding the proper relationship between the British Empire and the First Nations of the Great Lakes region. Beyond the commonly invoked dichotomy of "ally" versus "subject," this chapter argues that the Upper Canadian Indian Department largely shared the view of the Indigenous-Imperial relationship as a common Fire of Friendship, whose key elements included the autonomy of First Nations communities, the importance of military alliance, and the continued maintenance of relations with nations living beyond the borders of the Empire in United States territory. Finally, Chapter Seven challenges the historiographical consensus that the Department's work was increasingly dominated by the concerns of "civilization" during the early decades of the nineteenth century. Instead, drawing on the earlier history of Indigenous settlements in the St. Lawrence valley in the seventeenth and eighteenth centuries, this chapter proposes an alternative model of "domiciliation." Settlements founded on this model, such as those at Chenail Ecarté, Coldwater and the Narrows, and Manitoulin Island, were intended by their advocates not as projects to extirpate Indigenous culture, but as military settlements meant to anchor the British Empire in the far reaches of Upper Canada. Indigenous warrior traditions were in fact envisioned as a central element of these projects, but as the Imperial

state retreated from Canada in the 1840s, the critique that such settlements only hindered the complete remaking of Indigenous societies gained prominence, and the Canadian government increasingly distanced itself from the older model of domiciliation in favour of more coercive policies.

Chapter One

“More Firmly Rooted than Ever”: The Foundations of the Upper Canadian Indian Department, 1754-1796

On June 7, 1796, Deputy Superintendent General Alexander McKee forwarded his “proposed plan for the future government of the Indian Department” to Governor General Dorchester. To begin, McKee wrote that it was absolutely necessary to maintain three key Indian Department posts in the upper country, located at “Niagara, Detroit, and Michilimackinac, or to whatever places his Lordship shall be pleased to remove these garrisons.” At each of these posts, McKee wrote, accurate records had to be kept, and the proper chain of command had to be maintained, all the way up to Sir John Johnson, the superintendent general of the Department. The Deputy Superintendent General also stressed that ID employees had to report on “the temper, disposition, and apparent views or designs of all the tribes of their districts respectively,” as well as record and forward “all the public speeches that have been made on wampum, to be recorded in the office of the Superintendent General.”²⁷

At the same time, McKee offered many suggestions of a humbler nature for improving the daily workings of the Indian Department. He recommended that it was better to distribute the annual presents to smaller groups whenever they might arrive at the post rather than all at once to massive gatherings, as the recipients could thus “receive more attention and respect.” To supplement these annual issues, the Deputy Superintendent directed that a smaller supply of presents had to be left in store at Department posts year-round in order to supply important Indigenous visitors who could arrive at any season. McKee concluded his report by suggesting further measures be taken to prevent members of the Indian Department profiting from illicit gifts

²⁷ Copy of a Letter from Colonel McKee to Lord Dorchester, 7 June 1796, 175-180, vol. 249, RG8, LAC.

of “peltries, furs, corn, and sugar received from the Indians.” According to the Deputy Superintendent General, orders should be dispatched that all such gifts be turned over to the Department storekeeper and then sold for the benefit of the post in general.²⁸

As McKee’s report indicates, 1796 was an important turning point for the British Indian Department in the Great Lakes region. His comment on the potential removal of the Department from Niagara, Detroit, and Michilimackinac was particularly important, as the British government was indeed preparing to hand over these three posts to the United States as stipulated in the Jay Treaty of 1794. McKee made his report to Dorchester in light of the potential collapse of the Empire’s relationship with the powerful Indigenous nations to the south and west of Lake Erie in the aftermath of the evacuation of the western posts, and many of his recommendations were intended to ensure the continued viability of these important alliances.²⁹ More generally, the long absence of Sir John Johnson from the Canadas had led the Department to become “much deranged,” and Governor General Dorchester had accordingly turned to Alexander McKee at this difficult juncture to help right the troubled course of the Indian Department.³⁰ McKee’s 1796 report was part of this course correction, and the reforms he suggested continued to shape the Indian Department, particularly in Upper Canada, well into the nineteenth century.

At the same time, the recommendations made by McKee’s report came from the cumulated experience of the Indian Department over its four decades of existence. When the Deputy Superintendent General forwarded his report, just over 41 years had passed since William Johnson was first appointed “to superintend and manage” the British relationship with the Six Nations on

²⁸ Copy of a Letter from Colonel McKee to Lord Dorchester, 7 June 1796, 175-180, vol. 249, RG8, LAC.

²⁹ Report of Alexander McKee to Lord Dorchester, 3 July 1795, 8961-8974, vol. 9, RG10, LAC.

³⁰ See for example Dorchester to Simcoe, 22 September 1794, 139, vol. 71, Q Series, C.O. 42, MG11, LAC.

April 15, 1755.³¹ During the intervening years, war, reform, and rebellion had transformed the British Empire in North America, but at its core the Indian Department remained committed to the same principles first laid down in Sir William Johnson's time. McKee's recommendations regarding the centrality of gift giving, the importance of maintaining an active and centralized department, and the need to follow Indigenous forms of diplomacy all bear a striking similarity to suggestions made in the early years of Sir William Johnson's department. This similarity is perhaps not surprising, since Alexander McKee had first been appointed to the Department by Sir William himself in 1766.³² Given his long experience, McKee was not daunted by the difficulties facing the Department in the middle years of the 1790s. At the dawn of the Upper Canadian period that forms the central focus of this dissertation, Deputy Superintendent Alexander McKee remained optimistic that, despite the challenges facing his branch of the King's service, the British Empire's relationship with the Indigenous peoples of the Great Lakes region remained "more firmly rooted than ever."³³

This chapter provides an overview of these roots. Understanding the foundation and development of the Indian Department in the years between 1754 and 1796 is essential to understanding the structures and practices that existed in the Upper Canadian period. Into the 1840s, the Indian Department in Upper Canada remained firmly rooted in traditions that took shape in the second half of the eighteenth century. Perhaps even more importantly, the relationship that existed throughout the Upper Canadian period between the First Nations of the Great Lakes region and the British Empire, with crucial elements including the annual presents, the employment of

³¹ Commission from Edward Braddock, 15 April 1755, in *The Papers of Sir William Johnson (PWJ)*, eds. James Sullivan et al. (Albany: The University of the State of New York, 1921-65), 1:465-466.

³² For an account of McKee's early career, see Larry L. Nelson, *A Man of Distinction Among Them: Alexander McKee and the Ohio Country Frontier, 1754-1799* (Kent: Kent State University Press, 1999), 55-64.

³³ Extract of a Letter from Alexander McKee to Joseph Chew, 14 September 1795, 329, vol. 248, RG8, LAC.

Indigenous warriors as military auxiliaries, the recognition of Indigenous autonomy, and the protection of Indigenous land from settler encroachments, likewise took shape during these same crucial years. A firm understanding of this early period is therefore requisite for a proper investigation into the Upper Canadian Indian Department.

The first part of this chapter presents an overview of the foundation of the Indian Department as an independent branch of the King's service during the era of Sir William Johnson. The second goes through the tumultuous period of rebellion, war, and reform that occupied the Indian Department from 1774 to 1794. The third part of the chapter focuses on the following two years up to 1796, paying particular attention to the changes that established the Upper Canadian Indian Department as a distinct organization, separate from, although in close connection with, the ID branch located in the lower province. This year not only saw the Department in Upper Canada placed under the immediate supervision of the local lieutenant governor, but it also marked the beginning of the Upper Canadian Department's long-running struggle to keep the recently established international border open to the Indigenous allies of the Crown in the aftermath of the evacuation of the western posts that same year. The final part of this chapter discusses the coalescence of a distinct framework for the Indigenous-Imperial relationship that likewise took place during these decades. Just as the practices and traditions established in the years 1755-1796 continued to influence the Indian Department well into the nineteenth century, the structure of Indigenous-Imperial relations that took shape during the second half of the eighteenth century continued to constitute the principal framework for interactions between First Nations communities and the Upper Canadian Indian Department throughout the Upper Canadian period and beyond.

“One General System”: The Era of Sir William Johnson, 1754-1774

When the struggle for hegemony in northeastern North America between Great Britain and France erupted into bloodshed in the spring of 1754, Britons on both sides of the Atlantic saw the need to strengthen their empire's relationship with the region's Indigenous peoples. At an intercolonial congress at Albany called by the Board of Trade later that summer in response to the crisis, the delegates agreed on a Plan of Union that would have removed Indian Affairs from the purview of the individual colonies in favour of centralizing relations with Indigenous nations for all of British North America under one office.³⁴ While this plan was subsequently rejected by the colonial assemblies, the appointment in the autumn of 1754 of Major General Edward Braddock as commander-in-chief in North America with quasi-viceregal powers over the local governments promised to carry into effect a similar plan of centralization.³⁵ Shortly after his arrival in North America the following spring, Braddock took a substantial step towards centralizing relations with the Indigenous nations of northeastern North America by appointing William Johnson as Superintendent to “have the sole Management and direction of the Affairs of the Six Nations of Indians and their Allies” in a commission dated April 15, 1755.³⁶

William Johnson remains one of the best documented figures in the eighteenth-century Atlantic world.³⁷ His aptitude as a political broker in the diverse world of the upper Hudson Valley was facilitated by astute marital alliances with leading Indigenous women, his warm embrace of Indigenous forms of diplomacy, and his ability to lead through example and persuasion rather than

³⁴ Fred Anderson, *Crucible of War: The Seven Years' War and the Fate of Empire in North America, 1754-1766* (New York: Vintage Books, 2001), 38-39, 77-85. See also the first two chapters of Timothy J. Shannon, *Indians and Colonists at the Crossroads of Empire: The Albany Congress of 1754* (New York: Cornell University Press, 2000).

³⁵ Anderson, *Crucible of War*, 68-70, 84-85.

³⁶ Commission from Edward Braddock, 15 April 1755, in *PWJ*, 1:465-466.

³⁷ See for example Milton W. Hamilton, *Sir William Johnson, Colonial American, 1715-1763* (Port Washington: Kennikat Press, 1976); Fintan O'Toole, *White Savage: William Johnson and the Invention of America* (New York: Farrar, Straus and Giroux, 2005).

attempting to rely on coercion.³⁸ In the words of the Albany delegates who originally nominated him to the post, Johnson's appointment was largely due to "the connections he has formed by living amongst [the Six Nations], and habituating himself to their manners and customs."³⁹ In both his intimate connections with First Nations communities and his attention to Indigenous forms of diplomacy, William Johnson set the model for Indian Department officers such as Matthew Elliott, Alexander McKee, Robert Dickson, T.G. Anderson, and Joseph Brant Clench into the 1840s. Johnson also set the model for his successors in a second important regard. Deeply involved in both the fur trade and land speculation, Johnson was more than willing to use the power of his office to further his own private interests in ways that were not entirely legal.⁴⁰

Johnson's approach to diplomacy ended up shaping the Indian Department for generations to come. Shortly after his appointment, the new Superintendent argued to the Board of Trade that three elements should be at the heart of the Indigenous-Imperial relationship. First and foremost, Johnson maintained that the Crown must be the guarantor of Indigenous property, protecting their lands against the frauds and abuses of powerful speculators and the depredations of land-hungry settlers. Second, the Superintendent recommended that the government maintain fortified posts in the neighbourhood of the most important Indigenous villages. Third, these posts should be supplied with a blacksmith and a warehouse to supply the material needs of the nearby communities.⁴¹ Johnson was also a staunch supporter of supplying regular presents to the allied nations, and after

³⁸ Robert S. Allen, *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815* (Toronto: Dundurn Press, 1992), 23-25. Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (Cambridge: Cambridge University Press, 1991), 286.

³⁹ Representation to the King on the Proceedings of the Congress at Albany, 29 October 1754, in *Documents Relative to the Colonial History of the State of New York (DCNY)*, eds. E.B. O'Callaghan and Berthold Fernow, (Albany: Weed, Parsons, and Company, 1853-1887), 6:919.

⁴⁰ White, *Middle Ground*, 353-354. Anderson, *Crucible of War*, 79-80. Allen, *His Majesty's Indian Allies*, 37.

⁴¹ Major General Johnson to the Lords of Trade, 21 July 1755, in *DCNY*, 6:961.

the close of the Seven Years' War he maintained that the presents should be continued on an annual basis despite the end of hostilities.⁴²

In these recommendations, William Johnson was self-consciously following the example of the French Empire in North America. In his correspondence with the Board of Trade, Johnson praised "the uniform, spirited Indian policy of the French."⁴³ In particular, he credited the intercultural skills of the agents working in the French alliance system and the willingness of French administrators to spend enormous sums on presents for creating an alliance system "so much superior to anything we had ever attempted."⁴⁴ Alongside the uniformity and energy of their policy, what William Johnson recognized as the greatest strength of the French alliance system was the willingness of officials in Canada to adopt the longstanding practices of Indigenous diplomacy as the foundation of their own relations with First Nations, and Johnson strongly recommended the British follow suit in this regard.⁴⁵ Johnson also recognized how successfully the French had mobilized religion to secure Indigenous communities to their alliance, particularly the *nations domiciliées* of the St. Lawrence Valley. Johnson therefore proposed that the British government sponsor missionaries of the Church of England to all the principal towns of the Iroquois Confederacy to try to replicate this success.⁴⁶

Historians have generally viewed the commission of April 15, 1755, as the foundation of the British Indian Department, and with good reason.⁴⁷ Braddock's commission empowered Johnson to employ a secretary and one or more interpreters, the appointment and payment of whom

⁴² Sir William Johnson to the Lords of Trade, in *DCNY*, 7:662.

⁴³ Some Thoughts upon the British Indian Interest, January 1756, in *DCNY*, 7:22.

⁴⁴ Sir William Johnson to the Lords of Trade, 24 May 1765, in *DCNY*, 7:714.

⁴⁵ For an overview of some of the key elements of the French alliance, see Catherine M. Desbarats, "The Cost of Early Canada's Native Alliances: Reality and Scarcity's Rhetoric," *The William and Mary Quarterly* 52, no. 4 (1995): 609-610.

⁴⁶ Sir William Johnson to the Lords of Trade, (no date), in *DCNY*, 7:43.

⁴⁷ Allen, *His Majesty's Indian Allies*, 26-28.

was left to Johnson's discretion.⁴⁸ Johnson was also immediately granted 2,000 pounds from the new commander-in-chief, and permission to draw as much money from Governor Shirley of Massachusetts as he might require. All of this illustrates that already at the start of the Seven Years' War many of the central elements of the British Indian Department as it would exist into the 1840s were in place.

Nonetheless, William Johnson's office in the early years was still only an embryonic version of the Indian Department that would develop over the following decades. While the word "department" was sometimes used to describe the organization that was taking shape under William Johnson's supervision, the language of "superintendency" was much more prevalent during William Johnson's tenure, reflecting the importance of Johnson himself in his new position as Superintendent.⁴⁹ The earliest instructions empowered this superintendent to manage the new arrangement for Indigenous-Imperial diplomacy largely on his own and generally on an *ad hoc* basis, without the infrastructure to which other branches of the King's service had access. In addition, while Braddock's instructions had given Johnson an enormous amount of latitude in managing Indian Affairs, other members of the administration in British North America soon challenged the powers of the newly appointed superintendent, leaving the actual limits of Johnson's jurisdiction unclear.⁵⁰

Given this situation, Johnson himself was among the strongest advocates for setting this new edifice on a more regular foundation. In a report drawn upon by Johnson's secretary Peter Wraxhall in January of 1756 titled *Some Thoughts upon the British Indian Interest*, the

⁴⁸ Commission from Edward Braddock, 15 April 1755, in *PWJ*, 1:466.

⁴⁹ For the use of "department," see the letter of July 21, 1755, from William Johnson to the Board of Trade, laying out his vision for the management of "the Department I am now placed in." In this same letter, Johnson also refers to his "superintendency," see Major General Johnson to the Lords of Trade, 21 July 1755, in *DCNY*, 6:961.

⁵⁰ Johnson clashed in particular with Governor Shirley, see Major-General Johnson to the Lords of Trade, 3 September 1755, in *DCNY*, 6:993.

Superintendent argued that his department “must be constituted a distinct Service *immediately* from His Majesty and supported by a fixed Fund.” Johnson presented a host of other recommendations, including appointing a second superintendent for the nations bordering the southern colonies, delineating clear channels of communication for Indian Affairs, and outlining the duties of the superintendents and their agents. All of these steps were intended to create “a uniform System as may be most conducive to the General Interest of the British Colonies.”⁵¹

Following the close of the Seven Years’ War and the accession of Canada to the Empire, Johnson’s views were finally adopted by the metropolitan administration. The disastrous outcome of General Jeffery Amherst’s coercive approach to Indian Affairs led to the adoption of Johnson’s views on the centrality of protecting Indigenous land from speculators, as was outlined in the Royal Proclamation of 1763.⁵² The following year, the entire apparatus of the Indian Department was molded into a more regular form. Acting again on advice from William Johnson, the Board of Trade issued a new plan for the management of Indian Affairs on July 10, 1764. This plan outlined “one general system” for Indian Affairs, conducted by officers of the Crown in a branch of the King’s service independent of both the military and local colonial governments. In order to ensure complete independence from the American colonies, the Board of Trade proposed repealing all laws relating to Indian Affairs passed by colonial assemblies. The management of Indian Affairs in North America was split into northern and southern departments, each headed by its own superintendent. These superintendents were to appoint three deputies, and employ an unspecified number of storekeepers, interpreters, and blacksmiths. In addition, Johnson in the northern department was allowed to employ four missionaries. The management of the fur trade and the negotiation of land treaties were placed under the exclusive control of these two departments. The

⁵¹ Some Thoughts upon the British Indian Interest, January 1756, in *DCNY*, 7:26.

⁵² Anderson, *Crucible of War*, 464-470; White, *The Middle Ground*, 308.

whole was to be supported by a permanent annual fund of 20,000 pounds, which the Board of Trade imagined could be raised by a duty upon the fur trade.⁵³

While the Indian Department as outlined in the plan of July 10, 1764, was everything Johnson had hoped for, the triumph of his vision was short-lived. Only four years later, the policy of 1764 was completely reversed. Increasing unrest along the seaboard and the need to reign in the expenses of administering their American domains had led British administrators to order a substantial retreat from the recently conquered interior.⁵⁴ Management of the fur trade was given back to the individual colonies, and while the northern and southern departments were to be maintained in order to oversee affairs that were “of immediate negotiation between his Majesty and the Savages, and cannot therefore be regulated by Provincial Authority,” the superintendents of Indian Affairs had to once again share the management of Indigenous diplomatic relations with local assemblies and governors.⁵⁵ In addition, all the western posts occupied by British regulars in the aftermath of the Seven Years’ War and Pontiac’s War were to be abandoned save Michilimackinac, Niagara, and Detroit, and the northern and southern departments were left with a vastly decreased budget of only 8,000 pounds between them.⁵⁶ Johnson vigorously protested these changes, arguing that he could not possibly run his department on such a diminutive budget.⁵⁷ Nonetheless, the work of the Indian Department continued apace. In 1772, William Johnson’s

⁵³ Lords of Trade to Sir William Johnson, 10 July 1764, in *DCNY*, 7:634-641.

⁵⁴ Ian Christie, *Crisis of Empire: Great Britain and the American Colonies, 1754-1783* (London: Edward Arnold, 1966), 87-88; Charles Ritcheson, *British Politics and the American Revolution* (Norman: University of Oklahoma Press, 1954), 110.

⁵⁵ This surrender of ID power to the colonies was not enough for many local administrators. In April 1772, Brigadier General Frederick Haldimand wrote to General Thomas Gage that “En général les gouverneurs qui cherchent à empiéter sur tout voudront volontiers que le département des Indiens fut entièrement sous leurs directions.” See Haldimand to Gage, April 1772, 78, vol. 5, Haldimand Papers, MG21, LAC.

⁵⁶ Representation of the Lords of Trade on the State of Indian Affairs, 7 March 1768, in *DCNY*, 8:19-31; Earl of Hillsborough to the Governors in America, 15 April 1768, in *DCNY*, 8:55-56; Earl of Hillsborough to Sir William Johnson, 15 April 1768, in *DCNY*, 8:57-58.

⁵⁷ Sir William Johnson to the Earl of Hillsborough, 20 July 1768, in *DCNY*, 8:82-87. In response to Johnson’s protests, the total budget of his department was eventually increased so he could pay his deputies, see William Johnson to Frederick Haldimand, 17 December 1773, 125, vol. 10, Haldimand Papers, MG21, LAC.

Department consisted of four deputy agents, a clerk, a storekeeper, three interpreters, and two smiths with an assistant each, for a total of fourteen individuals including the Superintendent himself. The Department's expenses also included the rent of a storehouse, money to hire a surgeon, and fifty pounds for a certain Maisonville living on the Wabash River, all of which along with the salaries of the permanent establishment cost a total of 2,048 pounds for the six months between March and September.⁵⁸

“To Overawe the British Colonies”: War and Reform, 1774-1794

Feeling the end of his life drawing near, William Johnson wrote a lengthy letter to the Secretary of State for the Colonies, the Earl of Dartmouth, on April 17, 1774, regarding the management of the Indian Department after his death. Pleading that his own interest in the matter somewhat disqualified him from giving his private views, Johnson framed his letter as representing the wishes of the various communities within the northern department. The leaders of these nations, Johnson wrote, were deeply concerned that their relations with the Crown should continue to be “conducted by an Agent belonging to His Majesty as the most regular and best channel” after Johnson's death. They therefore requested that Johnson should be allowed to nominate a successor to continue his work, and that this person must be “personally known to and esteemed by their people.”⁵⁹ Johnson went on to outline the difficulties inherent in finding a proper successor, laying out a long list of attributes that any new superintendent had to possess. The qualities listed by Johnson remained so central to the staffing of the Indian Department over the succeeding generations that it is worth quoting his criteria at length:

[...] this being a peculiar Department, to which no other is similar, the person nominated to it must possess such qualifications, without which, he must be doubtless inadequate to

⁵⁸ Account of the Pay of Sir William Johnson and the Officers under Him in the Indian Department, 25 March to 24 September 1772, 72, vol. 10, Haldimand Papers, MG21, LAC.

⁵⁹ Sir William Johnson to the Earl of Dartmouth, April 17, 1774, in *DCNY*, 8:419-421.

the trust, there are doubtless few offices in the state that a Gentleman of good abilities after some little application may not be able to discharge with at least tolerable success, but this, My Lord, is of a very different and difficult nature, the most shining capacity must here be at a loss without a long series of application and knowledge which very few of any capacity at all have inclination or opportunity of acquiring, to all which, the affections of the Indians should necessarily be added as an ascendancy derived therefrom is so indispensably necessary, that I can affirm I have often carried the most important points merely thro personal influence when all other sanction had failed. If therefore I have the least claim to indulgence in support of the application of the Indians, I cannot withhold my warmest recommendations in favor of the Gentleman they wish.⁶⁰

The gentleman to which William Johnson referred as the most suitable choice for his successor was his son-in-law, Guy Johnson. Following William's death on July 11, 1774, Guy himself petitioned Dartmouth to succeed to his deceased father-in-law, citing the wishes of the northern nations and his own particular qualifications.⁶¹ Guy was confirmed as Superintendent by the metropolitan administration in September of 1774.⁶²

During this same year, Imperial policy regarding the management of Indian affairs had started to swing back towards the system outlined in the plan of July 10, 1764. With settler encroachments and violence on the Ohio River only increasing since the retreat of 1768, the metropolitan administration issued a new proclamation on March 10, 1774, restating the government's commitment to the Royal Proclamation of 1763. This was a precursor to the Quebec Act passed on June 24 of the same year, which brought the entirety of the interior between the Ohio and the upper Mississippi under the administration of the newly expanded province of Quebec.⁶³ A renewed commitment to the sort of centralized Indian Department advocated by the recently deceased Sir William Johnson was included in this reorganization of the British Empire in the region of the Great Lakes. When new instructions were issued to Guy Carleton as the

⁶⁰ Sir William Johnson to the Earl of Dartmouth, 17 April 1774, in *DCNY*, 8:420.

⁶¹ Colonel Guy Johnson to the Earl of Dartmouth, 12 July 1774, in *DCNY*, 8:471-472.

⁶² Earl of Dartmouth to Colonel Guy Johnson, 8 September 1774, in *DCNY*, 8:489.

⁶³ Robert. S. Allen, "The British Indian Department and the Frontier in North America, 1755-1830," *Canadian Historic Sites* 14 (1975): 21.

governor of Quebec on January 3, 1775, there was appended a new “Plan for the future Management of Indian Affairs.” This plan called for the repeal of all colonial legislation regarding relations with Indigenous peoples, gave complete control over the management of trade to the Indian Department, suggested that the Society for the Propagation of the Gospel in Foreign Parts appoint four missionaries in both the northern and southern districts, reinstated the Indian Department’s absolute monopoly over Indian Affairs completely independent from both local governors or the military, and decreed that no Indigenous land could be legally opened to settlement except through the collective consent of all nations holding a stake in the territory. The fund for this system was again established at 20,000 pounds per year, meant to cover salaries and expenses, including the annual presents.⁶⁴

In 1775 on the eve of the American War of Independence, the northern Indian Department under Guy Johnson included four deputy agents, a secretary, five interpreters, a storekeeper, a clerk, and five smiths. Two other sub-branches of the Department consisted of a superintendent and clerk at Montreal, and a deputy with one or more interpreters in Nova Scotia, for a total of some twenty-three individuals with salaries amounting to just under 3,063 pounds sterling per year.⁶⁵ With the outbreak of the war, the Indian Department and the Indigenous warriors who they fought alongside emerged as one of the most effective military forces in North America at the

⁶⁴ Plan for the Future Management of Indian Affairs, Referred to in the Thirty Second Article of the Foregoing Instructions, 3 January 1775, in *DCNY*, 1:433-437.

⁶⁵ Return of Officers and Other Appointments of the Northern Department of Indian Affairs on the Peace Establishment Previous to the Late Rebellion in America, 434, vol. 24, Q Series, C.O. 42, MG11, LAC. In addition to the employees of the Department listed above, John Campbell held a separate commission as Superintendent of the communities in Canada and himself employed one clerk, although it was unclear what his exact relationship was to the rest of the Department under Johnson, see Douglas Leighton, “Campbell, John (1721-95),” in *Dictionary of Canadian Biography (DCB)*, vol. 4, University of Toronto/Université Laval, 2003–, accessed October 12, 2020, http://www.biographi.ca/en/bio/campbell_john_1731_95_4E.html. Finally, Joseph Gorham held the position of Deputy in the province of Nova Scotia along with one or more interpreters, see David A. Charters and Stuart R. J. Sutherland, “Goreham, Joseph,” in *DCB*, vol. 4, University of Toronto/Université Laval, 2003–, accessed October 12, 2020, http://www.biographi.ca/en/bio/goreham_joseph_4E.html.

Empire's disposal.⁶⁶ The Department swelled accordingly, and by 1782 the salaries of the ID establishments based at Niagara, Detroit, Michilimackinac, and Montreal alone cost some 17,992 pounds sterling per year. Captains and lieutenants were added to the ranks of the Department as officers below the level of the deputy agents. Ferryman, conductors, general labourers, a cooper, and a surgeon and his mate were likewise added to the permanent establishment, alongside a small army of clerks, storekeepers, smiths, and interpreters. The Indian Department also began to pay pensions during the American Revolutionary War.⁶⁷ Far from the diminutive establishment of William Johnson, the ID by the end of the War of Independence had become a veritable government within the broader Empire.

While on a visit to London in 1777, Deputy Agent Daniel Claus wrote perhaps the most influential memorial on the management of the Indian Department that was composed during the years of the Revolutionary War. Claus had been appointed one of the deputies of Sir William Johnson in 1760, and both his son and grandson were closely connected to the Indian Department in Upper Canada into the 1830s.⁶⁸ Now in the midst of a bloody war, Claus continued to champion the vision of the ID as originally conceived by William Johnson, while adding new elements to meet the exigencies of the time. Like Johnson, Claus made clear that the nations of the northern department "consider themselves free and independent people," and that they could only be led by persuasion and example by persons who were "well acquainted with their customs, manners and language, persons of authority and consequence, of merit and character in public life, and according to the Indian phrase, have been great and successful warriors in their time." Claus

⁶⁶ For the best account of the Indian Department in the American Revolution see Allen, *His Majesty's Indian Allies*, 40-56.

⁶⁷ Return of Officers etc. in the Indian Department Agreeable to the Reductions Made by Sir John Johnson in March 1783, 434, vol. 24, Q Series, C.O. 42, MG11, LAC.

⁶⁸ Douglas Leighton, "Claus, Christian Daniel" in *DCB*, vol. 4, University of Toronto/Université Laval, 2003–, accessed October 12, 2020, http://www.biographi.ca/en/bio/claus_christian_daniel_4E.html.

stressed that these agents had to have personal relationships with Indigenous leaders and be able to communicate with them without the interposition of an interpreter. In order to accomplish this, Claus wrote that the “government should lose no time to encourage parents living about the upper posts, to send their children very young to the neighbouring Indian towns, to acquire their language and to remain among them until they become perfect in the pronunciation and accent.”

While much of this was in line with Sir William Johnson’s own vision for the Department, in other ways Claus’s recommendations reflected the changed circumstances of 1777. Claus envisioned the ID as a much more explicitly military organization, meant less to conciliate First Nations communities to the presence of the British Empire than to mobilize Indigenous warriors and lead them into battle against English-speaking settlers. Even when peace might arrive and the colonies brought back into the fold of the Empire, Claus wrote that the Indian Department should continue in this militarized footing “in order to overawe the British colonies.” To do this, Claus explained that the Indian Department should play the same role as the French Empire did before 1760, hemming in the seaboard colonies and keeping them in a state of fear and dependence on the mother country. Given this new imperative in the management of Indian affairs, Claus wrote that it was of crucial importance that control over the Indian Department should never fall to the colonists themselves.⁶⁹

While the enormous expenditures of the Indian Department during the American War of Independence demonstrate to what extent metropolitan authorities endorsed Claus’s vision of the ID as a crucial weapon in the war against the rebels, the amount the Empire was willing to spend on this strategy was not unlimited. In 1781, Guy Johnson was suspended from his position as

⁶⁹ Colonel Claus to Secretary Knox, 1 March 1777, in *DCNY*, 8:700-704.

superintendent on the charge of mismanaging the expenses of the Department.⁷⁰ Sir John Johnson, the son of William Johnson and Guy Johnson's brother-in-law, was appointed as his replacement in March of 1782 with the new title of Superintendent General and Inspector General with strict orders to reduce expenses as much as possible.⁷¹ The new Superintendent General carried out this task with vigour, reducing the salaries of the Department from the wartime high in 1782 of 17,992 pounds sterling to 5,029 by 1788.⁷² A capable and active administrator, this younger Johnson was to continue as the head of the Indian Department until his forced retirement in 1828, and even then he continued as the nominal head of the ID until his death in 1830. The nearly half-century of Sir John's tenure at the head of the Indian Department constitutes a period of remarkable stability in the organization and staffing of the Department when compared to the roughly three decades of trial and error from the appointment of his father in 1754 to his own appointment in 1782, and the similar length of time between his death in 1830 and the transfer of the Indian Department to the jurisdiction of the United Province of Canada in 1860.

With the return of peace following the signing of the Treaty of Paris in 1783, Brigadier General Haldimand, in his capacity as commander-in-chief of British forces in North America, sent a new set of instructions for the management of the Indian Department to Sir John Johnson on February 6, 1783. Given the longevity and stability of Sir John Johnson's tenure as Superintendent General, these instructions can be viewed as a sort of charter document for the next half-century of the Indian Department. Many of these instructions seem to have been pulled directly from the 1777 memorial of Daniel Claus. Haldimand's instructions stated that the officers

⁷⁰ Colin Calloway, *The American Revolution in Indian Country: Crisis and Diversity in Native American Communities* (Cambridge: Cambridge University Press, 1995), 146.

⁷¹ Copy of Commission to Sir John Johnson, 2, vol. 116, Haldimand Papers, MG21, LAC; Welbore Ellis to Sir John Johnson, 18 March 1782, 3, vol. 116, Haldimand Papers, MG21, LAC.

⁷² For the 1788 establishment, see Proposed Establishment of the Indian Department for the Year 1788, 21, vol. 179, Q Series, C.O. 42, MG11, LAC.

of the Department should cultivate personal friendships with prominent First Nations leaders, that a number of Loyalist children should be selected as future interpreters and sent to live among the nations to learn Indigenous languages, and that, in imitation of the previous practices of the French Empire, diplomatic councils should be grand affairs full of pomp and ceremony.

Haldimand however also wrote that the Indian Department should be viewed as a civil rather than a military establishment, and he declined Johnson's suggestion that its members be granted a rank and commission as regular officers in the military. He likewise refused to grant Sir John Johnson the final right to appoint his own inferiors in the Department. The instructions given by Haldimand made clear that however much the Commander-in-Chief might heed the advice of the Superintendent General, ultimate power over the ID rested with the former. Although Haldimand refused to allow the officers of the Indian Department to hold military rank and therefore potentially command the regular troops and militia in Canada, he did however grant the ID complete independence from the military. This meant that the Indian Department had its own chain of command, reaching from the metropolitan administration in Whitehall, to the Commander-in-Chief at Quebec, to the Superintendent General, down to his deputies, and from there to the interpreters, clerks, secretaries, and smiths who made up the bulk of the Department.⁷³

While his new appointment had made Sir John Johnson one of the most powerful administrators in the remaining domains of British North America, the Superintendent General had set his sights on a position higher yet. Johnson had played a prominent role fighting alongside the Indigenous warriors and Loyalist troops who made up the bulk of the Empire's military strength along the Great Lakes during the late war. Now that peace had come, he put himself to

⁷³ Copy of a Letter from His Excellency the Command in Chief to Brigadier General Sir John Johnson, Quebec, 6 February 1783, 8-16, vol. 116, Haldimand Papers, MG21, LAC; Instructions for Brigadier General Sir John Johnson, 6 February 1783, 17-18, vol. 116, Haldimand Papers, MG21, LAC.

the task of organizing and settling these refugee communities along Lake Ontario and the upper St. Lawrence River. On April 11, 1785, Johnson authored a petition in the name of the “Officers and Soldiers of the Provincial Troops and Indian Department” asking that the western section of the remaining territory of the Province of Quebec be formed into a new colony.⁷⁴ Johnson fully expected that he would be appointed as the first governor of this new colony, given that the British Empire continued to hold territory upstream from Montreal largely thanks to his Indian Department and the Indigenous warriors they had so recently fought alongside.⁷⁵

Johnson’s expectations were sorely disappointed when John Graves Simcoe was instead appointed the first governor of the newly created province of Upper Canada after its creation in 1791. Well-connected and deeply ambitious, Simcoe had commanded a unit of Loyalist rangers during the American War of Independence.⁷⁶ Now at the head of his own province, the new Lieutenant Governor had enormous plans to transform his little colony into the engine that would reunify the British Empire in North America. Simcoe intended to build Upper Canada into a shining example of the prosperity and order that the rebellious colonies could have enjoyed had they remained under the paternal care of the Empire, and thus recall the wayward Americans back into the embrace of the King and the mother country.⁷⁷

Despite his lofty ambitions, Simcoe had limited tools at his disposal. As the Lieutenant Governor of Upper Canada, Simcoe was subordinate to the Governor General at Quebec, a new position that had been created to ensure some unity between the two colonies of Lower and Upper

⁷⁴ Petition of Sir John Johnson and Loyalists, 11 April 1783, in *Documents Relating to the Constitutional History of Canada*, eds. Arthur G. Doughty and Duncan A. McArthur (Ottawa: C.H. Parmelee, 1907-1914), 1:524-527.

⁷⁵ Earle Thomas, “Johnson, Sir John,” in *DCB*, vol. 6, University of Toronto/Université Laval, 2003–, accessed October 13, 2020, http://www.biographi.ca/en/bio/johnson_john_6E.html.

⁷⁶ For Simcoe’s experiences in the War of Independence, see John Graves Simcoe, *Simcoe’s Military Journal*, reprint (New York: Bartlett and Welford, 1844).

⁷⁷ Alan Taylor, *The Civil War of 1812: American Citizens, British Subjects, Irish Rebels, and Indian Allies* (New York: Alfred A. Knopf, 2010), 45-46.

Canada into which the old Province of Quebec had been divided. Central among the affairs of Upper Canada from which Lieutenant Governor Simcoe was excluded was the management of the Indian Department, whose chain of command remained unchanged from the 1783 instructions of Governor Haldimand. After his arrival in the new colony in the summer of 1792, Simcoe wrote numerous lengthy dispatches to the metropolitan administration arguing that the Indian Department in Upper Canada had to be placed under his authority.⁷⁸ As we have seen, it was his frustration at the independence of the ID under the protection of his rival Lord Dorchester that led Simcoe to refer to the Department as “an Empire within an Empire.”⁷⁹ If not placed under the control of the administrator of Upper Canada, Simcoe warned that he could not be held “responsible for the continuance of peace with the Indian nations.”⁸⁰ In response to his exclusion from the management of Indian Affairs, the Lieutenant Governor took steps to create his own Indian Department parallel to the organization headed by Sir John Johnson. In the fall of 1793, the Simcoe appointed James Givins as an agent and interpreter, paid not from the military chest as was the Indian Department but through the funds at the disposal of the civil government of Upper Canada.⁸¹

“The Better Regulation of Our Concerns with the Indian Nations”: Founding the Upper Canadian Indian Department, 1794-1796

Lord Dorchester had very different ideas about the administration of the Canadas than did Lieutenant Governor Simcoe, and the Governor General had no intention of surrendering control

⁷⁸ See for example John Graves Simcoe to Henry Dundas, 19 October 1793, 5, vol. 280, Q Series, C.O. 42, MG11, LAC; John Graves Simcoe to Henry Dundas, 15 December 1793, 33, vol. 280, Q Series, C.O. 42, MG11, LAC; John Graves Simcoe to the Duke of Portland, 18 June 1796, 461, vol. 282, Q Series, C.O. 42, MG11, LAC.

⁷⁹ John Graves Simcoe to George Hammond, 20 July 1794, in *Correspondence of Simcoe*, 2:329.

⁸⁰ John Graves Simcoe to Lord Dorchester, 9 March 1795, 360, vol. 281, Q Series, C.O. 42, MG11, LAC.

⁸¹ John Graves Simcoe to Henry Dundas, 30 October 1793, in *Correspondence of Simcoe*, 2:95-96.

of the Indian Department to his subordinate in the upper province.⁸² The early 1790s, however, proved to be an especially chaotic period in the history of the Indian Department. After Simcoe's appointment as the first lieutenant governor of Upper Canada, Sir John Johnson did not intend to play any role in the administration of the province he had expected to govern himself. His own ambitions dashed, the Superintendent General applied for a leave of absence from his duties, and in the summer of 1792, he departed Canada with his family, leaving the administration of the Indian Department to carry on as best it could without its head.⁸³

Johnson had chosen an inopportune time to leave his post. In the early 1790s, a number of the Indigenous nations of the greater Great Lakes region had forged a powerful confederacy to resist American expansion north and west of the Ohio River, reviving the possibility that the British Empire could maintain the borders of the old Province of Quebec against the encroachments of trans-Allegheny settlers through the establishment of an allied Indigenous buffer state.⁸⁴ In order to better manage Indian Affairs during such a crucial period, Dorchester appointed Alexander McKee to the newly created position of Deputy Superintendent General to manage the Department as long as Sir John was absent.⁸⁵ While McKee and his department went to great lengths to mobilize and encourage Indigenous resistance to American expansion, the metropolitan administrators of the Empire concluded in 1794 that this project was not worth the risk of open war with the United States.⁸⁶ Instead, British negotiators abandoned the nations of the Ohio Valley for the second time since the end of the Revolutionary War when they signed the so-called Jay

⁸² Lord Dorchester to the Duke of Portland, 10 April 1795, 449-453, vol. 71, Q Series, C.O. 42, MG11, LAC.

⁸³ Henry Dundas to Sir John Johnson, 10 April 1792, 95-96, vol. 58, Q Series, C.O. 42, LAC; Alured Clarke to Henry Dundas, 3 November 1792, 346-348, vol. 61, Q Series, C.O. 42, MG11, LAC.

⁸⁴ Allen, *His Majesty's Indian Allies*, 56-83.

⁸⁵ Lord Dorchester to Alexander McKee, 26 December 1794, 294-296, vol. 71, Q Series, C.O. 42, MG11, LAC.

⁸⁶ For a good account of the Indian Department's activities during this period, see Larry L. Nelson, *A Man of Distinction Among Them: Alexander McKee and the Ohio Country Frontier, 1754-1799* (Kent: Kent State University Press, 1999), 174-177.

Treaty of November 1794. As one part of the treaty, the British promised to hand over all the military posts they occupied on the American side of the border established in 1783.⁸⁷

While the Jay Treaty unquestionably represented a retreat of British power in the greater Great Lakes region, the final terms left open the possibility of a continued relationship between the agents of the Empire in Upper Canada and the nations to the south and west of the Great Lakes. The Jay Treaty went a long way towards establishing in fact the border that had originally been agreed to in theory in the Peace of Paris, but the terms of this new treaty also ensured that it was to be a soft border, open to traders and the region's Indigenous communities.⁸⁸ Accordingly, Dorchester granted Alexander McKee a second commission as Deputy Superintendent General in June 1795, this time explicitly expanding his responsibilities beyond the Canadas to include the nations living beyond "the frontiers of the said Provinces."⁸⁹

The following year saw the opening of a new era in the Department's history. In 1796, the two leading administrators of British North America departed the continent, Lord Dorchester on July 9, John Graves Simcoe on September 10.⁹⁰ Perhaps not coincidentally, Sir John Johnson returned from his four-year sojourn in England the following month and resumed his position as the head of the Canadian Indian Department until his retirement in 1828.⁹¹ In Upper Canada, the long-time Deputy Agent at Niagara, John Butler, passed away on May 13, 1796.⁹² His replacement

⁸⁷ Allen, *His Majesty's Indian Allies*, 85-86.

⁸⁸ Lawrence B. A. Hatter, *Citizens of Convenience: The Imperial Origins of American Nationhood on the U.S.-Canadian Border* (Charlottesville: University of Virginia Press, 2017), 49-51.

⁸⁹ Commission to Alexander McKee from Lord Dorchester, 20 June 1795, 8953-8954, vol. 9, RG10, LAC.

⁹⁰ A.G. Bradley, *Sir Guy Carleton (Lord Dorchester)*, 1966 re-issue (Toronto: University of Toronto Press, 1966), 303. Mary Beacock Fryer and Christopher Dracott, *John Graves Simcoe, 1752-1806: A Biography* (Toronto: Dundurn Press, 1998), 185.

⁹¹ Joseph Chew to Alexander McKee, 17 October 1796, 9200, vol. 9, RG10, LAC.

⁹² William Johnson Chew to Joseph Chew, 14 May 1796, 126, vol. 247, RG8, LAC.

was Sir John Johnson's young nephew, William Claus, who would go on to play a leading role in the Upper Canadian Indian Department until his death in 1826.⁹³

Alongside this changing of the guard, the year 1796 witnessed two developments in the Indian Department of a more fundamental nature. The first was the actual surrender of the western posts, the most important of which were Niagara, Detroit, and Michilimackinac. While the surrender of these posts had been stipulated in the Jay Treaty of 1794, the date for their handover had been pushed nearly two years into the future, and the fulfillment of this clause was uncertain until the British regulars began the actual process of evacuation in the summer of 1796. The occupation of these forts by American soldiers and magistrates at this point in time effectively created an international border where previously there had been none.⁹⁴ The establishment of American power in the region threatened to isolate the province of Upper Canada from its most powerful Indigenous allies to the south and west of the Great Lakes, an eventuality which Indian Department officials, Montreal fur traders, and colonial administrators represented as an unacceptable threat to British interests in North America. Accordingly, the Empire pursued four policies to "ensure a constant and perpetual communication" with these nations.⁹⁵ The first was to guarantee that Indigenous peoples could freely cross and recross the new border, a demand that was secured in the third article of the Jay Treaty.⁹⁶ The second was the establishment of new military and Indian Department posts at Newark, Amherstburg, and St. Joseph Island, corresponding to the surrendered forts at Niagara, Detroit, and Michilimackinac in order to continue the Indigenous-Imperial diplomatic practices established over the preceding decades with

⁹³ Return of Appointments Made by Lord Dorchester in the Indian Department, 18 March 1797, 261, vol. 78, Q Series, C.O. 42, MG11, LAC.

⁹⁴ Hatter, *Citizens of Convenience*, 49-51.

⁹⁵ Duke of Portland to John Graves Simcoe, 8 January 1795, 3, vol. 281, Q Series, C.O. 42, MG11, LAC.

⁹⁶ Hatter, *Citizens of Convenience*, 70, 76-77.

minimal disruption.⁹⁷ Thirdly, Lord Dorchester and Alexander McKee spearheaded the creation of a pan-national Indigenous settlement at Chenail Ecarté for any communities who wanted to remove beyond the power of the newly established American posts, with the hopes that such a settlement might anchor the Empire's relations "with all the western and southern nations to the Mississippi."⁹⁸ Finally, the metropolitan government instructed the colonial governors to reassure the Indigenous nations across the newly established border of the Empire's continued goodwill through redoubled diplomacy and substantial issues of presents.⁹⁹

In order to accomplish this project, the Indian Department in the upper country was substantially strengthened in the aftermath of the Jay Treaty. As mentioned, Alexander McKee was appointed to the newly created position of Deputy Superintendent General of Indian Affairs in December 1794, and the commission issued by Lord Dorchester the following year confirmed that his responsibilities extended beyond the borders of British North America.¹⁰⁰ To help McKee with his increased responsibilities, Prideaux Selby was appointed secretary for the Department in the upper country in the summer of 1795. At the same time, Dorchester reformed the position of Indian Department storekeeper on the advice of McKee, hiring William Johnson Chew, George Ironside Sr., and Thomas Duggan in the dual capacity of storekeeper and clerk at the three posts of Niagara, Detroit, and Michilimackinac.¹⁰¹ The following year, William Claus, Matthew Elliott,

⁹⁷ Lord Dorchester to John Graves Simcoe, 5 November 1795, 45-48, vol. 282, Q Series, C.O. 42, MG11, LAC; Alexander McKee to Lord Dorchester, 7 June 1796, 175-180, vol. 249, RG8, LAC.

⁹⁸ Prideaux Selby to Joseph Chew, 11 March 1796, 30-32, vol. 249, RG8, LAC.

⁹⁹ Duke of Portland to Lord Dorchester, 4 December 1795, p. 262, vol. 74, Q Series, C.O. 42, MG11, LAC; Duke of Portland to John Graves Simcoe, 5 December 1795, 426-427, vol. 281, Q Series, C.O. 42, MG11, LAC.

¹⁰⁰ Lord Dorchester to Alexander McKee, 26 December 1794, 294-296, vol. 71, C.O. 42, MG11, LAC; Commission to Alexander McKee from Lord Dorchester, 20 June 1795, 8953-8954, vol. 9, RG10, LAC.

¹⁰¹ For McKee's suggestions to appoint Selby and reform the position of storekeeper, see Report of Alexander McKee to Lord Dorchester, 3 July 1795, 8961-8974, vol. 9, RG10, LAC. For the Appointments, see Alterations Made in the Indian Department, (no date), 170595, vol. 474, RG10, LAC.

and Thomas McKee and were promoted from the old position of deputy agent to the superior rank of superintendent, receiving in turn their own commissions from the Governor General.¹⁰²

Taken together, these changes to the Upper Canadian Indian Department between the Jay Treaty of 1794 and the surrender of the western posts in 1796 reflect the introduction of a crucial new element in its management. From 1796 until 1843, the maintenance of diplomatic relations with the “western and warlike” nations residing in territory claimed by the United States was one of the most important priorities of the Indian Department in Upper Canada.¹⁰³ The Indian Department in this period can therefore be understood as attempting to maintain a non-territorial version of Imperial sovereignty founded on Indigenous alliance in the face of the American Republic’s attempts to enforce its own claims of exclusive jurisdiction over its territory.¹⁰⁴ Into the 1830s, more than half of all the individuals who participated in the issuing of the annual presents in Upper Canada were so-called “Visiting Indians” who resided primarily across the border. In 1834, the Upper Canadian Department counted 5,005 Resident Indians compared to 9,832 Visiting Indians.¹⁰⁵ The severing of meaningful diplomatic ties with cross-border communities only began in 1835 with the end of the distribution of annual presents to Visiting Indians at Amherstburg and culminated in 1843 when the practice was ended entirely.¹⁰⁶

¹⁰² Return of Appointments Made by Lord Dorchester in the Indian Department, 18 March 1797, 261, vol. 78, Q Series, C.O. 42, MG11, LAC; Lord Dorchester to Alexander McKee, 6 April 1796, 346-348, vol. 249, RG8, LAC.

¹⁰³ This quote comes from Governor General Dalhousie’s instructions for the so-called Darling Report of 1828, see Instructions to Major Darling, in *Papers Relative to the Aboriginal Tribes in British Possessions* (London: House of Commons, 1834), 31.

¹⁰⁴ Compare Hatter’s discussion of U.S. jurisdiction and the Montreal fur trade, Hatter, *Citizens of Convenience*, 7-8.

¹⁰⁵ Estimated Number of Visiting and Resident Indians Requiring Presents for the Years 1835 and 1836, 58201, vol. 55, RG10, LAC.

¹⁰⁶ For the end of presents to Visiting Indians at Amherstburg in 1835, see James Givins to George Ironside Sr., 28 August 1835, 74, vol. 501, RG10, LAC. For the final termination see John Leslie, *Commissions of Inquiry into Indian Affairs in the Canadas, 1828-1858: Evolving a Corporate Memory for the Indian Department* (Ottawa: Treaties and Historical Research Centre, 1985), 91.

The second important transformation of 1796 was the transfer of control over the Indian Department in Upper Canada from the Commander of the Forces to the local Lieutenant Governor of the province. As we have seen, from the time of General Braddock's first commission to Sir William Johnson in 1755, the Commander-in-Chief of the armed forces in British North America had generally held ultimate authority over the Indian Department.¹⁰⁷ The Commander of the Forces' control of Indian Affairs had long been a sore point for other branches of the colonial administration excluded from this crucial domain, including most prominently Lieutenant Governor Simcoe.

After years of strongly worded dispatches, Simcoe's requests to transfer control of the Indian Department to the administrator of Upper Canada were only fulfilled after he had left the province. In December 1796, Home Secretary the Duke of Portland finally endorsed Simcoe's views, and accordingly issued new instructions to both the Governor General at Quebec and the Lieutenant Governor of Upper Canada that henceforth the Indian Department in the upper country would primarily fall under the purview of the Lieutenant Governor of Upper Canada.¹⁰⁸ The instructions from the King explained that "whereas we judge it to be conducive to the better regulation of our concerns with the Indian Nations within our province of Upper Canada, that the same should be conducted by the persons exercising the government of our province for the time being." These instructions of December 1796 mark the consolidation of an autonomous Upper Canadian branch of the Indian Department. The promotion of Alexander McKee to the position of

¹⁰⁷ Fred Anderson, *Crucible of War*, 84-85. For the situation following the American War of Independence, see Copy of a Letter from His Excellency the Commander in Chief to Brigadier General Sir John Johnson, 6 February 1783, 8-16, vol. 116, Haldimand Papers, MG21, LAC; Instructions for Brigadier General Sir John Johnson, 6 February 1783, vol. 116, Haldimand Papers, MG21, LAC.

¹⁰⁸ Additional Instructions to the Lieutenant Governor of the Province of Upper Canada, 15 December 1796, in *The Correspondence of Peter Russell*, eds. E.A. Cruikshank and A.F. Hunter (Toronto: Ontario Historical Society, 1932-1936), 1:113; Duke of Portland to Lieutenant Governor Prescott, 13 December 1796, 222-224, vol. 77, Q Series, C.O. 42, MG11, LAC.

Deputy Superintendent General in 1794 had originally been intended to create a generalized second-in-command for the Department in both Canadas, but for the remaining 30 years of the position's existence both McKee and his successor William Claus practically served as the head of a quasi-independent Department in Upper Canada. After 1830, the head of the Upper Canadian Indian Department was known as the Chief Superintendent, a position that continued to exist until the abolition of an independent Upper Canadian branch of the Indian Department with the reforms of 1845.

The transfer of jurisdiction over the Indian Department to the administrator of Upper Canada was not the victory envisioned by Simcoe. While the lieutenant governor of the upper province gained the immediate supervision of the ID, he was still "subject to any special orders" that might be issued by the Governor General at Quebec.¹⁰⁹ In practice, this meant that the final word on the management of Indian Affairs in Upper Canada still belonged to the commander of the forces at Quebec. Despite the recognition of the Upper Canadian Indian Department, the superintendent at Montreal likewise continued to be the immediate superior of the Deputy Superintendent General in Upper Canada. Perhaps most importantly, the additional instructions of 1796 in no way transferred authority over the Indian Department to the recently established legislative assembly of Upper Canada, and the ID continued to be managed independently of the wider civil administration of the province. The payment for the Department also continued to be drawn from the military chest rather than the civil expenditures.

The year 1796 thus saw the introduction of two key elements of the Indian Department as it existed into the 1840s: the maintenance of diplomatic relations with Indigenous communities across the newly established border, and the existence of a practically independent branch of the

¹⁰⁹ Duke of Portland to Lieutenant Governor Prescott, 13 December 1796, 222-224, vol. 76, Q Series, C.O. 42, MG11, LAC.

Indian Department in Upper Canada. From the surrender of the western posts to the outbreak of the War of 1812 there was little change in the Department. Relatively few land surrenders took place in these years compared both to the preceding decades and the period following the War of 1812.¹¹⁰ Instead, concerns over the legitimacy of earlier treaties meant that a number of agreements from the 1780s and early 1790s had to be re-confirmed in the period 1797-1805.¹¹¹ During the sixteen years between 1796 and 1812, the maintenance of a functioning military alliance remained the Department's foremost concern, especially as the threat of war with the United States increased following the Chesapeake Affair of 1807.¹¹² Accordingly, the number of employees in the ID grew as the prospect of war became increasingly probable. In 1793, there were twelve individuals on the permanent establishment of the Indian Department in Upper Canada.¹¹³ Following the reforms between the Jay Treaty and the surrender of the western posts, this number increased to eighteen by 1797.¹¹⁴ By 1809, there were twenty-one individuals on the permanent establishment of the ID, and by the beginning of 1812 this number had increased to twenty-nine.¹¹⁵

“Clearest Light and Greatest Warmth”: Defining the Indigenous Imperial Relationship

While the period examined above was crucial in shaping the structures and practices of the British Indian Department, it was no less important in developing a codified framework for Indigenous-Imperial relations. This framework, delineated in numerous treaties, speeches,

¹¹⁰ Canada, *Indian Treaties and Surrenders from 1680 to 1890* (Ottawa: Brown Chamberlin, 1891) 1:15-40.

¹¹¹ J.R. Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada* (Toronto: University of Toronto Press, 2009), 90-91.

¹¹² Allen, *His Majesty's Indian Allies*, 109-110.

¹¹³ Officers and Persons of Upper Canada on the Approved Establishment of the Indian Department for the Years 1793, (no date), 170543, vol. 474, RG10, LAC.

¹¹⁴ Proposed Establishment of the Indian Department for the Year 1797, (no date), 170660, vol. 474, RG10, LAC.

¹¹⁵ Proposed Establishment of the Indian Department in Upper Canada for the Year 1809, (no date), 171182, vol. 476, RG10, LAC; Proposed Establishment for the Indian Department in Upper Canada for the Year 1812, (no date), 171435, vol. 475, RG10, LAC.

wampum belts, petitions, and ceremonies, acted as a constitution that helped ensure that the relationship between the Empire and First Nations remained mutually beneficial.¹¹⁶ This framework was invoked using the wide range of diplomatic metaphors common to the Indigenous world of northeastern North America. In 1835 for example, the prominent chief Bauzhigeeshigwashekum of the Ojibwe of Walpole Island described the Indigenous-Imperial relationship as a mighty “Fire of Friendship” that had been kindled when the British first arrived in the Great Lakes region following the Seven Years’ War.¹¹⁷ The Ojibwe chief explained that both the Empire and the Nations had pledged to keep the flames blazing bright, and that both had promised to look after the other “as long as that Fire burned.”¹¹⁸

As Bauzhigeeshigwashekum’s speech suggests, the Indigenous-Imperial relationship as it existed in the Upper Canadian period largely took shape in the decade 1754-1764, much like the Indian Department itself. As we have seen, in a conscious attempt to replicate the success of French-Native diplomacy, officials in the British Empire moved to centralize and prioritize relations with Indigenous nations on the eve of the Seven Years’ War.¹¹⁹ The results of this new approach included the Albany Congress of 1754, the creation of a centralized superintendency of Indian Affairs in 1755, the Treaty of Easton in 1758, the Treaty of Kahnawake in 1760, the Royal Proclamation of 1763, and the Treaty of Niagara in 1764.¹²⁰ What emerged from this eventful

¹¹⁶ Brian Slattery, “The Royal Proclamation of 1763 and the Aboriginal Constitution,” in *Keeping Promises: The Royal Proclamation of 1763, Aboriginal Rights, and Treaties in Canada*, eds. Terry Fenge and Jim Aldridge (Montreal: McGill-Queen’s University Press, 2015), 19-26; John Borrows, “Wampum at Niagara: The Royal Proclamation, Canadian Legal History, and Self-Government,” in *Aboriginal and Treaty Rights in Canada*, ed. Michael Asch (Vancouver: UBC Press, 1997), 155-172; Jon William Parmenter, “Pontiac’s War: Forging New Links in the Anglo-Iroquois Covenant Chain, 1758-1766,” *Ethnohistory* 44, no. 4 (1997): 617-654.

¹¹⁷ Speech of the Chippewa of St. Clair, 8 August 1835, 59779, vol. 58, RG10, LAC.

¹¹⁸ Speech of Pashekishequeshkum, 12 October 1838, 64919, vol. 69, RG10, LAC.

¹¹⁹ Alain Beaulieu, ““Under His Majesty’s Protection’: The Meaning of the Conquest of New France for the Aboriginal Peoples of Canada,” in *The Culture of the Seven Years’ War: Empire, Identity, and the Arts in the Eighteenth-Century Atlantic World*, eds. Frans De Bruyn and Shaun Regan (Toronto: University of Toronto Press, 2014), 95-96.

¹²⁰ Anderson, *Crucible of War*, 38-39, 77-85, 404, 570; D. Peter MacLeod, *The Canadian Iroquois and the Seven Years’ War* (Toronto: Dundurn Press, 2012), 177-179; Timothy J. Shannon, *Indians and Colonists at the Crossroads*

period of diplomacy and conflict was a system of nested sovereignties, wherein Indigenous nations were incorporated as constituent elements of the wider Empire while remaining essentially autonomous.¹²¹ For many Indigenous leaders and British officials alike, this arrangement was not an ideal outcome, but rather a potentially mutually beneficial compromise born out of bloodshed as much as diplomacy.

In order to secure this arrangement, both sides committed to uphold certain obligations. Most important among British commitments was the pledge to protect Indigenous lands and property from settler encroachments, as most famously outlined in the Royal Proclamation of 1763.¹²² For their part, Indigenous nations entered into a political and military relationship with the Empire, pledging to support the British Crowns in peace and give the assistance of their warriors in war.¹²³ As the most tangible symbol of this reciprocal relationship, the Empire committed to distribute annual presents to the nations that entered therein, a longstanding and crucial diplomatic practice in northeastern North America.¹²⁴ Despite their name, these “presents” should not be understood as gifts given freely through British munificence, but as one part of a reciprocal exchange.¹²⁵ As a final support to the Indigenous-Imperial relationship, a branch of the King’s service, independent of local colonial control, was established to manage this diplomatic

of Empire: The Albany Congress of 1754 (Ithaca: Cornell University Press, 2000), 67–76; Borrows, “Wampum at Niagara,” 168.

¹²¹ Bohaker, *Doodem and Council Fire*, 149–150; Beaulieu, ““Under His Majesty’s Protection,”” 105; Audra Simpson, *Mohawk Interruptus: Political Life Across the Borders of Settler States* (Durham: Duke University Press, 2014), 10–12.

¹²² Allan Greer, *Property and Dispossession: Natives, Empires and Land in Early Modern North America* (Cambridge: Cambridge University Press, 2018), 382–383, 398–399; Beaulieu, ““Under His Majesty’s Protection,”” 99.

¹²³ For example, see councils at Johnson Hall in 1763 and Niagara in 1764, in *DCNY*, 7:558–559, 650–651; MacLeod, *The Canadian Iroquois and the Seven Years’ War*, 178–179; Minutes of a Treaty at Amherstburg, 26 April 1825, 2274, vol. 43, RG10, LAC.

¹²⁴ Cary Miller, “Gifts as Treaties: The Political Use of Received Gifts in Anishinaabeg Communities, 1820–1832,” *American Indian Quarterly* 26, no. 2, (2002): 221–245; Catherine A. Sims, “Algonkian-British Relations in the Upper Great Lakes Region: Gathering to Give and to Receive Presents, 1815–1843” (PhD diss., University of Western Ontario, 1992).

¹²⁵ For more on the practise of gifts as reciprocity, see White, *the Middle Ground*, 102–114.

framework.¹²⁶ From William Johnson's appointment as Superintendent of Indian Affairs in 1755, Indigenous communities exercised significant influence in this new Indian Department.¹²⁷ Over the next eighty years, its resident agents rose to prominence among and lived in intimate contact with First Nations, and individuals of Indigenous descent were themselves employed at nearly every level of the Department, from interpreters and storekeepers, to lieutenants, captains, and superintendents.¹²⁸

This Indigenous-Imperial framework that emerged from the Seven Years' War was not strictly uniform across space. Important differences existed between the *nations domiciliées* of the St. Lawrence Valley and the diverse communities of the upper country. Nor did this framework remain static over time. The outbreak of rebellion in 1775 marked one important watershed, as the War of Independence and subsequent conflicts with the settler republic in the Northwest War and War of 1812 reinforced the mutual interdependence of the Empire and the Nations and strengthened the military nature of their relationship.¹²⁹

A number of diplomatic metaphors were used to invoke the principles of this Indigenous-Imperial framework. Prominent among these was the Covenant Chain, an allegory that originally described the relationship between the English and the League of the Haudenosaunee that had been established in the second half of the seventeenth century building off of earlier diplomatic understandings established with the Dutch.¹³⁰ This Covenant Chain was metaphorically extended

¹²⁶ Anderson, *Crucible of War*, 570.

¹²⁷ Jon Parmenter, "After the Mourning Wars: The Iroquois as Allies in Colonial North American Campaigns, 1676-1760," *The William and Mary Quarterly* 64, no. 1 (2007): 65.

¹²⁸ Prominent Indian Department officers of Indigenous descent not mentioned elsewhere in this article include Joseph Brant, Charles-Michel Mouet de Langlade, George Blue Jacket Jr., Jean-Baptiste de Lorimier, John Brant, and John Askin Jr., among many others.

¹²⁹ Alain Beaulieu, "'Under His Majesty's Protection,'" 92.

¹³⁰ Daniel Richter, *Trade, Land, Power: The Struggle for Eastern North America*. (University of Pennsylvania Press, 2013), 113-121; Gilles Havard, *The Great Peace of Montreal of 1701: French-Native Diplomacy in the Seventeenth Century* (Montreal: McGill-Queen's University Press, 2001), 38.

to the nations of the Great Lakes at the Treaty of Niagara in 1764, but as this vision of the Indigenous-Imperial relationship privileged the position of the Haudenosaunee it was not widely adopted.¹³¹ The language of kinship was also commonly used to relate different elements within this framework. Officials employed by the Imperial administration were often called “father,” while the different Indigenous communities within the framework considered themselves “brother nations.”¹³² Other important diplomatic metaphors included the Clear Road and the Tree of Peace, although perhaps most widely shared among the diverse communities of Upper Canada was the imagery of the Council Fire.¹³³ Not only were Council Fires crucial diplomatic sites, these Fires could stand in for sovereign polities, such as the Three Fires of the Anishinaabe confederacy, or the Eighteen Fires of the USA, one for each state in 1812.¹³⁴ What is more, the language of lighting, kindling, and tending was regularly used to invoke the sort of warm relationships that were formed around such Fires, built as they were “of such wood as will give the clearest light and greatest warmth.”¹³⁵ The image of a shared Indigenous-Imperial “Fire of Friendship” dated at least to the Albany Congress of 1754.¹³⁶ Invoking both mutual obligation as well as shared sovereignty, this Fire of Friendship remained a fitting metaphor for the Indigenous-Imperial framework well into the nineteenth century.

The existence of an agreed upon framework did not mean that the Empire always stood by its obligations. The principles of the Fire of Friendship were only endorsed in London as a

¹³¹ Parmenter, “Pontiac’s War,” 617-654.

¹³² The Iroquoian communities were the exception, most often calling Imperial administrators brother. See Havard, *The Great Peace of Montreal*, 28-29; Minutes of a Council at Amherstburg with Several Chiefs of the Saakies and Foxes, 11 July 1799, 15271, vol. 26, RG10, LAC.

¹³³ Alan Ojiig Corbiere “Anishinaabe Treaty-Making in the 18th- and 19th-Century Northern Great Lakes: From Shared Meanings to Epistemological Chasms,” (PhD diss., York University, 2019), 115-146.

¹³⁴ Bohaker, *Doodem and Council Fire*, 118-123. For reference to the Eighteen Fires of the USA, see Proceedings of a Council at the Fort of Miami, 21 May 1812, 16517, vol. 28, RG10, LAC.

¹³⁵ Corbiere, “Anishinaabe Treaty-Making,” 142-143; Indian Proceedings, 15 May-21 June 1755, in *PWJ*, 1:625.

¹³⁶ Minutes of a Council at Albany, 2 July 1754, in (*DCNY*), 6:870.

pragmatic way to project sovereignty into the interior of the continent, and from the beginning this policy faced opposition from officials who disliked its expenses and limitations, as well as from settlers seeking unfettered access to Indigenous land.¹³⁷ Despite what some historical narratives about the declining importance of Indigenous nations to the British Empire might unintentionally imply, there was never any golden age when British administrators valued maintaining equitable relationships with Indigenous nations for their own sake. The period when Sir William Johnson was at the head of the Indian Department was marked by conflict and bloodshed as much as it was by the diplomatic achievements discussed above.¹³⁸ Nonetheless, the increasing importance of settler colonialism within the British Empire during the early decades of the nineteenth century introduced a new strain on the Indigenous-Imperial relationship. As the Upper Canadian period progressed, the increasing demographic and political dominance of white settlers in the province, along with growing Imperial disinterest in the effort and expense of tending the flames, threatened the Fire of Friendship with extinction.

It is, however, easy to exaggerate the impending death of the Fire. The consistent historiographic emphasis on the decreasing military and political importance of Indigenous communities in the period after the War of 1812 has largely obscured the enduring viability of the Indigenous-Imperial framework established in the time of Sir William Johnson.¹³⁹ Importantly, the Upper Canadian Indian Department remained firmly rooted in traditions of military mobilization and imperial litigation established in the 1750s well into the nineteenth century. As we shall see, even in the late 1830s and early 1840s, the majority of members of the Upper Canadian

¹³⁷ White, *The Middle Ground*, 256-261; Colin Calloway, *The Indian World of George Washington: The First President, the First Americans, and the Birth of the Nation* (Oxford: Oxford University Press, 2018), 182-183.

¹³⁸ Richter, *Trade, Land, Power*, 200-201.

¹³⁹ White, *The Middle Ground*, 516-517; Allen, *His Majesty's Indian Allies*, 184; Miller, *Compact, Contract, Covenant*, 101-103.

Indian Department either had prominent Indigenous ancestry or were married into the First Nations communities where they lived.¹⁴⁰ Many of these officers and interpreters had been employed in the Department during the War of 1812, and their vision for the Indigenous-Imperial relationship largely followed the example set down in the time of Sir William Johnson.¹⁴¹ Even more importantly, First Nations communities remained willing and able to stoke the Fire of Friendship. While some Indigenous leaders explored other avenues to improve their worsening position within the British Empire, including building relationships with dissenting Upper Canadian Methodists or pursuing emigration to American territory, much more frequently they sought redress for their grievances by appealing to the established principles of the Indigenous-Imperial framework.¹⁴² In these addresses, First Nations communities often reminded the Empire that their warriors had fulfilled their own obligations in past wars, and that they were prepared to do so again in future conflicts.¹⁴³

Conclusion

The Upper Canadian Indian Department can only be understood in the context of its earlier history in the period 1754-1796. The Indian Department was formed as a separate branch of the King's service dedicated to Indigenous diplomacy and the mobilization of First Nations warriors in response to the imperial conflict with France in North America. It was maintained and expanded

¹⁴⁰ In the years 1837-1840, the interpreters Jacob Martin, Joseph St. Germain, George Henry, J.B. Assiginack, and William Solomon all had substantial Indigenous ancestry, as did the superintendents George Ironside Jr. and Joseph Brant Clench. The superintendents J.W. Keating, T.G. Anderson, and Charles Anderson had wives and children in the communities they superintended. Of the permanent Indian Department establishment, only S.P. Jarvis, James Winniett, and William Jones seem to have lacked meaningful family connections with First Nations communities.

¹⁴¹ T.G. Anderson to S.P. Jarvis, 6 January 1840, 66701, vol. 71, RG10, LAC.

¹⁴² Donald B. Smith, *Sacred Feathers: The Reverend Peter Jones (Kahkewaquonaby) and the Mississauga Indians*, 2nd edition (Toronto: University of Toronto Press, 2013), 98-102. For emigration, see Edward S. Rogers, "The Algonquian Farmers of Southern Ontario, 1830-1945," in *Aboriginal Ontario: Historical Perspectives on the First Nations*, Edward eds. S. Rogers and Donald B. Smith, (Toronto: Dundurn Press, 1994), 128.

¹⁴³ Minutes of a Treaty at Amherstburg, 26 April 1825, 2274, vol. 43, RG10, LAC; John Colborne to James Kempt, 13 February 1830, 180, vol. 269, RG8, LAC.

due to the difficulties of governing British North America after the unexpected success of the Seven Years' War, and then in response to the outbreak of rebellion in 1775. Many key practices that persisted well into the nineteenth century, such as the distribution of annual presents, date from this period. As one particularly important legacy from this era, control of the Indian Department was intentionally withheld from settler assemblies. Not until 1860 was control over the Department officially transferred to the government of the United Province of Canada. The British Indian Department might therefore be seen as a good illustration of the trends that defined the "imperial meridian," a period marked by the creation of a more centralized and more militarized British Empire beginning in the second half of the eighteenth century.¹⁴⁴ While the exclusion of settlers from the control of the Indian Department was rarely questioned at the highest levels of the Imperial administration, many leaders among settler society challenged the idea that they should be excluded from the all-important administration of Indian Affairs, as will be explored in Chapter Five.

For the First Nations of the two Canadas, as well as surrounding regions, the period of the 1750s and 1760s remained formative to their understanding of the Indigenous-Imperial relationship throughout the period 1796-1845. Crucial diplomatic legacies from the second half of the eighteenth century, such as the Royal Proclamation of 1763 and the Treaty of Niagara of 1764, continue to inform Crown-Indigenous relations in Canada to this day.¹⁴⁵ The centrality of this period to the subsequent history of the Upper Canadian Indian Department is apparent throughout the remainder of this dissertation. It remains to be seen how the crucial legacies from the middle

¹⁴⁴ Christopher Bayly, *Imperial Meridian: The British Empire and the World, 1780-1830* (New York: Longman, 1989).

¹⁴⁵ See for example Borrows, "Wampum at Niagara," 155-156.

decades of the eighteenth century were honoured, transformed, dismissed, or discarded as the nineteenth century progressed.

Chapter Two

“Much Discretion and Judgement”: Employment, Remuneration, and Corruption in the Upper Canadian Indian Department, 1796-1845

On January 4, 1826, Joseph Brant Clench addressed a petition to Governor General Dalhousie. Clench began his memorial by outlining his career in the Indian Department. He had first been employed as both storekeeper and clerk in 1812 but had lost the former part of his job when the ID stores were transferred to the Storekeeper General's Department in 1817. After this point, Clench wrote that he unofficially undertook the job of the assistant secretary of the Upper Canadian Indian Department, with the understanding that he would soon be confirmed in the position. In this role, Clench acted as Deputy Superintendent General Claus's right-hand man attending to "the intricate duties of Indian affairs at large." In 1822, however, the position of assistant secretary was abolished, and Clench was left in the "mortifying position" of doing the work of secretary, interpreter, and clerk without any immediate possibility for promotion. In addition, as Claus's health failed, Clench began to superintend the activities of the Department from one end of the province to the other, all on the modest pay of four shillings eight pence per day. By way of comparison, T.G. Anderson on Drummond Island, who Clench called "a junior officer to myself," earned nine shillings four pence per day, alongside his captain's allowance. Clench, in contrast, protested that he received the same rate of pay as "a blacksmith, or an illiterate interpreter who soars about in idleness three fourths of his time." Since the retrenchment of 1822, Clench pointed out that deaths had removed three positions from the ID pay list, namely a surgeon, a lieutenant, and a Roman Catholic missionary, and the ambitious great-grandson of Sir William

Johnson accordingly hoped that the Governor General could find the money to give him the pay raise for which he so strenuously argued.¹

Clench's petition reveals a remarkable amount about the workings of the Upper Canadian Indian Department. To begin, it mentions nearly every position that existed on the permanent establishment of the Department during the Upper Canadian period. The responsibilities of the Indian Department during the years 1796-1845 were numerous, and the Department accordingly employed positions as diverse as superintendents, clerks, blacksmiths, surgeons, interpreters, and missionaries. In much of the historical literature on Indigenous-newcomer relations during this period, the Indian Department is more often than not represented exclusively by its highest-ranking members, and the crucial work of the less visible employees gets omitted from these accounts.² In reality, however, the work of interpreters, blacksmiths, and even clerks (as Joseph Brant Clench argued) was frequently much more important for the successful completion of the ID's duties on the ground.

Clench's petition also reveals that the ID was made up of individuals who were ultimately concerned primarily with their own self-interest. While in his memorial Clench proudly referenced his family's long legacy of loyalty and service, he was only doing so in order to wring a salary increase from the Governor General.³ Making money was always a crucial part of employment in the Indian Department. This included not only collecting a government salary, but also frequently less licit methods of remuneration as well, as we shall explore later in this chapter. Clench's petition also makes reference to the important class distinctions that existed with the Department's

¹ J.B. Clench to Military Secretary Darling, 4 January 1826, 2-9, vol. 266, RG8, LAC.

² This tendency is related to the general historiographic preoccupation with policy rather than action, as discussed in the introduction to this dissertation.

³ "My forefathers' blood was freely expended in planting the British standard in the Canadas, and during the American Rebellion their blood and treasure was freely sacrificed for their King," J.B. Clench to Military Secretary Darling, 4 January 1826, 7, vol. 266, RG8, LAC.

ranks. While Clench wanted to number himself among the elite officers who occupied the top of the Indian Department, an appointment he eventually secured in 1830, not all of the members of the ID held such elevated positions, including notably the blacksmiths and the “illiterate interpreters” referenced in J.B. Clench’s petition.

The goal of this chapter is to bring to light the two central facts about the Upper Canadian Indian Department revealed by the above petition from Joseph Brant Clench. Its first section details the numerous positions that made up the Upper Canadian Indian Department, including a brief description of their duties and a rough account of the salary these employees could expect to receive. The second part of this chapter delves deeper into the important question of self-interest by examining two ways the pursuit of economic gain could set employees of the Indian Department at odds with the government that employed them. The first, peculation or the simple embezzlement of government resources, was by all accounts a constant companion of the employees of the ID. The second, the acceptance of different forms of remuneration from Indigenous communities, seems to have been similarly pervasive. These two practices posed a similar threat to the nascent state, and the government took important steps to curb both during the period under consideration here.

“The Intricate Duties of Indian Affairs”: Working for the Indian Department

Determining which individuals made up the Indian Department is not as straightforward as might be expected. At the core of the Indian Department was the permanent establishment. These were the individuals who were employed year-round and received regular pay, initially from the military chest as part of the army extraordinaries, then after 1832 from the grant voted by the

British parliament for the express support of the Indian Department.⁴ Chief among these employees were the officers and the interpreters of the Department, but in the late-eighteenth and early-nineteenth centuries, the permanent establishment included a wide variety of positions, such as surgeons, blacksmiths, and storekeepers.

Outside of this permanent establishment, the question of who can be included as a member of the Indian Department becomes less clear. Many of the individuals who worked for the Indian Department were not employed as part of the permanent establishment but were hired only for a set amount of time or to complete a certain task. These could include labourers, carpenters, teamsters, merchants, and ferrymen, as well as surgeons and blacksmiths, who beginning in the 1820s were no longer employed as part of the permanent establishment.⁵ All of these individuals were paid through disbursements, also often called the contingent expenses after 1830. These disbursements were submitted on separate paysheets for approval by the government, and along with the salaries of the permanent establishment and the expenses for presents made up one of the three major components of the annual expenditures of the funds apportioned for the use of the ID.

The situation became increasingly complicated in the 1830s when a third method of employment in the Indian Department was introduced. Beginning in 1818, the Upper Canadian government began to replace lump sum payments for Indigenous land surrenders with annual payments. Originally these annuities were granted in the form of goods, but by the early years of the 1830s a system developed whereby the annuities were held by the government until recognized Indigenous leaders issued warrants through the Indian Department to draw money for specific

⁴ Copy of a Letter from Viscount Howick to the Honourable J.K. Stewart, 14 February 1832, in *Papers Relative to the Aboriginal Tribes in British Possession* (London: House of Commons, 1834), 138.

⁵ For an example of disbursements, see Accounts of Expenses Incurred by the Indian Department, June 25 to December 31, 1830, (no date), 24492-24494, vol. 46, RG10, LAC. For the payment of blacksmiths, see Henry Charles Darling to Sir John Johnson, 21 November 1823, 22428, vol. 41, RG10, LAC.

purchases or services that their communities required.⁶ In many cases, these annuities were used to pay salaries that a decade earlier would have been covered by government funds. For example, from April to September 1841, 2,665 pounds sterling were paid from these annuities to employ schoolteachers, missionaries, and physicians, among other expenses, including providing modest salaries to a number of principle chiefs across the province.⁷ The status of these annuity funds was murky, as theoretically this money did not come from the government, but was paid for by the Nations themselves. In practice, the distribution of the annuities was highly constrained by the Upper Canada administration and the officers of the Indian Department, who often worked with influential Indigenous leaders to ensure the money was distributed as they desired.

While most employees of the Indian Department were employed on one of these three footings, other arrangements were sometimes put in place, as ambiguity and exceptions abounded in the Indian Department during the Upper Canadian period.⁸ Individuals also sometimes moved from one pay list to another. Especially after 1830, there was a general decrease in the number of individuals employed on account of the permanent establishment and contingent expenses, and a corresponding increase to the pay lists funded by First Nations annuities as a result of government attempts to diminish its own expenditures while still plausibly claiming to fulfill its commitments

⁶ The development of the Upper Canadian annuity system requires a dissertation of its own. The annuities sparked debate from the moment they were proposed, particularly over whether the payments should be made in goods or in cash, see George Ironside Sr. to William Claus, 17 May 1820, 21191, vol. 37, RG10, LAC. For more on similar debates, see Brian Gertler, *Colonialism's Currency: Money, State, and First Nations in Canada, 1820-1950* (Montreal: McGill-Queen's University Press, 2020), especially Chapter Two. The first examples I have found of warrants signed by Indigenous chiefs requesting specific goods and services paid from their annuities as a sort of slush fund come from with a month of each other in 1831, and it appears from the archives of the ID that the idea originated with Indigenous communities themselves, see T.G. Anderson to James Givens, 22 February 1831, 54190-54199, vol. 47, RG10, LAC; Charles Anderson to James Givens, 5 March 1831, 54243- 54244, vol. 47, RG10, LAC.

⁷ Sums Paid by Commissary General Sir R.I. Routh from 1st April to 30th September 1841 in Payment for Lands Ceded to the Crown by Indians, (no date), 69439-69444, vol. 77, RG10, LAC.

⁸ The original appointment of James Givins on the civil establishment of Upper Canada is a good example of one such anomalous arrangement.

to Indigenous peoples.⁹ In the following discussion of the various positions within the Indian Department, the permanent establishment is privileged as the central core of the Department. While reference is certainly made to the various individuals and positions funded through First Nations annuity payments, only those positions that had a clear analogue with the permanent establishment are discussed here. Other individuals receiving payment through these annuities, notably the significant number of Indigenous chiefs who received modest salaries out of their communities' funds beginning in the 1830s, are not discussed below. While an argument could be made that such chiefs were in a sense also employees of the Indian Department, they are never referenced as such in contemporary archives. Instead, the involvement of Indigenous leaders and other First Nations community members will be discussed in the Chapter Three, which centres on the role of families in organizing the ID, and to a larger extent in Chapter Four.

Officers

At the head of the Indian Department were its officers. During the Upper Canadian period, this category included a wide variety of positions. The most senior officer of the Indian Department in these years was the Superintendent General, a position held by Sir John Johnson from 1782 to 1830. The next most senior officer was the local head of the Indian Department in Upper Canada, a position that was first called the Deputy Superintendent General (Alexander McKee, 1794-1799; William Claus, 1799-1826; Henry Charles Darling, 1826-1828), and then the Chief Superintendent (Henry Charles Darling, 1828-1830; James Givins, 1830-1836; Samuel Peters Jarvis, 1836-1845).

Below these senior members were the middle-ranking officers who were in charge of the local branches of the Indian Department. From the time of Sir William Johnson up until 1796, the

⁹ Charles Anderson may be the most prominent example of an individual originally employed as part of the permanent establishment who was then rehired on account of First Nations annuity payments, see Charles Anderson to S.P. Jarvis, 15 June 1838, 64555-64556, vol. 68, RG10, LAC.

title held by these officers was Deputy Agent.¹⁰ After 1796 this title was changed to Superintendent.¹¹ During the War of 1812, this middle group can be said to include officers who held a military rank of captain and above, such as Captain T.G. Anderson, Major John Norton, and Lieutenant Colonel Matthew Elliott.¹² The most junior group of Indian Department officers comprised all those officers whose main duty was to assist a more senior officer in their work. This group included positions like lieutenants and assistant superintendents. Outside of the war years of 1812-1815, only a handful of individuals filled such positions, and these appointments tended to be temporary.

When referring to the group of individuals charged with the management of the ID, contemporaries almost exclusively used the word officer. Nonetheless, it is common to see these individuals called “Indian agents” in the historical literature.¹³ During the Upper Canadian period, officers of the Indian Department were very rarely referred to as agents.¹⁴ Instead, the appellation “agent” was most commonly applied to individuals who were acting on behalf of Indigenous communities, usually as trustees of land, investments, or other resources. Most often, these agents were directly employed by Indigenous communities themselves. In theory, such individuals were

¹⁰ For the original appointment of these deputies, see Lords of Trade to Sir William Johnson, 10 July 1764, in *DCNY*, 7:637.

¹¹ Return of Appointments Made by Lord Dorchester in the Indian Department, 18 March 1797, 261, vol. 78, C.O. 42, MG11, LAC; Lord Dorchester to Alexander McKee, 6 April 1796, 346-348, vol. 249, RG8, LAC.

¹² For an account of the military ranks in the Indian Department during the War of 1812, see L. Homfray Irving, *Officers of the British Forces in Canada During the War of 1812-1815* (Welland: Welland Tribune Print, 1908), 209-210. Note that not all of these military ranks were necessarily granted due only to an individual's position in the Indian Department, as many ID officers also held commissions as officers in the Canadian militia.

¹³ For one influential example, see Allen, *His Majesty's Indian Allies*, 92. I do not intend this linguistic distinction as a serious critique. As the title agent was prevalent in the late eighteenth century, was still used sparingly in the early nineteenth century, and would again become widespread in the later nineteenth century, it is understandable that it appears in scholarly work. I simply want to suggest that we pay more attention to the contemporary language that was used in order to understand the particular roles played by different individuals in the history of Indian Affairs in Canada.

¹⁴ The major exception to this was James Givins, who Lieutenant Governor Simcoe appointed as an agent on the civil establishment of Upper Canada rather than a member of the Indian Department in order to circumvent Governor General Dorchester's control over the ID. Givins continued to be referred to as an agent until he was folded into the rest of the Indian Department in 1812. See Isaac Brock to Noah Freer, 26 May 1812, 183, vol. 256, RG8, LAC. See also Allen, *His Majesty's Indian Allies*, 95-96.

completely independent of both the Indian Department and the broader colonial administration, although in practice there was substantial overlap between these privately employed agents and the family networks of the ID.¹⁵ While the difference between officers and agents may be subtle, it is important to bear in mind that contemporaries used these two terms in different ways.

The officers of the ID were charged with overseeing every element of their Department. They kept accounts, forwarded correspondence, attended the annual distribution of presents, oversaw land surrenders, participated in diplomatic councils, and gave advice on policy and appointments to the governors.¹⁶ Duncan Campbell Napier, the immediate successor to Sir John Johnson and the secretary of the Indian Department from 1825 to 1857, provided a good summary of these duties when asked to report on this matter in 1837 by the Lords Commissioner of the Treasury. While his comments were made in reference to Lower Canada, they provide a good illustration of the situation in Upper Canada as well. According to Napier, the duties of Indian Department officers during peace time were both various and important:

It is essential that they should conciliate the good-will of the several tribes, and possess their confidence; hear and determine their endless complaints and difficulties, and when necessary report upon them to the secretary in charge of the Department for the consideration of the Governor in Chief; protect and support the chiefs in preserving subordination in their Tribes; and distribute in detail the Presents, provisions, etc., which the Indians, through the bounty of their Great Father the King, have enjoyed ever since the conquest in 1759. Much discretion and judgement are required for the faithful and satisfactory discharge of those duties. In war the Officers of the Department commanded

¹⁵ For example, William Claus and his son John were referred to as agents when it came to their position as trustees of the Grand River trust fund, but when it came to a position in the Indian Department. See Minutes of a Council at the Grand River, 28 February 1827, 23158, vol. 44, RG10, LAC. On the Detroit River, members of both the Clarke and the Ironside family served at different times as agents for the Wyandot community, see George Ironside Sr. to William Claus, 22 September 1821, 21790-21791, vol. 39, RG10, LAC; George Ironside Sr. to William Claus, 20 March 1825, 22770-22771, vol. 43, RG10, LAC.

¹⁶ For examples of instructions that were in force during much of the Upper Canadian period, see Instructions for Brigadier General Sir John Johnson, 6 February 1783, 17-30, vol. 116, Haldimand Papers, MG21, LAC; Instructions and General Orders for the Government of the Indian Department, 27 March 1787, 15600-15603, vol. 27, RG10, LAC; Additional Instructions for the Indian Department, 6 May 1790, 15604-15605, vol. 27, RG10, LAC; Additional Instructions for the Indian Department, 26 December 1794, 15606, vol. 27, RG10, LAC.

the Indians, when embodied for service in the field, as auxiliaries to Her Majesty's regular troops.¹⁷

Given this long list of duties and the peculiar skills required to carry them out, the pool of potential candidates to be appointed as officers in the Indian Department was not large. In 1829, Governor General Kempt pointed out the exceptional abilities required of an ID officer and highlighted the need to offer generous salaries in order to attract and retain qualified men. "Much discretion and judgement are required for the faithful and satisfactory discharge of those duties," Kempt wrote, and therefore the remuneration offered had to be "sufficient to induce persons of character and respectability to prize its appointments, for such alone can obtain the confidence of the Indians; and the influence acquired over their minds in peace, is the best security for their co-operation in War." Kempt added another reason why only highly respectable men could be appointed as officers in the ID; "It is also occasionally necessary, from the remote and in some measure uncontrolled situations in which the officers are sometimes placed, to repose considerable trust in their integrity and judgement."¹⁸

Kempt's last point reveals another common element among officers in the Indian Department; individuals who were appointed to such a position either came from the respectable Upper Canadian elite, or in many cases joined this elite because of the financial remuneration and social prestige that came from their appointment.¹⁹ Alongside their work in the Department, ID officers can be found serving numerous other functions in the administration of Upper Canada.

¹⁷ Answers of Duncan Campbell Napier to the Lords Commissioner of the Treasury, 27 June 1837, in *Copies or Extracts of Correspondence since 1st April 1835, between the Secretary of State for the Colonies and the Governors of the British North American Provinces Respecting the Indians in Those Provinces (Parliamentary Papers 1839)* (London: House of Commons, 1839), 23.

¹⁸ Sir James Kempt to Sir George Murray, 16 May 1829, in *Papers Relative to the Aboriginal Tribes in British Possession* (London: House of Commons, 1834), 38.

¹⁹ Men who gained entry to the Upper Canadian elite through their membership in the Indian Department include most prominently Matthew Elliott and Alexander McKee. See Nelson, *A Man of Distinction Among Them*, 133-188; Reginald Horsman, *Matthew Elliott, British Indian Agent* (Detroit: Wayne State University Press, 1964), 142-156.

Thomas McKee served in the Upper Canadian House of Assembly for eight years between 1796 and 1804, being in all likelihood the first person of Indigenous descent to do so.²⁰ William Claus served on both the Legislative Council and the Executive Council of Upper Canada in the years between 1812 and 1824.²¹ John Askin Jr. occupied the important position of collector at customs at Drummond Island in the years after the War of 1812.²² Samuel Peters Jarvis filled a number of clerical and secretarial positions with the Upper Canadian administration before his appointment to the ID in 1836.²³ Numerous ID officers also held important ranks in the Upper Canadian militia.

The elite status of the officers of the Indian Department was reflected in their salaries. The senior officers of the Indian Department were among some of the best paid employees of the colonial administration. As Superintendent General, Sir John Johnson was paid a salary of 1,000 pounds sterling, while Alexander McKee and William Claus received 600 pounds sterling for their position as Deputy Superintendent General.²⁴ These substantial salaries, along with other perks of their employment in the ID, put men like McKee, Claus, and especially Johnson into the ranks of the very wealthiest Canadians of their day.²⁵ Middle ranking officers in Upper Canada were generally paid 200 pounds sterling per annum, although certain officers could receive substantially more.²⁶ For instance, James Givins received a salary of 365 pounds sterling even before he was appointed Chief Superintendent in 1830, and Matthew Elliot Sr. received 300 pounds sterling per

²⁰ J.K. Johnson, *Becoming Prominent: Regional Leadership in Upper Canada, 1791-1841* (Montreal: McGill-Queen's University Press, 1989), 210

²¹ Frederick H. Armstrong, *Handbook of Upper Canadian Chronology and Territorial Legislation* (London: University of Western Ontario, 1967), 14, 30.

²² T.G. Anderson to William Claus, 12 March 1817, 19722, vol. 34, RG10, LAC.

²³ Armstrong, *Handbook of Upper Canadian Chronology*, 8, 22, 104.

²⁴ See for example Proposed Establishment of the Indian Department for the Year 1796, 170652, vol. 474, RG10, LAC; Proposed Establishment for the Indian Department for the Year 1820, 349-352, vol. 262, RG8, LAC. Claus was originally paid 400 pounds sterling at the time of his appointment, and received a 200-pound raise in December 1811. See Liverpool to Francis Gore, 5 December 1811, 16426, vol. 28, RG10, LAC.

²⁵ Most heads of government departments in 1821 only made at most 365 pounds sterling, while the chief justice of Canada made 1,100. See Johnson, *In Duty Bound*, 55.

²⁶ Proposed Establishment for the Indian Department for the Year 1820, (no date), 349-352, vol. 262, RG8, LAC.

annum in his capacity as Assistant Deputy Superintendent General by the time of his death in 1814.²⁷ While far below their superiors in the Department, these middle officers would nonetheless have numbered among Upper Canada's most respectable class.²⁸ Beginning in 1830, however, the government began paying the Indian Department in dollars valued at the so-called army sterling rate, resulting in an eight percent decrease in pay across the Department.²⁹ From that point on, superintendents received 185 pounds sterling per annum, while assistant superintendents earned 111 pounds sterling.³⁰ In addition to their regular salaries, officers of the ID received compensation for lodging and provisions that was generally valued somewhere between 30 and 60 pounds sterling depending on the individual's rank.³¹ This means that even the junior officers, when taking into account their pay for provisions and lodging, could be numbered among the respectable citizens of the province based on their remuneration from the Indian Department alone.³²

Interpreters

While the officers were charged with overseeing the Department at the highest level, in many cases it was the interpreters who actually played a more significant role in the daily affairs of the ID. Far more than simple translators, the interpreters were involved in almost every element of the Indian Department. Given the military foundation of the ID, perhaps the simplest way to understand the relationship between the officers and interpreters is to compare these two roles to the analogous positions of commissioned and non-commissioned officers in the British army. This

²⁷ Return of the Indian Department of Upper Canada, 24 June 1816, 10721, vol. 12, RG10, LAC.

²⁸ Johnson, *In Duty Bound*, 130.

²⁹ Sir James Kempt to Sir George Murray, January 27, 1830, in *Papers Relative to the Aboriginal Tribes in British Possession*, 88-89.

³⁰ See for example Statement of the Indian Department of Upper Canada, 30 June 1837, 63775, vol. 66, RG10, LAC.

³¹ See for example Proposed Establishment of the Indian Department in Upper and Lower Canada for the Year 1826, (no date), 173858-173859, vol. 482, RG10, LAC; Establishment of the Indian Department in Canada West, in Report on the Affairs of the Indians in Canada (RAIC), in *Appendix to the Sixth Volume of the Journals of the Legislative Assembly of the Province of Canada* (Montreal: Rollo Campbell, 1847), Appendix T, unpaginated (page 31).

³² Johnson, *In Duty Bound*, 130.

comparison was recognized by contemporaries. At least during the early part of the period under consideration, interpreters were appointed by warrants from their immediate superiors like other non-commissioned officers, and when military record keepers had to find an equivalent for their position, interpreters were recorded as non-commissioned officers.³³

The duties of the interpreters were extremely diverse. In the archives of the Indian Department, there are records of interpreters being assigned to carry out tasks as disparate as drawing up requisitions, delivering messages, distributing presents, overseeing shipments, rounding up cattle, managing the repair of firearms, and even making deer skin into moccasins.³⁴ While in many ways, interpreters acted as the subalterns of the officers in charge of the Department, they were also powerful figures in their own right. Interpreters were expected to possess influence among the Indigenous nations of the region, and to use this influence to further the aims of the Indian Department and the British Empire more broadly. This meant that rather than mere ciphers, these interpreters formed a critical part of the infrastructure of alliance.³⁵ In war time, Indian Department interpreters helped organize and supply the warriors. They also took an active part in fighting. During the War of 1812, two interpreters of the Upper Canadian Indian

³³ For the appointment of interpreters by warrant, see List of Permanent Interpreters Recommended by Alexander McKee, 7 July 1796, 170656, vol. 474, RG10, LAC. For the appointment of non-commissioned officers more generally, see Charles M. Clode, *The Military Forces of the Crown: Their Administration and Government* (London: John Murray, 1869), 2:123-124. For an example of interpreters being listed as non-commissioned officers, see William Wood ed., *Select British Documents of the Canadian War of 1812* (Toronto: Champlain Society, 1920-1928), 1:474. Lieutenant Colonel McDouall on Drummond Island referred to them as “subaltern officers, see General Order, 18 September 1815, Drummond Island Garrison Book, Burton Historical Collection. See also Irving, *Officers of the British Forces in Canada During the War of 1812-1815*, 211.

³⁴ For the best summary of the duties of an interpreter, and for examples of some of the tasks listed above, see Indian Department Journal for Drummond Island, 13 November 1815 to 30 September 1816, 18651-18668, vol. 31, RG10, LAC. For another account of the duties of ID interpreters, see Orders of Lieutenant Colonel Vincent, 12 October 1803 to 7 December 1804, 15513-15514, vol. 26, RG10, LAC.

³⁵ See for example Copy of a Letter to George Cowan, 25 June 1797, 15101-15102, vol. 26, RG10, LAC; T.G. Anderson to James Givins, 11 June 1832, 56372-56373, vol. 51, RG10, LAC.

Department were killed in action, five were seriously wounded, and one was taken as a prisoner of war.³⁶

While it was far from their only role, interpreting was of course also central to the duties of an Indian Department interpreter. In 1842, Chief Superintendent S.P. Jarvis summed up these duties like this:

The duty of the interpreters is to explain to the Indians any communication that may be made to them by the government or by the officers of the Indian Department; to be present at all councils, and to interpret in English the speeches of the chiefs to the superintendents, and their replies to those speeches in the Indian language. To accompany the superintendents at the season they make their circuits among the Indians; and to attend at all criminal proceedings against Indians, when duly summoned so to do, and interpret under oath the evidence between the Crown and the prisoner.³⁷

Superintendent T.G. Anderson explained in an 1827 letter to Deputy Superintendent Henry Charles Darling that what interpreters did was much more than simple translation. Rather, ideally these interpreters would be orators in their own right. As Anderson explained, this required an impressive set of skills, as interpreters “must not only be acquainted with the numerous metaphors used by the Indians, but he must also have a perfect knowledge of both languages which he is about to interpret, and at the same time he should possess a retentive memory and quick comprehension.”³⁸ The linguistic competencies of individual interpreters was accordingly a matter of great concern to the Indian Department, and the correspondence of the Department contains

³⁶ Those killed were interpreter John Logan (Matthew Elliott to William Claus, 8 August 1812, 16397, vol. 28, RG10), and interpreter Antoine Brisbois (List of Officers and Interpreters Appointed by Robert Dickson, 1 May 1816, 174, vol. 140, Q Series, C.O. 42, MG11, LAC). Those seriously wounded included interpreter George Blue Jacket (Matthew Elliott to William Claus, 8 August 1812, 16397-16398, vol. 28, RG10, LAC), interpreter Jean-Baptiste Cadotte (Henry Charles Darling to Duncan Campbell Napier, 28 January 1812, 47, vol. 586, RG10, LAC), and interpreters Joseph Rock, Pierre Thierry, and Joseph St. Pierre (List of Officers and Interpreters Appointed by Robert Dickson, 1 May 1816, 174, vol. 140, Q Series, C.O. 42, MG11, LAC). Interpreter Thomas Alexander Clarke was captured (Petition of Thomas Alexander Clarke, 27 March 1830, 2387-2388, vol. 5, RG10, LAC).

³⁷ RAIC 1847, unpaginated (page 32).

³⁸ Response of T.G. Anderson to Questions to be Answered by the Officers of the Indian Department, 5 March 1827, 23179, vol. 44, RG10, LAC.

numerous references to the languages spoken by individual interpreters.³⁹ As certain interpreters were fluent in numerous Indigenous languages but possessed limited knowledge of English or French while others spoke fluent English or French but were incapable of the impressive feats of oratory in Indigenous languages that the work of the Indian Department required, on occasion interpreters worked in pairs in order to complete the difficult task of interpreting at diplomatic councils.⁴⁰ The importance of Indigenous oratorical traditions to the work of the Indian Department will be further discussed in Chapter Three.

Compared to the officers, the interpreters of the Indian Department tended to occupy a noticeably lower position in the Upper Canadian class system. During the Upper Canadian period, the pay of an Indian Department interpreter tended to be 85 pounds sterling, or 79 pounds sterling after the rate of pay was switched to army sterling in 1830. In addition, interpreters tended to receive 17 pounds sterling per year as lodging money.⁴¹ This means that interpreters received roughly the same salary as a skilled tradesman or well-to-do farmer.⁴² However, the relatively sporadic nature of their work meant that Indian Department interpreters would have been free to pursue other work in addition to their government employment, such as farming, fur trading, or retail commerce.⁴³ It seems that these pursuits may have allowed the interpreters of the Indian

³⁹ See for example John Askin Jr. to William Claus, 28 October 1815, 187, vol. 10, Claus Papers, MG19, LAC; Response of T.G. Anderson to Questions to be Answered by the Officers of the Indian Department, 5 Mach 1827, 23179, vol. 44, RG10, LAC; George Ironside Sr. to H.C. Darling, 31 January 1827, Letter Book of George Ironside Sr. 1816-181, 1820-1828, File L5, Ironside Collection, Burton Historical Collection, Detroit Public Library.

⁴⁰ See for example John Askin to William Claus, 5 January 1816, 209, vol. 10, Claus Papers, MG19, LAC.

⁴¹ See for example Proposed Establishment of the Indian Department for the Year 1796, 170652, vol. 474, RG10, LAC; Proposed Establishment of the Indian Department in Upper and Lower Canada for the Year 1826, 173858-173859, vol. 462, RG10, LAC; Statement of the Indian Department of Upper Canada, 30 June 1837, vol. 66, RG10, LAC.

⁴² Johnson, *In Duty Bound*, 55, 130.

⁴³ Alongside his accusations of general corruption, Lieutenant Colonel James accused interpreter Peron of operating a store where he sold goods that had been intended as part of the annual presents, Indian Memoranda Furnished by Lieutenant Colonel James, no date (1816), 10648, vol. 12, RG10, LAC. While members of the Indian Department were officially banned from the fur trade, it seems like this injunction was not followed, see Complaint of Charles Spinard Against Mr. Askin, 30 December 1809, 15955, vol. 27, RG10, LAC.

Department to live beyond what certain observers considered their proper station. The apparent wealth and conspicuous consumption displayed by the Indian Department interpreters at Amherstburg seriously affronted the local commanding officer of the British garrison, Lieutenant Colonel James. “Those men,” James wrote, “receive a daily pay of one dollar and full rations, and yet on this dollar do they tell you that they wear superfine cloths, keep a horse and cariole, and drive up and down the country while a captain of the line from necessity is obliged to march.”⁴⁴

Surgeons

In the years 1796 to 1830, the Upper Canadian Indian Department employed three surgeons on its permanent establishment. One of the most important duties of these surgeons was inoculating Indigenous communities against smallpox. Reference is made to this work in the Indian Department archive in 1807, 1814, 1816, 1817, 1823 and 1836.⁴⁵ The surgeons were charged more generally with attending to the needs of any Indigenous person who might require their services, as well as to the needs of the Indian Department post more generally.⁴⁶ For example, during the winter of 1816, the troops on Drummond Island were “in a melancholy and deplorable state”, and by March they were dying weekly of scurvy. Surgeon Mitchell’s medical services during this time were credited with “saving many lives.”⁴⁷

⁴⁴ Indian Memoranda Furnished by Lieutenant Colonel James, 1816 (no date), 10646, vol. 12, RG10, LAC.

⁴⁵ Speech of Francis Gore, 15 May 1807, 15709-15710, vol. 27, RG10, LAC; Matthew Elliot to William Claus, 24 February 1814, 16701-16702, vol. 28, RG10, LAC; Billy Caldwell to William Claus, 31 August 1816, 19387, vol. 33, RG10, LAC; Account of those Inoculated on the Grand River, 1817, 20120, vol. 34, RG10, LAC; James Givins to William Claus, 19 July 1823, 22284, vol. 41, RG10, LAC; James Winniett to James Givins, 21 December 1836, 62276, vol. 63, RG10, LAC.

⁴⁶ See for example Copy of Drummond Island Indian Department Order Book, 26 May 1816, 18663, vol. 31, RG10, LAC. For a concrete example of this more abstract work, see John Gaff to Military Secretary Darling, 1 March 1824, 144, vol. 264, RG8, LAC.

⁴⁷ Extract from a Letter of Lieutenant Colonel McDouall Commanding at Drummond Island, 1 June 1816, 50-52, vol. 103, RG8, LAC.

In 1830, the position of surgeon was removed from the permanent establishment of the Indian Department. In its place, the government adopted a new system whereby medical professionals were paid for attending to the medical needs of Indigenous communities on a case-by-case basis as the need arose.⁴⁸ While the surgeons who attended to the Indigenous communities of Upper Canada were no longer permanent employees, the same individuals tended to be selected for this work year after year.

Like the officers of the Indian Department, the surgeons employed in the ID formed part of the Upper Canadian elite. The annual salaries of the surgeons on the permanent establishment were between 200 and 350 pounds sterling.⁴⁹ Likely thanks to this elite status, all three of the surgeons on the permanent establishment married into families that were prominent in the wider network of the Indian Department. Surgeon Robert Richardson married Madelaine Askin, sister of superintendent John Askin Jr., surgeon Robert Kerr married Elizabeth Johnson, the daughter of Sir William Johnson and Konwatsitsiaienni Molly Brant, and surgeon David Mitchell married Elizabeth Bertrand Mitchell, also known as Omagigiunokway, a prominent Anishinaabe trader and leader in the Mackinac area.⁵⁰ One of the surgeons who was employed after 1830, Paul Darling, also married into this same network. In 1832, he was wedded to Louisa Anne Hamilton, the sister-in-law of superintendent T.G. Anderson and the granddaughter of surgeon Mitchell.⁵¹

Blacksmiths

Supplying blacksmiths for the free use of Indigenous communities had long been a central element of the Indigenous-Imperial relationship, considered “a great piece of friendship and favor”

⁴⁸ Sir James Kempt to Sir George Murray, 16 May 1829, in *Papers Relative to the Aboriginal Tribes in British Possession*, 38.

⁴⁹ Return of the Indian Department of Upper Canada, 24 June 1816, 10721, vol. 12, RG10, LAC.

⁵⁰ For more on these family networks, see Chapter Two of this dissertation.

⁵¹ T.G. Anderson to James Givins, 4 August 1832, 56598-56599, vol. 51, RG10, LAC.

in the words of Deputy Agent Daniel Claus.⁵² The employment of blacksmiths had been one of the key suggestions of Sir William Johnson at the time of the Department's creation in 1755.⁵³ Access to their own blacksmith was an important benefit that Indigenous communities derived from their relationship with the Empire; it had been one of the Mississaugas' conditions in exchange for allowing British settlement along Lake Ontario, for example.⁵⁴ In 1819, the Upper Canadian Indian Department maintained five blacksmiths at York, Drummond Island, Fort George, Amherstburg, and the Grand River.⁵⁵ Under pressure to reduce the expenses of the Indian Department establishment, Governor General Lord Dalhousie proposed in 1822 to terminate the employment of all but one of these blacksmiths, suggesting instead that the government pay private blacksmiths for work done on behalf of Indigenous communities by the piece, similar to the arrangement that was later adopted for medical attention.⁵⁶ Arranging and paying for this piecework continued to be an important part of the Indian Department's duties after 1822, so much that in 1826 the government agreed to rehire the recently reduced blacksmith at Amherstburg.⁵⁷ Just four years later, however, the position of blacksmith on the permanent establishment of the ID was entirely done away with as a part of the reductions of 1830.⁵⁸

⁵² For the general importance of blacksmiths, see for example Daniel Claus to William Knox, 1 March 1777, in *DCNY*, 8:703.

⁵³ William Johnson to the Board of Trade, 21 July 1755, in *DCNY*, 6:963

⁵⁴ For the Mississauga demand to have their own blacksmith, see for example Sir Peregrine Maitland to Robert Wilmot Horton, 20 November 1823, 298-299, vol. 333, Q Series, C.O. 42, MG11, LAC. For another example of an Indigenous communities asking for a blacksmiths, see Requisition for the Indian Department at the Indian Village of Colborne on the River Thames, 1828, 23712, vol. 45, RG10, LAC.

⁵⁵ Establishment of the Indian Department of Upper Canada and Lower Canada for the Year 1819, 26 October 1818, 225-226, vol. 262, RG8, LAC.

⁵⁶ Reductions and Alterations Proposed in the Establish of the Indian Department in Upper Canada, 3 September 1822, 305-308, vol. 333, Q Series, C.O. 42, MG11, LAC.

⁵⁷ For an example of work done by blacksmiths on the new piecework model, see Work Done by George Chapman for the Indians of the Post of York, 26 June 1824, 22549-2251, vol. 42, RG10, LAC. For the rehiring of the Amherstburg blacksmith, see H.C. Darling to George Ironside, 5 December 1826, 1-2, vol. 586, RG10, LAC.

⁵⁸ Memorandum of the Proposed Reduction in the Indian Department of Lower and Upper Canada, (no date), 383, vol. 188, C.O. 42, Q Series, MG11, LAC.

During the Upper Canadian period, blacksmiths repaired and manufactured all manner of implements, including felling axes, tomahawks, knives, firearms, adzes, and beaver and muskrat traps. At York, fishing spears and light jacks to hold torches used in fishing were of particular importance in the work of the local blacksmith.⁵⁹ Like interpreters, blacksmiths on the permanent establishment of the Upper Canadian Indian Department earned a salary of 85 pounds sterling per year before the switch to army sterling.⁶⁰

Given that the nature of their employment was only tangentially connected to the work of diplomacy, dispute resolution, and military mobilization, it might be imagined that the Indian Department blacksmiths did not have the same connections with Indigenous communities as other employees of the Department. Far from being outsiders, however, there is good evidence that the majority of Indian Department blacksmiths had longstanding and meaningful ties with the Indigenous communities for whom they worked. The Department blacksmith at Drummond Island, James Farling, was married to a woman of mixed Indigenous ancestry, and his father had served with Sir William Johnson as far back as the Seven Years' War.⁶¹ On the Grand River, the blacksmith Ezra Hawley had been employed in the Indian Department on the recommendation of the Six Nations themselves.⁶² Perhaps the case of Timothy Murphy best illustrates the intimate connection between the ID blacksmiths and Indigenous communities in Upper Canada. During the Seven Years' War, Murphy was captured by an Indigenous war party at the age of five and was held as an adoptee for one year before being delivered over to Sir William Johnson following the

⁵⁹ Amherstburg Blacksmith Account, 25 December 1824 to 24 June 1825, 22864-22865, vol. 43, RG10, LAC; York Blacksmith Account, 26 June 1826, 22974, vol. 43, RG10, LAC.

⁶⁰ Return of the Indian Department of Upper Canada, 24 June 1816, 10721-10722, vol. 12, RG10, LAC.

⁶¹ A.C. Osborne, "The Migration of Voyageurs from Drummond Island to Penetanguishene in 1828) *Ontario Historical society Papers and Records* 3 (1901); 154; Petition of James Farling, 19 April 1830, 2413-2414, vol. 5, RG10, LAC.

⁶² Proceedings of a Meeting with the Indians Residing at the Grand River, 12 November 1815, 18642-18643, vol. 31, RG10, LAC.

British capture of Fort Niagara. Rather than return the child home, Johnson had Murphy apprentice as a blacksmith in the Indian Department. During the American Revolution, Murphy was the Indian Department blacksmith at Fort Niagara. In 1789, he relocated to the Indian Department branch stationed at Detroit. Following the surrender of the western posts, Murphy moved to Amherstburg, where he continued as Department blacksmith until his retirement in 1819.⁶³ Alongside his work as a smith, Murphy was sufficiently fluent to act as an interpreter for the western Iroquois.⁶⁴

Storekeepers, Clerks, and Secretaries

Up until 1817, the Indian Department maintained its own storehouses for the large quantities of goods it required. The storekeepers who managed these depots were among the most important members of the Department, and in a number of cases rose to senior positions in the Department. John Askin Jr., George Ironside Sr., and Joseph Brant Clench all began their ID careers in this role. In 1816, the Upper Canadian Indian Department employed five storekeepers across the posts of Kingston, York, Fort George, Amherstburg, and Drummond Island.⁶⁵ Following the end of the War of 1812, the home government ordered that all military stores, including those of the Indian Department, should be transferred to the control of the Storekeeper General's Department. The Indian Department storehouses in Upper Canada were accordingly

⁶³ Petition of Timothy Murphy, 160-162, vol. 263, RG8, LAC. Upon his retirement, Murphy's service earned him an annual pension of 39 pounds, 10 shillings, and 10 pence, which he continued to collect until at least 1837, see Statement of the Indian Department in the Province of Upper Canada, 30 June 1837, in *Parliamentary Papers 1839*, 157.

⁶⁴ William Caldwell to William Claus, 21 June 1814, 17023, vol. 28, RG10, LAC. Timothy Murphy's replace after his retirement, Alexis Theophile, was also proficient in at least one Indigenous language, see Robert Richardson to William Claus, 27 October 1819, 20964, vol. 36, RG10, LAC.

⁶⁵ Return of the Indian Department of Upper Canada, 24 June 1816, 10721-10722, vol. 12, RG10, LAC.

handed over in September 1817 and the position of storekeeper was abolished at the end of the year.⁶⁶

The Indian Department also employed clerks up until 1830 to help with the administrative work of the local superintendencies. Beginning in 1796, the position of clerk was often combined with that of storekeeper.⁶⁷ These clerks filled largely the same role of assistant to the local superintendent as did the interpreters, but with a higher emphasis on literacy.⁶⁸ After the position of clerk was abolished in the reductions of 1830, the officers of the Indian Department frequently complained of having to complete all their administrative work themselves.⁶⁹ In 1840, Chief Superintendent S.P. Jarvis was allowed to employ George Vardon as a clerk to help with the accounting and administrative work of his office.⁷⁰

Between 1796 and 1822, the Indian Department employed a secretary who was attached to the office of the Deputy Superintendent General in Upper Canada. The three men who served in this position were Prideaux Selby (1796-1809), Duncan Cameron (1809-1816), and Alexander McDonell (1816-1822).⁷¹

Missionaries and Schoolteachers

During the Upper Canadian period, missionaries and teachers were almost entirely absent from the permanent establishment of the Indian Department. This is not surprising for an

⁶⁶ George Harrison to Henry Goulburn, 17 August 1816, 120-121, vol. 139, Q Series, C.O. 42, LAC. For the order to the Indian Department, see T.H. Addison to Sir John Johnson, 21 November 1816, 10868-10869, vol. 12, RG10, LAC. For the transfer of the stores, see Alexander Pringle to Alexander McDonell, 15 September 1817, 20100, vol. 34, RG10, LAC.

⁶⁷ Report of Alexander McKee to Lord Dorchester, 3 July 1795, 8961-8974, vol. 9, RG10, LAC; Alterations made in the Indian Department, (no date), 170595, vol. 474, RG10, LAC.

⁶⁸ It seems that interpreters commonly could not read English, see Indian Department Journal for Drummond Island, 14 November 1815, 18652, vol. 31, RG10, LAC.

⁶⁹ See for example W.J. Kerr to S.P. Jarvis, 7 January 1839, 65290-65292, vol. 70, RG10, LAC; Copy of Letter from T.G. Anderson to S.P. Jarvis, 7 August 1839, 66021, vol. 71, RG10, LAC.

⁷⁰ S.P. Jarvis to S.B. Harrison, 9 March 1840, 43, vol. 504, RG10, LAC.

⁷¹ Francis Gore to Military Secretary Thornton, 27 October 1809, 45, vol. 256, RG8, LAC; Francis Gore to Sir John Sherbrooke, 31 May 1816, 248-249, vol. 260, RG10, LAC.

organization that remained largely committed to the military and political outlook that had taken root in the time of Sir William Johnson. This does not mean, however, that the Upper Canadian Indian Department had nothing to do with religion or education, and the sometimes complicated relationships between the Department and missionaries and teachers deserves at least a cursory overview here.

As far back as 1793, the Indian Department paid for the salaries of two schoolmasters who were listed as holding temporary appointments with the Indian Department. The first schoolmaster was Moses Mount, who was paid a modest salary of somewhat more than 23 pounds sterling to keep school on the Grand River. The second schoolmaster, an Onondaga man named Petrus, was paid just under 17 pounds sterling per year to teach at the Bay of Quinte.⁷² The Bay of Quinte position was held by Petrus until around the time of the War of 1812, at which point it disappears from the pay lists of the Indian Department.⁷³ On the Grand River, the position of schoolmaster was moved to the permanent establishment in 1812. By the time of its abolition in 1830, this position had been held by a total of five individuals.⁷⁴

During most of the Upper Canadian period, only one missionary posting was supported on the ID's permanent establishment. In 1809, Lieutenant Governor Gore suggested that the appointment of a Roman Catholic clergyman as a missionary to the western nations might serve to further attach these powerful communities to the British interest, a pressing concern given contemporary tensions with the United States.⁷⁵ While it took a decade for Gore's suggestion to

⁷² Persons in Upper Canada holding Temporary Appointment in the Indian Department for 1793, (no date), 170542, vol. 474, RG10, LAC.

⁷³ For the last pay list with this position, see Proposed Establishment for the Indian Department in Upper Canada for the Year 1812, 11 July 1811, 171435, vol. 476, RG10, LAC.

⁷⁴ Alongside Moses Mount, the school was taught by William Hesse, Edward McLaughlin, Jacob Teyohatiyhgon, and Aaron Dehaghratonsere. See General Orders, 24 June 1809, 15887, vol. 27, RG10, LAC; Charles Stewart to William Claus, 13 June 1822, 21956-21957, vol. 40, RG10, LAC.

⁷⁵ Lieutenant Governor Francis Gore to Governor General Sir James Craig, 28 January 1809, 6, vol. 256, RG10, LAC.

be officially approved in London, Father Jean-Baptiste Marchand received pay as an employee in the Indian Department from 1812.⁷⁶ When Marchand died in 1825, he was succeeded in the Indian Department by Father Joseph Crevier, until the reduction of the position of Indian Department missionary in 1830.⁷⁷

Despite the contemporary rhetoric around education and civilization in Canada and the metropolis, both the missionary and the schoolmaster employed on the permanent establishment of the Upper Canadian Indian Department were done away with in the reduction of 1830.⁷⁸ Instead, in the years after 1830 the majority of missionaries and school teachers in Indigenous communities were funded by independent religious organizations, such as the New York Methodist Missionary Society, the Society for the Propagation of the Gospel, and the New England Company.⁷⁹ These organizations generally operated with minimal oversight from the Indian Department, although missionaries of the Church of England co-operated closely with the Indian Department in a number of missions.⁸⁰ Relations between the Methodists and the ID, on the other hand, were hostile more often than not during the 1830s, and occasionally devolved into open conflict.⁸¹

⁷⁶ For the approval of Marchand's appointment, see H.R. Lushington to Governor General the Duke of Richmond, 5 May 1819, 11284, vol. 13, RG10, LAC. For Marchand's pay, see Supplementary Amount of Pay Due to the Indian Department at Sandwich from the 25 December to the 24 June 1815 inclusive, (no date), 175805, vol. 630A, RG10, LAC.

⁷⁷ For Marchand's death, see James Givins to Sir John Johnson, 10 June 1825, 13008-13009, vol. 17, RG10, LAC. For Crevier's appointment, see Memorandum of Appointments in the Indian Department, 16 March 1829, 157, vol. 268, RG8, LAC.

⁷⁸ Memorandum of the Proposed Reductions in the Indian Department in Lower and Upper Canada, 16 May 1829, 383, vol. 188, Q Series, C.O. 42, MG11, LAC.

⁷⁹ See for example Schools Now in Operation under the Superintendence of the Conference Missionary Society, 16 May 1829, 399, vol. 188, Q Series, C.O. 42, MG11, LAC; Missionary societies were prevalent before 1830 as well, see Reports on Indian Schools in Upper Canada, 1826, 23114-23123, vol. 43, RG10, LAC.

⁸⁰ This was particularly true of the missions supported by the Church of England-aligned Society for the Converting and Civilizing the Indians and Propagating the Gospel among Destitute Settlers in Upper Canada. Chief Superintendent James Givins himself was one of the original managing committee of this organization, see *First Annual Report of the Society for the Converting and Civilizing the Indians and Propagating the Gospel among Destitute Settlers in Upper Canada* (York: Robert Stanton, 1832), 3.

⁸¹ The Methodists were generally distrusted as American republicans, see for example Sir James Kempt to Sir George Murray, 16 May 1829, in *Papers Relative to the Aboriginal Tribes in British Possession*, 41. For examples of ID-Methodist conflict, see T.G. Anderson to James Givins, 12 December 1831, 55589-55590, vol. 49, RG10, LAC; T.G. Anderson to William Hepburn, 31 October 1836, 61954-61956, vol. 63, RG10, LAC.

While no teachers or missionaries were employed on the permanent establishment of the Upper Canadian Indian Department after 1830, there were two other ways in which the Indian Department supplied these positions. The first was through the so-called contingencies. This was a fund that first took shape in 1830 as a means to pay for various expenses that were not part of the core mandate of the ID.⁸² As chief superintendent James Givins explained, this included the “pay of persons employed not on the regular establishment, such as clerks, schoolmasters, [and] farmers at the several posts to instruct the Indians in cultivation.”⁸³ The sizeable establishments at Coldwater and Manitoulin Island were both largely supplied from this fund, and included the employment of one or two teachers from 1830 onwards, and one missionary beginning in 1836.⁸⁴ The Indian Department also sometimes employed teachers after 1830 using funds from the annuities owed to Indigenous communities on account of land surrenders.⁸⁵ In 1839, Chief Superintendent S.P. Jarvis proposed to further expand the number of individuals employed off of the permanent establishment of the Indian Department. Citing the great success made by the “sectarians” in proselytizing among Upper Canada’s Indigenous communities, Jarvis suggested that “the time has arrived when I think the clergy of the Church of England, in conjunction with the government, should assume the duty and responsibility of superintending the moral and religious instruction of the Indians.” To do so, Jarvis proposed using the contingent funds of the

⁸² Sir John Colborne to Sir George Murray, 14 October 1830, in *Papers Relative to the Aboriginal Tribes in British Possession*, 128-129.

⁸³ Summary of the Annual Expenditure of the Indian Department in Upper Canada, in *Parliamentary Papers 1839*, 130.

⁸⁴ For an example of the establishment at Coldwater, see Account of Pay Due the Undermentioned Persons Employed on the Indian Department at Coldwater from the 1st Day of September to the 31st October 1832 inclusive, (no date), 57014, vol. 52, RG10, LAC. For an example of the Manitoulin establishment, see Account of Disbursements Made by the Chief Superintendent of Indian Affairs to the Undermentioned Persons Employed by the Indian Department at Manitowaning Between the 1st November and 31st December 1840 Inclusive, 31 December 1840, 68630, vol. 75, RG10, LAC. See also Return of the Expenses Incurred Annually at the Indian Establishment at Manitoulin Island, in RAIC 1847, unpaginated (pages 244-245).

⁸⁵ See for example Account of Sums Paid at York Under the Authority of His Excellency Major General Sir John Colborne Lieutenant Governor to Be Deducted from the Issues on the Approved Annual Estimate of Presents to Indians for the Year 1830, (no date), 54498-54499, vol. 47, RG10, LAC.

Indian Department to supply missionary salaries until money from the sale of Indigenous land could be made available for this purpose.⁸⁶ Jarvis's scheme was endorsed by the government, and by 1842 a total of four Church of England missionaries were employed by the Upper Canadian Indian Department, although not as part of the permanent establishment, at an average salary of 100 pounds sterling.⁸⁷

Pensioners

The final group of individuals who received payment from the ID were pensioners. Pensioners were a rarity in Upper Canada, never exceeding some three or four hundred individuals at any given time.⁸⁸ The pensions paid by the ID thus constituted an important percentage of all pensions in the province, demonstrating how large the ID loomed in the Upper Canadian state. Pensions paid by the Indian Department can be divided into two categories: pensions paid to long serving individuals with exceptional records (or to their dependents after their death), and pensions paid to Indigenous warriors wounded in the War of 1812-1815.

In the first category are included pensions paid to retired members such as deputy agent John Dease, blacksmith Timothy Murphy, or secretary Alexander McDonell. More common though were pensions paid to the widows of members who died while in the service, such as to Abigail Hare, Sarah Elliott, and Theresa McKee.⁸⁹ Some Indian Department pensions were granted to individuals who did not die while serving in the Indian Department, but who were pensioned because of their exceptional influence among the Indigenous communities of the region. These individuals included Konwatsitsiaienni Molly Brant, Thayendenegea Joseph Brant, John

⁸⁶ S.P. Jarvis to John Macaulay, 7 March 1839, 85-91, vol. 503, RG10, LAC.

⁸⁷ For an account of the missionaries employed, see Establishment of the Indian Department in Canada West, in RAIC 1847, unpaginated (page 31).

⁸⁸ Johnson, *In Duty Bound*, 107.

⁸⁹ For the examples given above, see Pension List of the Indian Department in the Canada for the Year 1829, (no date), 73, vol. 268, RG8, LAC.

Deseronto, Hester Hill, Adonwentishon Catharine Brant, Teyoninhokarawen John Norton, and the widow of the Seneca chief Sangaraghta.⁹⁰

The second category of pensions was more limited. In an attempt to secure the assistance of Indigenous warriors during the War of 1812-1815, the British command in Canada issued a general order on July 26, 1813 promising pensions to the wives and children of those warriors who might be killed in action, and pensions to those who might be wounded.⁹¹ While no assistance was ever given to the widows and orphans of those killed in Upper Canada, some pensions were granted to wounded warriors.⁹² Difficulties in being officially certified as disabled by a surgeon and in collecting pensions that were often distributed many hundreds of miles away from where the warriors lived, however, meant that in the post-war years only some eleven of these pensions were regularly paid out in Upper Canada.⁹³ This limited fulfillment of the promise of pensions for wounded warriors remained a point of contention between Indigenous communities and the

⁹⁰ List of Person Holding Temporary Appointment and Pensions in the Indian Department Who Are to Receive Pay and Pension for the Year 1796, *Historical Collections and Researches made by the Michigan Pioneer and Historical Society* 25 (1894): 108; List of Persons Holding Temporary Appointments and Pensions in the Indian Department in Upper Canada, 25 December 1803, 175655, vol. 629, RG10, LAC.

⁹¹ General Order Relative to Pensions to Families of Indians Killed and Those disabled on Service, 26 July 1813, 16483, vol. 28, RG10, LAC. This step seems to have been suggested by John Norton, see Letter of John Norton, 26 June 1813, 94, vol. 257, RG8, LAC.

⁹² George Ironside Sr. for example wrote that all at Amherstburg all “expressed their disappointment in the promises made to them by government respecting the remuneration to the Widows of those who lost their lives in the late war,” George Ironside Sr. to William Claus, 8 August 1820, 21357, vol. 38, RG10, LAC. In Lower Canada by contrast, the widows and orphans of those killed in the war were entitled to draw free at Montreal, see Extract of a Letter from Sir John Johnson, 4 November 1823, 440-441, vol. 268, RG8, LAC.

⁹³ Estimate of Sums Required for the Pay of Several Individuals Who Have Been Admitted on the Pension List of the Indian Department of Upper Canada from 25th of December 1717 to the 21st of February 1819, (no date), 175905-175906, vol. 630A, RG10, LAC. By 1830, this had dropped to six warriors, see Account of Pensions to Wounded Indians of the Indian Department for 1830, (no date), 54504, vol. 47, RG10, LAC. One warrior, known as James Jameson on the pension list, was still receiving his pension into the 1840s, see Account of Pensions Paid to Wound Indians by the Commissariat from 1st April to 30th September, 1841, (no date), 69456, vol. 77, RG10, LAC. John Norton submitted the names of nineteen warriors to receive pension just among the warriors with whom he fought, see List of Wounded Warriors 1817, (no date), 219, vol. 261, RG8, LAC.

government over the following decades, and was brought back up when the warriors were again asked to mobilize in the years 1837-1838.⁹⁴

Informal Partners

To make matters more confusing, there were a number of individuals who played a conspicuous role in the Indian Department while not actually employed therein. These individuals sent copious correspondence to the superintendents, delivered messages to and from Indigenous communities, helped distribute presents or annuities, and generally fulfilled the role of officers of the Department. Two of these individuals, Saltern Givins and William Johnson Kerr, both served in the Indian Department at one point in their lives, and both of them were so closely connected to the permanent establishment of the ID that there was little practical difference between them and the officers of the Department.⁹⁵ Others such as the missionary Reverend William McMurry at Sault Ste Marie and Captain William Portt on the Bay of Quinte were less closely connected to the Department but nonetheless carried out crucial functions of the ID in communities where the Indian Department did not have a permanent presence.⁹⁶

The final key actors in the Indian Department were First Nations communities themselves. While individuals of Indigenous descent were employed at every level of the Department,

⁹⁴ See for example the case of Bear's Foot who was wounded at the Battle of Queenston Heights. Certificate of Surgeon Robert Kerr, (no date), 22400, vol. 41, RG10, LAC. Or see Memorandum of Mookmanish, 66437, vol. 71, RG10, LAC. See also Speech of Blackhawk, 7 August 1817, 20083, vol. 34, RG10, LAC.

⁹⁵ So involved was Saltern Givins with the Indian Department's correspondence with the Mohawk of the Bay of Quinte that he even complained that he felt like he was in fact acting as their agent, see Saltern Givins to James Givins, 10 January 1837, 62532-62533, vol. 64, RG10, LAC. W.J. Kerr's most conspicuous was leading the warriors from the Grand River during the Rebellion years of 1837 and 1838, see Nathan Ince, "'As Long as that fire Burned': Indigenous Warriors and Political Order in Upper Canada, 1837-1842," *Canadian Historical Review* 102, no. 4 (2021): forthcoming.

⁹⁶ Not only did Portt frequently correspond with the Indian Department, but like W.J. Kerr during the Canadian Rebellion he helped lead the warriors from the Bay of Quinte, see Letter of William Portt, 1 December 1838, 65371, vol. 70, RG10, LAC. As for McMurry, he actually requested a salary so often did he do the work of the Indian Department, see William McMurry to James Givins, 13 November 1835, 60149-60150, vol. 59, RG10, LAC.

Indigenous communities more broadly were both deeply implicated and highly influential in the functioning of the Indian Department, as will be explored in some depth in Chapter Four.

“Considerable Trust in Their Integrity”: Corruption and Material Gain

As the above examination reveals, working for the government as a member of the Indian Department was already relatively rewarding for those lucky enough to secure appointments. Employment in the ID came with a good salary, the prestige of holding a position of responsibility, and the possibility of securing a pension after retirement (or more likely securing a pension for one’s family after death). Despite these benefits, many members of the Indian Department also pursued other means of profiting from their employment. Various forms of corruption or other methods of illicit gain appeared to have been widespread throughout the Upper Canadian Indian Department. Two in particular appear especially prominent in contemporary archives. The first of these was simple peculation, or taking money, goods, or other resources that belonged to the government for one’s own private gain. The second way of securing illicit profits was by profiting from one’s position of influence to obtain access to Indigenous resources. Each of these two methods of supplementing the economic benefits of belonging to the Indian Department will be examined below.

“A Wide Door for Abuse”: Picking the Government’s Pockets

As Governor General Sir James Kempt pointed out in 1829, the nature of the Indian Department’s work left ample room for its employees to engage in peculation at the government’s expense.⁹⁷ Kempt was not alone in making this observation. It was relatively common for outsiders to observe that the practices of the Indian Department “must open a wide door for abuse.”⁹⁸ Even

⁹⁷ Sir James Kempt to Sir George Murray, 16 May 1829, in *Papers Relative to the Aboriginal Tribes*, 38.

⁹⁸ Hector McLean to Military Secretary Green, 23 September 1797, 197, vol. 250, RG8, LAC.

those within the Department recognized the possibility for illicit gain, although their recommendations to prevent this could be equally self-serving. In 1799, Sir John Johnson suggested that the solution to peculation was to raise the salaries of the Indian Department's employees in order to "place them above temptation."⁹⁹

Examples abound of employees of the Indian Department losing their positions due to accusations of defalcation. An early instance of this was the case of Guy Johnson, who at the end of the American Revolutionary War faced a major investigation into his management of the Indian Department that resulted in his replacement as the head of the Department.¹⁰⁰ A similar case occurred a few years later, albeit on a smaller scale, when deputy agent John Dease lost his position in the Indian Department for allegedly having taken goods from the Indian store in order to barter them away in exchange for furs.¹⁰¹ During the Upper Canadian period, one of the most dramatic accusations of corruption was leveled against Matthew Elliott. The accusations against him included embezzling rations, selling merchandise that had been intended as part of the annual presents, and intentionally inflating the numerical returns of First Nations in order to skim the excess goods dispatched.¹⁰² In light of these accusations, Elliott was relieved of his post in 1798. After Elliott's dismissal, his chief persecutor, the local commanding officer of the British garrison Captain Hector McLean, expressed his satisfaction that "things begin to go on very regular in the Indian Department since the dismissal of Elliott, which I believe has made others tremble and must in short produce much good."¹⁰³ McLean's celebration was premature. In 1802, storekeeper

⁹⁹ Sir John Johnson to Military Secretary Green, 7 October 1799, 309-312, vol. 252, RG8, LAC.

¹⁰⁰ Colin Calloway, *The American Revolution in Indian Country: Crisis and Diversity in Native American Communities* (Cambridge: Cambridge University Press, 1995), 137-146.

¹⁰¹ Timothy D. Willig, *Restoring the Chain of Friendship: British Policy and the Indians of the Great Lakes, 1783-1815* (Lincoln: University of Nebraska Press, 2008), 103.

¹⁰² For a full account of this case, see Reginald Horsman, *Matthew Elliott, British Indian Agent*, (Detroit: Wayne State University Press, 1964), 119-141.

¹⁰³ Hector McLean to Military Secretary Green, 11 May 1798, 91, vol. 251, RG8, LAC.

Thomas Duggan was removed from his post at St. Joseph under similar charges.¹⁰⁴ Even worse, despite the gravity of the accusations against him, Elliott himself was reinstated in the Indian Department in 1808 in light of the growing possibility of war with the United States.¹⁰⁵

Despite the above examples of corruption being taken seriously, Matthew Elliott's reinstatement may say more about the place of peculation in the Indian Department than his dismissal. The archive of the Department seems to suggest that a certain level of corruption was openly tolerated, and when confronted with charges of embezzlement or other improprieties, the senior members of the Indian Department tended to diminish or dismiss the accusations and regularly jumped to the defence of their junior officers.¹⁰⁶ Acceptance of these practises, however, may have gone beyond simple toleration. As was widely recognized, the work of the Indian Department largely depended on building relationships with prominent Indigenous men and women, and the redistribution of goods was one crucial way such relationships were built. While the ability of Indian Department employees to give their own clients and allies preferential treatment when it came to the distribution of these goods was sometimes understood as simple corruption by outsiders, these sorts of practises were in fact fundamental to the influence of the Department. In 1801, for example, the same Captain Hector McLean who had secured Matthew Elliott's dismissal three years earlier complained that the Indian Department gave the finest presents, including copious amounts of broad cloth, cambric, muslin, shoes, saddles, and bridles, only to their "favourites and concubines."¹⁰⁷ McLean noted that the employees of the Department particularly favoured "that contemptible tribe called the Shawnees."¹⁰⁸ While there is no reason to

¹⁰⁴ Military Secretary Green to Lieutenant Cowell, 17 May 1802, vol. 26, 15428, RG10, LAC.

¹⁰⁵ Francis Gore to Sir James Craig, 5 June 1808, 867-872, vol. 2, RG10, LAC.

¹⁰⁶ Thomas McKee to Prideaux Selby, 6 March 1802, 15407-15408, vol. 26, RG10, LAC; Horsman, *Matthew Elliott*, 138-139.

¹⁰⁷ Hector McLean to Military Secretary Green, 29 May 1801, 297, vol. 253, RG8, LAC.

¹⁰⁸ Hector McLean to Military Secretary Green, 27 August 1799, 233, vol. 252, RG8, LAC.

doubt McLean's assertions, particularly given the extent of the Department's family ties with the Shawnee, what the captain saw as simple corruption was in reality the foundation of an alliance relationship that was to become so critical during the War of 1812 under the leadership of the two Shawnee brothers Tenskwatawa and Tecumseh.

Perhaps the career of John Askin Jr. best illustrates the open acceptance of a certain level of corruption in the Indian Department. Askin was first appointed to the Indian Department as storekeeper and interpreter at the post of St. Joseph in 1807.¹⁰⁹ Already in 1808, Askin was accused of having embezzled the rent money he was meant to safeguard in his role as agent for the Wyandot of Anderdon on the Detroit River, although it is unclear if anything came of this case.¹¹⁰ The following year, Askin faced more serious accusations, this time from the military officers commanding the detachment of regular troops at St. Joseph. These accusations included charges of Askin altering Indian Department requisitions after they had been signed, embezzling government stores, and carrying on commerce in the fur trade through the agency of his son.¹¹¹ In light of these charges, Askin was summarily removed from his post by Captain Dawson, the commanding officer of the garrison at St. Joseph, on January 31, 1810.¹¹² When asked by Lieutenant Governor Gore to comment on the charges against Askin, superintendent Matthew Elliott predictably came to the defence of his junior officer. Elliott pointed out that as the acting head of the Department at St. Joseph, Askin was charged with maintaining "the most friendly offices and intimate intercourse with the chiefs of the several nations and tribes frequenting the post," and that the military commander of the post had no right to interfere with Askin's conduct

¹⁰⁹ Proposed Establishment for the Indian Department in Upper Canada for the Year 1808 to Commence 25 December 1807, (no date), 175650, vol. 629, RG10, LAC.

¹¹⁰ Thomas McKee to William Claus, 25 February 1808, 15779, vol. 27, RG10, LAC.

¹¹¹ For Dixon's accusation, see John Dixon to Captain Dawson, 16 October 1809, 15910, vol. 27, RG10, LAC; John Dixon to Captain Dawson, 17 October 1809, 15911, vol. 27, RG10, LAC. See also Proceedings of a Court of Enquiry, 6 February 1810, 15994-16026, vol. 27, RG10, LAC.

¹¹² Ensign Dawson to John Askin Jr., 31 January 1810, 86, vol. 256, RG10, LAC.

of this business. Elliott accused Dawson of undermining the work of the Indian Department at a moment when war with the United States appeared imminent by “destroying that influence which it is a principal duty [for the Indian Department] to obtain and secure.”¹¹³ Despite the weight of the charges and the ample evidence against him, Lieutenant Governor Gore ruled completely in Askin’s favour. Not only was Askin reinstated in his position in the Indian Department, but Captain Dawson was removed as commander at St. Joseph, with the additional humiliation that he was to be held responsible for any goods that had gone missing from the Indian Department storehouse following Askin’s removal.¹¹⁴

After the War of 1812, it seemed as if Askin’s luck had run out. Lieutenant Colonel McDouall, placed at the head of the Indian Department establishment on the upper Great Lakes in 1814, arranged for Askin’s dismissal in the reorganization that followed the war. During the time the two men served together in the War of 1812, McDouall had developed a strong dislike of Askin, calling him in one letter “that mean wretch.” The lieutenant colonel accordingly seems to have enjoyed depriving Askin of the illicit profits he had been making as part of his employment in the Indian Department, almost gloating to William McKay that Askin “has now reaped the fruits [of his mischief], and is turned out of an office in which he *continued* to make a fortune.”¹¹⁵

As evidenced by the case against him in 1809-1810, however, Askin was not without friends. During his time at St. Joseph, Askin’s letters to his superiors, including Lieutenant Governor Gore and Deputy Superintendent General Claus, frequently ended with reference to the various gifts that Askin was sending them from the upper country. These included items of Indigenous manufacture, such as leggings, pouches, pipes, mats, and even a number of enormous

¹¹³ Matthew Elliott to William Halton, 23 February 1810, 70-71, vol. 256, RG10, LAC.

¹¹⁴ Orders of Lieutenant governor Gore, 23 February 1810, 1144, vol. 3, RG10, LAC.

¹¹⁵ Robert McDouall to William McKay, 20 August 1816, 19345-19347, vol. 33, RG10, LAC.

birchbark canoes made by Odawa craftsmen, as well as valuable furs.¹¹⁶ After being reduced by McDouall, Askin petitioned Claus to be reinstated in another position in the Indian Department. In his letters to Claus, Askin suggested that McDouall was trying to supplant Claus as head of the Indian Department in Upper Canada, and Askin declared that he would only recognize Claus as the “real Father” of the Indigenous nations of the Great Lakes region.¹¹⁷ Askin’s representations bore fruit when he was appointed to the position of superintendent at Amherstburg in 1816, a position he continued to hold until his death in 1820.¹¹⁸

While the case of John Askin Jr. illustrates what an employee of the Indian Department could get away with without facing consequences, it is unlikely that this level of peculation was the norm for the Indian Department. It is more likely that much of the unsanctioned activity carried out by members of the ID was of a less remarkable nature. Lieutenant Colonel James’s complaints about the apparent affluence of the ID interpreters at Amherstburg led him to suggest that they were involved in this kind of border-line corruption.¹¹⁹ As a more concrete example, T.G. Anderson was in the habit of employing James Farling, the Indian Department blacksmith at Drummond Island and Coldwater, to do personal work for him without additional charge.¹²⁰ Chief Superintendent S.P. Jarvis’s exorbitant travelling expenses, for which he was reprimanded multiple times, might also represent this sort of low-level background corruption in which Indian

¹¹⁶ For examples of this, see John Askin Jr. to William Claus, 11 January 1810, 15965-15966, vol. 27, RG10, LAC; John Askin Jr. to Duncan Cameron, 8 August 1810, 16129, vol. 27, RG10, LAC; John Askin Jr. to William Claus, 6 August 1811, 16307, vol. 27, RG10, LAC.

¹¹⁷ See for example John Askin Jr. to William Claus, 28 October 1815, 187-188, vol. 10, Claus Papers, MG19, LAC; John Askin Jr. to William Claus, 5 January 1816, 209, vol. 10, Claus Papers, MG19, LAC.

¹¹⁸ For Askin’s appointment, see Military Secretary Addison to Sir John Johnson, 28 December 1816, 19592, vol. 34, RG10, LAC.

¹¹⁹ Memorandum by Lieutenant Colonel James, 1816 (no date), 10648, vol. 12, RG10, LAC.

¹²⁰ Petition of James Farling, 19 April 1830, 2413-2414, vol. 5, RG10, LAC.

Department employees participated in order to maximize the economic benefit of their employment.¹²¹

Perhaps the most significant case of corruption in the Upper Canadian Indian Department was also the last. Following the investigation of the Bagot Commission in 1842-1844, serious questions were raised about the accounts kept by Chief Superintendent Samuel Peters Jarvis. Jarvis was accordingly called on to explain the apparent discrepancies in his accounting, and when he failed to do so he was dismissed as chief superintendent on May 10, 1845. Jarvis protested that the discrepancies were simply the result of sloppy accounting rather than wilful corruption, as the Indian Department at that time was not well equipped to keep tabs on its income and expenditure. The government paid no mind to this excuse, and in 1846 finally determined that Jarvis owed the sum of 6,375 pounds. Despite this ruling, it seems as if the former chief superintendent never paid any amount of this debt.¹²²

While there were a number of similarities between earlier cases of corruption in the Indian Department and Jarvis's case, there were also a number of important differences. For one, while many earlier cases of corruption in the Indian Department focused on the embezzlement or illicit use of physical merchandise, Jarvis's trial revolved around intangible figures recorded in his accounts. But perhaps the most important difference is that in the dispute around Jarvis's corruption, it was not only the chief superintendent that was on trial. Instead, the investigation into Jarvis's accounts served to call into question the entire system of the Indian Department as it functioned at the time.

¹²¹ See for example S.P. Jarvis to R.A. Tucker, 7 November 1839, 66395-66399, vol. 71, RG10, LAC.

¹²² For a full account of the Jarvis affair, see Douglas Leighton, "The Compact Tory as Bureaucrat: Samuel Peters Jarvis and the Indian Department, 1837-1845," *Ontario History* 73, no. 1 (1981): 40-53.

As was recognized by numerous observers, the Indian Department had long operated at the fringes of the government in Upper Canada, and thus a certain amount of corruption seems to have been, if not always accepted, then at least expected.¹²³ In the case of both Matthew Elliott and John Askin Jr., this corruption was implicitly tolerated by the colonial administration when the need to have active and influential agents outweighed the need to adhere to strict economy and thorough administration, as was the case in the years before the War of 1812. The report of the Bagot Commission in 1844, however, recommended the complete reformation of this system in order that the Indian Department might be “brought more immediately under the notice” of the government. “It appeared to your commissioners,” the authors concluded on the final page of their report, “that in order to carry out the benevolent views of Her Majesty’s Government, considerable changes were requisite in the general system of management; and that with a view to the same object, and to the necessity of increased economy, the Department required to be entirely remodelled.”¹²⁴ The removal of Jarvis from office and the abolition of the office of chief superintendent formed one part of this remodelling. In fact, even before the government took up the charges against Jarvis, the commissioners appointed by Governor General Bagot recommended the abolition of the position of chief superintendent independent of any accusations of peculation.¹²⁵ These accusations, however, allowed the government to transfer oversight of the Indian Department to the civil secretary of the United Province of Canada in 1844. When Jarvis was eventually dismissed for his failure to adequately explain the discrepancies in his accounts in

¹²³ The commissioners appointed by Bagot for example concluded “as no periodical reports or accounts have been required from the Department in either province, there has been practically little control over the officers conducting it; and for the want of a system which has prevailed in Upper Canada, much irregularity has been introduced without notice,” see RAIC 1847, unpaginated, (page 37).

¹²⁴ RAIC 1847, unpaginated (page 50).

¹²⁵ RAIC 1847, unpaginated, (page 38).

1845, no one replaced him as chief superintendent. Rather, the position was abolished just as the commissioners appointed by Bagot had envisioned in their report.

None of this is to say that Jarvis was innocent of the charges against him. By all accounts, it appears likely that he participated in the same sort of everyday corruption that seems to have been common in the Indian Department. Rather, I want to suggest that the significance of the Jarvis case does not lie in the trial of another Indian Department officer on charges of corruption, but in demonstrating the growing power of the Canadian state over the administration of Indian Affairs in the years following the union of the Canadas.¹²⁶

“As a Remuneration for Your Services”: Accessing Indigenous Resources

Just as employees of the Indian Department sought to maximize the economic benefits of their government employment through speculation and embezzlement, they also had the possibility of using their power and influence to access Indigenous resources. Like the issue of corruption, this presented a major problem for the nascent Upper Canadian state. According to the government, Indian Department officials were meant to work exclusively to further government interests. As Military Secretary Henry Charles Darling wrote to Sir John Johnson on behalf of Governor General Dalhousie in December 1826, “the officers of the Department are moreover liberally paid for their services, and in his Lordship’s opinion, should not work for remuneration from those who they are bound to protect.”¹²⁷

Despite this general principle laid down by the government, the Indian Department archive is full of references to employees receiving compensation from Indigenous communities. In 1837,

¹²⁶ The broad strokes of this argument, albeit with the focus on the fall of the political order represented by the Family Compact rather than on the conduct of Indian Affairs, was pointed out in Leighton, “The Compact Tory as Bureaucrat.”

¹²⁷ Henry Charles Darling to Sir John Johnson, 8 December 1826, 23107, vol. 43, RG10, LAC.

for example, the Mississauga of the River Credit petitioned the government to confer a grant of one acre of their land to James Givins “as a mark of their regard and respect for his person and character.”¹²⁸ In 1836, Interpreter Francois Xavier Cadotte was allowed to remain on the unceded land at Walpole Island after this reduction from the ID, despite ongoing efforts to remove non-Indigenous squatters from the island.¹²⁹

The following three examples elucidate how prominent members of the Upper Canadian Indian Department gained access to Indigenous land. The first case, that of Charles Anderson, provides a good illustration of how a career in the Indian Department could provide access to Indigenous land that otherwise would have been off limits. Like his cousin T.G. Anderson, Charles Anderson entered the fur trade early in life. Following in the footsteps of his relations among the Herkimer family of his mother’s side, Charles Anderson married a Mississauga woman in the Rice Lake region with whom he had a substantial family.¹³⁰ With the coming of the War of 1812, Anderson was appointed to the Indian Department as an interpreter, subsequently being promoted to the rank of lieutenant, finally achieving the rank of captain by the war’s end.¹³¹ While Anderson was dismissed in 1816 with the return of peace, he continued to be a frequent correspondent with the Indian Department, acting in certain cases as the unofficial officer of the Department in the Rice Lake region. During the Canadian Rebellion, Anderson was briefly reemployed in the

¹²⁸ S.P. Jarvis to Peter Jones, 18 July 1837, 28, vol. 502, RG10, LAC.

¹²⁹ William Jones to James Givins, 20 April 1836, 61144, vol. 61, RG10, LAC.

¹³⁰ Donald B. Smith, *Mississauga Portraits: Ojibwe Voices from Nineteenth-Century Canada* (Toronto, University of Toronto Press, 2013), 104-105. See also See W.D. Reid, “Johan Herkimer U.E. and His Family,” *Ontario Historical Society Papers and Records* 31 (1936), 226.

¹³¹ For the records of Anderson’s service during the War of 1812, see William Claus to Nathaniel Coffin, 24 October 1812, 190, vol. 256, RG8, LAC; John Vincent to the Military Secretary, 23 December 1812, 198, vol. 256, RG8, LAC; Nathaniel Coffin to William Claus, 24 November 1812, 259, vol. 258, RG8, LAC; William Claus to Nathaniel Coffin, 25 April 1813, 16462, vol. 28, RG10, LAC; Extract of a General Order, 27 November 1813, 16574, vol. 28, RG10, LAC.

Department in order to help organize and mobilize the Mississauga warriors from the eastern part of Upper Canada.¹³²

It was entirely due to his connections with the Mississauga that Anderson was able to establish a small homestead and trading post on the shores of Rice Lake. It was only a matter of time, however, before this establishment came to the attention of the authorities. On July 13, 1818, the military secretary wrote to William Claus asking “under what circumstances Mr. Charles Anderson of Kingston, late Captain in the Indian Department, purchased and holds a certain portion of Land on the Eastern angle formed by the Rice Lake and Otonabee River.”¹³³ At the time, the civil administration of Upper Canada was only in the process of securing the surrender for the land on which Anderson’s house was located from the Mississauga.¹³⁴ Anderson’s occupation of the ground was therefore contrary to the principles of the Royal Proclamation of 1763 as understood at the time.

In response to the queries from the military secretary, William Claus asked Charles Anderson to explain on what grounds he occupied his lot on Rice Lake. The former Indian Department captain responded that he had occupied the land since 1801 “by the free permission of the Nation proprietors.” Anderson added that he had already written to Lord Bathurst, the Secretary of State for War and the Colonies, requesting that he be confirmed in the possession of his land. As part of his request, Anderson included his rank and history of service in the Indian Department. Bathurst responded positively to Anderson’s application, stating that should the civil

¹³² Petitions of the Mississauga to Sir George Arthur, 1 June 1838, 64534-64538, vol. 68, RG10, LAC.

¹³³ Military Secretary Addison to William Claus, 13 July 1818, 20395, vol. 35, RG10, LAC.

¹³⁴ For preparations for the Rice Lake purchase, see James Givins to William Claus, 9 September 1818, 20502, vol. 35, RG10, LAC.

government acquire the land there should be no reason why Anderson would not be confirmed in it.¹³⁵

This, however, was not sufficient to settle the case. As part of the same investigation, the local Indian Department superintendent James Givins called together “the principal chiefs from the Rice Lake” to ask the Mississauga themselves about the status of Anderson’s land. These chiefs contradicted Anderson’s claims to exclusive ownership, saying that the two kegs of rum and two carrots of tobacco that Anderson claimed had been paid to purchase the land were in fact only a freely given gift.¹³⁶ Despite this testimony, it seems as if Anderson’s claims were allowed to stand. While I have found no evidence of the former Indian Department captain being positively granted ownership of the land by the colonial state, he nonetheless continued to occupy this plot of land long after the civil administration finalized the purchase of the Mississauga lands to the north of Rice Lake in November 1818.¹³⁷

While the testimony of the chiefs approached by Givins indicates that the local Mississauga community did not necessarily share the same understanding regarding the ownership of the piece of land occupied by Anderson, nonetheless it was only due to his longstanding and generally reciprocal relationship with the Mississauga that Anderson was able to stake a claim on this land that was later recognized, at least implicitly, by the colonial government. Without his history of service in the ID, it is likely that Anderson’s claim would have been considerably more complicated.

¹³⁵ Copy of Charles Anderson to James Givins, 17 August 1818, 20449, vol. 35, RG10, LAC.

¹³⁶ James Givins to William Claus, 22 August 1818, 20457, vol. 35, RG10, LAC.

¹³⁷ That Anderson continued in the possession of the land is clear from all contemporary accounts, see for example Peter Jones, *Life and Journals of Kah-ke-wa-quo-na-by* (Rev. Peter Jones (Toronto: Anson Green, 1860), 82. What is less clear is exactly how he was allowed to stay.

The case of George Ironside Jr., known as Maera among the Wyandot, shared many similarities with that of Charles Anderson. Like Anderson, Ironside came from a family with longstanding connections to the Indian Department. His father, George Ironside Sr., had served as a central figure in the Detroit River branch of the Department since 1794, and George Jr. succeeded to his father's position as superintendent shortly before his death in 1831.¹³⁸ With the metropolitan government of the mid-1830s actively contemplating the dissolution of the Indian Department, Ironside did not intend to depend solely on his government employment for his livelihood. Instead, George Ironside Jr. tried to capitalize on his relationship with the Wyandot community at Anderdon on the Detroit River in order to secure his prominence and economic prosperity. In 1836, Ironside and his Wyandot partners at Anderdon petitioned the government to grant the Indian Department superintendent a lot of 200 acres from their land.¹³⁹ At the same time, Ironside also forwarded a petition from a number of the leading figures among the Wyandot asking the government to confirm his appointment as head chief at Anderdon.¹⁴⁰ While Lieutenant Governor Francis Bond Head quickly granted the first request, it was not until Ironside was in fact dismissed from the Indian Department the following year that the government conferred on him the title of head chief of the Wyandot.¹⁴¹

Ironside's success in securing these social and economic benefits even as his employment in the Indian Department was terminated demonstrates just how important the ability to access Indigenous resources could be for a member of the ID. Similar to the above-mentioned case of

¹³⁸ George Ironside Sr. to Zachariah Mudge, 11 April 1831, 54390-54391, vol. 47, RG10, LAC.

¹³⁹ George Ironside Jr. to James Givins, 7 November 1836, 62044, vol. 63, RG10, LAC; Petition of the Wyandot of Anderdon, 7 November 1836, 62045, vol. 63, RG10, LAC.

¹⁴⁰ George Ironside Jr. to John Joseph, 1 October 1836, 61835-61836, vol. 63, RG10, LAC. After Ironside's actual dismissal from the Indian Department, it seems as if the Wyandot were more strongly in favour of this appointment, see Petition of the Wyandot of Anderdon, 17 July 1837, 65496, vol. 70, RG10, LAC.

¹⁴¹ For Bond Head's confirmation of the grant, see Extract from Colonel Givins's Letter, 26 November 1836, 65502, vol. 70, RG10, LAC. For the confirmation of Ironside as head chief of the Wyandot, see S.P. Jarvis to George Ironside J., 25 September 1837, 65498, vol. 70, RG10, LAC.

Charles Anderson, however, both the grant of land and the elevation of Ironside to the position of head chief were in fact highly controversial among the Wyandot of Anderdon. This community had been for many years sharply divided into two factions, with one group favouring the leadership of Ironside and the other generally following Thomas Clarke, the son of the former Indian Department interpreter and nephew of Alexander McKee, Thomas Alexander Clarke.¹⁴² Following the prominent participation of the Wyandot of Anderdon, and of Maera George Ironside Jr. in particular, in the upheavals associated with the crises of 1837-1838, Ironside was reemployed as a superintendent in the Indian Department.¹⁴³ This only inflamed the controversy further, as now Ironside was recognized by the government as both head chief and superintendent simultaneously. The party opposed to Ironside accordingly drew up a petition in 1842 accusing him of wielding excessive influence, of having embezzled money from the rent of their stone quarry, of trying to depose Thomas Clarke as a chief, and of having illicitly obtained a grant of their land.¹⁴⁴ Despite the severity of these accusations, it seems nothing came of this petition before Ironside was relocated to Manitoulin Island following the Indian Department reforms of 1845.

Perhaps the most dramatic case of a member of the Upper Canadian Indian Department accessing Indigenous resources is the career of William Claus. As will be discussed in the following chapter, the Claus family had longstanding connections not only with the Indian Department but with the Six Nations community on the Grand River in particular. These connections would end up being extremely lucrative for the Claus family. Already in 1799, the Six Nations offered to exchange ten thousand acres of Grand River lands in order to purchase an estate

¹⁴² For more on this conflict, see Rhonda Telford, "How the West Was Won: Land Transactions Between the Anishinabe, the Huron and the Crown in Southwestern Ontario," in *Papers of the Twenty-Ninth Algonquian Conference*, edited by David H. Pentland, (Winnipeg: University of Manitoba, 1998), 346-350.

¹⁴³ Telford, "How the West Was Won," 348.

¹⁴⁴ Petition of the Wyandot of Anderdon, 7 April 1842, 72135-72139, vol. 71, RG10, LAC.

in the town of Newark for Ann Claus, the daughter of Sir William Johnson and William Claus's mother. After his mother's death, William Claus inherited her estate, where he continued to live until his own death in 1826. At a public council on September 23, 1806, Thayendenegea Joseph Brant reiterated the original 1799 grant, saying that the grant had been made to "Ann Claus, the older sister of the Six Nations, and daughter to our old friend Warrighjagé." As will be discussed in the following chapter, here Joseph Brant was using the same language of kinship that had been used at Ann Claus's condolence ceremony following her death seven years previous. Likewise, by calling Sir William Johnson by his Kanyen'keha name, Brant made clear the intimate connections that underpinned this gift to the Claus family. It is notable that in the following sentence, Brant announced that the nations would also grant five thousand acres to himself, illustrating the similar manner in which both Brant and Claus profited from their positions in Haudenosaunee society.¹⁴⁵

Alongside real estate, a second Haudenosaunee resource that Claus got his hands on was the Grand River trust fund.¹⁴⁶ The system of the trust fund was initially outlined in 1798 when Brant and the Six Nations sold a portion of their land in order to raise capital, and Claus was appointed by Brant as one of the three trustees who would manage the sale of the lands and the collection of the money.¹⁴⁷ Claus quickly became the sole trustee in practice, leaving lots of room

¹⁴⁵ Extract of a Speech of the Five Nations, 23 September 1806, 572, vol. 2, RG10, LAC.

¹⁴⁶ For a good summary of the development of the Grand River trust fund from 1796 to 1830, see Report of the Executive Council at York, 14 May 1830, in *Appendix to the Journal of the House of Assembly of Upper Canada, Session 1836, Volume One* (Toronto: William Lyon Mackenzie, 1836), appendix 37, 28-31.

¹⁴⁷ For the official beginning of the trust fund system, see Peter Russell to the Duke of Portland, 20 February 1798, 78, vol. 284, Q Series, C.O. 42, MG11, LAC. For Brant's appointment of Claus as trustee, see Brant to David William Smith, 28 December 1797, in *The Valley of the Six Nations: A Collection of Documents on the Indian Lands on the Grand River*, ed. Charles M. Johnston (Toronto: Champlain Society, 1964), 95. Brant's choice of who should be the three trustees confirms the idea that intimate family connection with the Six Nations was an important criterion for such an appointment. While one of the trustees, David William Smith, was appointed because of his position as Surveyor General in Upper Canada, Brant's two other original choices, John Ferguson and Alexander Stewart, were both married into the Brant family. Ferguson married Magdalene Johnson, the daughter of Molly Brant, and Stewart married Jemima Johnson, the daughter of Kaghneghtaga, otherwise known as Young Brant or Cognac Johnson. When Joseph Brant's choice of Ferguson was not approved by the government (as Ferguson lived in Kingston, which was outside of the Home District), Brant replaced his nephew-in-law Ferguson with William Claus. For Ferguson's marriage to Magdalene, see footnote in Johnston, *Valley of the Six Nations*, 99. For Stewart's connection to the Brant

for irregularities in the management of the money.¹⁴⁸ By 1804, enough money had been collected from the purchasers to allow Claus to begin investing this capital in English funds. It is important to note that the entire system of the Grand River trust fund in the period 1798-1830 existed outside of any government control, despite efforts by the Legislative Council and Chief Justice to regulate the situation.¹⁴⁹ Claus seems to have taken advantage of this arrangement, as a later investigation by the legislature of Upper Canada concluded he may have been skimming off a portion of the profits from his investments despite him allegedly managing the fund for free.¹⁵⁰ The Six Nations frequently complained of their trustees' management of their funds. For example, Brant stated in 1807 that he found the trustees' "appointment very insufficient both as to the speedy execution of our business as also to the giving us the proper security for the property which may pass through their hands."¹⁵¹ Although it is unclear to what extent Claus was guilty of simple embezzlement, he certainly played fast and loose with the Grand River money for his own advantage. For example, when Lord Selkirk bought one of the lots sold by the Haudenosaunee, Claus held the mortgage of 3475 pounds in his name alone, and on Claus's death these securities remained legally the property of his estate, and inaccessible to either the government or the Six Nations.¹⁵²

family, see "Memoirs of Colonel John Clark of Port Dalhousie," *Ontario Historical Society Papers and Records* 7 (1910): 184.

¹⁴⁸ David William Smith returned to England in July 1802 and does not seem to have been involved with the trust after that, see S.R. Mealing, "Smith (Smyth), Sir David William," in *DCB*, vol. 7, University of Toronto/Université Laval, 2003–, accessed December 9, 2021, http://www.biographi.ca/en/bio/smith_david_william_7E.html. Alexander Stewart died in early 1813, leaving Claus as the sole effective trustee. For Stewart's death, see "Burials in Niagara", *Ontario Historical Society Papers and Records*, 3 (1901): 70.

¹⁴⁹ For example, see Copy of a Letter from the Honourable Chief Justice to Colonel Claus, 20 May 1804, 15517, vol. 26, RG10, LAC. See also Report of the Executive Council at York, May 14, 1830, *Appendix to the Journal of the House of Assembly of Upper Canada, Session 1836, Volume One*, appendix 37, 30.

¹⁵⁰ One example given in the 1830 report is Claus carrying himself 10% credit on the transfer of a bill for 772 pounds, see Report of the Executive Council at York, May 14, 1830, *Appendix to the Journal of the House of Assembly of Upper Canada, Session 1836, Volume One*, appendix 37, 30.

¹⁵¹ Brant's Complaint to Claus at a Council at Fort George, 28 July 1806, in Johnson ed. *Valley of the Six Nations*, 105. For another example of a similar complaint, see Memorial of Joseph Brant to Lieutenant Governor Francis Gore, 16 April 1807, 576, vol. 2, RG10, LAC.

¹⁵² Report of the Executive Council at York, 14 May 1830, in *Appendix to the Journal of the House of Assembly of Upper Canada, Session 1836, Volume One*, appendix 37, 30.

As much as these connections paid off during his life, William Claus expected that they would continue to pay dividends in order to secure the position of his family after his death. Claus was never a very healthy man. Once, Governor General Dalhousie had referred to him as “a dreadful object of disease,” the deputy superintendent general having suffered from rheumatisms that occasionally rendered him unable to walk beginning sometime around 1810.¹⁵³ Feeling himself nearing the end of his life in the summer of 1826, Claus sent a message to the chiefs of the Six Nations on the Grand River to meet him for a final council at Fort George. The council assembled August 3, 1826, and was opened by Claus performing the usual ceremony of condolence. After additional words of greeting from Onondaga chief Clear Sky, the Onondaga chief Echo then addressed the council, saying that even though important divisions still persisted on the Grand River, they had come to make a grant of land to Claus “as a remuneration for your services as our trustee.” Echo added that they wished Claus’s son to be their trustee after him, and that the trust fund should stay in the care of the Claus family even after his son’s death. The Onondaga chief then specified that any member of the Confederacy who should be living on this land granted to Claus “should not be disturbed in their improvements.” Claus promised a bond of five-thousand pounds that neither he nor his heirs would remove any of the Six Nations who already lived on this land and offered in addition that they might have access to a potash kettle and salt spring development Claus hoped to have on the tract. Seemingly content with this offer, Echo made one last request of Claus, hoping that he might help remove a number of unwanted white settlers from the Grand River lands, making particular complaint of the surveyor Augustus Jones.¹⁵⁴ Rather than giving up land, it seemed the Haudenosaunee leaders offering the tract to Claus hoped that this grant would result in the strengthening of Six Nations land tenure by

¹⁵³ William Claus to Sir John Johnson, 23 June 1814, 17040, vol. 28, RG10, LAC.

¹⁵⁴ Council with the Six Nations of Indians Held at Fort George, 3 August 1826, 23012-23015, vol. 43, RG10, LAC.

mobilizing longstanding connections of kinship and cooperation with a leading member of Upper Canadian society.

William Claus died at half-past seven on the evening of November 11, 1826.¹⁵⁵ As he wished, his son John Claus was soon after chosen by the Six Nations as their new trustee, and the leaders of the Grand River wrote to request that he might be confirmed in this position by the Imperial administration.¹⁵⁶ Aside from this seeming victory, William Claus's other posthumous plans quickly unraveled. While Lieutenant Governor Maitland was prepared to support the confirmation of the land grant by the Six Nations to Claus, Major General Darling, the Military Secretary to the Governor General Lord Dalhousie and the successor to William Claus as Deputy Superintendent General of Indian Affairs in the Canadas, viewed the grant as a non-starter.¹⁵⁷

William Claus's posthumous arrangements also soon ran into resistance from the Six Nations themselves. When Darling informed the Six Nations at a council that the grant would not be confirmed, he nonetheless inquired if the grant had been sincere. Echo then rose and said that there existed two factions on the Grand River, and that both would speak. The representative of the first faction, Oneida Joseph, then rose, and said that the Upper Mohawk and Oneida never wanted to approve of the grant since they had already made a generous gift of ten-thousand acres in order to buy the estate for his mother Ann in 1799. Oneida Joseph also expressed his discontent with Claus's management of their trust fund, saying that the Haudenosaunee had only been paid one partial instalment out of the three that should have been paid. Joseph then asked the

¹⁵⁵ J.B. Clench to Captain Maitland, 13 November 1826, 262, vol. 266, RG8, LAC.

¹⁵⁶ Affidavit dated Grand River, 28 February 1827, 23158, vol. 44, RG10, LAC.

¹⁵⁷ For Maitland's approval of the grant, see Maitland to Earl Bathurst, 30 September 1826, 23078, vol. 43, RG10, LAC. For Darling's rejection of the grant, see Darling to Sir John Johnson, 8 December 1826, 23106, vol. 43, RG10, LAC.

government to name two new trustees who might manage their fund, to which he proposed the Six Nations themselves would add a third trustee of their own choosing.

Shononghese George Martin then rose as the representative of the second faction on the Grand River. He admonished the Upper Mohawk for not attending the summons of Echo to council, as they should have done since Echo was the Fire Holder for the entire Confederacy. Martin admitted that a tract of land had already been given to pay for the estate that Claus occupied up to his death, but claimed that this grant was only one thousand, not ten thousand acres. Martin explained how the division that currently existed had originated in the two Kanyen'kehaka villages of Fort Hunter and Canajoharie in the Mohawk Valley.¹⁵⁸ As to the trust fund, Martin pointed out that three trustees had originally been appointed, but that only William Claus had actually done any work managing the fund. Martin concluded that his faction was happy to let John Claus continue to manage the Six Nations trust fund, and that they considered the recent grant of land to the Claus family as a reasonable reward for their long years of service.¹⁵⁹

Despite the support of Martin and others, the Lieutenant Governor of Upper Canada Sir John Colborne communicated to Ahyonwaeghs John Brant on March 9, 1830 that a new law would be passed that would allow the government of Upper Canada to oversee the management of the trust fund in order to prevent private individuals, such as the Claus family, from profiting from their position as trustees.¹⁶⁰ The new law was announced at a council held at Onondaga on June 29, 1830. At this council, the Cayuga chief John Jacob took the opportunity to express his dissatisfaction with John Claus's behaviour as their nominal trustee over the last number of years,

¹⁵⁸ For the political factionalism on the Grand River going back to the division of villages in the Mohawk Valley, see Susan M. Hill, *The Clay We are Made of: Haudenosaunee Land Tenure on the Grand River* (Winnipeg: University of Manitoba Press, 2017), 273, footnote 67. Joseph Brant also explains this division, see Brant's Complaint to Claus at a Council at Fort George, 28 July 1806, in Johnson ed., *Valley of the Six Nations*, 105.

¹⁵⁹ Proceedings of a General Council of the Six Nations Indians Held at the Mohawk Village on the 3rd and 4th of July 1828, (no date), 23558, vol. 45, RG10, LAC.

¹⁶⁰ Secretary Mudge to John Brant, 9 March 1830, 23944, vol. 46, RG10, LAC.

accused the late William Claus of having deceived them, and thanked the government for appointing George H. Markland, James Baby, and John H. Dunn as joint trustees.¹⁶¹ Still, support for the new government run arrangement was not unanimous. In a letter to James Givins, John Brant admitted that neither Jacob Martin, the son of George Martin, nor Sakayengwaraton John Smoke Johnson, the son of Jacob Johnson and son-in-law to George Martin, approved of the new arrangement.¹⁶²

A number of conclusions can be drawn from the above discussion of Indian Department employees profiting from their privileged access to Indigenous resources. The first and most obvious is that employees of the Indian Department did not just depend on their government salaries for their remuneration. It could be extremely lucrative for them to tap into Indigenous resources, most prominently Indigenous land, in their pursuit of wealth and status. The second conclusion that emerges is that providing economic benefits to those employed in the Indian Department was highly controversial among the First Nations communities involved. For some individuals, it seems as if this was a reasonable way to further integrate the relatively elite families of the Indian Department into their community, and to incentivize ID employees to look out for Indigenous interests. Others understood this practice as simple exploitation and opposed giving additional power and wealth to the already powerful members of the Indian Department. In the case of George Ironside Jr. and William Claus, this division was drawn along well established party lines. While it is unclear who among the Mississauga community may have opposed Charles

¹⁶¹ Proceedings of a Council Held with the Six Nations at the Onondaga Council Fire, 29 June 1830, 24125, vol. 46, RG10, LAC.

¹⁶² John Brant to James Givins, 30 June 1830, 24124, vol. 46, RG10, LAC. For the family of John Smoke Johnson, see Douglas Leighton, "Johnson, John," in *DCB*, vol. 11, University of Toronto/Université Laval, 2003–, accessed December 9, 2021, http://www.biographi.ca/en/bio/johnson_john_11E.html.

Anderson and who may have supported him, it seems likely that a similar dynamic may have existed at Rice Lake.

The third conclusion that can be drawn from the above examination is that the practice of First Nations communities offering remuneration to employees of the Indian Department was only possible as long as the colonial state did not have a firm grasp over Indian Affairs. The most obvious illustration of this is the case of the Six Nations trust fund. When the fund was first established in the late 1790s, it was set up as a private agreement between the Six Nations and their trustees, albeit with the endorsement of the Upper Canadian administration. When the government took over the management of the trust fund in 1830, this arrangement promised greater security and oversight at the expense of the more personal patron-client relationship that had existed between William Claus and the Six Nations, a relationship that was still championed by the Martin faction on the Grand River. The management of their trust fund over the following decades would soon lead the Six Nations to regret the appropriation of this power by the colonial state, as the vast majority of their money was tied up in a disastrous investment in the Grand River Navigation Company.¹⁶³

Conclusion

The Upper Canadian Indian Department was not an abstract concept, but a reality on the ground. The work of the ID included a wide variety of duties, and accordingly the Department employed an assortment of positions, from superintendents to blacksmiths, surgeons, and missionaries. As important as were the discourses of loyalty and service in Upper Canadian political culture, the individuals who filled these positions ultimately had their own self-interest at

¹⁶³ B. E. Hill, "The Grand River Navigation Company and the Six Nations Indians," *Ontario History* 63, (1971): 31-40; Hill, *The Clay We Are Made Of*, 178-180.

heart. While salaries in the Indian Department tended to be generous, ID members also had substantial opportunities to pursue less licit forms of economic gain, including by embezzling government resources and receiving remuneration from the province's Indigenous communities. The ability to pursue these venues for compensation decreased as the growing colonial state began to more firmly incorporate the Indian Department into its machinery, but even by 1845 this process of incorporation remained incomplete.

The fundamental importance of self-interest for members of the Indian Department should never be lost sight of. Much of the seeming vacillation of the Department between fulfilling the orders of the colonial administration and pushing back against the government in defence of Indigenous rights, privileges, and property can be explained by self-interest. The government paid substantial salaries, but Indigenous communities could also offer considerable remuneration. What is more, First Nations had significant power to have superintendents and interpreters dismissed if these employees did not meet their expectations, as will be discussed in Chapter Four. Members of the Indian Department therefore had to maintain a delicate balance between these competing interests if they were to take full advantage of both relationships in their pursuit of economic gain and social advancement.

Chapter Three

“The Branches of the Old Tree”: Family Networks and the Upper Canadian Indian Department, 1796-1845

On February 7, 1801, Ann Claus passed away at her home in Newark, Upper Canada, after an illness of three months.¹ Born Ann Johnson and known affectionately as Nancy, she was the daughter of Sir William Johnson and his long-time partner Catherine Weissenberg. Ann was born in the Mohawk Valley on May 26, 1740, on the fringes of Euro-American settlement in what was then the British colony of New York.² The society she grew up in was largely dominated by the Kanyen'kehaka nation of the Haudenosaunee Confederacy, but also included members of numerous other Indigenous nations, free and enslaved Afro-Americans (some 60 of whom were enslaved by her father), and settlers of German, Irish and English descent.³ In 1762, Ann married the Indian Department Deputy Agent Daniel Claus, and three years later she gave birth to a son, William Claus, who by the time of her death had risen to become the Deputy Superintendent General of Indian Affairs in the Canadas.⁴ After interring his mother in the family vault within the private burial ground of the Butler family, William Claus decided to take the opportunity presented by his mother's death to reinforce his relationship with the Grand River nations, amongst whom she had spent much of her life.⁵

¹ Draft of a Letter by William Claus, 11 February 1801, 24, vol. 16, Claus Papers, MG19, LAC.

² Milton W. Hamilton, *Sir William Johnson, Colonial American, 1715-1763* (Port Washington: Kennikat Press, 1976), 34.

³ Alan Taylor, *The Divided Ground: Indians, Settlers, and the Northern Borderland of the American Revolution* (New York: Alfred K. Knopf, 2006), 4-7. William B. Hart, "Black 'Go-Betweens' and the Mutability of 'Race,' Status, and Identity on New York's Pre-Revolutionary Frontier," in *Contact Points: American Frontiers from the Mohawk Valley to the Mississippi, 1750-1830*, eds. Andrew R.L. Cayton and Fredrika J. Teute (Chapel Hill: University of North Carolina Press, 1998): 88-113. For Sir William Johnson's slaveholding, see Sally E. Svenson, *Blacks in the Adirondacks: A History* (Syracuse: Syracuse University Press, 2017), 7-8.

⁴ Douglas Leighton, "Claus, Christian Daniel," in *DCB*, vol. 4, University of Toronto/Université Laval, 2003–, accessed July 9, 2019, http://www.biographi.ca/en/bio/claus_christian_daniel_4E.html; Robert S. Allen, "Claus, William," in *DCB*, vol. 6, University of Toronto/Université Laval, 2003–, accessed July 9, 2019, http://www.biographi.ca/en/bio/claus_william_6E.html.

⁵ For Ann Claus's burial, see "Burials in Niagara," *Ontario Historical Society Papers and Records*, vol. 3 (1901), 67.

Representatives from the Six Nations gathered at Fort George to hold a grand ceremony of condolence in Ann's memory on February 24, 1801. The following day, William Claus addressed the participants of the ceremony. He thanked them for observing this tradition that had been passed down from time immemorial and begged the Haudenosaunee not to lose sight of their ancient customs. Throughout his speech, Claus made clear that he wanted the Six Nations to consider his family an integral part of their community. Presenting strings of wampum with every statement, the Deputy Superintendent General stressed his kin connections with the Haudenosaunee going back to his grandfather Sir William Johnson. As for his mother, Claus described her as the "Elder Sister of the Mohawk Nation."⁶ While this appellation was largely meant as a metaphor for the relationship between the Six Nations and the Johnson family, it also happened to be true in a literal sense. As the first daughter of Sir William, Ann Johnson Claus had been the elder sister of many prominent Six Nations individuals descended from subsequent relations between her father and Haudenosaunee women.⁷

Family mattered immensely to William Claus. Claus owed his position in the Indian Department to his family connections, including those with the prominent Mohawk chief Thayendenegea Joseph Brant. At the time of his mother's death in 1801, however, this position was under threat, as Claus was engaged in a bitter conflict with his former benefactor.⁸ The condolence ceremony for his mother can therefore be understood as an effort to shore up his position among the Six Nations by demonstrating that he as well as Brant could claim close ties of kinship with the community. Additionally, Ann's death left her son burdened with debt, and it

⁶ Account of a Council Fort George, 25 February 1801, 15361-15365, vol. 26, RG10, LAC. Unfortunately, we only have Claus's response to the Haudenosaunee. No account of the ceremony of condolence appears to have survived.

⁷ See for example Jean Johnston, "Ancestry and Descendants of Molly Brant." *Ontario History*, vol. 63 (1971): 86-92.

⁸ Taylor, *The Divided Ground*, 350-351.

appeared Claus would have to sell his family's lands at Terrebonne to cover them.⁹ When Claus stated in his response to the condolence ceremony that he hoped to be shown the same "marks of friendship" that had always been shown his family, he no doubt had in mind material aid to cover these debts. Only two years earlier, the Haudenosaunee had agreed to sell 10,000 acres of their own land in order to buy for "Ann Claus, the older sister of the Six Nations, and daughter to our old friend Warrighjagé" the very estate where she passed away.¹⁰ In 1801, Claus faced two threats to his status, one to his government salary as Deputy Superintendent General of Indian Affairs, the other to his large-scale landholding. Thanks to his mother's longstanding connections with the Six Nations on the Grand River, Claus was able to appeal to family connections in order to resolve both.

William Claus was far from the only member of the Indian Department who depended on his kin for succour or advancement. The vast majority of individuals in the Upper Canadian ID owed their appointment to family connections, and kinship remained one of the central organizing principles of the Department throughout the period 1796-1845. This chapter will demonstrate that, when viewed from the ground up, the Upper Canadian Indian Department was first and foremost a family affair. This centrality of kinship in the ID during the period under consideration might change our understanding of the Department in three major ways. First, it challenges the prevailing narrative that the management of Indian Affairs in Upper Canada was a top-down process, whereby policy was determined in London and then carried out on the ground. In fact, the kin networks that made up the ID had their own interests and were often able to secure positions and policies that would benefit their own family members. Second, the centrality of family networks

⁹ Draft of a Letter of William Claus, 12 February 1801, 34-36, vol. 16, Claus Papers, MG19, LAC.

¹⁰ Extract of a Speech of the Five Nations, 23 September 1806, 572, vol. 2, RG10, LAC. As we have seen in Chapter Two, Claus would again repeat this request to be granted Six Nations land on his death bed in 1826.

in the management of Indian affairs demonstrates that the Indian Department in the Upper Canadian period was a far cry from a modern bureaucracy. Instead, the Indian Department in the period 1796-1845 was a locally rooted network of kinship and patronage that happened to be employed by the Imperial state. Finally, the centrality of family in the ID as a key organizing principle also played an enormous role in the Department's relationship to First Nations communities, as Indigenous women in particular made up key nodes in the kin networks that spread across the ID and acted as crucial links between members of the Department and Indigenous communities.

This chapter will first examine the historiography of family in the British Empire and in Indigenous-newcomer relations in Canada more specifically. There will then be a brief discussion of some of the main outlines of the family network of the Indian Department, followed by an examination of three crucial networks in the three main regions of the Upper Canadian Department: the Johnson-Brant network centered along Lake Ontario and the Grand River, the McKee-Clarke family centered on the Detroit River, and the Bertrand-Anderson family centered on the Straits of Mackinac and the Upper Great Lakes.

“Many Tender Ties”: The Historiography of Family and Empire

Families occupy a prominent place in the study of the early-modern British Empire. As historians increasingly understand imperial power as pluricentric rather than homogeneous, contested as much as hegemonic, kinship networks have emerged as crucial threads stitching together the fabric of empire.¹¹ Prominent works demonstrating the centrality of kinship networks

¹¹ Simon Potter and Jonathan Saha, “Global History, Imperial History and Connected Histories of Empire,” *Journal of Colonialism and Colonial History* 16, no. 1 (2015) doi:10.1353/cch.2015.0009; Jane Carey and Jane Lydon, “Indigenous Networks: Historical Trajectories”, in *Indigenous Networks: Mobility, Connections and Exchange*, eds. Jane Carey and Jane Lydon (New York and London: Routledge, 2014), 1-26. Alan Lester, “Imperial Circuits and Networks: Geographies of the British Empire,” *History Compass* 4, no. 1 (2006): 124-141.

in the far-flung world of imperial power include S.D. Smith's work on sugar, wealth, and slavery in the context of the Lascelles family, Catherine Hall's study of abolitionism and liberal reform among the nineteenth century Macaulay family, and David Livesay's examination of mixed-race Jamaican families in the trans-Atlantic world.¹² Adele Perry's examination of the Douglas-Connolly family is particularly relevant, as it examines an elite family of mixed African, European, and Indigenous ancestry who occupied a prominent position within the administration of the British Empire.¹³

Alongside this literature on family and empire, there is a related field of study that examines the role of family, sex, and kinship in Indigenous-newcomer interactions in northeastern North America. Historians of the fur trade such as Sylvia Van Kirk, Jennifer Brown, and Susan Sleeper-Smith have demonstrated how Indigenous women were at the centre of these interactions, facilitating the social and political preconditions upon which such exchanges were founded.¹⁴ The role of family and kinship, both metaphorical and actual, in Indigenous-newcomer diplomacy has likewise been examined by authors such as Richard White and Gilles Havard.¹⁵ Within this literature, a number of families of the Upper Canadian Indian Department occupy a prominent place. Certain members of the Brant and the Johnson family are among some of the best studied figures of the "Middle Ground", although it is rarer that the entire family is discussed as

¹² David Livesay, *Children of Uncertain Fortune: Mixed-Race Jamaicans in Britain and the Atlantic Family, 1733-1833* (Chapel Hill: University of North Carolina Press, 2018); Catherine Hall, *Macaulay and Son: Architects of Imperial Britain* (New Haven: Yale University Press, 2012); S.D. Smith, *Slavery, Family, and Gentry Capitalism in the British Atlantic: The World of the Lascelles, 1648-1834* (New Haven: Yale University Press, 2006).

¹³ Adele Perry, *Colonial Relations: The Douglas-Connolly Family and the Nineteenth-Century Colonial World* (Cambridge: Cambridge University Press, 2015).

¹⁴ Susan Sleeper-Smith, *Indian Women and French Men: Rethinking Cultural Encounter in the Western Great Lakes* (Amherst: University of Massachusetts Press, 2001); Sylvia Van Kirk, *Many Tender Ties: Women in Fur Trade Society, 1670-1870* (Norman, OK: University of Oklahoma Press, 1980); Jennifer S. Brown, *Strangers in the Blood: Fur Trade Company Families in Indian Country* (Vancouver: University of British Columbia Press, 1980).

¹⁵ Gilles Havard, *The Great Peace of Montreal: French-Native Diplomacy in the Seventeenth Century* (Montreal: McGill-Queen's University Press, 2014), 29-30. Richard White, *The Middle Ground. Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (Cambridge: Cambridge University Press, 1991), 60-70.

one network.¹⁶ Other families involved in the Upper Canadian Indian Department have also received scholarly treatment, such as the Richerville, Johnston, and Butler families.¹⁷ Despite the study of these individual families, kinship has never been examined as an organizing principle of the Indian Department in Upper Canada. Scholars have tended to consider the ID as an instrument of Imperial policy or as a precursor of the Department of Indian Affairs of the Dominion of Canada, and therefore issues such as family and kinship that are more associated with early-modern political power have generally been passed over in favour of investigating questions of Imperial administration or Canadian state formation.

Family and kinship are not only biological categories but are defined socially and are therefore interpreted differently in different cultural and social contexts. Many of the families that have been studied as part of the British Atlantic world can be more precisely identified as middle-class families, established and maintained largely to facilitate patronage and economic exchange.¹⁸ In Indigenous communities, family and kinship played a similar role in structuring material exchange, but they also played a larger role in shaping the basic contours of society than in much of contemporary western Europe. Kinship was at the heart of social organization, as socio-political

¹⁶ See for example James Paxton, *Joseph Brant and His World: Eighteenth-century Warrior and Statesman* (Toronto: James Lorimer & Company, 2008); Alan Taylor, *The Divided Ground: Indians, Settlers, and the Northern Borderland of the American Revolution* (New York: Alfred K. Knopf, 2006); Elizabeth Elbourne, "Family Politics and Anglo-Mohawk Diplomacy: The Brant Family in Imperial Context," *Journal of Colonialism and Colonial History* 6, no. 3 (2005): online; Fintan O'Toole, *White Savage: William Johnson and the Invention of America* (Albany: State University of New York Press, 2005); Lois M. Huey and Bonnie Pulis, *Molly Brant: A Legacy of Her Own* (Youngstown, NY: Old Fort Niagara Association, 1997); Gretchen Green, "Molly Brant, Catharine Brant, and their Daughters: A Study in Colonial Acculturation," *Ontario History* 81 (1989): 235-250; Isabel Kelsay, *Joseph Brant, 1743-1807: Man of Two Worlds* (Syracuse, NY: Syracuse University Press, 1984); Johnston, "Ancestry and Descendants of Molly Brant."

¹⁷ Judd David Olshan, "Butlers of the Mohawk Valley: Family Traditions and the Establishment of the British Empire in Colonial New York." (PhD diss., Syracuse University, 2015. Jeremy Mumford, "Mixed-Race Identity in a Nineteenth-Century Family: The Schoolcrafts of Sault Ste. Marie, 1824-1827," *Michigan Historical Review* 25, no. 1 (1999): 1-23; Donald Chaput, "The Family of Drouet de Richerville: Merchants, Soldiers, and Chiefs of Indiana," *Indiana Magazine of History* 74, no. 2 (1978): 103-116.

¹⁸ Catherine Hall and Leonore Davidoff, *Family Fortunes: Men and Women of the English Middle Class, 1780-1850* (London: Routledge, 2002); David Hancock, *Citizens of the World: London Merchants and the Integration of the British Atlantic Community, 1735-1785* (Cambridge: Cambridge University Press, 1995).

units such as nations and clans were understood to be one extended family that traced common descent to a single prominent ancestor.¹⁹ Politics therefore depended on familial affinity, and socio-political relationships between nations tended to be symbolically expressed in kinship terms, often supported by the creation of kinship ties on an individual level through the processes of marriage and adoption. Many of the families in the Indian Department were grounded in both of these visions of kinship. Families like the McKees, Johnsons, Andersons, and even the Brants resembled other elite families across the Empire, as they used their kin connections to secure lands, pensions, and appointments in their quest for status and stability. At the same time, these families were grounded in the political world of First Nations, acting as essential nodes holding together the trans-Atlantic British Empire and Indigenous nations in an unstable, though viable, polity.

The example of Ann Johnson Claus illustrates this complexity. She was unquestionably a member of an upper-class British imperial family, but as her condolence ceremony demonstrated she was also embedded in Indigenous systems of kinship. She was related by blood to a number of prominent Haudenosaunee individuals, particularly among the extended Brant family, but her kinship relations also extended into the realm of the symbolic as demonstrated by the honorific appellation “Elder Sister of the Mohawk Nation.” Another example can be found on the Detroit River, where longstanding relationships between the men of the ID and Shawnee women created some of the most enduring family networks of the Upper Canadian Department, although these partnerships were nonetheless labelled “concubinage” by British-born observers.²⁰ Members of the ID nonetheless publicly mobilized kinship relations that were considered illicit by Imperial

¹⁹ Heidi Bohaker, “‘Nindoodemag:’ The Significance of Algonquian Kinship Networks in the Eastern Great Lakes Region, 1600-1701,” *The William and Mary Quarterly* 63, no. 1 (2006): 23-52. Heidi Bohaker, “Reading Anishinaabe Identities: Meaning and Metaphor in *Nindoodem* Pictographs,” *Ethnohistory*, 57, no. 1 (2010): 11-33. Michael J. Witgen, *An Infinity of Nations: How the Native New World Shaped Early North America* (Philadelphia: University of Pennsylvania Press, 2012), 31.

²⁰ Hector McLean to Military Secretary Major Green, 27 August 1799, 233-236, vol. 252, RG8, LAC.

norms in order to demonstrate their influence with Indigenous nations, and such relationships were unquestionably central to the work of the ID. This chapter is therefore less concerned with adhering to a single strict definition of exactly what family was and more concerned with the multiplicity of ways family connections were mobilized, both among Indigenous peoples and in the wider Imperial world. This work therefore depends on a broad definition of family as any socially recognized network based on the related ideas of sex, generation, adoption, and/or common descent that played a role in shaping the political, social, and economic contours of society at large. Kinship in turn refers to the various types of relationships that connected all the nodes in a family network.

“Well Acquainted with Their Customs, Manners and Language”: Family and the Indian Department

Working in the Upper Canadian government offered both substantial remuneration and a respectable position in society, and employment in the provincial administration was accordingly a highly desirable profession.²¹ In this regard, the Indian Department was no different than any other branch of government, and the Department archives are full of petitions asking for employment. What set the ID apart were the unusual qualifications that any prospective employee needed to possess. As Daniel Claus explained in 1777, members of the Department needed to be persons who were “well acquainted with their customs, manners and language, persons of authority and consequence, of merit and character in public life, and according to the Indian phrase, have been great and successful Warriors in their time.”²² Fifty-two years later, Governor General Sir James Kempt echoed these sentiments when he wrote that the officers of the Indian Department

²¹ Johnson, *In Duty Bound*, 49-56.

²² Daniel Claus to Secretary Knox, 1 March 1777, in *DCNY*, 8:700-704.

needed to be persons of character, respectability, integrity and judgment, equally capable of conciliating the Nations in peace and leading them in war.²³

Given these peculiar duties, the staffing of the ID differed substantially from the other branches of the government. Employment in the Indian Department tended to depend on a combination of two factors. First, the vast majority of new employees in the Department had pre-existing connections with current members, most often through ties of kinship. Second, the chances an individual would be employed were drastically increased if they could convincingly claim familiarity with Indigenous peoples, customs, and languages, as well as some level of influence among the First Nations communities of the region. There were certainly exceptions to these two trends, but as far as the permanent establishment of the Upper Canadian Indian Department was concerned, these two factors tended to determine who was employed.

For the entire period under consideration, the final decision of who should be employed in the Upper Canadian Indian Department was exercised outside the Department itself. In the 1750s, Sir William Johnson had been explicitly empowered to choose his own subordinates, but by 1783 this power rested with the Commander in Chief and Governor of Quebec.²⁴ Between 1796 and 1816, Indian Department staffing in Upper Canada was controlled by the Lieutenant Governor of the province, although his orders were still liable to be countermanded by the Commander of the Forces. The ID again passed under the sole authority of the Commander of the Forces from 1816 to 1830, then from 1830 to 1841 it was transferred back to the Lieutenant Governors of the

²³ Kempt to Murray, May 16, 1829, *Papers Relative to the Aboriginal Tribes in British Possession* (London: House of Commons, 1834), 38.

²⁴ Copy of a Letter from His Excellency the Command in Chief to Brigadier General Sir John Johnson, 6 February 1783, 8-16, vol. 116, Haldimand Papers, MG21, LAC; Instructions for Brigadier General Sir John Johnson, 6 February 1783, 17-18, vol. 116, Haldimand Papers, MG21, LAC.

province. After the Union of the Canadas control over the Indian Department returned to the Governor General of the newly reunified colony.

Despite this authority formally residing outside of the Department, in practice the Indian Department had a powerful influence over its own staffing. The various administrators of the Canadas during this period had little or no previous experience of Indian Affairs before arriving at their posts, and the greater part of them were accordingly more than happy to follow the advice of the officers of the ID when it came to making appointments. This meant that the members of the ID had substantial control over a relatively large section of the provincial administration, and they made full use of their power of cooptation.

Two convergent factors ensured that family networks dominated the Upper Canadian Indian Department. The first factor was the simple fact that the members of the ID had enormous influence over the staffing of their department. From the perspective of the officers of the Department, the ID was first and foremost a venue for private gain. As discussed above in Chapter Two, beyond the salary and rank that came with an appointment, employment in the Department offered opportunities for peculation ranging from petty embezzlement to the extra-legal acquisition of thousands of acres of Indigenous land. The higher positions in the Department also came with substantial powers of patronage, and officers took advantage of this to secure employment for their family and friends. Already in 1774 Sir William Johnson managed to have his son-in-law Guy Johnson succeed him at the head of the Department.²⁵ Alexander McKee similarly secured the appointment of his son Thomas McKee to the position of superintendent in 1796, and George Ironside Sr. successfully petitioned to have his son appointed his assistant in 1825, and then his

²⁵ Sir William Johnson to the Earl of Dartmouth, 17 April 1774, in *DCNY*, 8:420.

successor in 1830.²⁶ In each of these cases, Sir William Johnson, Alexander McKee, and George Ironside Sr. recognized that requesting the appointment of such close family members was not exactly encouraged by their superiors in the Imperial administration. Nonetheless, each of them successfully argued that the particular qualifications and distinguished services of their families merited the appointment of such close kin. Throughout the period under consideration, countless other cases of nepotism and patronage took place in the Indian Department, some of which will be discussed below.

The second factor that ensured that family was a dominant organizing principle of the Department was the nature of its work. Members of the ID consistently argued that the diplomatic and military tasks that the Imperial government assigned to them could only be carried out by individuals with a particular set of skills, including speaking Indigenous languages, understanding the diplomatic frameworks of the alliance system, and having personal knowledge of First Nations leaders and communities. As members of the ID themselves repeatedly asserted, this sort of expertise was difficult to acquire, and they therefore argued that it was desirable that the work of the Department should stay in the same families generation after generation. As Daniel Claus proposed, “Government should lose no time to encourage parents living about the upper posts, to send their children very young to the neighbouring Indian towns, to acquire their language and to remain among them until they become perfect in the pronunciation and accent.”²⁷ Fittingly, Daniel Claus was in fact succeeded by his own son in the ID.

The dual influences of intradepartmental patronage and intergenerational expertise meant that family connections preponderated at every level of the Upper Canadian ID. Often this was as

²⁶ Alexander McKee to Lord Dorchester, 7 June 1796, 175-180, vol. 249, RG8, LAC; George Ironside Sr. to William Claus, Amherstburg, 30 November 1825, 22874, vol. 43, RG10, LAC; Ironside to Mudge, 11 April 1831, 54390, vol. 47, RG10, LAC.

²⁷ Colonel Claus to Secretary Knox, 1 March 1777, in *DCNY*, 8:700-704.

simple as a father being succeeded by a son, as was the case with the métis interpreter Charles Langlade Sr. and his son Charles Langlade Jr., with Chief Superintendent James Givins and his missionary son Saltern Givins, and with Shononghese George Martin and his son Jacob Martin, both of whom were interpreters on the Grand River. In many cases however, the family networks of the Indian Department were much more extensive. Take for example the extended French-Ojibwe Cadotte family, six of whom served in the ID in various roles from 1766 to 1836.²⁸ The Ironside family was another important Indian Department family, at least five members over three generations having served in the Indian Department in the diverse roles of surgeon, storekeeper, clerk, interpreter, and superintendent for 110 years between 1795 and 1905.²⁹ William Caldwell Sr. was at the centre of another prominent ID family. Having served as an officer in the Indian Department during the American Revolutionary War, Caldwell later settled in the Detroit River region where he married a daughter of the prominent French Canadian patriarch Jacques Duperon Baby.³⁰ William Caldwell's father-in-law had likewise been an officer in the Indian Department, as were numerous other members of the Baby family, including the Shawnee chief George Blue-Jacket, who was Jacques Duperon Baby's grandson and accordingly William Caldwell's nephew³¹ William Caldwell Sr. was again appointed to the Indian Department during the War of 1812, where

²⁸ For the reference to the history of this extended Cadotte family, see Alan Knight and Janet E. Chute "In the Shadow of the Thumping Drum: The Sault Métis- The People In-Between," in *Lines Drawn upon the Water: First Nations and the Great Lakes Borders and Borderlands*, ed. Karl Hele, (Waterloo: Wilfred University Press, 2008), 85-114; Theresa M. Schenck, *William W. Warren: The Life, Letters, and Times of an Ojibwe Leader* (Lincoln: University of Nebraska Press, 2007), 3. John DuLong "Jean Baptiste Cadotte's Second Family: Genealogical Summary, Part 1" *Michigan's Habitant Heritage*, 36, no. 4 (October 2015): 192; John DuLong "Jean Baptiste Cadotte's Second Family: Genealogical Summary Part 2," *Michigan's Habitant Heritage*, 37, no. 1 (January 2016), 53.

²⁹ The death of Alexander McGregor Ironside is the last mention I have found of this family in the ID, although it may have continued after 1905. For Alexander McGregor's death, see *Annual Report of the Department of Indian Affairs for the Year Ended 1905* (Ottawa: S.E. Dawson, 1906).

³⁰ L. L. Kulisek, "Caldwell, William (d. 1822)," in *DCB*, vol. 6, University of Toronto/Université Laval, 2003–, accessed June 29, 2021, http://www.biographi.ca/en/bio/caldwell_william_1822_6E.html. For more on the Caldwell family network, see John Clarke, *Land Power and Economics on the Frontier of Upper Canada*, (Montreal and Kingston: McGill Queen's University Press, 2001), 394.

³¹ For the connection of the Blue Jacket and Baby families, see John Sugden, *Blue Jacket: Warrior of the Shawnees* (Lincoln: University of Nebraska Press, 2000), 31-32.

he was joined by three of his sons.³² The eldest of these, Billy Caldwell, was the offspring of an earlier relationship between William Caldwell Sr. and a Haudenosaunee woman on the Niagara frontier in the later period of the American Revolutionary War. Billy Caldwell eventually served as the head of the Indian Department at Amherstburg during the years 1815-1816 following the removal of his father on charges of incompetence.³³

An exhaustive examination of all the family connections of the Indian Department would be tedious as well as unnecessary. It would also be an impossible task, as not every historic family relationship in the Upper Canadian Indian Department can be traced in the various archives of the imperial state or settler society. There are however numerous indications that the family networks that appear in the archives might only represent a fraction of the connections between different members of the Department and the First Nations communities in the region. For example, William Claus wrote that one of the Mohawk warriors killed on the Niagara frontier in 1813 was “a boy of mine.”³⁴ While only a passing reference, this seems to indicate that Claus had a child with a Mohawk woman sometime before his marriage to Catherine Jordan in 1791 at the age of 25, although the lack of information makes it impossible to say what sort of relationship this was or if it played any part in Claus’s relationship with the Indigenous communities on the Grand River. Similarly, the Moravian missionaries on the River Thames remarked in their journal entry for January 28, 1801 that Matthew Elliott’s wife was Thayendenegea Joseph Brant’s sister-in-law. One conceivable explanation for this fragment of genealogical information could be that Brant’s wife (Ahdohwahgeseon Catherine Croghan-Brant) and Elliott’s wife were sisters, or perhaps half-sisters through their (potentially) common father George Croghan, since while the name of

³² Proposed Establishment for the Indian Department for the Year 1815, 22 May 1815, 86-89, vol. 258, RG8, LAC.

³³ For the best account of Billy Caldwell, see James A. Clifton, “Personal and Ethnic Identity on the Great Lakes Frontier: The Case of Billy Caldwell,” *Ethnohistory* 25, no. 1 (1978): 69-94.

³⁴ Report of William Claus, 4 December 1813, 91, vol. 10, Claus Papers, MG19, LAC.

Elliott's wife has yet to be located in any contemporary source it was stated that she came from the Shawnee nation, while it is firmly established that Catherine Brant's mother was Kanyen'kehaka.³⁵ The frequent intermarriage of Indian Department agents with Shawnee women whose names do not appear in the archive presents the distinct possibility that men like Alexander McKee, Matthew Elliot, George Ironside Sr., and Jacques Duperon Baby were all related by marriage, as American Indian agent John Johnston later claimed was the case.³⁶

While tracing every one of these leads would be impossible, it is nonetheless helpful to examine a few well-documented networks in depth in order to get an understanding of what they looked like and how they operated. The three family networks examined below are noteworthy for their size and longevity. The members within these networks tended to be part of the more elite side of the Indian Department, although this is not universally true as members of these families were employed not just as officers and superintendents but also as interpreters, secretaries, storekeepers, and clerks. While Indigenous ancestry is well represented in each of the three networks, individuals with a French-Canadian background are underrepresented when compared to the Upper Canadian Indian Department as a whole. Nonetheless, these three networks, one centered on the Niagara district and the loyalist diaspora from New York, another on the Detroit River and the Ohio Country, and the third on the Straits of Mackinac and the upper Great Lakes, otherwise do a good job representing the diversity of the Indian Department during the Upper Canadian period.

³⁵ Linda Sabathy-Judd, ed. *Moravians in Upper Canada: The Diary of the Indian Mission of Fairfield on the Thames, 1792-1813* (Toronto: Champlain Society, 1999), 225.

³⁶ Sugden, *Blue Jacket*, 31-32.

“By Whom the Indian Department Was First Instituted”: The Johnson-Brant Family Network

According to Sir William Johnson’s grandson, the eponymous William Johnson, his family considered the Indian Department their own personal fief, and they intended to keep it that way. Already in 1808, the younger William Johnson sent a letter to the metropolitan administration expressing his expectation that he would be allowed to succeed Sir John Johnson once the aging Superintendent General of Indian Affairs passed away. The aspiring heir to the Johnson legacy explained that this position had been created as a reward for Sir William Johnson and his family, and that it had been the intention of the government that it should always remain in their possession.³⁷ As early as 1796, Sir John Johnson was preparing his son to succeed him by proposing “to send him among the Indians.”³⁸ The idea that the Indian Department should remain a fief of the Johnson family was more than wishful thinking, as throughout the period under consideration the ID was full of members of the extended Johnson family.

Long after his death, the legacy of Sir William Johnson remained a predominant feature of the Indian Department. When John Norton’s influence with the military and Commander of the Forces during the War of 1812 threatened the position of Sir William Johnson’s grandson, William Claus, at the head of the Department, another member of the family suggested that the administration “should recollect that Indians are generally much attached to those people whom of a long intimacy they have been accustomed to call their Father; and you can recollect when not long ago they told a certain character that they did not know from whence he sprang; but that they well knew the Branches of the Old Tree.”³⁹ While the influence of the Johnson family was never as prominent in Indian affairs as it had been during the life of its renowned founder, throughout

³⁷ William Johnson to Edward Cooke, 3 February 1808, 395-398, vol. 311, Q Series, C.O. 42, MG11, LAC.

³⁸ Letter of Sir John Johnson, Enclosed in Portsmouth 7th of May, 305, vol. 77, Q Series, C.O. 42, MG11, LAC.

³⁹ John Ferguson to William Claus, 26 September 1815, 18455, vol. 31, RG10, LAC.

the Upper Canadian period many “Branches of the Old Tree” continued to play an important part in the Indian Department.

The case of William Claus is worth examining in some detail. Claus owed his position in the ID almost entirely to his membership in the Johnson clan. His uncle, Sir John Johnson, was the foremost proponent of his appointment. Bitter at his family’s losses in the American Revolution and hurt by the apparent ingratitude of the Empire, Sir John felt that his young nephew was entitled to a position in the ID as a reward for the loyalty and suffering of Ann Johnson Claus’s family.⁴⁰ A death in the Indian Department in 1795 led both Johnson and Claus to petition for the vacant position, but the family was again disappointed.⁴¹ The following year, the death of Colonel John Butler opened up the position of Deputy Agent for the Six Nations, and Alexander McKee suggested that William Claus be appointed to succeed Butler “on account of the friendship and attachment which has so long subsisted between his family and those Nations.”⁴² This time the hopes of the Johnson family were fulfilled, and William Claus was appointed to the position of Superintendent of the Indian Department at Fort George.

Alexander McKee’s own death in January 1799 gave the Johnson family the opportunity to occupy both the highest and second-highest ranks in the Department. Soon after the news reached Sir John Johnson, he began work to secure the position for his nephew, obtaining the

⁴⁰ For Johnson’s bitterness, see for example the letter to his brother-in-law Daniel Claus where he wrote of “that evil fortune that seems to deny our family what has been readily and amply granted to others who have not exerted themselves on behalf of government as we have done”, Sir John Johnson to Daniel Claus, 19 October 1787, 165, vol. 4, Claus Papers, MG19, LAC. For Johnson’s dedication, see Sir John Johnson to William Claus, 26 July 1792, 50-51, vol. 15, Claus Papers, MG19, LAC.

⁴¹ For Campbell’s position and the long running rivalry between him and the Claus family, see Douglas Leighton, “Campbell, John (1721-95),” in *DCB*, vol. 4, University of Toronto/Université Laval, 2003–, accessed October 30, 2020, http://www.biographi.ca/en/bio/campbell_john_1731_95_4E.html; The Memorial of William Claus, 24 June 1795, 340-342, vol. 72, Q Series, C.O. 42, MG11, LAC; Letter of Sir John Johnson, 21 August 1795, 396-397, vol. 74, Q Series, C.O. 42, MG11, LAC; Governor General Robert Prescott to the Duke of Portland, 23 July 1796, 181-182, vol. 77, C.O. 42, LAC. Sir John Johnson was extremely bitter at this disappointment, see Letter of Joseph Chew to Alexander McKee, 3 May 1796, 9092, vol. 9, RG10, LAC.

⁴² Copy of a Letter from Colonel McKee to Lord Dorchester, 7 June 1796, 175-176, vol. 249, RG8, LAC.

approval of Governor General Prescott by March.⁴³ The administrator of Upper Canada, Peter Russell, had already made his own appointment to fill McKee's position, but after Sir John Johnson arrived in the upper province on a tour of inspection Russell yielded to the Superintendent General and also endorsed Claus's appointment.⁴⁴ This however was not enough to secure the position for the Johnson family. King George III's fourth son, Edward Augustus the Duke of Kent, was currently serving as the Commander in Chief in North America, and he had made his own appointment to the vacancy.⁴⁵ Stung by this latest rebuff, Johnson mobilized all his influence to counter the Duke of Kent.⁴⁶ In a letter to General Peter Hunter, Russell's replacement as the administrator of Upper Canada, Johnson argued that not only did his family deserve this appointment for their sufferings in the Revolution, but that his family connections with First Nations meant that only a candidate such as William Claus was fit for the position.⁴⁷ Hunter took up the cause of the Johnson family, and wrote letters of protest to both the Duke of Kent and the secretary of state for the Home Department, the Duke of Portland, advocating Claus's appointment.⁴⁸ This campaign resulted in the Duke of Kent withdrawing his appointment, and Claus was confirmed as Alexander McKee's successor.⁴⁹

The ability to override a royal prince demonstrates the enduring influence of the Johnson family. Claus however had another key ally in his rapid rise to the position of Deputy

⁴³ Governor General Robert Prescott to the Duke of Portland, 5 March 1799, 243-244, vol. 82, Q Series, C.O. 42, MG11, LAC.

⁴⁴ Peter Russell to Sir John Johnson, 14 March 1799, 324-325, vol. 82, Q Series, C.O. 42, MG11, LAC.

⁴⁵ Lieutenant Colonel Vesey to Lieutenant General Hunter, 6 July 1799, 141, vol. 252, RG8, LAC; Extract of a letter from the Duke of Kent to the Duke of York, 30 April 1801, 141, vol. 293, Q Series, C.O. 42, MG11, LAC.

⁴⁶ For the outline of this correspondence, see Sir John Johnson to William Claus, 11 December 1799, 106-110, vol. 8, Claus Papers, MG19, LAC.

⁴⁷ Sir John Johnson to Lieutenant General Hunter, 16 December 1799, 377-378, vol. 252, RG8, LAC.

⁴⁸ For Hunter's protest, see Peter Hunter to the Duke of Portland, 28 December 1799, 18, vol. 287, Q Series, C.O. 42, MG11, LAC; Peter Hunter to the Duke of Kent, 27 December 1799, 21, vol. 287, Q Series, C.O. 42, MG11, LAC.

⁴⁹ For the cancellation of Conolly's appointment, see Extract of a Letter from the Duke of Kent to Lieutenant General Hunter, 3 May 1800, 123, vol. 287, Q Series, C.O. 42, MG11, LAC. For Claus's final confirmation, see Commission for William Claus, 14, vol. 20, Claus Papers, MG19, LAC.

Superintendent General. Since the earliest days of the Department the fortunes of the Johnson family had been closely tied to another prominent family. Sir William Johnson's success as a mediator and leader on the Mohawk River was largely thanks to his partnerships with Indigenous women, including most significantly Konwatsitsiaienni Molly Brant.⁵⁰ Their partnership produced eight children who survived into adulthood, and their descendants and in-laws played a prominent roll in the Indian Department.⁵¹ Molly's brother, Thayendenegea Joseph Brant, became a prominent leader in his own right, and was a long-time ally of his widespread family. To return to the example of William Claus, Joseph Brant was just as crucial to his appointment as was John Johnson. Following Colonel Butler's death on May 13, 1796, Brant wrote to the Indian Department asking that William Claus be appointed in Butler's place, echoing the language of Sir John Johnson that Claus's family's suffering entitled him to the position.⁵²

Despite his subsequent conflict with William Claus, Joseph Brant continued to play a prominent role in staffing the Upper Canadian ID up to his death. The careers of two of Brant's subsequent protégés demonstrate not only the centrality of family in the Indian Department but the varied ways that family connections could be created. The first of Brant's proteges was a Scotsman by the name of John Norton. Norton arrived in Canada as a private soldier in 1786. After he was discharged, Norton made the acquaintance of Joseph Brant, and the Mohawk leader adopted the Scot as his nephew.⁵³ On Brant's suggestion, Norton was appointed as interpreter to the Indian Department in 1796. While Norton resigned his post in 1800, he was again employed in the Indian

⁵⁰ Green, Gretchen. "Molly Brant, Catharine Brant, and their Daughters," 237. Taylor, *The Divided Ground*, 48.

⁵¹ Johnston, "Ancestry and Descendants of Molly Brant."

⁵² For Butler's death, see William Johnson Chew to Joseph Chew, 14 May 1796, 125, vol. 246, RG8, LAC. For Brant's letter, see Joseph Brant to Joseph Chew, 1 June 1796, 146, vol. 249, RG8, LAC.

⁵³ For an outline of Norton's life, see Carl F. Klinck, "Biographical Introduction," in *The Journal of Major John Norton, 1816*, eds. Carl F. Klinck and James J. Talman (Toronto: The Champlain Society, 1970), xxiii-xcvii.

Department from 1812 and 1815, where he served with distinction in the War of 1812 and seriously threatened the position of William Claus at the top of the Upper Canadian Indian Department.

The second protégé who Brant propelled into the Indian Department was Jean-Baptiste Rousseaux. Born in Montreal in 1758, Rousseaux moved to the Upper Country early in his life where he was involved in the fur trade around Lake Ontario.⁵⁴ He was first appointed to the Indian Department in 1775 and served during the Revolutionary War but lost his posting in 1787 with the reductions that followed the peace.⁵⁵ Having perhaps made the acquaintance of the prominent Mohawk leader during the war, J.B. Rousseaux's rise to economic prominence in the 1790s was closely tied to his relationship with Joseph Brant. The Montreal-born merchant traded extensively with the communities on the Grand River, established a mill at present-day Brantford, purchased one of the blocks of land sold by Brant in 1796, and ran a store at the head of Lake Ontario that was frequented by the Six Nations.⁵⁶ Rousseaux was also part of Joseph Brant's family network, since his wife, Margaret Klein, had been captured by the Haudenosaunee as a child and adopted by the Brants. Rousseaux and Klein were married at Brant's house on the Grand River. As a indication of the importance of the Brant family to their family, the couple named their second son Joseph Brant Rousseaux.⁵⁷ Rousseaux also acquired a new post in the Indian Department through Brant's influence, when Brant suggested that he be appointed interpreter for the Mississauga in

⁵⁴ Charles M. Johnston, "Rousseaux St. John, John Baptiste," in *DCB*, vol. 5, University of Toronto/Université Laval, 2003–, accessed August 14, 2019, http://www.biographi.ca/en/bio/rousseau_st_john_john_baptist_5E.html.

⁵⁵ Rousseaux's petition stated that he lost his position in 1786, but he appears on the establishment of 1787 as an interpreter at Cataraqui, see J.B. Rousseaux Land Petition, 404–405, vol. 282, Q Series, C.O. 42, MG11, LAC; General Return of Appointments in the Proposed Establishment for the Year 1787, (no date), 136, vol. 4, Claus Papers, MG19, LAC.

⁵⁶ Taylor, *Divided Ground*, 334, 340.

⁵⁷ Charles M. Johnston mentions the adoption of Klein in his entry for Rousseaux in the *DCB*, but it is also outlined in a short account of the Rousseaux family written by a grandson of Margaret Klein and J.B. Rousseaux, see Alexander Servos, "History of Mrs. Jean Baptiste Rousseaux," in *Niagara Historical Society* 5 (1914): 7.

1796.⁵⁸ Rousseaux was employed until his death shortly after the outbreak of the War of 1812, and he was survived in the Department by his eldest living son, George Rousseaux, who served as a storekeeper with the central branch until the coming of peace in 1815.⁵⁹

The lives of Norton and Rousseaux illustrate how family networks could also be created by the related processes of captivity and adoption. Blacksmith Timothy Murphy, interpreters Fredrick Fisher and George Cowan, and the three Girty brothers all entered the Indian Department after being taken as captives in time of war.

Other members of the Brant family network were bound together by more conventional ties. Molly Brant and William Johnson's oldest daughter, Elizabeth Johnson, married surgeon Robert Kerr. Having served in John Johnson's Royal Regiment of New York during the Revolutionary War, Kerr was appointed surgeon in the Indian Department in 1788.⁶⁰ Ambitious to move up in the Department, Kerr petitioned to be appointed as the local superintendent at Niagara to replace the recently promoted Deputy Superintendent General William Claus in 1799.⁶¹ While this application was rejected, Kerr continued to be employed as a surgeon in the Department until his death on February 25, 1824, a total of some 36 years.⁶²

The son of Elizabeth Johnson and Robert Kerr, the aptly name William Johnson Kerr, likewise played a prominent role in the Upper Canadian ID. The younger Kerr was appointed to the Indian Department at the beginning of the War of 1812 and served conspicuously throughout

⁵⁸ Brant's suggestions were written down by Chew and put into a letter to the military secretary of the Canadas, see Joseph Chew to Military Secretary Green, 19 September 1796, 340-341, vol. 249, RG10, LAC.

⁵⁹ Return of Officers and Others of the Indian Department of Upper Canada Whose Services the Deputy Superintendent General Thinks May be Dispensed With, (no date), 89, vol. 258, RG8, LAC.

⁶⁰ Charles G. Roland, "Kerr, Robert," in *DCB*, vol. 6, University of Toronto/Université Laval, 2003–, accessed November 17, 2020, http://www.biographi.ca/en/bio/kerr_robert_6E.html.

⁶¹ Robert Kerr to Military Secretary Major Green, 18 February 1799, 22-23, vol. 252, RG8, LAC.

⁶² Estimate of Sums Required for the Pay, Pensions, and Incidental Expenses of the Indian Department, 24 February 1824, 175992, vol. 631, RG10, LAC; General Order, Head Quarters, Quebec, 10 April 1824, 22479, vol. 42, RG10, LAC.

the conflict. He was reduced after the return of peace, but over the following years he persisted in petitioning to receive half-pay both for his previous services and in light of his “connection and influence with the Six Nations.”⁶³ William Johnson Kerr’s family connections with the Six Nations were in fact twofold; not only was he the grandson of Konwatsitsiaienni Molly Brant, but his wife was Elizabeth Brant, one of the daughters of Thayendenagea Joseph Brant. Like his father before him, William Johnson Kerr aspired to a higher rank in the ID. When the superintendency of the Grand River became vacant following the death of John Brant in 1832, William Johnson Kerr applied for the position formerly held by his now deceased brother-in-law, although without success.⁶⁴ Despite having only officially been employed in the ID for the years 1812-1815, William Johnson Kerr continued to play an important role in Indian Affairs, most notably during the Upper Canadian Rebellion when he was appointed to the position of Lieutenant Colonel commanding the warriors from the Grand River. Like other members of prominent Indian Department families, such as George Ironside Jr. and Joseph Brant Clench, both William Johnson Kerr and his brother Robert Kerr also presented themselves to the wider Empire as Indigenous chiefs.⁶⁵

John Ferguson was another in-law of the Brant family who was appointed to the ID. Ferguson was married to Molly Brant’s and William Johnson’s second daughter, Magdalene Johnson. Like William Johnson’s partnership with Molly Brant or Robert Kerr’s with Elizabeth Johnson, this match served Ferguson well. As early as 1808, both John Johnson and William Claus

⁶³ For one such petition as well as an overview of his career, see Petition of William Johnson Kerr, 10 April 1821, 21599-21602, vol. 39, RG10, LAC. See also Petition of William Johnson Kerr and Matthew Elliott Jr., 17 February 1816, 1920-1921, vol. 4, RG10, LAC; Copy of a Petition of William Johnson Kerr, 12 October 1825, 590-593, vol. 388, Q Series, C.O. 42, MG11, LAC.

⁶⁴ John Colborne to Lord Goderich, 1 December 1832, 933-35, vol. 374, Q Series, C.O.42, MG11, LAC.

⁶⁵ For William Johnson Kerr, see Sir George Arthur to Glenelg, 30 October 1838, 284, vol. 409, Q Series, C.O. 42, MG11, LAC. For Robert Kerr, see Elizabeth Elbourne, “Broken Alliance: Debating Six Nations’ Land Claims in 1822,” *Cultural and Social History* 9, no. 4 (2012): 508.

suggested that Ferguson be appointed to the Indian Department.⁶⁶ While this initial recommendation failed, Claus secured Ferguson's appointment as a captain in the Department with the outbreak of the War of 1812, a role Ferguson continued to fill until the reduction of 1822.⁶⁷ During these years, Ferguson corresponded extensively with his superior and kinsman William Claus, his letters peppered with the private concerns of the descendants of Molly Brant.⁶⁸

During the War of 1812, Ferguson in turn suggested appointing George Johnson, another child of Molly Brant and Sir William Johnson and therefore Ferguson's brother-in-law. Ferguson wrote that Johnson was already helping him in his duties by acting informally as an interpreter, and now he asked that his brother-in-law receive pay for the work he was already doing.⁶⁹ Claus took up Ferguson's suggestion and petitioned twice in 1814 asking that George Johnson be given a position in the department as lieutenant and interpreter at Kingston.⁷⁰ Nor would this have been George Johnson's first appointment to the ID, since as a young man he had briefly acted as interpreter for his half-brother Sir John Johnson in the 1780s.⁷¹ Ferguson also managed to get his adopted son Joseph Lemoine appointed as ID storekeeper in 1813. Lemoine was the son of Magdalene Johnson, another daughter of Sir William Johnson and Molly Brant, and he was therefore also John Ferguson's nephew.

⁶⁶ Copy of a Letter from John Johnson to William Claus, 11 December 1807, 803, vol. 2, RG10, LAC; Jean Johnston, "Ancestry and Descendants of Molly Brant," *Ontario Historical Society* 63 (1971): 86.

⁶⁷ Extract from General Orders, 30 December 1812, 16433, vol. 28, RG10, LAC; Nathaniel Coffin to William Claus, 24 November 1812, 259, vol. 258, RG8, LAC.

⁶⁸ For one example of this copious correspondence, see John Ferguson to William Claus, 26 September 1815, 18453-18456, vol. 31, RG10, LAC.

⁶⁹ John Ferguson to John Johnson, 28 December 1813, 10283, vol. 12, RG10, LAC.

⁷⁰ William Claus to Sir John Johnson, 23 June 1814, 17040, vol. 28, RG10, LAC; William Claus to Captain Loring, 4 March 1814, 1307, vol. 3, RG10, LAC. For an example of George Johnson's activities in the war, see List of Warriors at the Battle of Beaver Dam, (no date), 16467, vol. 28, RG10, LAC.

⁷¹ Return of Superintendents, Deputies, and Other Appointments in the Department of Indian Affairs, 20 September 1784, 170473, vol. 474, RG10, LAC. See also Return of the Superintendents, Deputies, and Other Appointments in the Department of Indian Affairs, 1 June 1784, 434, vol. 24, Q Series, C.O. 42, MG11, LAC.

Another example of the enduring presence of the Johnson clan is the long career of Connecticut Joseph Brant Clench. Clench's father had served in Butler's Rangers during the Revolutionary War, and his mother was the granddaughter of William Johnson and a Mohawk woman known as Elizabeth Brant. Her son, Joseph Brant Clench's grandfather, had himself served as a lieutenant in the Indian Department during the Seven Years' and American Revolutionary wars.⁷² Clench entered the ID after William Claus suggested the appointment of his cousin-once-removed as a storekeeper in November 1813.⁷³ Three years later, both Claus and Sir John Johnson recommended Clench be appointed to a superior post in the ID.⁷⁴ While this application was rejected, Clench continued to harbour greater ambitions. In 1824, Sir John Johnson recommended his kinsman receive a raise in pay, and two years later Clench again petitioned for a raise, citing in part his family's long service to the Crown.⁷⁵ In 1829, Clench again petitioned to be promoted superintendent for the Mississauga and Mohawk in the eastern part of the province, explaining that his family's long tradition of service in the ID entitled him to the position. Clench explained that his mother's father "served as an officer in the Indian Department at the conquest of the Canadas and American Revolution. He was the son of Sir William Johnson by whom the Indian Department was first instituted." Clench added that he was now the only descendent of Sir William Johnson left in the ID, and that as such he should be elevated to more senior station as befitted his illustrious ancestry.⁷⁶ This time Clench's petition was successful, and he continued to hold a senior position

⁷² Daniel J. Brock, "Clench, Joseph Brant," in *DCB*, vol. 8, University of Toronto/Université Laval, 2003–, accessed August 9, 2019, http://www.biographi.ca/en/bio/clench_joseph_brant_8E.html.

⁷³ William Claus to Major General Vincent, 15 November 1813, 180, vol. 257, RG8, LAC.

⁷⁴ Sir John Johnson to Military Secretary Lieutenant Colonel Addington, 26 December 1816, 29159-29161, vol. 488, RG10, LAC; J.B. Clench to Lieutenant Colonel Harvey, 19 September 1816, 29125, vol. 488, RG10, LAC.

⁷⁵ Sir John Johnson to Military Secretary Darling, 22 March 1824, 30826, vol. 494, RG10, LAC; The Memorial of J.B. Clench, 4 January 1826, 8, vol. 266, RG8, LAC.

⁷⁶ The Memorial of J.B. Clench Clerk of Indian Affairs, 25 February 1829, 2061, vol. 5, RG10, LAC.

in the ID until he was removed in 1854 under charges of corruption, 41 years after his initial appointment.

The final member of the extended Johnson-Brant family to occupy a conspicuous place in the Upper Canadian ID was John Brant. The youngest son of Thayendenagea Joseph Brant and Catherine Croghan Brant, John Brant was born in 1794, and was first employed in the Indian Department from April 1813 to October 1816 as a lieutenant and interpreter, seeing action in nearly every major engagement of the War of 1812 on the Niagara frontier.⁷⁷ The young John Brant received glowing praise from seemingly everyone who met him, William Claus calling him in 1815 “a very fine young man” adding that “if he continues what he is he will be much respected.”⁷⁸ John Brant was also a rising leader on the Grand River, and both his prestigious birth and his substantial abilities meant that in 1828 he was publicly designated the successor to his mother’s brother in the important position of Tekarihogen, one of the most important civil positions within the Six Nation Confederacy and the most important held by the Mohawk nation.⁷⁹ Major General Darling, the acting head of the Indian Department following the death of William Claus, was present at the council that declared Brant the next Tekarihogen. Some weeks after the council, Darling appointed John Brant as the successor to Claus as superintendent on the Grand River, uniting for the first and only time the offices of Indian Department superintendent and Tekarihogen⁸⁰ Brant served as superintendent from 1828 to 1832, when the 38-year-old chief passed away in the Upper Canadian cholera epidemic of 1832. While he may have only spent

⁷⁷ Isabel T. Kelsay, “Tekarihogen (1794-1832),” in *DCB*, vol. 6, University of Toronto/Université Laval, 2003–, accessed August 18, 2019, http://www.biographi.ca/en/bio/tekarihogen_1794_1832_6E.html. For his involvement in the War of 1812, see Carl Benn, *The Iroquois in the War of 1812* (Toronto: University of Toronto Press, 1998), 91, 114, 116, and 165.

⁷⁸ William Claus to Sir John Johnson, 14 February 1815, 17717, vol. 30, RG10, LAC.

⁷⁹ Proceedings of a General Council of the Six Nations Indians Held at the Mohawk Village on the 3rd and 4th of July 1828, 23574-23575, vol. 45, RG10, LAC. For information on the position of Tekarihogen, see Kayanesenh Paul Williams, *Kayanerenkó:wa: The Great Law of Peace* (Winnipeg: University of Manitoba Press, 2018), 359-360.

⁸⁰ General Order Head Quarters Quebec, 2 August 1828, 23627, vol. 45, RG10, LAC.

seven years officially employed in the department, for the entire period between the War of 1812 and his death, John Brant was a central interlocutor with the Indian Department, the civil government of Upper Canada, and the British imperial administration.

The Brant side of the family was particularly well represented among the pensioners of the ID. Molly Brant, Joseph Brant, and Catherine Croghan-Brant all received lifelong pensions as a testament to their extensive influence.⁸¹ While only Joseph was ever officially employed in the ID, in practice his sister and his wife also played crucial roles in the work of the Department. Molly Brant was a central figure in the ID both during the time of Sir William Johnson and after his death.⁸² Catherine Croghan Brant was likewise highly influential among the communities of the Grand River. One anecdote illustrates the regard in which she was held by the officers of the ID. After capturing some 600 American soldiers at the Battle of Beaver Dams in 1813, Captain William Johnson Kerr presented the captured regimental colours to Catherine “as a mark of respect to the principal woman of the Six Nations.”⁸³

“Exceptional Business Faculties:” The Bertrand-Anderson Family Network

Omagigiunokway was one of the preeminent figures around the Straits of Mackinac in the early nineteenth century. The daughter of a French-Canadian father and an Ojibwe mother, she was more commonly known to the Euro-American population of the region as Elizabeth Bertrand.⁸⁴ Despite her mixed heritage, Omagigiunokway grew up in a thoroughly Anishinaabe

⁸¹ List of Person Holding Temporary Appointment and Pensions in the Indian Department Who Are to Receive Pay and Pension for the Year 1796, *Historical Collections and Researches made by the Michigan Pioneer and Historical Society* 25 (1894): 108; List of Persons Holding Temporary Appointments and Pensions in the Indian Department in Upper Canada, 25 December 1803, 175655, vol. 629, RG10, LAC.

⁸² Green, “Molly Brant, Catharine Brant, and their Daughters,” 235-236.

⁸³ Petition of William Johnson Kerr, 10 April 1821, 21599-21602, vol. 39, RG10, LAC.

⁸⁴ For the outlines of Omagigiunokway’s life, see David A. Armour, “David and Elizabeth: The Mitchell Family of the Straits of Mackinac,” *Michigan History* 64, no. 4, (1980): 17-29; Susan Sleeper-Smith, “[A]n Unpleasant Transaction on This Frontier”: Challenging Female Autonomy and Authority at Michilimackinac,” *Journal of the*

environment among the Odawa of Arbre Croche, speaking a mix of Ojibwe and Odawa along with a smattering of French.⁸⁵ In 1776, Omagigiunokway married David Mitchell, a surgeon attached to the British garrison at Michilimackinac. It was a prosperous partnership that would last until Omagigiunokway died on February 5, 1827.⁸⁶ Together they had an extensive family, and their children in turn went on to marry into other prominent families of the Great Lakes, knitting together the kin-based networks that defined the region's fur trade.⁸⁷ Omagigiunokway and David Mitchell both emerged as key players in this commerce. David was closely tied to the North West Company, and in 1807 both he and his son were admitted into the prestigious Beaver Club, the preeminent social institution of the Montreal fur trade.⁸⁸ Omagigiunokway, now more commonly known in the Euro-American archive as Mrs. Mitchell, was a substantial merchant in her own right, and she was described by a contemporary as possessing "exceptional business faculties." Her commercial success made Omagigiunokway one of the wealthiest individuals in the region, and she held extensive properties on Mackinac Island, including two houses, a farm, and a large garden plot, all managed by her many servants.⁸⁹

Early Republic 25, no. 3 (2005): 417-443; John C. Steele, "Reminiscences of a Pioneer," *Simcoe County Pioneer Papers* 4 (1911): 53-54.

⁸⁵ Elizabeth Therèse Baird, "Reminiscences of Early Days on Mackinac Island," *Wisconsin Historical Society* 14 (1898): 17-64.

⁸⁶ T.G. Anderson to William McKay, 6 March 1827, 23173, vol. 44, RG10, LAC.

⁸⁷ The most illustrative of these matches was the marriage of David Mitchell Jr. to Maria Gregory, the daughter of the prominent North West Company partner John Gregory, see Marjorie Wilkins Campbell, "Gregory, John (d. 1817)," in *DCB*, vol. 5, University of Toronto/Université Laval, 2003–, accessed November 21, 2020, http://www.biographi.ca/en/bio/gregory_john_1817_5E.html. Other members of the Mitchell family married into the Crawford, Hamilton and Ussher families.

⁸⁸ David Mitchell was both an outfitter and an agent for the North West Company, see Alexander McKenzie to McTavish, Frobisher, and Co., 4 June 1799, in *Journals and Letters of Alexander McKenzie*, ed. W. Kaye Lamb (London: Cambridge University Press, 1970), 482; Major Thomas Howard to Lieutenant Colonel Foster, 16 November 1818, 233, vol. 262, RG8, LAC. For the Mitchell's family's enrollment in the Beaver Club, see *Roll of the Beaver Club*, McCord Museum, Beaver Club Fonds.

⁸⁹ Baird, "Reminiscences of Early Days on Mackinac Island," 17-64.

In the Indigenous world of the upper Great Lakes, kinship was inseparable from commerce, and both were inseparable from politics.⁹⁰ As a wealthy merchant and important member of the region's kin networks, Omagigiunokway was also a figure of substantial political consequence, as illustrated by her role in the War of 1812. On July 17, 1812, a mixed Indigenous-Imperial force had captured Fort Michilimackinac from the United States, but their continued occupation of the site remained precarious.⁹¹ On January 19, 1813, Sir John Johnson wrote to Omagigiunokway asking that she use her influence to rally the region's warriors against the United States, promising in return an annual government pension.⁹² Omagigiunokway carried out this mission with vigour, and the various British officers of the region praised her "useful exertions."⁹³ The allied Indigenous and Imperial garrison was accordingly able to drive off an American counterattack during the summer of 1814, and they continued to occupy the post until it was returned to the United States following the Treaty of Ghent.⁹⁴ Omagigiunokway received the first installment of her pension in the summer of 1816, consisting of goods valued at 100 pounds delivered by the Indian Department storekeeper John Askin Jr.⁹⁵

Reflecting the continued importance of British interests in the region despite the Imperial retreat at the Treaty of Ghent, the Indian Department on the upper Great Lakes was substantially

⁹⁰ For a summary of these ideas in the context of early nineteenth century Michilimackinac see Sleep-Smith, "[A]n Unpleasant Transaction on This Frontier," 417-418.

⁹¹ Alan Taylor, *The Civil War of 1812: American Citizens, British Subjects, Irish Rebels, and Indian Allies*, (New York: Vintage Books, 2010), 152-153.

⁹² Elizabeth Mitchell, alias Omagigiunokway to John Johnson, 10 October 1816, 29014-29015, vol. 488, RG10, LAC.

⁹³ See for example Enclosure in a Letter from David Mitchell, 29 December 1815, 92, vol. 260, RG8, LAC; Robert Dickson to Sir John Johnson, 2 June 1814, 10388, vol. 12, RG10, LAC; Robert McDouall to Sir Frederick Philipse Robinson, 2 December 1815, 71, vol. 260, RG8, LAC;

⁹⁴ Alan Taylor, *The Civil War of 1812*, 264-265.

⁹⁵ Copy of a Letter from John Askin Jr. to William McKay, 15 July 1816, 19208, vol. 33, RG10, LAC. The date for the commencement of the allowance was July 25, 1814, and in the Order Book for the Indian Department it is clear Elizabeth received payment for two years at once, see Copy of Drummond Island Indian Department Order Book, 11 July 1816, 18661, vol. 31, RG10, LAC.

expanded following the War of 1812.⁹⁶ One important addition to this newly remodeled Indian Department was Omagigiunokway's husband, surgeon David Mitchell, who was appointed as the Department physician at the newly established post of Drummond Island.⁹⁷ Besides providing medical aid to the Indigenous communities who frequented the post, Mitchell took part in numerous Indigenous councils as a representative of the Indian Department and the King, and it was said that he could "render the Chippewa Language into English more correctly than any Interpreter."⁹⁸ Mitchell served as surgeon in the Indian Department until 1830, at which point he was granted a pension from the Indian Department until his death on August 7, 1832.⁹⁹

While both Omagigiunokway and David Mitchell had passed away by the early 1830s, their extended family still occupied an important place in the ID. Two of their sons, Andrew and George Mitchell, continued as leading merchants of the region, contracting with the Indian Department for various tasks including transport for goods on the upper lakes.¹⁰⁰ One grandchild, James Hamilton, was the first schoolmaster for the ID at the Coldwater establishment.¹⁰¹ Another, Louisa Anne Hamilton, was a schoolmistress at this same post in 1832.¹⁰² She later married Dr. Paul Darling who was employed as the Department surgeon at Coldwater and Manitoulin.¹⁰³

⁹⁶ For the reorganization of the ID of the upper lakes, see Lieutenant Colonel McDouall to William McKay, 20 August 1816, 19345, vol. 33, RG10, LAC.

⁹⁷ Memo of the Appointments in the Indian Department, (no date), 157, vol. 268, RG8, LAC. Mitchell arrived on the upper Great Lakes in 1774 as a surgeon in the King's 8th Regiment, and since then he had been providing medical aid to members of the Empire's posts in the region, see for example A List of the People Employed in the Indian Department at the Post of Michilimackinac, 12 October 1787, 170501, vol. 474, RG10, LAC.

⁹⁸ For Mitchell's medical work, see Copy of Drummond Island Indian Department Order Book, 26 May 1816, 18663, vol. 31, RG10, LAC; Extract from a Letter of Lieutenant Colonel McDouall Commanding at Drummond Island, 1 June 1816, 50-52, vol. 103, RG8, LAC; John Gaff to Military Secretary Darling, 1 March 1824, 144, vol. 264, RG8, LAC. For a selection of councils attended by David Mitchell, see *Drummond Island Letter Book*, McCord Museum, William McKay Fonds. For his ability to interpret see T.G. Anderson's Copy of Questions to be Answered by the Officers of the Indian Department, 6 March 1827, 23181, vol. 44, RG10, LAC.

⁹⁹ T.G. Anderson to James Givins, 3 September 1832, 56726-56727, vol. 51, RG10, LAC.

¹⁰⁰ Bill from the Indian Department to Mitchell and Darling, 12 December 1839, 66111, vol. 71, RG10, LAC; Disbursements Paid at Penetanguishene, 1 April 1840, 67539, vol. 73, RG10, LAC.

¹⁰¹ T.G. Anderson to James Givins, 4 February 1831, 54133-54134, vol. 47, RG10, LAC.

¹⁰² T.G. Anderson to James Givins, 23 April 1832, 56208, vol. 50, RG10, LAC.

¹⁰³ T.G. Anderson to James Givins, 4 August 1832, 56598-56599, vol. 51, RG10, LAC.

A third grandchild of Omagigiunokway and David Mitchell, Elizabeth Ann Hamilton, married Thomas Gummersall Anderson at Drummond Island in 1820 in a ceremony officiated by surgeon Mitchell himself.¹⁰⁴ T.G. Anderson had been a fur trader on the upper Mississippi between 1800 and 1814 before distinguishing himself at the capture of Prairie du Chien in the final year of the War of 1812. He was appointed a captain in the Drummond Island Indian Department in the reorganization of 1815, and by 1820 he was the second highest ranking member of the post, acting as the head of the establishment while Superintendent William McKay wintered at Montreal.¹⁰⁵ T.G. Anderson came from a large Loyalist family. Both his father Samuel Anderson and his uncle Joseph Anderson had served as officers in Sir John Johnson's Royal American Regiment during the Revolutionary War.¹⁰⁶ This military tradition and their family's association with the Johnsons persisted in both branches of the Anderson family, as T.G. Anderson's cousin Charles Anderson also participated in the War of 1812 as a captain in the Indian Department among the Mississauga of eastern Upper Canada.¹⁰⁷ Together Elizabeth Ann Hamilton and T.G. Anderson had seven children, four of whom lived to adulthood. Their oldest surviving child, Gustavus Alexander Anderson, served in the ID as a missionary with the Mohawk of the Bay of Quinte.¹⁰⁸ Another son, Francis Hamilton Anderson, was appointed as an interpreter in 1845.

¹⁰⁴ T.G. Anderson, "Personal Narrative of Captain Thomas G. Anderson," *Wisconsin Historical Society* 19 (1882), 203.

¹⁰⁵ Memo of the Appointments in the Indian Department, 16 March 1829, 157, vol. 268, RG8, LAC. For Anderson's role as officer commanding the department in the absence of McKay, see Copy of Drummond Island Indian Department Order Book, 11 March 1816, 18659, vol. 31, RG10, LAC.

¹⁰⁶ For Joseph's military career, see W.D. Reid, "Johan Herkimer U.E. and his Family," *Ontario Historical Society Papers and Records*, vol. 31, (1936): 225-226. For an account of Samuel Anderson's experiences during the Revolutionary War, see files 0004 and 0110, T.G. Anderson Fonds, Huronia Museum Archives.

¹⁰⁷ For an outline of Charles Anderson's appointment to the ID, see John Vincent to the Military Secretary, 23 December 1812, 198, vol. 256, RG8, LAC; Nathaniel Coffin to William Claus, 24 November 1812, 259, vol. 258, RG8, LAC. For his promotion to captain see William Claus to Nathaniel Coffin, 25 April 1813, 15462, vol. 28, RG10, LAC; Extract of a General Order, 27 November 1813, 16574, vol. 28, RG10, LAC.

¹⁰⁸ *The Indian Affairs, Province of Canada: Report for the Half-Year Ended 30th June, 1864* (Quebec: Hunter and Rose, 1865), 7.

T.G. Anderson's children, however, were not limited to the offspring of his marriage to Elizabeth Ann Hamilton. During his years in the fur trade on the upper Mississippi River, Anderson had married a Sioux woman *à la façon du pays*. Together they had two children who lived to adulthood, a son and a daughter. After his marriage to Elizabeth Ann Hamilton, T.G. Anderson wrote that his new wife "insisted on my sending for my two little Sioux children."¹⁰⁹ This Anderson did, and both of these children eventually played a role in their father's management of the Indian Department. The son was sent to be educated at Sandwich, Upper Canada. After his education, he helped keep the ID store at Coldwater in the early 1830s.¹¹⁰ Somewhat cryptically, T.G. wrote that his son soon tired of this work and left for the United States, where he later died at St. Louis.¹¹¹ More information survives on T.G.'s daughter, known to Euro-Americans as Jane Anderson. In 1828 at the age of fourteen or fifteen she was sent by her father and stepmother to the missionary school at Michilimackinac.¹¹² In 1833, she was employed as a schoolmistress at the Coldwater establishment.¹¹³ Two years later, Jane married Andrew Robertson at Coldwater, and in 1836 T.G. secured the position of schoolmaster at Coldwater for his new his son-in-law.¹¹⁴

"Habitual Intercourse and General Knowledge": The McKee-Clarke Family Network

From the 1740s to the 1810s, four generations of the McKee family played a prominent part in British-Indigenous relations in northeastern North America. The first of these, Thomas

¹⁰⁹ Anderson, "Personal Narrative," 205.

¹¹⁰ It seems that Anderson's son helped in the store at his father's expense, since despite T.G. applying for him to receive a salary from the government it seems that he was never officially employed, see T.G. Anderson to James Givins, 7 November 1831, 55488, vol. 49, RG10, LAC.

¹¹¹ Anderson, "Personal Narrative," 205.

¹¹² Keith Widder, *Battle for the Soul: Métis Children Encounter Evangelical Protestants at Mackinaw Mission, 1823-1837* (East Lansing: Michigan State University Press, 1999), 153

¹¹³ Anderson, "Personal Narrative," 206.

¹¹⁴ Steele, "Reminiscences of a Pioneer," 149. For Robertson's appointment, see T.G. Anderson to James Givins, 14 April 1836, 61069, vol. 61, RG10, LAC.

McKee Sr., arrived in Pennsylvania from Ireland sometime after 1707. By the 1740s, he had set himself up in the trans-Allegheny fur trade, becoming in time a key associate of Sir William Johnson's deputy agent George Croghan.¹¹⁵ His son, Alexander McKee Sr., born around 1735, likewise played an active part in Imperial-Indigenous diplomacy during the conflicts of the 1750s and 1760s.¹¹⁶ Sir William Johnson first appointed Alexander McKee Sr. to the Indian Department in 1766 as a commissary at Fort Pitt and then elevated him to Deputy Agent in 1771.¹¹⁷ Early in the Revolutionary War, McKee was imprisoned by Patriot partisans on suspicion of Loyalist sympathies, but in 1778 he escaped from Pittsburgh to Detroit where he played a prominent role in organizing the Indigenous-Imperial defence of the Great Lakes and Ohio River region.¹¹⁸ McKee continued to be prominent in Indian Affairs after the Revolutionary War. He was appointed Deputy Superintendent General in 1794 and held the position for five years before his death on January 14, 1799.¹¹⁹

In 1796, Alexander McKee suggested that his son, Thomas McKee Jr., be appointed Superintendent for the newly established post of St. Joseph Island. Recognizing that this recommendation might be viewed as merely an attempt at nepotism, Alexander McKee explained that this appointment was absolutely necessary for the good of the service, as his son's "habitual intercourse and general knowledge of the persons, characters, and languages of most of the Indian Nations" uniquely qualified him for the post.¹²⁰ Governor General Lord Dorchester evidently bought this argument and granted McKee the position. After Alexander McKee's death, Thomas McKee Jr. was briefly appointed as one member of a triumvirate meant to succeed him until this

¹¹⁵ Nelson, *A Man of Distinction Among Them*, 24-25.

¹¹⁶ Nelson, *A Man of Distinction Among Them*, 30-31.

¹¹⁷ Nelson, *A Man of Distinction Among Them*, 55-64.

¹¹⁸ Nelson, *A Man of Distinction Among Them*, 102-104.

¹¹⁹ Lord Dorchester to Alexander McKee, Quebec, 26 December 1794, 294-296, vol. 71, Q Series, C.O. 42, MG11, LAC; Captain Hector MacLean to Military Secretary Green, 16 January 1799, 1, vol. 252, RG8, LAC.

¹²⁰ Copy of a Letter from Colonel McKee to Lord Dorchester, 7 June 1796, 175-178, vol. 249, RG8, LAC.

arrangement was overruled by the competing interests of Sir John Johnson and the Duke of Kent, as discussed in the above section detailing the extended Johnson clan's participation in the ID.¹²¹ While Sir John Johnson wanted the position to go to his nephew William Claus, the Superintendent General argued that apart from Claus only Thomas McKee had the requisite experience with Indigenous communities to fill the position of Deputy Superintendent General. Sir John explained that only these two men, both the sons of long-time ID officers, "having been born and brought up among them, understanding their Languages, Customs, and Manners, and having served with them on many occasions from the commencement of the Late War to the present time," had the requisite experience to oversee the Empire's relations with the Indigenous communities of the region.¹²² While William Claus and not Thomas McKee eventually got the promotion, McKee continued to act as Superintendent until his death on October 20, 1814.¹²³ Thomas McKee Jr.'s son, Alexander McKee Jr., continued in the Department after his father's death. He had been appointed as interpreter in 1812, and had been promoted to lieutenant in 1813 and captain 1814.¹²⁴ While William Claus recognized that the younger McKee's family connections made him a valuable asset to the ID, his youth and inexperience meant that he was dismissed from the Department in 1815 on the return of peace.¹²⁵ While Alexander McKee Jr. did not succeed in maintaining his position in the Indian Department, his family nonetheless remained prominent in the region for generations.

¹²¹ Peter Russell to Captain Hector McLean, 3 February 1799, 52, vol. 252, RG8, LAC. For a good summary of the dispute that followed, see Allen, *The British Indian Department*, 54-66.

¹²² Sir John Johnson to Lieutenant General Hunter, 16 December 1799, 375, vol. 252, RG8, LAC.

¹²³ John Clarke, "McKee, Thomas," in *DCB*, vol. 5, University of Toronto/Université Laval, 2003–, accessed November 29, 2020, http://www.biographi.ca/en/bio/mckee_thomas_5E.html.

¹²⁴ For his promotion to lieutenant, see William Claus to Coffin, 25 April 1813, 16463, vol. 28, RG10, LAC. For his promotion to captain, see General Orders, 19 July 1814, 10405, vol. 12, RG10, LAC.

¹²⁵ William Claus to Lieutenant Colonel Foster, 22 May 1815, 78, vol. 258, RG8, LAC.

Alexander Jr.'s grandson, appropriately named William Johnson McKee was even elected to represent Essex County in the Ontario legislature 1894-1902.¹²⁶

While the paternity of the McKee family is clearly presented in the archival record, the maternity of both Alexander Sr. and Thomas Jr. is uncertain. Both Alexander McKee Sr. and Thomas McKee Jr. were born and raised among the Shawnee, but the exact identities of their mothers have yet to be identified. In both cases, it has been written that their mothers were either Euro-American captives taken in war and raised among the Shawnee, or they were Shawnee themselves.¹²⁷ While the difference may seem important in determining whether Alexander Sr. and Thomas Jr. should themselves be considered members of the Shawnee nation, the distinction between adoption and birth would be much more important to Euro-Americans increasingly fixated on race than to the Shawnee themselves. Like other cases in the Indian Department, such as George Cowan or Fredrick Fisher, adoption could create family ties as strong as those created by marriage or descent. While the exact nature of the relationship might be unclear, what is certain is the McKee family was intimately connected to the Shawnee, and that these connections to this important nation contributed enormously to their influence in the Indian Department.

Beyond their family ties to the Shawnee, the McKee family built connections with numerous other important networks in the Detroit River region. On April 17, 1797, Thomas McKee Jr. married Theresa Askin, the daughter of the leading Detroit merchant John Askin.¹²⁸ Through this marriage, McKee became the brother-in-law both of John Askin Jr., the long-time ID store keeper at Michilimackinac and superintendent at Amherstburg from 1816-1820, and of

¹²⁶ J. A. Gemmill ed., *The Canadian Parliamentary Companion 1897* (Ottawa: J. Durie and Son, 1897), 248. J. Ross Robertson ed., *The Diary of Mrs. John Graves Simcoe, Wife of the First Lieutenant-Governor of the Province of Upper Canada, 1792-1796* (Toronto: William Briggs, 1911), 171-172.

¹²⁷ Nelson, *A Man of Distinction Among Them*, 24-28, 63.

¹²⁸ Ernest J. Lajeunesse, ed., *The Windsor Border Region: Canada's Southernmost Frontier* (Toronto: The Champlain Society, 1960), 201.

Robert Richardson, Indian Department surgeon from 1814 until his death in 1827.¹²⁹ After Thomas McKee Jr.'s death, his widow Therese McKee was granted a pension which she held until her death in 1832.¹³⁰

A second branch of the McKee family was also prominent in the Indian Department. When Alexander McKee Sr. fled from western Pennsylvania to Detroit in 1778, he left behind him his nephew Thomas Alexander Clarke, then roughly fourteen years old. After the close of the American Revolutionary War, Clarke came to join his uncle in Canada.¹³¹ Thomas Alexander Clarke followed in his uncle's footsteps in more ways than one. Sometime after his arrival on the Detroit River, he married Catherine Brown, the daughter of the adopted Wyandot chief Adam Brown, then after her death around 1800 he married her sister, Mary Brown.¹³² Clarke had eight children who survived to adulthood with the two Brown sisters, and he lived with his large family as an integral member of the Wyandot community until his death on March 6, 1840.¹³³ Clarke also continued his family's tradition of serving in the Indian Department, being employed as an interpreter beginning in 1792.¹³⁴ He was an active partisan during Northwest War of the 1790s,

¹²⁹ For Richardson's appointment, see Robert Loring to William Claus, 19 April 1814, 16788, vol. 28, RG10, LAC.

¹³⁰ George Ironside to James Givins, 30 June 1832, 56423, vol. 51, RG10, LAC.

¹³¹ This story was recorded by Thomas Alexander Clarke's grandson, see Peter Dooyentate Clarke, *Origin and Traditional History of the Wyandotts* (Toronto: Hunter, Rose, 1870), 51. It is likely that Thomas Alexander Clarke was born in 1764 or 1765. In his petition of March 27, 1830, Thomas Alexander Clark wrote that he was 66 years old. See Petition of Thomas Alexander Clarke, 27 March 1830, 2387, vol. 5, RG10, LAC. See also Patrick Shirreff, *A Tour Through North America, Together with a Comprehensive View of the Canadas and United States as Adapted for Agricultural Emigration* (Edinburgh: Ballantyne and Company, 1835), 205-206.

¹³² For Adam Brown and his family, see Clarke, *Origin and Traditional History of the Wyandotts*, 38-39. For the marriage of Clarke to Mary Brown, see *Register of St. John's Church of England at Sandwich in the Western District of the Province of Upper Canada, 1802-1827* (Kent and Essex Genealogical Society, 1990), 3.

¹³³ For an outline of his life, see The Memorial of Thomas Alexander Clarke, March 1840, 67486-67487, vol. 73, RG10, LAC. For his integration into the Wyandot community, see Petition of the Chiefs and Warriors of the Wyandot, 30 April 1839, 65754-65756, vol. 70, RG10, LAC. For the prominent position of his family among the Wyandot, see Rhonda Telford, "How the West Was Won: Land Transactions Between the Anishinabe, the Huron and the Crown in Southwestern Ontario," in *Papers of the Twenty-Ninth Algonquian Conference*, edited by David H. Pentland, (Winnipeg: University of Manitoba, 1998), 346-350.

¹³⁴ Major E.B. Littlehales Journal from Niagara to Detroit, in *The Correspondence of Lieut. Governor John Graves Simcoe*, 1:289. This appointment was confirmed the following summer, see Joseph Chew to Alexander McKee, Montreal, 31 August 1793, in *The Correspondence of Lieut. Governor John Graves Simcoe*, 5:71.

receiving serious wounds at the Battle of Fallen Timbers in August 1794.¹³⁵ In 1808, Thomas Alexander Clarke was replaced as interpreter by James Girty, but was later reemployed with the outbreak of the War of 1812.¹³⁶ Clarke fought on the Detroit frontier in the early months of the war, but was captured on November 7, 1812 while on a scouting mission. Clarke was imprisoned until early 1814 when he was exchanged for a US militia captain, and upon his return to Upper Canada he continued to serve with the Indian Department until the return of peace in 1815.¹³⁷ Although this was the end of his involvement in the ID, two of Thomas Alexander Clarke's children continued to be active in the Department in the coming decades. One son, Alexander Clarke, served as an unofficial interpreter during the War of 1812, and periodically interpreted for the ID during the 1830s.¹³⁸ Another son, Thomas Alexander Clarke Jr., played a significant part organizing and leading the Wyandot warriors of Anderdon during the upheavals of the Upper Canadian Rebellion in the years 1837-1838.¹³⁹ On the recommendation of the Wyandot themselves, Thomas Alexander Clarke Jr. was appointed as an interpreter in the Indian Department

¹³⁵ Journal of Alexander McKee, in *The Correspondence of Lieut. Governor John Graves Simcoe*, 2:126-128; Petition of Thomas Alexander Clarke, 27 March 1830, 2387, vol. 5, RG10, LAC. See also Clarke, *Origin and Traditional History of the Wyandotts*, 147.

¹³⁶ Order of Governor Gore, 3 April 1808, 15786, vol. 27, RG10, LAC. Claus had written earlier that year regarding Clarke that "I can say nothing in his favour." It is unclear what irked Claus about Clarke, but on Mathew Elliott Sr.'s advice Claus recommended appointing James Girty instead, see Extract of a Letter from William Claus to Prideaux Selby, 15 February 1808, 822, vol. 2, RG10, LAC; Account of Pay Due to the Indian Department at Amherstburg from the 25 June to the 24 August 1812, (no date), 175715, vol. 630, RG10, LAC.

¹³⁷ Petition of Thomas Alexander Clarke, 27 March 1830, 2387-88, vol. 5, RG10, LAC; Colonel Thomas Barclay to Sir George Prevost, 27 January 1814, 96-98, vol. 692, RG8, LAC; Extract of a Letter from William Caldwell to William Claus, 20 October 1814, 1568, vol. 3, RG10, LAC; Return of Officers and Others of the Indian Department of Upper Canada Whose Services the Deputy Superintendent General Thinks May be Dispensed With, (no date), 80, vol. 258, RG8, LAC.

¹³⁸ Letter of Alexander Clarke, 31 March 1875, File 4669, vol. 1957, Red Series, RG10, LAC; George Ironside to James Givins, 3 July 1833, vol. 54, RG10, LAC; George Ironside to James Givins, 31 October 1835, vol. 59, RG10, LAC.

¹³⁹ Certificate of Lieutenant Colonel Airey, 13 June 1840, 66677, vol. 72, RG10, LAC.

in 1840.¹⁴⁰ The Clarke family continued to be one of the leading families among the Wyandot on the Detroit River for the remainder of the nineteenth century.¹⁴¹

Conclusion

The above chapter is not a complete investigation of all aspects of family networks in the ID. Nor does it examine every element of these kin groups. A potential element for further investigation was the frequency with which certain names were passed from a patron to the children of a client. Joseph Brant Clench, Joseph Brant Rousseaux, William Johnson Kerr, William Johnson Chew, and John Johnson Claus are just a few examples of the propensity of Indian Department families to perpetuate and highlight their interconnection by passing on prominent names in the Department's history. Nor did this chapter address the related phenomenon whereby leading Indigenous families adopted the surnames of Indian Department officers as their Christian names, such as the Johnson family on the Grand River or the Claus family on the Bay of Quinte. An examination into god-parentage and the Indian Department would only expand these networks further.

Nonetheless, the above investigation demonstrates that family was a central element of the Upper Canadian Indian Department. From the time of Sir William Johnson to beyond the reforms of 1845, ties of kinship largely determined the membership of the Department. These same family ties also connected ID employees to the wider kinship networks of First Nations communities in the region. Beyond merely illuminating the history of a number of exceptional families, the

¹⁴⁰ Notes Taken in Council of the Wyandotte Chiefs, 10 August 1839, 66039-66040, vol. 71, RG10, LAC; George Ironside Jr. to S.P. Jarvis, 11 July 1840, 67943, vol. 74, RG10, LAC.

¹⁴¹ See for example Peter Dooyentate Clarke, *Origin and Traditional History of the Wyandotts*; Laurie LeClaire, "The Huron-Wyandottes of Anderson Township: A Case Study in Native Adaption, 1701-1914," (MA diss., University of Windsor, 1988).

centrality and longevity of these family networks reveals five important facts about the Upper Canadian Indian Department.

Firstly, the prevalence of family connections demonstrates the extent to which the ID controlled its own staffing. While the final authority for employing individuals in the Department was always vested in an external administrator during the Upper Canadian period, either the Lieutenant Governor or Commander of the forces in British North America, the members of the ID were in practice able to consistently secure positions for their family members and clients. The Department, or more accurately the interconnected networks that made it up, should therefore be understood as its own centre of power and patronage in Upper Canada. It was never completely independent, as this network depended on connections not just with imperially appointed administrators and military officers, but also with other clusters of Canadian elites, such as the Upper Canadian merchants John Askin and Robert Hamilton, or Lower Canadian commercial elites such as those represented in the North West Company's Beaver Club. Nonetheless, the members of the Indian Department were powerful enough to largely maintain their hold over the Indian Department even in the face of imperial retrenchment and pressure to cut costs.

A second related conclusion is that the Indian Department was overwhelmingly local in nature. Throughout the period 1796-1845, the Department was dominated by men who had been born west of the Atlantic. Of those employees who were new arrivals from across the Atlantic, they generally gained their position by ensconcing themselves in pre-existing family networks, as was the case with John Norton and George Ironside Sr. Apart from the appointment of Dalhousie's military secretary Henry Charles Darling as Deputy Superintendent General in 1826 and Colborne's appointment of James Winniett as superintendent on the Grand River in 1832, very few cases exist of men being parachuted into the Department from outside these networks. The

prevalence of American-born creoles was if anything more marked in 1845 than it had been in the 1790s. Of the three superintendents and two interpreters remaining on the permanent establishment of the ID in Canada West after the reforms of 1845, all five had been born in British North America. This is a significant deviation from the prevailing shift in national origin of Canadian elites during this period. In the Upper Canadian House of Assembly, for example, men born in British North American accounted for roughly 60% of all members in the early years of the province, but this proportion had declined to 41% of elected representatives by the 1830s.¹⁴²

Tracing these kin networks through time also reveals a third important conclusion, namely the remarkable endurance of certain families in the ID. Each of the three superintendents remaining in Canada West after the reforms 1845 belonged to the extended family networks identified above, as did the two permanently employed interpreters. Sir William Johnson's great-grandson Joseph Brant Clench had been appointed the visiting superintendent of the western district in the reforms that followed the report of the Bagot Commission. T.G. Anderson was transferred from the upper Great Lakes to become the visiting superintendent of the central district. He was replaced as resident superintendent at Manitoulin Island by George Ironside Jr., whose father had first entered the ID as a client of Alexander McKee, and whose mother came from the same Ohio Valley Shawnee community as did the McKees. One of the two interpreters employed after 1845 in Canada West was T.G. Anderson's son, Francis Alexander Hamilton Anderson, and the second was the brother of Kahkewaquonaby Peter Jones, Thayendanegea John Jones, who was married to Christiana Brant, a granddaughter of Joseph Brant.

Fourthly, by examining families it is possible to see that in many cases certain prominent women were in fact at the centre of the Indian Department. Molly Brant is a well known example,

¹⁴² J.K. Johnston, *Becoming Prominent: Regional Leadership in Upper Canada, 1791-1841* (Montreal: McGill-Queen's University Press, 1989), 104-105.

but even after her death her daughters continued to be crucial members of the wider Indian Department network, as evidenced by her sons-in-law John Ferguson, who headed the Indian Department branch at Kingston between 1812 and 1822, and Robert Kerr, who served as the Department surgeon from 1788 to 1824. On the upper Great Lakes, Omagigiunokway Elizabeth Bertrand Mitchell was another such woman who was at the centre of the ID in the region. William Claus's mother Ann Johnson Claus, George Ironside's wife Vocemassussia, and Thomas McKee's wife Theresa Askin McKee, all occupied this role to some degree. Meanwhile, other women, such as the Shawnee partners of Alexander McKee and Matthew Elliott, might remain nameless in the archives, but it is clear from contemporary accounts that these relationships were of crucial importance to the Indian Department on the Detroit River and in the Ohio country. The pension list of the ID is sufficient proof of the important role these women played in connecting the Indian Department networks to the Imperial state. In 1820 for example, the Indian Department paid pensions to four women: Adonwentishon Catharine Brant (widow of Joseph Brant), Hester Hill (widow of the Mohawk leader David Hill), Theresa Askin McKee (widow of Thomas McKee Jr.), and Sarah Elliott (widow of Matthew Elliott).¹⁴³

Finally, by examining the family networks of the Indian Department it becomes apparent how much its membership was connected to Indigenous communities around the Great Lakes. The existence of these connections to the First Nations of the region certainly adds to our understanding of the composition of the Upper Canadian Department, but it leads to the bigger question of whether Indigenous communities were able to use these networks in order to influence the membership of the Indian Department, and hence influence the provincial and imperial administrations. The following chapter will examine how these First Nations communities

¹⁴³ Estimate of the Sums Required for the Pay, Pensions, and Contingent Disbursement of the Indian Department, for 1820 (no date), 175669-175670, vol. 630, RG10, LAC.

interfaced with the Upper Canadian Indian Department, and to what extent they had success in ensuring that the ID fulfilled their own demands and desires.

Chapter Four

“The Servants of the Indians”: Indigenous Peoples and the Upper Canadian Indian Department, 1796-1845

In October 1839, three commissioners were appointed by Lieutenant Governor Sir George Arthur to investigate the state of Indian Affairs in Upper Canada. As part of their inquiry, the commissioners solicited reports from a number of prominent individuals in the Indian Department, including Chief Superintendent Samuel Peters Jarvis.¹ In his response to the commissioners, Jarvis argued that the officers of the Department needed to be granted greater discretionary powers. To illustrate his point, Jarvis related how, despite his senior rank, he could not even grant provisions to a handful of visitors to Toronto without presenting the commissariat with a signed requisition from the Lieutenant Governor. This state of affairs was not calculated to satisfy the men and women who appealed to the Chief Superintendent, and Jarvis knew that this was no small matter. As the head of the ID explained to the commissioners, “some of the tribes entertain the idea that the superintendents are the servants of the Indians, and not of the government, and that they have only to represent themselves dissatisfied with their conduct to ensure their dismissal.”²

Numerous examples from the Indian Department archives illustrate that there was substantial truth to Jarvis’s assertion. The idea that the Indian Department was meant to serve Indigenous communities appears to have been widespread during the Upper Canadian period. With this perspective in mind, it is possible to understand the title “Indian Department” as connoting agency or ownership, as in “the department that belongs to Indians.” This interpretation seems to

¹ For an outline of the work of these commissioners, sometimes known as Legislative Committee No. 4, see John Leslie, *Commissions of Inquiry into Indian Affairs in the Canadas, 1828-1858: Evolving a Corporate Memory for the Indian Department* (Ottawa: Treaties and Historical Research Centre, 1985), 79-86.

² Report of S.P. Jarvis, (no date, 1839), 168898-168899, vol. 117, RG10, LAC.

have been current among the communities on the Grand River. After Sir Francis Bond Head dismissed both the Indian Department superintendent James Winniett and interpreter Jacob Martin from their posts in 1837, representatives from the Haudenosaunee reprimanded the government for eliminating their branch of the ID, saying that “when the friendship was established between the Six Nations and the English, a promise was made, that the Indians should be protected, and *their Department* maintained.”³ This and later representations eventually had their desired effect, and both Winniett and Martin were reemployed in 1838.⁴ When superintendent Winniett was again threatened with the elimination of his position in 1845, he informed the government that, according to the tradition current on the Grand River, the employment of a resident superintendent had been guaranteed by a treaty held at Montreal in 1775. At this treaty between Sir Guy Carleton, Sir John Johnson, Thayendenegea Joseph Brant, and many other Six Nations chiefs, Winniett and his Haudenosaunee partners claimed that the British Empire had agreed “to appoint and pay a superintendent who shall reside among the Six Nations Indians and take care of their interests.”⁵ The idea that members of the Indian Department were employed for the benefit of the Six Nations was a consistent refrain. In the autumn of 1815, for example, the Six Nations had evoked exactly the same idea when they referred to the members of the Indian Department as “the officers appointed by our Great Father to attend to our affairs.”⁶

Nor was this language limited only to the Six Nations of the Grand River. In 1814, the pan-Indigenous nativist leader Tenskwatawa, commonly known to the British Indian Department as

³ Proceedings of an Indian Council Held at the Mohawk Village, 15 September 1838, 64832, vol. 69, RG10, LAC. Emphasis added.

⁴ For a second representation from the Six Nations on this subject, see Memorandum Taken at Brantford, 19 January 1839, 65324, vol. 70, RG10, LAC. For the reemployment of the individuals dismissed by Lieutenant governor Head, see John Macaulay to George Ironside Jr., 10 November 1838, 65011-65012, vol. 69, RG10, LAC.

⁵ Petition of James Winniett, 10 June 1845, 5413, vol. 121, RG10, LAC.

⁶ Speech of a Deputation of Fifteen Chiefs from the Grand River, 25 October 1815, 185, vol. 10, Claus Papers, MG19, LAC.

the Shawnee Prophet, used the same language to ask that Thomas McKee (the son of the now-deceased Deputy Superintendent General Alexander McKee) might be appointed “to attend to the wants of their women and children.”⁷ In 1816, the Wyandot, Ojibwe, Odawa, and Potawatomi at Amherstburg reminded the British that they had promised never to “do anything in Indian Affairs without first consulting with the four nations who keep the council fire.”⁸ In 1838, Bauzhigeeshigwashekum on the St. Clair River summarized his community’s view of their superintendent when he explained to William Jones that “our Great Father had appointed you to be with us and take care of us and to let him know all our hearts.”⁹ If the men appointed by the government to attend to their needs did not come up to their expectations, Indigenous leaders were not slow to complain. In 1811, for example, a group of Sauk and Fox from the upper Mississippi region arrived at York to protest the conduct of the superintendent at Amherstburg, saying “our former Father made everything light and agreeable to us. Our present Father is very heavy upon us.”¹⁰

As the above examples demonstrate, Indigenous communities themselves believed that the Indian Department existed, or should exist, in order to look after their needs, to protect their interests, and to represent their views to the government. Despite the prevalence of this view in the Indian Department archive, relatively little history has been written that takes this perspective seriously. In many works that focus on the cut-and-thrust of warfare and settlement on the Great Lakes frontier during the late eighteenth and early nineteenth centuries, Indigenous peoples have historically been presented as pawns to be maneuvered by imperial policy makers.¹¹ While more

⁷ James Givins to William Claus, 11 May 1814, 16862, vol. 28, RG10, LAC.

⁸ Speech from the following Nations of Indians, 24 February 1816, 1884218845, vol. 32, RG10, LAC.

⁹ Speech of Pashekishequeshkum, 12 October 1838, 64915, vol. 69, RG10, LAC.

¹⁰ Proceedings at a Meeting with Eight Sauk and Eight Fox Indians, 3 August 1811, 16302, vol. 27, RG10, LAC.

¹¹ For an overview of this trend, see J.R. Miller, “Owen Glendower, Hotspur, and Canadian Indian Policy,” *Ethnohistory* 37, no. 4 (1990), 388.

recent works now recognize that Indigenous nations had their own motivations and agency, the formulation of Imperial policy has continued to be examined largely as an independent phenomenon unconnected to Indigenous actors.¹² Likewise, in works that focus on the development of Canadian Indian Affairs and the growth of the settler state, Indigenous people generally have not been seen as active participants in shaping the Indian Department or Indian Policy more broadly.¹³ Many excellent works have been produced on Indigenous communities in the Upper Canadian period that take Indigenous agency seriously, but they tend to cast the Indian Department in a strictly adversarial role, not only removed from but entirely alien to First Nations communities.¹⁴ Ted Binnema summarized these tendencies in 2014 when he observed that relatively few historians have examined “how Aboriginal peoples may have helped shape (rather than merely resist) government Indian policies.”¹⁵

Of course, Indigenous agency has long been recognized as a fundamental element in fur trade histories. Scholars building on Richard White’s *Middle Ground* tend to highlight not only the agency but the power of Indigenous polities and societies.¹⁶ These historiographies, however,

¹² Robert S. Allen’s work, while perhaps the best existing scholarship on Indian Affairs in the Upper Canadian period, largely examines this subject as process initiated in the metropole and transmitted outwards to the periphery, see Robert S. Allen, *His Majesty’s Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815* (Toronto: Dundurn Press, 1992).

¹³ The outstanding work that adopts this approach may be Leslie, *Commissions of Inquiry into Indian Affairs*.

¹⁴ This tendency is perhaps best illustrated by the otherwise very good work of Donald Smith and Rhonda Telford, see Donald B. Smith, *Sacred Feathers: The Reverend Peter Jones (Kahkewaquaonaby) and the Mississauga Indians*, 2nd ed. (Toronto: University of Toronto Press, 2013); Rhonda Telford, “How the West Was Won: Land Transactions Between the Anishinabe, the Huron and the Crown in Southwestern Ontario,” in *Papers of the Twenty-Ninth Algonquin Conference*, ed. David H. Pentland, (Winnipeg: University of Manitoba, 1998): 328-351; Telford, Rhonda. “The Nefarious and Far-Ranging Interests of Indian Agent and Surveyor John William Keating, 1837-1869.” *Papers of the Algonquin Conference*, vol. 28 (1997), 372-402.

¹⁵ Ted Binnema, “Protecting Indian Lands by Defining Indian, 1850-76.” *Journal of Canadian Studies*, vol. 48, no. 2 (Spring 2014), 7.

¹⁶ Laura Lynn Peers and Carolyn Podruchny eds., *Gathering Place: Aboriginal and Fur Trade Histories* (Vancouver: UBC Press, 2010); Susan Sleeper-Smith, *Indigenous Prosperity and American Conquest: Indian Women of the Ohio River Valley, 1690-1792* (Williamsburg: Omohundro Institute of Early American History and Culture, 2019); Richard White, *The Middle Ground. Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (Cambridge: Cambridge University Press, 1991); Michael Witgen, *An Infinity of Nations: How the Native New World Shaped Early North America* (Philadelphia: University of Pennsylvania Press, 2012); Michael McDonnell, *Masters of Empire: Great Lakes Indians and the Making of America* (New York: Hill and Wang, 2015).

have only more recently started to influence the study of Indian Policy and the Canadian state. In a 1990 article, J.R. Miller argued that scholars should more seriously consider the ability of First Nations in shape policies, particularly in the post-Confederation period.¹⁷ Ted Binnema's 2014 investigation of Indigenous involvement in the definition of who was an "Indian" in the period between 1850 and 1876 offers a helpful framework for viewing First Nations political elites as "active, knowledgeable, and innovative defenders of their own interests."¹⁸ In the past decade, First Nations petitions have emerged as a particularly salient set of sources in examinations of Indigenous political mobilization. Scholars such as Maxime Gohier, Mathieu Arsenault, and Daniel Carpenter have made good uses of these petitions to explore the methods and motivations of First Nations engagement with both metropolitan and colonial administrators of the British Empire.¹⁹

We have already examined in an earlier chapter the significant number of individuals with Indigenous ancestry who were employed in the Upper Canadian Indian Department. We have likewise seen how numerous members of the Department were connected in family networks centered on Indigenous individuals, particularly Indigenous women such as Konwatsitsiaienni Molly Brant and Omagigiunokway Elizabeth Bertrand Mitchell. Given the important First Nations presence among the individuals and families that made up the Upper Canadian Indian Department, we might already expect Indigenous communities to have exerted significant influence over the workings of the ID. The employment of relatively elite Indigenous or mixed-ancestry men in the

¹⁷ Miller, "Owen Glendower, Hotspur, and Canadian Indian Policy," 386-387.

¹⁸ Binnema, "Protecting Indian Lands by Defining *Indian*," 8.

¹⁹ Maxime Gohier, "La Pratique Pétitionnaire des Amérindiens de la Vallée du Saint-Laurent sous le Régime Britannique: Pouvoir, Représentation et Légitimité (1760-1860)" (PhD. diss., Université du Québec à Montréal, 2014); Mathieu Arsenault, "Maintenant nous te parlons, ne dédaigne pas nous écouter: Pétitions et Relation Spéciale entre les Premières Nations et la Couronne au Canada, 1840-1860" (PhD diss., York University, 2019); Daniel P. Carpenter, *Democracy by Petition: Popular Politics in Transformation, 1790-1870* (Cambridge, Massachusetts: Harvard University Press, 2021).

Department, such as Ahyonwaeghs John Brant, Maera George Ironside Jr., or Connectico Joseph Brant Clench, however, did not guarantee that these individuals would represent the views of First Nations communities. Nor did it ensure that the broader empire would endorse or implement these views.

The question of how exactly the Upper Canadian Indian Department interfaced with First Nations more broadly is therefore a separate, though obviously related, question from the question of which individuals made up the Department. The goal in pursuing this line of inquiry is not to draw a firm line dividing the Indian Department from Indigenous communities; if anything, the following chapter should demonstrate yet more clearly just how inseparable they were. Members of the Indian Department, however, were not simply prominent members of local Indigenous communities. While their local prominence was often fundamental to their position, at the end of the day they were employed by the British Empire to further imperial interests, and Indigenous leaders who did not themselves hold a position in the ID often had to fight hard to ensure that the Department attended to their communities' needs, no matter who may have been their local superintendent. Employees of the Indian Department who were inclined to support the wishes of Indigenous communities had to work hard in their turn to influence their superiors in the imperial administration in order to ensure the adoption of the policies Indigenous peoples had requested or endorsed. Complicating all of this was the fact that First Nations communities were often divided regarding the best way of approaching relations with the wider empire, and opinions often changed as events took their course.

This chapter explores the question of Indigenous influence in the Indian Department in five sections. To begin, the first section examines the incorporation of the Indian Department into Indigenous communities in order to re-contextualizes the Department and its members from the

perspective of First Nations leaders and spokespeople. The second part examines the high importance that imperial administrators placed on employing in the Department men who possessed real influence among the First Nations of the region. Continuing from this imperial perspective, the third section investigates how Indigenous leaders were able to significantly influence the makeup of the Department's membership in order to suit their own interests. The fourth part of this chapter takes the themes of the earlier sections and examines them in the context of the Amherstburg branch of the Department in the tumultuous years 1814-1820. The final section assesses to what extent Indigenous influence in the Department actually had a tangible impact on furthering the wishes and protecting the interests of First Nations communities, such as securing their lands, subsistence, and other property from settler encroachments or maintaining their political position within the broader Empire.

“Defending Our Rights and Protecting Our Liberties”: The Upper Canadian Indian Department in Indigenous Contexts

Throughout its history, the Upper Canadian Indian Department was incorporated into Indigenous societies. As the previous chapter demonstrated, much of the Department's membership was made up of extended family networks that were rooted in Indigenous kinship. These family connections allowed the members of the department to be more fully integrated into the Indigenous communities where they lived. Where blood ties were missing, sexual partnerships, whether permanent, temporary, Christian, or *à la façon du pays*, could serve to create kinship, as did other processes such as adoption or god-parentage, demonstrated for example by the Haudenosaunee condolence ceremony held in honour of Ann Johnson Claus as discussed in a previous chapter.

The crucial importance of kinship to the relationship between members of the Indian department and First Nations communities in Upper Canada is perhaps best illustrated by the ceremony of adoption performed by the Six Nations of the Grand River to mark the first visit of the newly appointed superintendent general Henry Charles Darling in 1828. Since the 1750s, the Crown's representative among the Six Nations had always been well known to them, and all of them had obtained significant local influence previous to their appointment, namely Sir William Johnson, Guy Johnson, Sir John Johnson, John Butler, and William Claus. Darling's appointment broke with this tradition, and given that this newcomer had been appointed to the Department to replace both William Claus as deputy superintendent general and Sir John Johnson as superintendent general, the contrast with previous representatives of the British Crown must have been striking indeed.

The first meeting between the communities of the Grand River and Darling was therefore an opportunity for the Six Nations to place this newcomer into his proper position in Haudenosaunee society and to outline for him his duties and responsibilities. After the usual ceremonies of greeting, Chief Thomas Davis of the Mohawk addressed Darling, saying that the communities of the Grand River recognized him as the successor to their deceased father William Claus, "and according to the custom of Our forefathers we salute you and take you by the hand, most sincerely wishing you every happiness and rejoicing to see you at our Council Fire." While Davis expressed the Six Nations' happiness at Darling's appointment, the spokesman for the confederacy at the same time exhorted the new superintendent general "to be strong in defending our rights and protecting our liberties." Davis then continued, saying that "conformable to ancient usage we have agreed to give you a name, and in so doing request you will submit to the usual ceremony." Darling agreed to conform to their customs, whereupon Davis bestowed upon him the

name Roawantsgawagon, which the two translators (Benjamin Fairchild and John Brant) rendered as “The Land Protector.” Joseph, the principal chief of the Oneida, then took Darling by the hand “and conducted him through the ceremonies, which concluded with a general shaking of hands, after which the chiefs signified their readiness to proceed to business.”²⁰

Through this council of initiation, the Six Nations took an outsider and adopted him into their society.²¹ While this ceremony was intended to honour Darling, the speakers for the Confederacy made clear that this honour also came with responsibilities. These speakers made it clear that they expected Darling to serve the communities on the Grand River by protecting their rights and liberties. The name of Roawantsgawagon, The Land Protector, thus signified both Darling’s adoption into Haudenosaunee society and the role he was meant to perform. This remarkable ceremony thus combined both a traditional ceremony of adoption with a sort of initiation for their newly appointed superintendent. By submitting to these ceremonies, Darling in turn signified his acceptance of the terms upon which he was being welcomed into Haudenosaunee society. This did not mean, however, that Darling was instantly recognized as a capable diplomatic representative. After the ceremonies marking Darling’s adoption into the Six Nations and his initiation as superintendent, both the traditional ceremony of condolence and most of the business conducted at this council were carried out on the side of the Indian Department by James Givins and Joseph Brant Clench, assisted by the translators John Brant and Benjamin Fairchild, all of whom were well integrated into the longstanding networks of the Indian Department. This shows that while an outsider could be adopted into a broader political framework, the actual work of the

²⁰ Proceedings of a General Council of the Six Nations Held at the Mohawk Village, 3-4 July 1828, 23559-23561, vol. 45, RG10, LAC.

²¹ For similar adoptions, see Kayanesenh Paul Williams, *Kayanerenkó:wa: The Great Law of Peace* (Winnipeg: University of Manitoba Press, 2018), 349-350.

Indian Department was best carried out by individuals long-steeped in the traditions of Indigenous-Imperial diplomacy.

Confirmation that initiations similar to Darling's were common in the ID may have to await further archival research, but it seems likely that if the complete stranger Henry Charles Darling was adopted through the "the usual ceremony" that other members of the Indian Department whose relationships with the Six Nations were of much longer standing, such as John Butler or William Claus, would have also been adopted in this way. What is clear is that the practice of bestowing Indigenous names upon members of the Department was common, and many examples of such names exist in the Upper Canadian period. Sir John Johnson was known among the Six Nations as Owanoghison.²² His distant kinsman Joseph Brant Clench received the name Connectico from the Mohawk of the Bay of Quinte.²³ While the name bestowed upon William Claus is unclear, we know his father Daniel Claus was called Gora, and it would be difficult to believe that the younger Claus did not receive a similar appellation.²⁴ Among the Haudenosaunee in particular, the significance of giving and receiving new names went far beyond a matter of personal sobriquets. Naming and renaming was in fact one component that marked the adoption of outsiders into the kin networks of the Confederacy, as seen in the above case with Darling.²⁵ The very existence of Haudenosaunee names for men like Daniel Claus, Joseph Brant Clench, and Sir John Johnson strongly suggests that they too went through the same ceremony of adoption as did Darling.

As important as were these practises of giving and receiving new names in the Haudenosaunee adoption ceremony, the practice of granting Indigenous language names to Indian Department members existed in other communities in Upper Canada as well. Among the Wyandot,

²² Address of the Mohawk to Daniel Claus, 8 January 1784, 1, vol. 4, Claus Papers, MG19, LAC.

²³ Petition of the Mohawk and Mississauga at the Post of Kingston, (no date, 1835), 60389, vol. 59, RG10, LAC.

²⁴ Address of the Mohawk to Daniel Claus, 8 January 1784, 1, vol. 4, Claus Papers, MG19, LAC.

²⁵ See for example Williams, *Kayanerenkó:wa: The Great Law of Peace*, 392-396.

George Ironside Jr. was known as Maera, or Walk-in-the-Water. In one case, Ironside even signed his Wyandot name on a petition to the government when acting in his capacity as a Wyandot chief.²⁶ Long-time ID officer James Givins was known as The Wolf among the Mississauga.²⁷ The first deputy superintendent general of the Upper Canadian Indian Department, Alexander McKee, was known as the White Moose, and it was by this name that Indigenous peoples referred to him for many decades after his death.²⁸ As late as 1839, the Potawatomi chief Manitogabaowit called on the government to fulfill the promises that had been made by the White Moose more than forty years ago.²⁹

These names signaled the incorporation of Indian Department officers into First Nations societies, complete with the expectation that they would act in ways their Indigenous partners, considered appropriate.³⁰ This integration of members of the Indian Department into First Nations societies was perhaps most explicit in a number of cases where Indian Department officers were adopted into Indigenous communities as chiefs. The best documented of these cases is that of Maera George Ironside Jr., who after being dismissed from the Indian Department by Lieutenant Governor Francis Bond Head was adopted as a chief by the Wyandot community at Anderdon.³¹ To explain this decision, the Wyandot wrote that they desired to still “have a person at our head

²⁶ That this was Ironside’s name, often spelt by him as Ma Erie, can be pieced together by two Wyandot petitions, see Petition of the Wyandot to S.P. Jarvis, 16 October 1842, 71503, vol. 126, RG10, LAC; Petition of the Wyandot to Sir Francis Bond Head, 17 July 1837, 72125-72127, vol. 128, RG10, LAC. For additional evidence that this was indeed Ironside’s name, see Paul Kane, *Wanderings of an Artist among the Indians of North America, from Canada to Vancouver Island and Oregon through the Hudson’s Bay Company’s Territory and Back Again* (London: Longman, Brown and Green, 1859), 24.

²⁷ Minutes of a Council at the River Credit, 27-29 August 1818, 20575, vol. 35, RG10, LAC; Minutes of a Council Held with the Mississauga Nation at York, 28 February 1820, 21, vol. 12, Claus Papers, MG19, LAC.

²⁸ Billy Caldwell to Duncan Cameron, 10 August 1815, 18298-18299, vol. 31, RG10, LAC; Minutes of a Council with the Sauk, Renard and Chippewa, 12 July 1821, 21692, vol. 39, RG10, LAC.

²⁹ Speech of Manitogabaowit, June 1839, 81534-81536, vol. 142, RG10, LAC.

³⁰ For the importance of names in the multi-ethnic world of the Great Lakes, see Susan Sleeper-Smith, “Women, Kin, and Catholicism: New Perspectives on the Fur Trade.” *Ethnohistory* 47, no. 2 (2000): 423-452.

³¹ Another prominent example was that of Joseph Brant Clench among the Mohawk of the Bay of Quinte, see Petition of the Chiefs and Warriors of the Mohawk of the Bay of Quinte, 9 December 1836, 62201, vol. 63, RG10, LAC.

who is qualified and well disposed to act for us in all our affairs.” Nonetheless, support for Ironside’s appointment as chief was immediately a source of serious controversy among the Wyandot. The ensuing conflict has been cast in the existing historiography as a battle between “half-breeds” who favoured Ironside’s appointment and the full-blood Wyandot who opposed him.³² This was simply not the case, as the factions at Anderdon never broke down along these lines.³³ Ironside’s main opponent, Thomas Clarke, was in fact remarkably like himself. Thomas Clarke’s father was Thomas Alexander Clarke Sr., who was discussed at some length in Chapter Three, and thus Thomas Clarke could claim only one Indigenous grandparent while all indications suggest Ironside Jr. could claim two. Both Thomas Clarke’s and George Ironside Jr.’s fathers had been clients of Alexander McKee, and both their fathers had used this connection to rise to local prominence by building relationships with Indigenous peoples and by serving in the Indian Department. In fact, Thomas Alexander Clarke Sr. had himself been accepted as a chief among the Wyandot after his dismissal from the Indian Department following the War of 1812, although in Clarke’s case he was also married into the community thanks to his relationship with a daughter of chief Adam Brown, who in turn had himself been adopted into the Wyandot community when he was taken as a war captive from western Virginia during the Seven Years’ War.³⁴

While not as dramatic as cases of adoption, such as the one presented above, even the standard diplomatic practices of the Indian Department were calculated to blur the line between an officer employed by the imperial administration and a First Nations war or civil chief. Since its foundation in the 1750s, the membership of the Department had known that to effectively hold

³² See for example Telford, “How the West Was Won,” 328.

³³ It was the anti-Ironside faction that claimed the divide at Anderdon was between themselves as full-blooded Wyandot and their opponents as half-breeds, knowing that this claim would be effective in securing the support of British administrators. As was recognized by those opponents of this faction with actual knowledge of the community, this was not in truth the case, as both factions included individuals with a wide diversity of origins, see J.B. Clench to James Givins, 3 October 1835, 60006-60007, vol. 59, RG10, LAC.

³⁴ Peter Dooyentate Clarke, *Origin and Traditional History of the Wyandotts* (Toronto: Hunter, Rose, 1870), 38-39.

influence over Indigenous communities they needed to maintain good relationships with as many prominent chiefs as possible.³⁵ The confluence of chiefly and Departmental power can perhaps best be seen in the method adopted by the Indian Department to communicate with the nations at major diplomatic conferences. Rather than addressing a council through an interpreter, Indian Department officers would instead select a respected and influential chief to act as their spokesman. This chief would be briefed in advance, and then would present the speech essentially independently from the ID, being only occasionally prompted by an interpreter when necessary. The Department knew that the practice of employing designated orators who spoke on behalf of chiefs was an important custom among the Indigenous nations of northeastern North America, and therefore determined that “speeches so delivered will always have more influence than coming from an interpreter, being delivered in their own way.”³⁶ This meant that when the Indian Department presented important speeches, First Nations listeners did not hear the words of an Imperial agent or even an adopted newcomer, but rather the words of one of their own respected spokesmen.

While the tradition of employing particularly gifted orators to give speeches on behalf of chiefs, councils, or communities was well established among the Iroquoian nations of the Great Lakes, this practise was particularly prominent among the Anishinaabeg of the region.³⁷ Among these communities, an individual filling this role was known as a *mizhinawe*. Far from a simple

³⁵ See for example Sir William Johnson to the Lords of Trade, (no date, 1764), in *DCNY*, 7:663; Colonel Claus to Secretary Knox, 1 March 1777, in *DCNY*, 8:700-704.

³⁶ Instructions to Brigadier General Sir John Johnson, 6 February 1783, 22, vol. 116, Haldimand Papers, MG21, LAC. This tradition seems to have been particularly strongly codified among the Anishinaabeg of the region, but among the Iroquoians as well particular individuals who were not necessarily hereditary chiefs were valued for their oratorical skills, see Gilles Havard, *Great Peace of Montreal of 1701: French-Native Diplomacy in the Seventeenth Century*, Phyllis Aronoff trans. (Montreal: McGill-Queens University Press, 2014), 29.

³⁷ For reference to this tradition among the Iroquoian nations, see Gilles Havard, *Great Peace of Montreal of 1701: French-Native Diplomacy in the Seventeenth Century*, Phyllis Aronoff trans. (Montreal: McGill-Queens University Press, 2014), 21

messenger, this was a position of great importance that combined the functions of ambassador, administrator, negotiator, and aide-de-camp.³⁸ So closely did the practices of the Indian Department match the Anishinaabe tradition of employing a *mizhinawe* at diplomatic councils it seems as if the Indian Department simply adopted this practice wholesale. John Askin Jr. described how this process functioned in practice on Drummond Island in 1816, relating how the “famous orator” Assiginack was the chief spokesperson who addressed councils, with only occasional prompting from the ID interpreter Solomon.³⁹ Some 21 years later, the British traveller Anna Brownell Jameson noted that this same system still prevailed at the councils held on Manitoulin Island in 1837.⁴⁰ Nine years later still, George Ironside Jr. identified the practice of addressing councils through skilled speakers as an important element in his plan to maintain the traditional military role of the Indian Department in the aftermath of the reforms of 1845.⁴¹ All these cases bear striking testimony to the Indian Department’s adoption of Indigenous methods of diplomacy.

One final indication of the Indian Department’s place in Indigenous communities was that when threatened with the dismissal of their officers and interpreters, these communities made arrangements to use their own money to employ representatives to continue the Indian Department’s work. After Clench was dismissed by Sir Francis Bond Head in 1837, the Ojibwe and Munsee of the Thames proposed to the government that they appoint one of their friends among the settlers to look after their business.⁴² In their protest against the elimination of their interpreter and superintendent in 1838, the Six Nations regretted that they would now be compelled

³⁸ Alan Ojiig Corbiere “Anishinaabe Treaty-Making in the 18th- and 19th-Century Northern Great Lakes: From Shared Meanings to Epistemological Chasms,” (PhD diss., York University, 2019), 69-72. See also Cary Miller, *Ogimaag: Anishinaabeg Leadership, 1760-1845* (Lincoln: University of Nebraska Press, 2010), 83.

³⁹ John Askin to William Claus, 5 January 1816, 209, vol. 10, Claus Papers, MG19, LAC.

⁴⁰ Anna Brownell Jameson, *Winter Studies and Summer Rambles in Canada* (London: Saunders and Otley, 1838), 3:277.

⁴¹ Suggestions of Mr. Superintendent Ironside Relative to the Indian Forces, 10 March 1846, 49-51, vol. 271, RG8, LAC.

⁴² Deputation of the Chippewa Indians from Munsee Town, 13 October 1837, 64043, vol. 67, RG10, LAC.

to pay for an agent out of their own funds.⁴³ Alongside asking that Ironside Jr. continue to serve them in the capacity of a chief, the Wyandot petitioned the government in 1839 to allow them to employ Thomas Alexander Clarke Jr. as an interpreter in the Indian Department to help protect their lands.⁴⁴ After the government replaced the two superintendents and one interpreter who used to be permanently posted on the St. Clair River with one visiting superintendent after the reforms of 1845, the Anishinaabeg from the region petitioned the government asking permission to employ Henry Chase as a resident interpreter and trustee of their lands.⁴⁵

All of this demonstrates that the Indian Department was not external to Indigenous society, but instead was well integrated into the communities of Upper Canada. This does not mean that First Nations were always happy with the actions of the Department, nor were they content to passively allow the colonial administration to manage the Department in whatever way the government thought fit. Indigenous people could only have a working relationship with the ID as long as they had a meaningful level of influence over its membership and policies. For much of the Upper Canadian period, this was in fact the case, as the imperial administration in the Canadas likewise wanted to see real Indigenous influence in the Indian Department. It is to this subject we now turn.

“Intimately Known to the Nations”: The British Empire and Indigenous Influence

During the Upper Canadian period, the majority (but by no means all) of the imperial administrators who held some degree of power or influence over Indian affairs considered

⁴³ Proceedings of an Indian Council Held at the Mohawk Village on the Grand River, 15 September 1838, 64820-64839, vol. 69, RG10, LAC.

⁴⁴ Notes Taken in Council of the Wyandot Chiefs, 10 August 1839, 65992-65994, vol. 71, RG10, LAC.

⁴⁵ Petition of the Chippewa of the Chenail Ecarté and the River St. Clair, 15 September 1845, 5595-5596, vol. 122, RG10, LAC.

Indigenous communities less as a problem to be managed and more as an asset to be preserved in times of peace and mobilized in times of war. The governors and lieutenant governors along with the officers of the ID and their counterparts in the military were not in principle averse to employing coercion or applying pressure to ensure that this asset continued to play its assigned role in the imperial system of British North America. Coercion was an important part of the British Empire in early-modern Canada, and the Indian Department had as much potential to use coercion as any other branch of the colonial administration.⁴⁶ T.G. Anderson for example proposed in 1817 that annual presents should be withheld from those among the Potaganissing on Drummond Island who did not cultivate their own corn.⁴⁷ In a similar case, George Ironside Jr. threatened that all those Ojibwe on the River St. Clair who declined to settle in a proposed centralized settlement on the southern shore of Lake Huron would no longer receive presents.⁴⁸

While the above cases demonstrate that members of the ID sometimes advocated more coercive methods to carry out their objectives, rarely were such approaches adopted in practice. George Ironside Jr. was actually reprimanded for having made such threats.⁴⁹ The particular circumstances of Indigenous communities in the Great Lakes region into the 1830s and 1840s meant that the Empire's ability to enforce its will through force was strictly limited. The importance of maintaining Indigenous communities as willing allies, the threat of Indigenous warriors as potential enemies, the complication of the international border paired with American diplomatic efforts to sever the Indigenous-Imperial relationship, and the Empire's relative weakness and desire to administer its empire as cheaply as possible all meant that far more often

⁴⁶ Elizabeth Mancke, Jerry Bannister, Denis McKim, and Scott W. See, "Introduction," in *Violence, Order, and Unrest: A History of British North America, 1749–1876*, eds. Elizabeth Mancke, Jerry Bannister, Denis McKim, and Scott W. See (Toronto: University of Toronto Press, 2019), 3-16.

⁴⁷ Memorandum of T.G. Anderson, 23 February 1817, 19677-19678, vol. 34, RG10, LAC.

⁴⁸ James Givens to J.B. Clench, 26 May 1830, 4-5, vol. 499, RG10, LAC.

⁴⁹ James Givens to George Ironside Jr., 26 May 1830, 3, vol. 499, RG10, LAC.

these agents of empire had no viable alternative but to rely on persuasion and diplomacy to secure these communities in the broader imperial system. As Daniel Claus explained at the start of the American Revolutionary War, Indigenous nations “consider themselves a free and independent people, liable to no subjection or subordination and consequently must be managed and ruled, either by persuasion or influence.”⁵⁰

Throughout the Upper Canadian period, the imperial administration largely followed the advice of Daniel Claus and strove to ensure that the individuals appointed to superintend Indigenous communities were men “who have influence over their minds and actions.”⁵¹ As long as securing the services of warriors in war remained one of the principle goals of the Indian Department, the officers and interpreters who made up its membership had to be able to muster these warriors to the cause of the Crown. When the communities under the superintendency of John Askin Jr. at Amherstburg protested against the high-handed language of their superintendent, they warned the imperial administration that “in the event of another war John Askin will have but few to follow him because he does not deserve their confidence.”⁵² Accordingly, the possession of influence with Indigenous communities was one of the most important assets an individual could have for securing employment in the Indian Department. As Lieutenant Governor Gore argued in 1808, the Empire’s Indigenous allies could only be led by those who were “experienced in their affairs, and intimately known to the nations over whom the utmost personal influence is necessary to regulate their conduct in peace or war.”⁵³ Governor General Kempt echoed this claim in 1829 when he explained to the Secretary of State for War and the Colonies that only by gaining

⁵⁰ Colonel Claus to William Knox, 1 March 1777, in *DCNY*, 8:700-704.

⁵¹ Lieutenant Colonel Maule to Lieutenant Colonel Addison, 10 August 1816, 362-363, vol. 260, RG8, LAC.

⁵² Proceedings of an Indian Council Held at Amherstburg, 31 August 1819, 20911, vol. 36, RG10, LAC.

⁵³ Francis Gore to Edward Cooke, 16 September 1808, vol. 311, Q Series, C.O. 42, MG11, LAC.

influence in time of peace could an officer of the Indian Department expect to lead warriors in times of war.⁵⁴

The archive of the ID clearly demonstrates that individuals who could plausibly claim personal influence with First Nations communities were far more likely to secure employment in the Department. A few prominent cases will serve to demonstrate this tendency. In the aftermath of the Chesapeake incident and the lead up to the War of 1812, Sir John Johnson wrote a lengthy dispatch suggesting that at Amherstburg Matthew Elliott should be reappointed and Thomas McKee should be retained because of their influence in that region, and that John Johnston should be appointed on the upper lakes for the same reason.⁵⁵ In 1817, William Claus managed to retain George Ironside Sr. on the peace establishment of the Department through an appeal to his, or more accurately his family's, influence. Claus argued that Ironside was too valuable an asset for the Department to lose since he was "married to a Shawnee woman and has a very large family by her, who after the death of Tekumthe's sister became the principle woman of her nation and has much influence among them."⁵⁶ Sir John Colborne appointed William Jones superintendent on the St. Clair River in 1830 because of his long association and influence with the region's Ojibwe communities.⁵⁷ J.W. Keating secured his permanent appointment as assistant superintendent on the St. Clair River in 1839 because of his influence with the same communities. When arguing for his retention in the Department, Chief Superintendent S.P. Jarvis argued that not only did Keating's knowledge of Anishinaabemowin and his long residence among First Nations communities recommend him for the position, but "being married to an Indian Woman has become very

⁵⁴ James Kempt to George Murray, 16 May 1829, in *Papers Relative to the Aboriginal Tribes in British Possession* (London: House of Commons, 1834), 90-91.

⁵⁵ Sir John Johnson to William Claus, 11 December 1807, 800-803, vol. 2, RG10, LAC.

⁵⁶ Letter of William Claus, 28 June 1817, 19951, vol. 34, RG10, LAC.

⁵⁷ Extract of a Dispatch from Sir John Colborne to the Secretary of State, 13 October 1830, 68-69, vol. 270, RG8, LAC.

generally known among them and has acquired a very considerable degree of influence.”⁵⁸ Other cases demonstrate how a perceived lack of influence excluded others from securing or maintaining their position in the Department. Lieutenant Colonel Robert McDouall, the commanding officer at Michilimackinac and Drummond Island from 1814-1816, argued that despite the heroic actions of Indian Department Captain Robert Livingstone during the War of 1812, he could be excluded from the peace establishment of the upper lakes since he did not possess “the slightest influence” among the nations of the region.⁵⁹ An individual’s influence could even be mobilized after that person’s death in order to secure support for their family. In her successful petition for a pension following the death of Thomas McKee Jr., Theresa Askin McKee made sure to highlight that her deceased husband “possessed a great influence with the Western Indians, as much from his hereditary claim and intimate knowledge of their language and manners, as by his unbounded liberality in relief of their wants at the charge of his private fortune.”⁶⁰

The case of Ahyonwaeghs John Brant clearly demonstrates the importance certain administrators placed on employing individuals who were of consequence among Indigenous communities. During the War of 1812, Brant had gained distinction fighting alongside his warriors as a captain in the Indian Department. With the return of the peace, Sir John Johnson recommended that Brant be retained on the peace establishment in order that he might use his influence to “strengthen and promote his Majesty’s interest” among the communities on the Grand River. In particular, Johnson hoped that Brant could help temper disappointment over the terms of the 1814 Treaty of Ghent, and help to keep disruptive pretenders like John Norton in their proper place.⁶¹ While he was retained in the initial reduction of 1815, his relative youth at the age of just 22 meant

⁵⁸ S.P. Jarvis to John Macaulay, 15 April 1839, 126, vol. 503, RG10, LAC.

⁵⁹ Robert McDouall to Military Secretary Foster, 25 February 1816, 125-130, vol. 260, RG8, LAC.

⁶⁰ Petition of Theresa McKee, 9 February 1815, 33-34, vol. 258, RG8, LAC.

⁶¹ Sir John Johnson to William Claus, 25 February 1815, 162, vol. 10, Claus Papers, MG19, LAC.

that he was not retained when a further reduction took place in 1816. Nonetheless, Brant continued to be viewed as a person of great influence by the ID and the government, and his appointment as superintendent on the Grand River was one of the key elements of Governor General Dalhousie's plans to strengthen the Empire's alliance with Indigenous peoples in Upper Canada and throughout the Great Lakes borderland.⁶² Brant was eventually appointed superintendent on the Grand River in 1828, a position he continued to hold until his death in the cholera epidemic of 1832.

The government's efforts to secure the employment of the prominent Odawa leader Jean-Baptiste Assiginack in the Indian Department presents another clear example of the importance the imperial administration placed on retaining men who held influence within Indigenous communities. During the War of 1812, Assiginack was among the most active warriors fighting the Americans, taking part in battles on the Niagara frontier and the upper Great Lakes, and just before the return of peace Assiginack was appointed as an interpreter in the Indian Department on the upper Great Lakes. In order both to attach Assiginack more closely to the Empire and to elevate his own prestige among the communities of the upper Great Lakes, on the special order of Governor General Dalhousie Assiginack was presented with a large medal, a flag, and two silver armbands in the summer of 1821 to demonstrate that he had been declared a "Grand Chief" by the imperial administration. In addition to these symbolic markers of his influence, Assiginack was granted his own personal annual issue of presents, consisting of four blankets, 23 yards of textiles, six pounds of tobacco, fishing equipment, sewing thread, and a "chiefs hat."⁶³ So great was the stock placed in the Odawa leader's influence that when on September 22, 1827, Assiginack announced his intention to resign from the ID and return to Arbre Croche, it caused concern as far away as the office of the Governor General in Quebec. While T.G. Anderson and Assiginack

⁶² Dalhousie to Bathurst, 20 April 1827, 76-83, vol. 179, Q series, C.O.42, MG11, LAC.

⁶³ William McKay to William Claus, 10 August 1821, 21753-21755, vol. 39, RG10, LAC.

himself stressed that the move was for personal reasons, Dalhousie worried that American influence could have been behind the decision, and so the governor ordered an investigation into the matter.⁶⁴ After three months passed without news from Upper Canada, military secretary Darling wrote a second letter on behalf of Dalhousie to the senior ID officer in Upper Canada James Givins, stressing that Assiginack's resignation was a subject "to which I request your immediate attention."⁶⁵ Assiginack's absence did not last long, as less than a year later he expressed regret to Anderson for having left.⁶⁶ In 1830, Assiginack returned to the British side of the Great Lakes borderlands, and T.G. Anderson immediately recommended he be reappointed to the ID. Aside from it simply being "good policy", Anderson argued that Assiginack's reinstatement "would blow aloud into the ears of the natives that faithful children are ever cherished by their Great Father the King."⁶⁷ According to Anderson's wishes, Assiginack was reemployed in the Indian Department where he continued to work until his final retirement in 1849.

While Imperial administrators were keen to employ men of influence, this does not mean that they always correctly judged who such individuals might be. Just because someone's claim to influence with an Indigenous community was recognized by the government did not mean that they actually possessed such influence in reality. Since these claims could be critical in securing material gain, potential employees and pensioners had every motive to exaggerate their intimate connections with First Nations. The importance the administration placed on employing men of actual influence meant, however that any indication that the members of the Indian Department

⁶⁴ For Assiginack's resignation, see Copy of Interpreter Assiginack's Resignation, 22 September 1827, 23411-23412, vol. 44, RG10, LAC; T.G. Anderson to James Givins, 4 October 1827, 23409, vol. 44, RG10, LAC. For the order to investigate, see H.C. Darling to James Givins, 19 December 1827, 23462-23463, vol. 44, RG10, LAC.

⁶⁵ H.C. Darling to James Givins, 15 March 1828, 23497-23498, RG10, LAC.

⁶⁶ T.G. Anderson to James Givins, 11 June 1828, 23543, vol. 45, RG10, LAC.

⁶⁷ T.G. Anderson to James Givins, 3 May 1830, 24003, RG10, LAC.

lacked such influence would be taken seriously. Indigenous peoples therefore had substantial power to expose “persons pretending to influence among the Indian tribes” and remove undesirable employees from the Department.⁶⁸ At the same time, an endorsement from an Indigenous community or prominent Indigenous leader could play a substantial role in securing an appointment or maintaining a position in the ID. It is to the influence of Indigenous peoples in the Indian Department that we now turn.

“Why Should We Not Look for Our Father’s Favor?”: Indigenous Influence in the Upper Canadian Indian Department

Just as the empire sought to ensure that the Indian Department enjoyed a meaningful level of influence among First Nations communities, these communities were eager to secure their own influence in the Indian Department. The Indian Department had a substantial impact on the lives of Indigenous people on both sides of the recently established international border, and therefore the members who made up the ID, along with their policies, their family ties, their friendships, their religious affiliations, and their patron-client networks, mattered enormously to Indigenous individuals. The desire of Indigenous communities and leaders to secure their influence in the Indian Department has not received much attention in the existing literature, which tends to view the Department as an instrument of British Indian Policy rather than a co-created network serving both imperial and Indigenous ends. The archive of the Department is, however, full of Indigenous petitions requesting that certain people might be appointed to their department.

In many cases, these requests did not result in the desired appointment. The Wyandot for example petitioned at different times in the period immediately following the War of 1812 to have Joseph Drouillard, Samuel Saunders, John Clarke, or Isaac Walker appointed as an interpreter for

⁶⁸ This quote comes from John Norton, see John Norton to Lieutenant Colonel Addison, 8 May 1819, 204, vol. 261, RG8, LAC.

their nation.⁶⁹ The Moravian leader Joseph Jacob speaking on behalf of all three divisions of the Lenape in Upper Canada (Moravian, Munsee, and Delaware), likewise informed the British at a council at Amherstburg on June 22, 1816, that they were without interpreters or officers. They requested that William Elliott might be re-appointed to look after them, explaining that Elliott “has always been amongst us. He is a young man and we should like our Great Father at Quebec to send him back to us. We are sorry our Father threw him on his back after he had put him on his feet. We are all fond of him.” Jacob explained that the three Lenape communities expected this as a reward for their services in the recent war, saying “we think we have done more than other Nations have done, and why should we not look for our Father’s favor?”⁷⁰ In 1835, 1836, and 1849, the Mohawk of the Bay of Quinte, who had been without their own branch of the Indian Department since 1822 and consequently continuously exposed to increasing settler encroachments, petitioned to have their own officer of the ID permanently based in their community.⁷¹ Following the reforms of 1845, the Ojibwe of Snake Island unsuccessfully petitioned against the transfer of T.G. Anderson from Manitoulin Island to the newly created position of visiting superintendent of the central district. Among other things, they blamed Anderson for “the crooked words he spoke in the ears of our father the Governor Sir F.B. Head,” a reference to the bitter betrayal that led to their forced expulsion from the settlement at the Narrows in 1836.⁷²

⁶⁹ Proceedings of a Council Held at Amherstburg, 19 June 1816, 16108, vol. 27, RG19, LAC; George Ironside to William Claus, 25 November 1820, 21499-21500, vol. 38, RG10, LAC. It seems that Isaac Walker was the son of William Walker Sr. and brother of the more famous William Walk Jr. who became a prominent figure in Kansas Territory. William Walker Sr. had been a captive who was adopted into Wyandot society, see Charles Elliott, *Indian Missionary Reminiscences, Principally of the Wyandot Nation* (New York, Carlton and Porter, 1835), 170.

⁷⁰ Interpretation of a Council held at Amherstburg, 22 June 1820, 310, vol. 260, RG8, LAC.

⁷¹ Petition of the Mohawk of the Bay of Quinte, (no date, 1835), 60384-60386, vol. 59, RG10, LAC; Saltern Givins to James Givins, 27 October 1836, 61934-61937, vol. 63, RG10, LAC; Petition of the Mohawk of the Bay of Quinte, 27 March 1849, 6637, vol. 123, RG10, LAC.

⁷² Petition of the Chippewa of Snake Island, 22 October 1845, 5643-5645, vol. 122, RG10, LAC.

Often, however, the wishes of First Nations regarding the staffing of the ID were followed by the government. The appointment of Ahyonwaeghs John Brant as superintendent on the Grand River can be seen as one example. At a council in July 1828 with the recently appointed ID superintendent general Sir Henry Charles Darling, the spokesman for the confederacy, Joseph Oneida, let it be known that the current Tekarihogen nominated John Brant as his successor.⁷³ The following month, Brant was appointed ID superintendent on the Grand River, uniting for the first time the position of head of the local branch of the Indian Department with one of the chief civil positions of the Six Nations confederacy.⁷⁴ Following Brant's death in 1832, Lieutenant Governor Colborne declined to appoint anyone associated with the communities on the Grand River, and instead made a patronage appointment of James Winniett, a former army officer who had settled in Upper Canada after leaving the military. Since Winniett would require an interpreter to carry out his duties, the Six Nations were allowed to nominate someone to the post. Their selection was Jacob Martin, the son of the previous Mohawk interpreter George Martin, who continued to fill the position until the reforms of 1845.⁷⁵ On the St. Clair River, the representations of the Ojibwe of Walpole Island led to the dismissal of the interpreter Francois Xavier Cadotte in 1836, and after the death of his successor, another Ojibwe petition managed to secure the appointment of the Mississauga Methodist missionary George Henry as the new interpreter in 1837.⁷⁶ Even more minor appointments in their department were a matter of interest to Indigenous leaders. For

⁷³ Proceedings of a General Council of the Six Nation Indians Held at the Mohawk Village, 3-4 July 1828, 23574-23575, vol. 45, RG10, LAC.

⁷⁴ General Order, 2 August 1828, 23267, vol. 45, RG10, LAC.

⁷⁵ Petition of Jacob Martin, 21 June 1841, 4730, vol. 120, RG10, LAC.

⁷⁶ For Cadotte's dismissal, see William Jones to James Givins, 21 March 1836, 60874-60876, vol. 60, RG10, LAC. For the request to appoint George Henry, see William Jones to S.P. Jarvis, 8 September 1837, 63879, vol. 67, RG10, LAC. For the confirmation of Henry's appointment, see Extract of a Letter from Assistant Commissariat General Foote, 26 October 1837, 64064, vol. 67, RG10, LAC.

example, in 1815 the Tekarihogen of the Grand River recommended and secured the appointment of Ezra Hawley as the Department blacksmith to the Six Nations.⁷⁷

The years 1837-1839 proved especially fruitful in terms of successful Indigenous attempts to influence the membership of their Department. Sir Francis Bond Head's dismissal of four ID employees in the summer of 1837 was one important factor in instigating these representations. The Ojibwe of the Thames were the first to protest the Lieutenant Governor's decision. In October 1837, a deputation from this community informed the government that they regretted the dismissal of their old officer and that they had all been satisfied with him.⁷⁸ The Six Nations likewise represented to the government on at least two occasions their desire that both their superintendent James Winniett and their interpreter Jacob Martin be reemployed in the Department.⁷⁹ In 1839, the faction of the Ojibwe on the River St. Clair represented by the prominent leader Bauzhigeeshigwashekum petitioned to be allowed to retain as their permanent local superintendent J.W. Keating, who had been appointed to a temporary position to organize the warriors of the region in the context of the ongoing threat of raids across the U.S. border.⁸⁰ Similarly, the Wyandot and their allies on the Detroit River petitioned that Alexander Clarke Jr. might be employed as an interpreter in part to help organize the warriors in the context of the ongoing threats from American Territory.⁸¹ While it was far from the established policy of the metropolitan government to expand

⁷⁷ Proceedings of a Meeting with the Indians Residing at the Grand River, 12 November 1815, 18642-18643, vol. 31, RG10, LAC.

⁷⁸ Deputation of the Chippewa Indians from Munsee Town, 13 October 1837, 64043, vol. 67, RG10, LAC.

⁷⁹ Proceedings of an Indian Council Held at the Mohawk Village, 15 September 1838, 64832, vol. 69, RG10, LAC; Memorandum Taken at Brantford, 19 January 1839, 65324, vol. 70, RG10, LAC.

⁸⁰ J.W. Keating to S.P. Jarvis, 13 February 1839, 65406-65408, vol. 70, RG10, LAC. While the original petition from Bauzhigeeshigwashekum does not seem to have survived in the archive, its purport is clear from other documents that reference it, see for example S.P. Jarvis to John Macaulay, 15 April 1839, 126-127, vol. 503, RG10, LAC.

⁸¹ Notes Taken in Council of the Wyandot Chiefs, 10 August 1839, 65992-65993, vol. 71, RG10, LAC; George Ironside Jr. to S.P. Jarvis, 11 July 1840, 67943, vol. 74, RG10, LAC.

the ranks of the Indian Department, the administration in Upper Canada acceded to all of these requests.⁸²

Even when their representations were not successful, it was nonetheless clear that Indigenous voices had real power in determining the shape of the Department. This can be seen from the course of four high-profile complaints against senior Indian Department superintendents that took place between 1831 and 1844. The first was a complaint in 1831 against Joseph Brant Clench from the Tuscarora schoolteacher Aaron De Kaghtersore that Clench had stolen money that had been entrusted to him for safe keeping.⁸³ The second was a complaint by the chiefs Yellowhead and John Aisance against T.G. Anderson also in 1831. The two charges brought against Anderson were serious, namely that the superintendent had acted dishonorably during the War of 1812 and that he was currently accepting bribes from Indigenous clients in exchange for favourable treatment.⁸⁴ The third was a complaint by Wawanosh against William Jones in 1838, the nature of which is again unknown but was clearly also of a serious nature since Jones requested an official investigation into the matter in order to clear his name.⁸⁵ Finally, Wawanosh again spearheaded a number of complaints against John William Keating between 1841 and 1844 on a wide variety of issues, ranging from corruption, embezzlement, intemperance, and irreligiosity.⁸⁶

⁸² For the unwillingness of the metropolitan administration to expand the ranks of the ID, see the correspondence in 68842-68852, vol. 76, RG10, LAC; see also RAIC 1847, unpaginated, (page 8). For the retention of the four members dismissed by Lieutenant Governor Head, see James Winniett to John Macaulay, 19 September 1838, 64853, vol. 69, RG10, LAC; Memorial of George Ironside Jr., 6 April 1838, 71444-71446, vol. 126, RG10, LAC; John Macaulay to George Ironside Jr., 10 November 1838, 65011-65012, vol. 69, RG10, LAC. For the Appointment of J.W. Keating, see S.P. Jarvis to William Jones, 27 April 1839, 137, vol. 503, RG10, LAC. For the appointment of Thomas Alexander Clarke Jr., see George Ironside Jr. to S.P. Jarvis, 11 July 1840, 67943, vol. 74, RG10, LAC.

⁸³ J.B. Clench to John Brant, 28 January 1831, 54060-54062, vol. 47, RG10, LAC.

⁸⁴ T.G. Anderson to James Givins, 20 January 1831, 54069-54072, vol. 47, RG10, LAC.

⁸⁵ William Jones to S.P. Jarvis, 31 August 1838, 64770-64771, vol. 69, RG10, LAC.

⁸⁶ For an outline of these accusations, see Telford, "The Nefarious and Far-Ranging Interests of Indian Agent and Surveyor John William Keating, 1837-1869," 372-376.

While none of these complaints led to a dismissal, all of them were taken seriously by the administration and the accused. Both Clench and Keating faced official investigations regarding their actions. From the response of all four accused Indian Department officers, it was clear that they understood that the outcome of such complaints could be the termination of their employment.⁸⁷ What is more, the ability of these superintendents to mobilize the support of Indigenous partners and allies seems to have been an important contributing factor to surviving the complaints made against them. Joseph Brant Clench was defended by his distant kinsman, John Brant, who testified against the character of his accuser Aaron De Kaghtersore and otherwise defended Clench.⁸⁸ In the case of T.G. Anderson, it seems that the superintendent was able to come to an uneasy understanding with the two Ojibwe chiefs, who in a public council withdrew their complaints towards Anderson and offered to sign a paper confirming that they would never again ask for his dismissal.⁸⁹ On the St. Clair, Bauzhigeeshigwashekum, who for his own reasons was a staunch opponent of Wawanosh, sent a counter-petition to the one complaining of William Jones saying that his faction was in fact happy with their current superintendent.⁹⁰ Like William Jones, Keating was also able to mobilize a large number of community members who likewise opposed Wawanosh for their own reasons, and accordingly backed the retention of the superintendent.⁹¹

⁸⁷ In addition to the above citations, for the case of Clench, see R.I. Routh to Sir John Colborne, 24 January 1831, 54080-54081, vol. 47, RG10, LAC.

⁸⁸ Affidavit of John Brant, (no date, 1831), 54557-54560, vol. 47, RG10, LAC.

⁸⁹ T.G. Anderson to James Givins, 2 February 1831, 54128-54131, vol. 47, RG10, LAC. Despite this partial reconciliation, the relationship between T.G. Anderson and Aisance remained especially bitter. This bitterness likely contributed to the petition in 1845 not to have T.G. Anderson reappointed as visiting superintendent for the communities who lived at Coldwater and the Narrows. Even if this reconciliation was far from complete, this affair demonstrates the importance Anderson placed on not having active complaints against him.

⁹⁰ Speech of Pashekishequeshkum, A Chief of Walpole Island, to William Jones, 12 October 1838, 64915, vol. 69, RG10, LAC. In this same speech, Bauzhigeeshigwashekum laid out all his reasons for opposing the recent actions of Wawanosh.

⁹¹ See for example Petition of the Chiefs and Young Men of the Ojibway Tribes Resident at the Sable, Sarnia, and Walpole Island, 4 January 1841, 68694, vol. 76, RG10, LAC. The support the Keating's Mississauga interpreter George Henry was also important to his defence, see Affidavit of George Henry, 10 June 1844, 81490-81492, vol. 142, RG10, LAC.

The influence of Indigenous communities in the staffing of the Indian Department was somewhat strengthened with the introduction of the practice of using Indigenous annuity funds to pay for services that would have previously been provided out of the Imperial parliamentary grant. As outline above in Chapter Two, these annuity funds were never completely at the disposal of the communities to whom they ostensibly belonged, but rather their payment was in theory dependent on the mutual agreement of local First Nations leaders, the Indian Department superintendents, and the lieutenant governor's office. While in practice this meant that the use of these funds was severely constrained, access to their annuities nonetheless meant the First Nations communities could not only request that a particular person be appointed to a particular post or employed to do a particular job, but that they could also offer to pay for these services out of their own funds. It was on this basis that Paul Darling was appointed surgeon to the communities at Coldwater and the Narrows after having provided medical care during the Cholera epidemic of 1832.⁹² Charles Anderson was reappointed superintendent of the eastern Mississauga in 1838 on the same terms.⁹³ Throughout the 1830s and early 1840s, First Nations annuities paid for the employment of contractors, labourers, teachers, farmers, and surgeons.⁹⁴ These annuities also allowed the communities who received them to remunerate their own leadership. By 1841, five prominent First Nations leaders were receiving modest salaries from their communities' annuity payments on

⁹² T.G. Anderson to James Givins, 8 July 1833, 57683, vol. 54, RG10, LAC. The same framework existed in selecting Dr. Darling's replacement after he was transferred to the new establishment at Manitoulin in 1836, see Letter of S.P. Jarvis, 18 September 1838, 64964, vol. 69, RG10, LAC.

⁹³ Charles Anderson to S.P. Jarvis, 15 June 1838, 64555-64556, vol. 68, RG10, LAC. For the Mississauga petitions to appoint Anderson, see Petitions of the Mississauga to Sir George Arthur, 1 June 1838, 64534-64538, vol. 68, RG10, LAC.

⁹⁴ See for example Account of Pay Due to the Undermentioned Person Employed by the Indians of Lakes Huron and Simcoe from the 1st November to the 31 December 1834 Inclusive the Amount of Which is Chargeable to their Land Payments, 13 February 1835, 59190-59195, vol. 57, RG10, LAC; Sums paid by the Commissary General Sir R.I. Routh from 1st April to 30th September 1841 in Payment for Lands Ceded to the Crown by Indians, 30 September 1841, 69439-69443, vol. 77, RG10, LAC.

account of the services these leaders rendered their people.⁹⁵ While the fact that their annuities paid for all these individuals did not mean that Indigenous communities had complete control over who was employed and how their money was spent, it did provide an extra layer of influence in the management of their department.

“Consulting the Wishes of those Faithful Allies”: The Case of the Amherstburg Superintendency, 1814-1820

The situation of the southwestern branch of the Indian Department in the final year of the War of 1812 and the years immediately following the return of peace illustrates the complicated forces that worked to determine the membership of the Indian Department. During these years, not only did the Empire have to scramble to find a fitting superintendent for the important nations of the Detroit and Ohio River regions, but Indigenous leaders themselves had to fight to ensure the leadership of an individual who not only would reflect their influence but also attend to their needs during an extremely difficult period of warfare, exile, famine, and sickness. What is more, the speeches and councils that took place to resolve these issues clearly illustrate just to what extent the networks of the Indian Department were rooted in the Indigenous communities of the region.

On May 7, 1814, the influential superintendent Matthew Elliott died at the head of Lake Ontario after an illness of some four months.⁹⁶ The nations of the southwest held a council immediately following Elliott’s funeral in order to raise up his successor, with one speaker suggesting Major Thomas McKee and another Captain Billy Caldwell.⁹⁷ While neither of these men were selected by the government, the eventual appointment of William Caldwell, Billy Caldwell’s father and a one-time captain in the Indian Department during the American

⁹⁵ Sums paid by the Commissary General Sir R.I. Routh from 1st April to 30th September 1841 in Payment for Lands Ceded to the Crown by Indians, 30 September 1841, 69439-69443, vol. 77, RG10, LAC.

⁹⁶ Reginald Horsman, *Matthew Elliott, British Indian Agent*, (Detroit: Wayne State University Press, 1964), 217-219.

⁹⁷ James Givins to William Claus, 11 May 1814, 16862, vol. 28, RG10, LAC.

Revolutionary War, was only made on the understanding that the elder Caldwell also commanded great influence among the nations of the southwest.⁹⁸ This influence was the only reason Caldwell secured the appointment, as he was otherwise widely considered to be an incompetent officer, a “perfect idiot,” and “not by any means a fit person for the Head of the Department in that quarter.”⁹⁹ Thus when a delegation from the southwestern nations arrived at Kingston a little over a year after Caldwell’s appointment to represent to the government that the recently appointed superintendent no longer enjoyed their support, the Governor General conceded the “necessity of consulting the wishes of those faithful allies by the nomination of another gentleman as superintendent at Amherstburg in the room of Colonel Caldwell.”¹⁰⁰ Accordingly, William Caldwell’s son, Billy Caldwell, was temporarily appointed in his place as acting superintendent.¹⁰¹

While William Claus had only contempt for Caldwell’s capacity, the Deputy Superintendent General was suspicious of this seeming reversal in the support of the southwestern nations. He accordingly dispatched Shononghese George Martin, who was his interpreter and unofficial lieutenant among the communities of the Grand River, in order to investigate this change of heart. After speaking with two influential Wyandot leaders on the Detroit River, Martin reported back that the delegation to Kingston was hardly as unanimous as it seemed and was in large part a product of the ongoing personal quarrel between the military commander at Amherstburg Lieutenant Colonel James and the influential Caldwell family. More interestingly, his inquiry also revealed something about the foundation of Caldwell’s influence among the southwestern nations.

⁹⁸ For proof that Caldwell’s influence with the nations was a deciding factor in his appointment, see among other documents Gordon Drummond to George Prevost, 3 May 1814, 250, vol. 257, RG8, LAC; Memorial of William Caldwell, 19 May 1814, 260, vol. 257, RG8, LAC; George Prevost to Gordon Drummond, 9 May 1814, 118, vol. 1222, RG8, LAC.

⁹⁹ William Claus to John Johnson, 14 February 1815, 17717, vol. 30, RG10, LAC; William Johnson Kerr to William Claus, 8 December 1815, 16576, vol. 28, RG10, LAC.

¹⁰⁰ Military Secretary to William Claus, 14 October 1815, 18522, vol. 31, RG10, LAC.

¹⁰¹ District Order, 21 October 1815, 18554, vol. 31, RG10, LAC.

Martin reported that the Wyandot chief Split Log explained that he himself had not participated in the delegation to Kingston “because it was agreed between Col. Elliot and Capt. McKey and Simon Girty and Col. Caldwell and Chiefs of all the Western Indians that when ever trop of one of them one of these will be but into the place [sic].”¹⁰² This statement suggests that a line of succession, or at least a pool of acceptable candidates, had already been agreed upon between the family networks of the southwestern Indian Department and the local nations prior to the death of Matthew Elliott. Subsequent events demonstrate that local Indigenous leaders did indeed have a clear idea of who could be an acceptable appointment to the Indian Department.

Billy Caldwell inherited his father’s feud with Lieutenant Colonel James, and the enmity between the two men was only heightened by the commanding officer’s displeasure that “a Person of Captain Billy Caldwell’s description should be invested with the power, in fact, of directing the Commandant of this district.”¹⁰³ In the context of the continued uncertainty around who would be permanently appointed as the head of the southwestern branch of the Indian Department, the communities of the region held two councils in February 1816 to make clear their own views on this important question. The Shawnee held their council over two days on February 19 and 20. On the first day, the women of the nation addressed a speech to Billy Caldwell expressing their support of his appointment, saying “we were all very glad that you were the person [appointed superintendent] as you are of our own flesh and blood.” The women reminded Billy Caldwell of the importance of Indigenous support in securing his appointment to the Indian Department, saying “Father, it was us who brought you forward and set you upon your feet. We will stand by you and

¹⁰² George Martin to William Claus, 6 December 1815, 18720, vol. 31, RG10, LAC. Martin does not name the second Wyandot chief but mentions that he was “a big chief him that receive the presents at Burlington.” While it is not clear exactly who this might be, Isidore Chêne was certainly a major Wyandot chief allied with the British who was at the Head of the Lake.

¹⁰³ Lieutenant Colonel James to Military Secretary Major Foster, 23 February 1816, 105-106, vol. 260, RG8, LAC.

assist you to stand up.” The Shawnee women then gestured to the other prominent members of the Indian Department family networks who attended the council alongside Billy Caldwell, namely Matthew Elliott Jr., Alexander McKee Jr., and Alexander Ironside, and expressed their approbation that these were the men “who are to remain in charge of us,” adding that “we are sure they must attend to us and take care of us as they are part of ourselves.”¹⁰⁴ In a speech immediately following the talk given by the women, Tenskwatawa, the Shawnee Prophet, echoed these sentiments about the proper composition of the Indian Department, saying “you are now all present (pointing to Captains B. Caldwell, Elliott, and McKee, and Alex. Ironside). We expect as you are our flesh and blood you will always listen to us and take care of us, and if one should be gone another will stand in his place.” On the second day of the council, the Prophet again spoke about the relationship between the Indian Department and the Shawnee, saying to those assembled that “you are the same as ourselves, if one of us fall another is put in his place, so that we expect always to have someone to take care of us.” The civil chief the Shawnee King echoed these sentiments in his own speech, saying “we return thanks to our Great Father for having put one of ourselves [Billy Caldwell] at the Head [of the Indian Department].” The Shawnee King added that “we are also well pleased that the other Captains McKee and Elliott are to remain in charge of us, also Young Ironside making the fourth.”¹⁰⁵

The Wyandot, Ojibwe, Odawa, and Potawatomi held their own council four days later. The unnamed speaker of the four confederated nations addressed their words directly to Deputy Superintendent Claus in order to remind him that the British had promised never to “do anything in Indian Affairs without first consulting with the four nations who keep the council fire.” The

¹⁰⁴ Speech of the Shawnee Women, 19 February 1816, 18835-18840, vol. 32, RG10, LAC. It is unclear who actually gave this speech, but from the final line of the text, “I have made this speech by desire of our mothers and our women,” it seems likely that it was delivered by a male spokesperson.

¹⁰⁵ Record of a Council at Amherstburg, 19 February 1816, 18831-18834, vol. 32, RG10, LAC.

speaker explained how the southwestern nations had never really wanted to get rid of the elder Caldwell, but that they had been convinced to dispatch their delegation to Kingston in 1815 by “the Bad Birds who stop here today and away tomorrow,” surely a reference to itinerant military commanders such as Lieutenant Colonel James. The speaker explained that now the nations wanted the elder Caldwell reappointed as their superintendent, and that Caldwell’s appointment was important for the social well-being of the confederated nations, “for if he fall, [a] number of our sober chiefs will fall with him.” While it is possible that this last statement was an exaggeration, it nonetheless suggests the important implications the membership of the Indian Department had on wider Indigenous leadership within the alliance system. The claim that the fates of Caldwell and “our sober chiefs” were conjoined is a powerful regarding the firm integration of Indian Department members into the wider leadership structures of the communities in the region. The speaker for the assembled nations concluded by explaining that the approval of the nations was critical for any appointment to their department, saying “we know very well that you can find great men, but you cannot find them all our friends.”¹⁰⁶

Two other councils that took place in the summer of 1816 reiterated the same central ideas as the February meetings. At a gathering of seven nations of the southwest (Wyandot, Ojibwe, Odawa, Potawatomi, Shawnee, Kickapoo, and Munsee) on June 19, the Wyandot chief Isidore Chêne reiterated how happy the nations had been when they heard that the government “was going to lift Colonel Caldwell on his feet and put him in the place of Colonel Elliott.” He then expressed their discontent that William Caldwell had been removed, and related how Caldwell, Alexander McKee, Matthew Elliott, and Simon Girty were their old friends from the last American war.¹⁰⁷

¹⁰⁶ Speech from the following Nations of Indians, 24 February 1816, 18842-18845, vol. 32, RG10, LAC. The copy made out by Billy Caldwell was signed by three civil chiefs and three war chiefs.

¹⁰⁷ Proceedings of a Council Held at Amherstburg, 19 June 1816, 307, vol. 260, RG8, LAC.

At another council on July 13, the Wyandot chiefs spoke on behalf of nine nations (Wyandot, Ojibwe, Odawa, Potawatomi, Shawnee, Kickapoo, Delaware, Munsee, and Miami). An unnamed speaker explained that in years past they had only a certain number of friends at Amherstburg who they could trust, all of whom were now dead other than William Caldwell. They explained how Caldwell “has been in former wars on many expeditions with us,” adding that “we have always found him to be a warrior and the friend of the Indians.” The speaker said that the complaints made against Caldwell in the summer of 1815 by the delegation to Kingston had been without their general consent, and they insisted that personal enmity was the reason that Caldwell had been removed, rather than actual discontent.¹⁰⁸

Despite these representations, neither William Caldwell nor his son Billy Caldwell were selected as the permanent head of the southwest Indian Department. Instead, John Askin Jr., the son of one of the most prominent merchants in the Detroit region and an unknown Indigenous woman, was confirmed as the new superintendent at Amherstburg on December 28, 1816.¹⁰⁹ While the Askin family was prominent in the Detroit region, John Askin Jr. himself had spent the entirety of his career with the ID on the upper Great Lakes, and consequently had much deeper ties with the more northerly Anishinaabeg than the communities of the Detroit River region and the Ohio Country. Significantly, his name had not been mentioned in any of the councils since the death of Matthew Elliot in 1814 on the subject of his successor. Askin’s exclusion from the key networks of the region paired with his high-handed treatment of the local communities meant that some two

¹⁰⁸ Speech of the Huron Chiefs on behalf of Themselves and the Other Nations, 13 July 1816, 292, vol. 260, RG8, LAC.

¹⁰⁹ General Order, 28 December 1816, 10918, vol. 12, RG10, LAC.

years after his appointment, the southwestern nations petitioned Governor General Richmond for his removal.¹¹⁰

In their petition, the Wyandot, Shawnee, Ojibwe, Odawa, Potawatomi, Sauk, Fox, Kickapoo, Delaware, Munsee, and Miami wrote that though the matter of their superintendent might appear of little value to the government “it is a serious matter to the English Red Children.” They explained that “their English Father has number of years back had chosen men of influence among your Red children [sic]”. The petition stated that the nations had been happy when men like Elliott and Caldwell had been appointed, but that Askin’s superintendency “began bad, and it is now getting worse and worse.” The petitioners explained that the governors had “always told us that if we were displeased with the Superintendents that he must be informed immediately, so as to enable him to appoint another.” Now they wished to exercise this power, and requested that William Caldwell, “a particular friend and well esteemed by all your children” be re-appointed superintendent in Askin’s place.¹¹¹

While Claus was ordered to investigate this affair following similar complaints made in council to the commanding officer at Amherstburg in August 1819, the entire conflict between the nations and John Askin Jr. was cut short when the superintendent died January 1, 1820.¹¹² William Caldwell, who by this point in time was approximately 70 years old and only two years away from his eventual death in 1822, was never a viable option as far as the government was concerned. Accordingly, George Ironside Sr., a one-time protégé of Alexander McKee and an ID employee since 1795, instead got the position. Upon his death in 1830, his son George Ironside Jr. took over

¹¹⁰ For an example of Askin’s high-handed treatment, see Minutes of a Council Held at Amherstburg, 4 July 1817, 19970-19973, vol. 34, RG10, LAC.

¹¹¹ Petition to His Grace the Duke of Richmond, 20903-20912, vol. 36, RG10, LAC.

¹¹² For the order to investigate Askin, see Military Secretary George Bowles to William Claus, 17 November 1819, 20991, vol. 36, RG10, LAC.

the position and continued to serve as superintendent at Amherstburg until the post was abolished in the reforms of 1845. The 25-year tenure of the two Ironsides meant that, except for the three years that John Askin Jr. was superintendent, during the entire period from 1779 to 1845 the southwestern Department was headed by a member of one of the four families identified by the Shawnee in the council of February 1816, namely the McKees, the Elliotts, the Caldwells, and the Ironsides.

The years 1814-1820 represent a chaotic period in the southwestern branch of the Indian Department. Out of this chaos, however, it is possible to see not only to what extent Indigenous people could influence the selection of their superintendent, but also how important this selection was. This period also reveals just how deeply the Indian Department network was rooted in the Indigenous communities of the region, and just how enduring these roots could be, even if competing Indigenous representations to government administrators did not always result in the desired outcome.

“Why Does Our Great Father Place You Here with Your Hands Tied?”: The Indian Department Faces Indigenous Demands

While Indigenous people had a meaningful level of influence in the composition of the Indian Department, the question remains whether this influence actually translated into action on the part of the Department. From the perspective of Indigenous communities in Upper Canada and the broader Great Lakes borderland, the Indian Department existed in large part to enable the Empire to carry out its commitments. Much of the routine work of the ID focused on fulfilling previous imperial promises, including the distribution of the annual presents as well as the annuity goods and the funds derived therefrom once these were introduced after the War of 1812. If the government came up short in the prompt fulfillment of any of these commitments, Indigenous

communities were quick to raise their voices. When the government missed the first annuity payment to the Ojibwe of the St. Clair River in 1820, a spokesperson from these communities approached the Indian Department and demanded that they should receive interest in compensation for the delay when the payment was finally made.¹¹³ The Empire's delay in paying the promised compensation for loss of property sustained during the War of 1812 was another subject of complaint during the Upper Canadian period.¹¹⁴ Any delay or failure to deliver the annual presents was likewise a source of reprimand. The failure of the Empire to deliver presents to some communities for three years after the outbreak of the Rebellion in 1837, for example, led to widespread representations against the government's failure to stand by this fundamental commitment.¹¹⁵ Over the decades, Indigenous leaders petitioned the government to carry out numerous smaller promises, from the distribution of agricultural implements to the supply of customary mortuary gifts for the deceased to the construction of houses in Indigenous villages.¹¹⁶

The officers of the Indian Department in turn forwarded these complaints to the colonial administration, often adding their own views on the necessity of the imperial administration in Canada meeting these commitments. While they did not address their superiors with the same bitterness as did some Indigenous leaders, their disappointment at the Empire's failure to follow through on their promises is occasionally visible in the ID archive. George Ironside Sr. on the Detroit frontier was particularly disheartened by the blatant abandonment of the Empire's

¹¹³ George Ironside Sr. to William Claus, 9 May 1821, 21588-21589, vol. 39, RG10, LAC.

¹¹⁴ See for example Petition of the Moravian Indians, 11 December 1833, 58028-58031, vol. 54, RG10, LAC; John Williams to William Rowan, 17 June 1835, 60013-60014, vol. 59, RG10, LAC.

¹¹⁵ For the complaints from the St. Clair River, see William Jones to S.P. Jarvis, 15 December 1838, 65241, vol. 69, RG10, LAC. For complaints from the Thames River, see Memorial of the Chippewa and Munsee of the Thames, 14 February 1838, 64294, vol. 68, RG10, LAC. For complaints from the Grand River, see W.J. Kerr to John Macaulay, 3 November 1838, 65006, vol. 69, RG10, LAC.

¹¹⁶ Matthew Elliott to William Claus, 9 June 1810, 16095, vol. 27, RG10, LAC; Minutes of a Council Held at Amherstburg, 4 July 1817, 19970, vol. 34, RG10, LAC; J.B. Clench to James Givins, 20 October 1834, 58820-58822, vol. 56, RG10, LAC.

Indigenous allies across the border in years following the War of 1812. In 1817, he wrote to William Claus that American efforts to win the tribes over to their alliance meant that in any future war the British would be hard pressed to hold western Upper Canada. Ironside still hoped that the government could improve its standing with the local nations by taking conciliatory measures, but he noted pessimistically that he was “convinced that everyone acquainted with the Indian character and the promises made them at the commencement of the late hostilities will have but one opinion on the subject.”¹¹⁷ Four years later, Ironside again expressed to Claus his disgust at the empire’s lack of faith, writing “I wish that no promises had been made to the Indians during the late war; our neighbours cast our breach of promise in the teeth of the Indians every day, desiring them to compare the conduct of their government with that of ours and to judge which has been the most faithful.”¹¹⁸ Writing from Drummond Island in 1818, William McKay similarly vented his frustration that mismanagement of the annual presents meant that the government would not be able to fulfill its obligations to the nations of the upper lakes for the year.¹¹⁹ McKay faced the same disappointment in 1820 and 1824, when he fumed that “hundreds of poor naked wretches, though faithful servants to us when we required their assistance during the late war, have been compelled to return to their homes many at a distance of 1200 miles with little more than half the stated allowance.”¹²⁰

While there is good reason to believe that statements such as those made by Ironside and McKay were at least in part motivated by genuine disappointment at the Empire’s treatment of Indigenous communities, they were also unquestionably made out of self-interest. In an

¹¹⁷ George Ironside Sr. to William Claus, 27 March 1817, 16778-19779, vol. 34, RG10, LAC.

¹¹⁸ George Ironside Sr. to William Claus, 27 June 1821, 21660, vol. 39, RG10, LAC.

¹¹⁹ William McKay to William Claus, 24 June 1818, 20369-20370, vol. 35, RG10, LAC.

¹²⁰ William McKay to James Givins, 27 July 1820, 21324, vol. 38, RG10, LAC; William McKay to William Claus, 30 July 1824, 22555, vol. 42, RG10, LAC.

intercultural setting where masculine honour acted as one of the key threads connecting British redcoats and Indigenous warriors, officers of the Indian Department did not want to appear as liars. Nor did they want to appear as mere cyphers, without real consequence in the broader administration, and who were thus unable to command the material wealth or political clout which could secure a position of authority among their Indigenous clients, partners, and allies. Acting superintendent J.W. Keating experienced just such a situation in the winter of 1840-1841. During these months, large numbers of Potawatomi fleeing the violence of Indian Removal in the U.S crossed the St. Clair River to British territory. The starving refugees naturally appealed to the superintendent for sustenance, and Keating in turn strenuously represented to his superiors in the ID the need to supply rations to the new arrivals.¹²¹ Keating was clearly distressed that he did not personally have the authority to feed the starving men, women, and children who appealed to him for help. In a letter to Chief Superintendent S.P. Jarvis, Keating wrote that he had been reprimanded by one of the recently arrived Potawatomi chiefs who had asked “why does our great father place you here with your hands tied, you cannot stoop and pick us up if we fall.” Keating, who himself had an Indigenous wife and children, and who consistently expressed outrage at American violence, in all likelihood personally pitied the starving refugees. At the same time, however, it is easy to imagine that Keating’s plea for government aid was equally motivated by self-interest, as his inability to provide provisions for the Potawatomi threatened to undermine his own stature among the region’s Indigenous communities. Keating’s proposal that the government grant him a small allowance to meet the costs of provisioning the Potawatomi would have given the superintendent the influence of dispensing these funds to local merchants as well as the possibility

¹²¹ S.P. Jarvis S.B. Harrison, 31 January 1840, 67092-67093, vol. 72, RG10, LAC.

of reinforcing client-patron ties with the Potawatomi, not to mention the opportunities for straightforward speculation.¹²²

James Givins described a similar situation in 1818, when ID interpreter Amable Dusang arrived in York with a party of Odawa messengers recently arrived from Drummond Island. While the party needed provisions for the return journey, Givins was unable to secure rations from the military authority who was in charge of them. Reflecting on his inability to provide rations for the messengers and the government's lack of response to his requests, Givins complained to William Claus, writing "what a humiliating situation I am placed in, for I have one half of the time to feed Indians (employed by government) out of my own private store, and have to beg and pray and explain before I can get anything done, and then it is done as if they were conferring a favour. You see I am continually in grief."¹²³ In 1823, George Ironside similarly lamented how the government's lack action impacted his own standing with the nations. After the local branch of the commissariat failed to supply all the goods the superintendent had requisitioned for that year's annual presents, Ironside complained to Claus that he was "often reproached for neglecting to fulfill the promises made them at the commencement and during the late war."¹²⁴

Since it contributed to their own authority, the members of the Indian Department had a clear motivation to pursue the fulfillment of the desires of Indigenous communities. Accordingly, there are numerous examples in the ID archive of officers pressuring the administration to adopt a certain policy or change a previous decision in order to comply more nearly with the wishes of First Nations. While these representations did not always meet with success, they demonstrate that the employees of the Department were willing to propose their own policies or push back against

¹²² J.W. Keating to S.P. Jarvis, 26 December 1840, 68578-68581, vol. 75, RG10, LAC.

¹²³ James Givins to William Claus, 27 May 1818, 20345-20346, vol. 35, RG10, LAC.

¹²⁴ George Ironside Sr. to William Claus, 10 September 1823, 22389, vol. 41, RG10, LAC.

government decisions in order to gratify their constituents, allies, clients, and partners. James Givins for example represented to William Claus in 1823 that it would be better if the Department were allowed to deliver the annual presents all the way to the summer villages of the Ojibwe of Lakes Huron and Simcoe rather than at a location closer to the provincial capital at York, as these communities had themselves requested.¹²⁵ William McKay made several efforts to improve the distribution of presents at Drummond Island, both to increase efficiency and to relieve himself from the humiliation of being unable to fulfill his own promises to the nations.¹²⁶ Access to government-funded blacksmiths had long been a key attraction for Indigenous communities to maintain a diplomatic relationship with the British Empire, and throughout the 1820s the Indian Department made several representations that providing a publicly funded blacksmith was a fundamental part of the government's commitments.¹²⁷ In 1826, these representations led to the rehiring of a blacksmith stationed at Amherstburg who had earlier been dismissed in 1822.¹²⁸ While representations made both by Sir John Johnson and James Givins in 1829 to rehire the departmental blacksmith at York were unsuccessful, the Department continued to defend the right of the local Mississauga to have the government reimburse them for their blacksmith work when done by a private smith.¹²⁹ On the St. Clair frontier over the winter of 1840-1841, Keating's representations that the government needed to provide provisions for the refugee Potawatomi were

¹²⁵ James Givins to William Claus, 15 June 1823, 22252-22253, vol. 41, RG10, LAC.

¹²⁶ William McKay to William Claus, 29 July 1820, 123-124, vol. 263, RG8, LAC. On the understanding that his views were endorsed by the Governor General, McKay independently ordered a change in the mode of issuing presents in western Upper Canada, see Garrison Order, 23 June 1825, 3, vol. 265, RG8, LAC. However, McKay had either misunderstood or intentionally misrepresented the views of the government, as the Governor General countermanded his order shortly thereafter, see Assistant Military Secretary to William Claus, 21 July 1825, 22825-22826, vol. 43, RG10, LAC.

¹²⁷ For the general importance of blacksmiths, see for example Daniel Claus to William Knox, 1 March 1777, in *DCNY*, 8:703; Sir Peregrine Maitland to Robert Wilmot Horton, 20 November 1823, 298-299, vol. 333, Q series, C.O. 42, MG11, LAC; George Ironside Sr. To William Claus, 31 January 1825, 22748, vol. 43, RG10, LAC.

¹²⁸ H.C. Darling to George Ironside, 5 December 1826, 1-2, vol. 586, RG10, LAC.

¹²⁹ James Givins to William Claus, 20 September 1824, 22619-22621, vol. 42, RG10, LAC; D.C. Napier to James Givins, 31 July 1829, 23830, vol. 45, RG10, LAC.

endorsed by the administration, and the acting superintendent was accordingly granted the sum of money he had requested from the government in order to supply these rations.¹³⁰

While all of the above issues were of real significance to First Nations communities in Upper Canada, the most enduring concern was the protection of their lands and other property from settler encroachments. All over the province, Indigenous communities petitioned the Indian Department to protect their land from squatters, and their timber, fisheries, and hay meadows from theft.¹³¹ Ever since its founding, the protection of Indigenous land was meant to underpin the entire Indigenous-Imperial relationship, and the Indian Department was supposed to ensure that this land and other property was guarded against settler encroachments.¹³² From the beginning, however, the Department's relationship to Indigenous property was Janus-faced, as its membership also played a key role in securing the surrender of Indigenous title in order to allow the establishment of settlers in British North America. During the Upper Canadian period, these land treaties took numerous forms.¹³³ In some cases, it is clear that these treaties were only a thinly concealed government land grab with no concern whatsoever for Indigenous consent, as was the case with the surrenders enforced by Sir Francis Bond Head in 1836 and 1837, or the Grand River surrender of 1841.¹³⁴ In other cases, the treaties were more equitable, and the terms of surrender reflected some level of agency on the part of the communities involved, such as the Grand River land sales

¹³⁰ J.W. Keating to S.P. Jarvis, 28 January 1841, 68745-68746, vol. 76, RG10, LAC.

¹³¹ For the Credit River Fishery complaints, see Proceedings of a Meeting with the Mississauga Indians at the River Credit, 3 October 1810, 16151-16155, vol. 27, RG10, LAC. For the protection of hay meadows on the Detroit River, see George Ironside to William Claus, 23 August 1821, 21767, vol. 39, RG10, LAC. For timber complaints on the Grand River, see for example Address of Clear Sky to Lieutenant Governor Sir George Arthur, 19 January 1839, 65324, vol. 70, RG10, LAC.

¹³² Allan Greer, *Property and Dispossession: Natives, Empires and Land in Early Modern North America* (Cambridge: Cambridge University Press, 2018), 382-383, 398-399; Beaulieu, "'Under His Majesty's Protection,'" 99.

¹³³ For an outline of the diversity of treaties in Upper Canada, see J.R. Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada* (Toronto: University of Toronto Press, 2009), 79-110.

¹³⁴ Miller, *Compact, Contract, Covenant*, 106-109; Susan M. Hill, *The Clay We Are Made Of: Haudenosaunee Land Tenure on the Grand River* (Winnipeg: University of Manitoba Press, 2017), 180-182.

of 1798 or the River Credit treaty of 1805.¹³⁵ Even where there was a meaningful level of consent, however, First Nations communities were constrained in their freedom to decide whether or not to surrender land by the concerns of maintaining good relations with the provincial administration (and in some cases with other First Nations), by their own economic necessity, and by the government's inability or unwillingness to protect their unsurrendered lands from settler encroachments. It must also be noted that even in cases where there may have been a meaningful level of First Nations consent, this did not mean that communities were unanimous in any decision to open their lands to settlement, and the question of whether or not to surrender land was often a deeply acrimonious issue among the communities concerned.

As far back as 1764, the Indian Department under the superintendence of Sir William Johnson was exclusively charged with the duty of negotiating treaties involving the opening of Indigenous land to settlement.¹³⁶ The chaotic and poorly documented treaties that took place in the years after the Revolutionary War in the region that became Upper Canada led Governor General Dorchester to issue fresh instructions in 1794 that all treaties involving the surrender of land had to be conducted publicly according to "the ancient usages and customs of the Indians" under the supervision of either the Superintendent General or Deputy Superintendent General of the Indian Department.¹³⁷ These new instructions meant that a number of putative agreements from the 1780s and early 1790s had to be re-confirmed by the Upper Canadian Indian Department in the period 1797-1805.¹³⁸ Over the rest of the Upper Canadian period, the same process outlined by Dorchester in 1794 remained in place, although it was not always followed, as was the case most notably

¹³⁵ Sidney L. Haring, *White Man's Law: Native People in Nineteenth-Century Canadian Jurisprudence* (Toronto: University of Toronto Press, 1998), 37-38; Miller, *Compact, Contract, Covenant*, 89.

¹³⁶ Lords of Trade to Sir William Johnson, 10 July 1764, in *DCNY*, 7:634-641.

¹³⁷ Miller, *Compact, Contract, Covenant*, 84.

¹³⁸ Miller, *Compact, Contract, Covenant*, 90-91.

during the “negotiations” carried out by Lieutenant Governor Sir Francis Bond Head in 1836 and 1837.¹³⁹

Before and during various treaty processes in the Upper Canadian period, there are clear examples of members of the Indian Department applying pressure to ensure that Indigenous communities accepted the terms that the Department had been charged with securing. The above case of George Ironside Jr. suggesting withholding presents until the Ojibwe on the St. Clair River complied with government demands is a good example of this behaviour. At the same, there are also examples of members of the Department pushing back against government directives, or adopting the negotiating position of First Nations communities. When the British dispatched troops to establish a military base at Penetanguishene in the autumn of 1814, for example, Deputy Superintendent William Claus dispatched a letter to Lieutenant General Drummond informing him that “all the lands north of Lake Simcoe are still the property of the Indians!” Despite a treaty having been agreed to in 1811, Claus informed the acting governor that since the actual goods promised had never been delivered due to the outbreak of the war, the land remained the property of the local Ojibwe “until the terms of the agreement are fully complied with.”¹⁴⁰ As a second example, in 1825, 1835, and 1839, officers of the Indian Department petitioned the government to recognize Indigenous ownership of a tract of land on Bear Creek in the southwestern part of the province. After this land had been “disposed of through mistake,” the government committed to granting lands of equivalent value to the original tract of four-square miles in 1839.¹⁴¹

¹³⁹ Miller, *Compact, Contract, Covenant*, 106-109. For a complete account of these treaties, see *Indian Treaties and Surrenders from 1680 to 1890* (Ottawa: Brown Chamberlin, 1891) 1:15-80.

¹⁴⁰ William Claus to E. MacMahon, 29 December 1814, 17511-17513, vol. 29, RG10, LAC.

¹⁴¹ George Ironside to William Claus, 6 April 1825, 22772, vol. 43, RG10, LAC; J.B. Clench to James Givins, 17 July 1835, 59685, vol. 58, RG10, LAC; S.P. Jarvis to John Macaulay, 23 June 1839, 163, vol. 503, RG10, LAC.

The seeming contradiction of ID officers pressuring Indigenous communities while simultaneously pushing back against the provincial administration illustrates the fundamental tension at the heart of the Upper Canadian Indian Department, as its members undertook a delicate balancing act in order to secure both their government employment and their influence with Indigenous communities. Overall, however, only a tiny percentage of the Indian Department archive deals with land treaties. Some major surrenders, such as those obtained by Lieutenant Governor Head, hardly appear at all. While land treaties during this period are unquestionably of immense importance to the history of Upper Canada and the Canadian settler state more broadly, they are overshadowed in contemporary Indian Department records by the more mundane matters of blacksmith work, medical attendance, council meetings, petitions for redress or employment, present requisitions, pay lists, census data, military or political intelligence, and correspondence on hundreds of other daily concerns.

While the Indian Department had a double-edged relationship with the surrender of Indigenous lands, the ID was at the same time the only part of the colonial administration that was tasked with ensuring the integrity of Indigenous land and resources in the face of settler encroachments. While the Department may not have proven to be a powerful or successful defender of this property, there are numerous cases where members of the ID made efforts to secure the property of Indigenous communities. At the Coldwater village, T.G. Anderson took steps to ensure that the white settlers located in the area stopped cutting hay in the valuable meadows owned by the Ojibwe along the shores of Matchedash Bay.¹⁴² He likewise undertook to

¹⁴² T.G. Anderson to James Givins, 26 July 1830, 24178-24180, vol. 46, RG10, LAC; T.G. Anderson to James Givins, 21 December 1830, 24463-24465, vol. 46, RG10, LAC; T.G. Anderson to James Givins, 29 July 1833, 57722-57724, vol. 54, RG10, LAC.

expel whites who had illegally occupied lots that had been reserved for the use of the Ojibwe.¹⁴³ On the Wyandot reserve on the Detroit River, George Ironside Sr.'s son, Robert Ironside, acted as agent for the community in order to prevent settler theft from their forests, stone quarry, and hay meadows.¹⁴⁴ In 1830, George Ironside Jr. represented to the government the need to take more stringent efforts in order to prevent the theft of Wyandot property from their reserve.¹⁴⁵

Perhaps nowhere else was the ID more active, and less successful, in trying to prevent settler encroachments than on the land belonging to the Mohawk of the Bay of Quinte. Since the 1810s, the leaders of this community had repeatedly asked the government to stand by its commitment to protect their lands from settler encroachments, but despite the warnings issued by the Indian Department against intruding on Mohawk land, settler depredations only increased.¹⁴⁶ While no superintendent was permanently posted at the Bay of Quinte after John Ferguson's dismissal from the ID in 1822, Connecticut Joseph Brant Clench seems to have acted in a semi-formal capacity as a visiting superintendent to this community from this date forward. Clench was again dispatched from his permanent position on the River Thames to the Bay of Quinte in the spring of 1835 to personally inform the squatters there that their trespassing would not be tolerated by the government.¹⁴⁷ During this visit Clench also made a major seizure of timber that had been illegally felled on Mohawk lands by encroaching settlers. Despite the fact that Clench's

¹⁴³ T.G. Anderson to James Givins, 26 November 1833, 57989-57990, vol. 54, RG10, LAC; T.G. Anderson to James Givins, 31 October 1836, vol. 63, RG10, LAC. It seems like at least in the first of these two cases the commissioner for crown lands took steps to expel the infringing settler, see Letter of Commissioner of Crown Lands Peter Robinson, 5 December 1833, 57988, vol. 54, RG10, LAC.

¹⁴⁴ George Ironside Sr. to William Claus, 30 March 1825, 22770, vol. 43, RG10, LAC.

¹⁴⁵ George Ironside Jr. to James Givins, 9 December 1830, 24439, vol. 46, RG10, LAC.

¹⁴⁶ See for example John Ferguson to William Claus, 5 March 1816, 18907, vol. 32, RG10, LAC; Alexander Pringle to Alexander McDonnell, 10 March 1817, 19712, vol. 34, RG10, LAC; James Givins to Civil Secretary Mudge, 12 February 1830, 2342, vol. 5, RG10, LAC; Petitions of the Mohawk and Mississauga of the Post of Kingston, 1835, 60384-60391, vol. 59, RG10, LAC; The Petition of the Inhabitants living on the Indian Reserve in the Township of Tyendinaga, 20 February 1836, 60744-60745, vol. 60, RG10, LAC.

¹⁴⁷ J.B. Clench to James Givins, 26 June 1835, 59263-59265, vol. 57, RG10, LAC. See also Petition of the Mohawk of the Bay of Quinte to Sir John Colborne, 14 September 1835, 59252-59254, vol. 57, RG10, LAC.

instructions did not allow him to make conduct this sort of seizure, he hoped the government would support his actions given his broader authorization to discourage squatting on Mohawk lands.¹⁴⁸ This visit however did little to relieve the depredations the Mohawk faced. After Clench left the Bay of Quinte to return to his regular post on the River Thames, tensions escalated into open violence. When transporting a part of the timber that Clench had seized in order to sell it for their own benefit, the Mohawk of the Bay of Quinte were attacked by some twenty settlers armed with clubs and stones who succeeded in driving off the rightful owners and escaping with the stolen timber. In cooperation with the local settler sheriff, the Mohawk decided upon arming themselves in order to reclaim the stolen timber “even at the risk of the offenders’ lives.” In the resulting clash, however, the Mohawk withdrew when it became clear that they could not recover their property without significant bloodshed.¹⁴⁹ Even this clash however did not lead to more concerted efforts on the part of the Upper Canadian administration. Over following years, the squatters continued to refuse to move while Clench and other government officials continued to threaten action against them without ever taking serious concrete steps.¹⁵⁰

By the late 1830s, representations from Indigenous communities asking for squatters to be removed had become so pressing that Chief Superintendent Jarvis proposed to the government that a new approach should be taken. In December 1838, Jarvis wrote a lengthy memorandum on the state of Indigenous property in the province, detailing the numerous complaints from communities all over the province and the insufficient or ineffective steps that had been taken to rectify them. Jarvis argued that no further delay could be tolerated, and that the provincial legislature would have to pass a new law empowering the Indian Department to take more effective steps to remove

¹⁴⁸ J.B. Clench to James Givins, 21 April 1836, 59448, vol. 58, RG10, LAC.

¹⁴⁹ Charles Warren to J.B. Clench, 16 July 1835, 59257-59259, vol. 57, RG10, LAC.

¹⁵⁰ See for example Petition of the Mohawk of the Bay of Quinte, 1 March 1836, 607697, vol. 60, RG10, LAC.

squatters from Indigenous land.¹⁵¹ Not coincidentally, Jarvis proposed his new approach to removing squatters at the height of anxiety in Upper Canada over Patriot incursions from U.S. territory. Jarvis was in charge of making sure the warriors would rally to the cause of the government in the case of an armed invasion, and the warriors themselves had let it be known that the removal of squatters was one of their key demands in exchange for which they would provide their military assistance.

Following Jarvis's advice, a piece of legislation entitled "An Act for the Protection of the Lands of the Crown in this Province from Trespass and Injury" was passed on May 11, 1839.¹⁵² Despite its somewhat misleading title, the bill was explicitly aimed at protecting Indigenous lands by further empowering the officers of the Indian Department as commissioners of Crown Lands.¹⁵³ Even before the passage of the act, Jarvis ordered William Portt, an adopted Mohawk who had helped organize the warriors from the Bay of Quinte during the upheavals of the Rebellion, to prepare the Mohawk to occupy the homes of the squatters.¹⁵⁴ The actual enforcement of the new act was delayed by several months as the commissions for the new commissioners of Crown land were drawn up and the names of squatters collected. When the act was actually put into force, its execution was most dramatic on Walpole Island, where the local Ojibwe and acting superintendent Keating went from house to house breaking down the doors of the squatters' homes and establishing Indigenous families in their place, all under the guard of a nearby detachment of militiamen.¹⁵⁵ Before the act had even come into force however, Jarvis knew that it contained a fatal flaw. When the act was passed, the legislature included a clause that entitled any squatter

¹⁵¹ S.P. Jarvis to John Macaulay, 1 December 1838, 153-156, vol. 502, RG10, LAC.

¹⁵² *The Statutes of Upper Canada to the Time of the Union, Revised and Published by Authority* (Toronto: Robert Stanton, 1843), 1:43-46

¹⁵³ S.P. Jarvis to John Macaulay, 30 May 1839, 65772, vol. 70, RG10, LAC.

¹⁵⁴ S.P. Jarvis to William Portt, 8 January 1839, 7-8, vol. 503, RG10, LAC.

¹⁵⁵ J.W. Keating to S.P. Jarvis, 13 March 1840, 67382-67385, vol. 73, RG10, LAC.

expelled by the Indian Department to appeal the decision before a court. The Chief Superintendent decried this measure, insisting that the removal of squatters should have been a summary punishment.¹⁵⁶ Jarvis was right to be apprehensive of this loophole. Following the expulsions from Walpole Island, the squatters employed the services of the lawyer Colonel John Prince. J.W. Keating referred to Prince as a “consummate scoundrel,” and indeed despite Prince’s prominent social rank on the southwest frontier of Upper Canada there seems to be some truth to this description, as Prince had little more than a year previously ordered the summary execution of a number of Patriot raiders after they had been taken prisoner after a failed attack on Windsor.¹⁵⁷ Jarvis personally wrote to Prince a little more than a month after he took the case, restating that the squatters had no right whatsoever to remain on the island.¹⁵⁸ When the case came before Chief Justice John Beverley Robinson in 1842, however, he ruled against the legality of expelling squatters from Walpole Island on a technicality, and thus rendered the Crown Lands Act of 1839 essentially unenforceable.¹⁵⁹

None of this is to say that the Indian Department was a principled defender of Indigenous property. When it served their interests, the members of the ID were just as likely to pursue the surrender of Indigenous territory as directed by their superiors in the administration. At the same time, the Indian Department was far from fixated on Indigenous dispossession. The employment of the members of the ID was often precarious, and a complaint from a dissatisfied community leader could be enough to end an officer’s lucrative employment with the government. What is more, fulfilling the desires of Indigenous communities allowed the members of the Indian Department to occupy positions of authority among First Nations, granting them the ability to

¹⁵⁶ The Report of S.P. Jarvis, (no date, 1839), 168879-168880, vol. 117, RG10, LAC.

¹⁵⁷ J.W. Keating to S.P. Jarvis, 10 March 1840, 67354, vol. 73, RG10, LAC.

¹⁵⁸ S.P. Jarvis to John Prince, 29 April 1840, 77-78, vol. 504, RG10, LAC.

¹⁵⁹ Sidney L. Harring, *White Man’s Law*, 31, 68-70.

develop patronage networks and access Indigenous resources. This approach served men like George Ironside Jr. and Joseph Brant Clench well. When these two officers were dismissed from the Department in 1837, they were invited to continue to reside with the Indigenous communities they had superintended in a new capacity as chiefs in order that they might continue their role as intermediaries between their adopted community, the government, and wider settler society more generally.¹⁶⁰ As long the employees of the Indian Department held out the hope of enjoying privileged access to Indigenous land, they had a clear incentive to advocate its continued protection from settler encroachments more generally.

Conclusion

Indigenous influence in the Indian Department had limits. While the members of the Department had a clear motive for fulfilling the wishes of Indigenous communities, they likewise had to satisfy their imperial masters if they were to retain their employment. Ideally, they would have been able both cultivate influence with Indigenous communities while at the same time reinforcing their position in the broader imperial world. However, this balancing act often proved impossible, and when one of these two relationships had to be sacrificed, it seems that the members of the Indian Department were much more likely to side with the administration than with First Nations. Despite the frustration of many ID officers regarding the Empire's many broken promises, there is not one case of an officer resigning on principle. Even William McKay, who was a staunch advocate of fulfilling the promises made during the War of 1812, at one point informed his

¹⁶⁰ For the case of Ironside, see Petition of the Wyandot to Francis Bond Head, 65496, vol. 70, RG10, LAC. Lieutenant Governor Head approved the appointment shortly thereafter, S.P. Jarvis to George Ironside Jr., 25 September 1837, 65498, vol. 70, RG10, LAC. The election of Ironside as chief was nonetheless a source of controversy among the Wyandot, see Telford, "How the West Was Won," 346-350. For the case of Clench, see Saltern Givins to S.P. Jarvis, 29 November 1837, 64153, vol. 67, RG10, LAC; Petition of the Mohawk of the Bay of Quinte, 9 December 1836, 62201, vol. 63, RG10, LAC. While Ironside actually served as a chief of the Wyandot, the outbreak of the Rebellion meant that Clench was rehired as ID superintendent on the River Thames and he therefore declined to relocate.

superiors that if the government insisted on decreasing the quantity of the annual presents, he would nonetheless carry out this order rather than resign his post, even though such a step “would be contradictory to what I have been always authorized to tell the Indians from government.”¹⁶¹ In one case a government employee did threaten to resign if the government stood by its policy. In January 1840, William Johnson Kerr informed the government of his intention to give up his post as commander of the Six Nations warriors if the administration followed through on its order to take back the firearms recently distributed to the Grand River warriors in the context of the Rebellion.¹⁶² While this was likely not an idle threat, Kerr did not actually hold a permanent place in the ID at the time, but was rather only appointed to his command on a temporary basis, and therefore the sacrifice of his resignation cannot be weighted too heavily.

While Indigenous influence within the Indian Department had limits, this influence was nonetheless of real and lasting consequence. The actions of the ID during the Upper Canadian period were shaped to a significant degree by the wishes of Indigenous leaders and communities. While Indigenous influence in the conduct of Indian Affairs the management of the Indian Department did not disappear entirely after the reforms of 1845, the reduction in the number of employees and the replacement of the resident superintendents with visiting superintendents served to diminish it significantly. Additionally, after 1845 the department was increasingly staffed with career civil servants rather than by men who had come to prominence originally among First Nations communities and who had a stake in maintaining Indigenous influence in the Department if for no other reason than it reinforced their own position in the government. Finally, the growing influence of the settler colonial legislature in the 1840s, a place where Indigenous peoples did not

¹⁶¹ William McKay to William Claus, 30 June 1820, 21270, vol. 37, RG10, LAC.

¹⁶² W.J. Kerr to William Chisholm, 20 January 1840, 66764-6675, vol. 72, RG10, LAC.

have the same long-standing relationships as they did with the members of the old ID networks, meant that it was increasingly difficult for their voices to be heard in government.

Chapter Five

“As Long as the World Should Stand”: Continuity and Change in the Upper Canadian Indian Department, 1812-1835

Bauzhigeeshigwashekum rose to address his listeners on an August day in 1835. The spokesman of the Ojibwe community of Walpole Island had much to say, and while the white settlers of the region may have had their pens and paper to record their thoughts, all he had was “a little piece of flesh called a heart to remember by.” Bauzhigeeshigwashekum had listened well to the stories of his ancestors, and so even with only his heart to guide him he told his listeners a complete account of the history of the relationship between the British Empire and his nation. Bauzhigeeshigwashekum related the arrival of the French and their overthrow by the British. He spoke of the different land treaties that had been made, and of the British promise that even though the Ojibwe gave away some of their land, their wives and children would never be poor. Indeed, the British had pledged that they “would never tire of giving us the things which we wanted, and that our friendship should remain forever as long as the world should stand.” This friendship, Bauzhigeeshigwashekum related, was represented by a blazing fire, the burning logs “so strongly put together that no man can part them asunder, and no person shall extinguish it.”

Recently, however, the Ojibwe spokesman told his listeners “some of your people are endeavouring to put it out.” Bauzhigeeshigwashekum asked that this message be related to his Great Father across the water: “tell him that a great number of your young men are on our land. Their cattle are living on it, and we receive no benefit from it.” After delivering this speech, the Ojibwe delegates gave a complete list of names belonging to the squatters ¹

¹ Speech of the Chippewa of St. Clair, 8 August 1835, 59779, vol. 58, RG10, LAC.

The twenty years between the return of peace to the Great Lakes region in 1815 and Bauzhigeeshigwashekum's speech in August of 1835 was a crucial period in the history of Upper Canada. As Bauzhigeeshigwashekum's speech indicates, much about the Indigenous-Imperial relationship remained unchanged from earlier times. The Indian Department was still filled with men well versed in the ancient diplomatic language that was mobilized in addresses such as Bauzhigeeshigwashekum's presented above. The issuing of the annual presents, referenced in the speech of the Ojibwe spokesman from Walpole Island, remained a crucial symbol of reciprocity. And most critically, the Indigenous peoples of the region remained committed to keeping the flames of the Fire of Friendship burning bright. The speech also indicates one important development that had taken place in the preceding twenty years. During this time, the white population of Upper Canada had exploded, and settlers were increasingly eager to get their hands on the remaining land held by Indigenous peoples in the province whether through state sanctioned cessions or illegal squatting, as was the case on Walpole Island.

This chapter presents an account of the important developments that occurred in Upper Canadian Indian Affairs from the outbreak of the War of 1812 to 1835 when Bauzhigeeshigwashekum gave the address presented above. The first section details how, rather than marking the end of an era, the War of 1812-1815 significantly shaped the work and composition of the Indian Department over the following decades. The second section examines the work of the Department in the immediate post-war era, while the third examines the important structural reforms that took place in the late 1820s and early 1830s. The final part of this chapter gives a brief account of the growing prevalence of settlers in Upper Canada and the widespread condemnation that the Indian Department faced from settler critics during the period up to 1835.

“May the Great Spirit Give You Strength and Courage”: The War of 1812-1815 and Its Legacy

The outbreak of war between the British Empire and the United States of America in June of 1812 substantially increased the size of the Indian Department in Upper Canada. By 1814, the Department in the upper country had expanded to include eighty-one members divided into five branches. Twenty-eight individuals were employed with the branch of the Department originally stationed at Amherstburg, twenty-one with the Fort George branch, eight at Mackinac, three at Kingston, and an additional twenty-one with a new branch created to oversee operations between Lake Huron and the upper Mississippi region.² For nearly three years, from the summer of 1812 to the spring of 1815, not only the size but the importance of Indian Department was drastically increased, as the fate of an enormous part of the North American continent rested in large part on the fighting power of Indigenous warriors.

The wartime duties of the Indian Department during these years can be divided into three broad categories. First, the Department served a crucial logistical role in the transport and distribution of arms, ammunition, provisions, clothing, and other goods necessary to supply warriors actively engaged in the conflict.³ Second, the officers and interpreters of the Department maintained the cohesion of the Indigenous-Imperial alliance in the face of difficulties and defeats through diplomatic councils, gift-giving, and mediation, as well as participation in ceremonies of condolence, war feasts, and war dances.⁴ At a great council on Mackinac Island on June 5, 1814,

² Return of the Indian Department of Upper Canada, 172056-172057, vol. 477, RG10, LAC; Indian Department for the Western Indians, Proposed Establishment for the Year 1814, 183, vol. 257, RG8, LAC.

³ General Order, 21 April 1814, 10371, vol. 12, RG10, LAC; William Claus to Colley Lyons Lucas Foster, 27 April 1814, 16816-16817, vol. 28, RG10, LAC.

⁴ General Council of Condolence, 6 November 1812, 194, vol. 256, RG8, LAC; Colley Lyons Lucas Foster to William Claus, 12 April 1814, 16782-16783, vol. 28, RG10, LAC; James Givins to William Claus, 31 May 1814, 16909-16910, vol. 28, RG10; William Claus to Robert Roberts Loring, 22 June 1814, 17027, vol. 28, RG10, LAC; William Claus to Sir John Johnson, 23 June 1814, 17042-17043, vol. 28, RG10, LAC.

for example, Lieutenant Colonel McDouall gave an impassioned speech in an attempt to rally the warriors of upper Great Lakes to the defence of the post. McDouall related recent British victories in Europe, and reiterated that the promises of the King to his Indigenous allies remained inviolable. The Lieutenant Colonel concluded with an appeal to righteousness of the allies' cause: "Happy are the warriors who rush into the fight having justice on their side. You go forth to combat for the tombs of your forefathers and for those lands which ought now to afford shelter and sustenance to your wives and to your children. May the Great Spirit give you strength and courage in so good a cause, and crown you with victory on the day of battle."⁵ While it is not clear exactly what impact speeches like these may have produced, McDouall proved himself to be an able leader of the alliance, and the Indigenous-Imperial victories on the upper Great Lakes and Mississippi River over the following year proved to be some of the most dramatic of the war.⁶

Finally, members of the Indian Department took an active part in the war, inspiring their companions in arms through their own example during scouting expeditions, raids, sieges, and pitched battles. These endeavours came at a risk. Over the course of the war, at least six members of the Upper Canadian Department were killed in action, at least nine severely wounded, and at least three captured and held as prisoners of war.⁷ Numerous others were wounded less severely, or died from exposure to the hardships and accidents brought on by war.

⁵ Speech Delivered by Lieutenant Colonel McDouall, 5 June 1814, 16507-16511, vol. 28, RG10, LAC.

⁶ Robert S. Allen, *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815* (Toronto: Dundurn Press, 1992), 155-166.

⁷ Those killed included interpreter John Logan (Matthew Elliott to William Claus, 8 August 1812, 16397, vol. 28, RG10, LAC), Captain Alexander Elliott (William Claus to Nathaniel Coffin, 25 April 1813, 16463, vol. 28, RG10, LAC), Lieutenant William Johnson Chew (John Norton to the Military Secretary, 9 May 1817, 191, vol. 261, RG8, LAC), Lieutenant Philippe La Saussaye (William Wood, ed., *Select British Documents of the Canadian War of 1812* (Toronto: the Champlain Society, 1920-1928), 2:51), Lieutenant Charles Chandonet (Robert Dickson to Sir John Johnson, 12 July 1814, 10399-10400, vol. 12, RG10, LAC), and interpreter Antoine Brisbois (List of Officers and Interpreters Appointed by Robert Dickson, 1 May 1816, 174, vol. 140, Q series, C.O. 42, MG11, LAC). Those seriously wounded included interpreter George Blue Jacket (Matthew Elliott to William Claus, 8 August 1812, 16397-16398, vol. 28, RG10, LAC), Captain Billy Caldwell (Certificate of Robert Richardson, 24 September 1816, 45, vol. 261, RG8, LAC), Captain Robert Livingstone (Petition of Robert Livingstone, 12 July 1815, 118-126, vol. 258, RG8, LAC), Captain John Wilson (Certificate of Robert Richardson, 24 September 1816, 44, vol. 261, RG8, LAC),

While these wartime responsibilities ceased upon the return of peace, the conflict of 1812-1815 had a lasting impact on the Department. Rather than marking the end of an era, the War of 1812 largely set the stage for the next 30 years of the Upper Canadian Indian Department. First and foremost, this was true in terms of the Department's personnel. Many of the leading members of the Department in the period 1815-1845 were first employed during the war. Joseph Brant Clench was hired as a storekeeper in 1813 on the advice of his relative William Claus.⁸ He continued to serve as a senior officer of the ID until his dismissal in 1854.⁹ William Jones was first employed by the ID as an assistant storekeeper and clerk with the Amherstburg branch in 1812, being promoted to superintendent of issues in 1813.¹⁰ While he was dismissed following the return of peace, William Jones was re-employed as an assistant superintendent when the government created a new branch of the Department on the St. Clair River in 1831 and served in this capacity until the reforms of 1845.¹¹ The Mohawk interpreter Shononghese George Martin was first employed in 1812, and he continued to play a crucial role with the Grand River branch of the Department over the following decade until his dismissal in 1822.¹² His son Jacob Martin later succeeded him as interpreter to the Six Nations from 1832 to 1845.¹³ On the upper Great Lakes, superintendent William McKay, interpreter William Solomon, superintendent Thomas

interpreter Jean-Baptiste Cadotte (Henry Charles Darling to Duncan Campbell Napier, 28 January 1812, 47, vol. 586, RG10, LAC), Lieutenant Joseph Renville (List of Officers and Interpreters Appointed by Robert Dickson, 1 May 1816, 174, vol. 140, Q Series, C.O. 42, MG11, LAC), and interpreters Joseph Rock, Pierre Thierry, and Joseph St. Pierre (List of Officers and Interpreters Appointed by Robert Dickson, 1 May 1816, 174, vol. 140, Q Series, C.O. 42, MG11, LAC). Those captured include Captain Robert Livingstone (Petition of Robert Livingstone, 12 July 1815, 118-126, vol. 258, RG8, LAC), Captain William Johnson Kerr (Petition of William Johnson Kerr, 10 April 1821, 21599-21602, vol. 39, RG10, LAC), and interpreter Thomas Alexander Clarke (Petition of Thomas Alexander Clarke, 27 March 1830, 2387-2388, vol. 5, RG10, LAC).

⁸ William Claus to Major General Vincent, 15 November 1813, 180, vol. 257, RG8, LAC.

⁹ Daniel J. Brock, "Clench, Joseph Brant," in *DCB*, vol. 8, University of Toronto/Université Laval, 2003–, accessed August 9, 2019, http://www.biographi.ca/en/bio/clench_joseph_brant_8E.html.

¹⁰ Account of Pay Due to the Indian Department at Amherstburg from the 25 June to the 24 August 1812, (no date), 175715-175716, vol. 630, RG10, LAC; General Order, 22 August 1813, 10, vol. 1171, RG8, LAC.

¹¹ Petition of Archarnge Jones, 24 January 1849, 6601-6603, vol. 123, RG10, LAC.

¹² William Claus to Nathaniel Coffin, 24 October 1812, 190, vol. 256, RG8, LAC.

¹³ Petition of Jacob Martin, 21 June 1841, 4730-4731, vol. 120, RG10, LAC.

Gummersall Anderson, and interpreter Jean-Baptiste Assiginack all entered the ID in the years 1812-1815.¹⁴ Other prominent members of the Indian Department first employed during the War of 1812 include superintendent Ahyonwaeghs John Brant, captain Charles Anderson, and interpreter Joseph St. Germain. While the decades following the Treaty of Ghent thinned the ranks of the veterans of the War of 1812, they remained conspicuous in the Indian Department. Of the eleven officers and interpreters on the permanent establishment of the Upper Canadian ID at the start of 1845, five had first been appointed in the years 1812-1815, and three more were the sons of men who had played a prominent part in the war.¹⁵

A second enduring legacy of the War of 1812 was the dramatically increased presence of the Indian Department on the upper Great Lakes. Before the war, the Indian Department on the upper lakes had been treated as a minor satellite of the establishment on the Detroit River.¹⁶ From the dismissal of John Dease as deputy agent at Mackinac in 1790 to the start of the War of 1812, only two ID employees were permanently stationed on the upper lakes.¹⁷ By 1814, this number had increased to some 30 individuals. While every branch of the Indian Department in Canada expanded during the war years, the substantial influence of the Montreal fur barons made the upper lakes an exceptional case. These merchants, including James McGill, William McGillivray, Robert Dickson, William McKay, and even more minor players such as T.G. Anderson, made enormous efforts during the War of 1812 to maintain, and if possible, expand the British commercial sphere in the interior of North America. These efforts included providing scarce goods to British and

¹⁴ Memo of the Appointments in the Indian Department, 16 March 1829, 157, vol. 268, RG8, LAC.

¹⁵ Return of the Indian Department Canada West as a Military Department, 31 December 1844, 170423-170424, vol. 140, RG10, LAC.

¹⁶ See for example Alexander McKee's proposal to Lord Dorchester for the functioning of the Mackinac branch, Alexander McKee to Lord Dorchester, 7 June 1796, 175-180, vol. 249, RG8, LAC.

¹⁷ Paylist for the Undermentioned Persons Employed in the Indian Department at Michilimackinac from 25th June to 24th September 1793, 170528, vol. 474, RG10, LAC; Paylist for the Undermentioned Persons Employed in the Indian Department at the Post of St. Joseph between the 25 December 1811 and the 24 March 1812 Inclusive, 175707, vol. 630, RG10, LAC.

Indigenous forces, assisting in the transport of war material, supplying intelligence and advice to British officers, raising regiments of volunteers for active service, and lobbying the government both in Canada and Great Britain to pursue the war effort to its fullest.¹⁸ With the coming of peace, the merchants and their allies pushed the administration to maintain a powerful military force on the upper lakes in the hopes that the immanently expected return of war would allow them to secure their aims where the Treaty of Ghent had failed.¹⁹ One result of these efforts was that eight individuals were retained in the peace establishment of the upper lakes ID on the advice of the Montreal traders, a substantial increase from the period before the war.²⁰ Over the succeeding decades, the relative importance of this branch of the Department continued to increase, and members such as J.B. Assiginack and T.G. Anderson proved to be among the most influential and capable employees of the Department up to the reforms of 1845.

Alongside shaping the personnel and increasing the prominence of the northwest branch, the War of 1812 resulted in a more militarized Indian Department. Rather than signal the end of the era of military alliance, the three years of conflict from 1812-1815 created a department that was more explicitly a military organization, especially compared to the period of the 1790s and first decade of the nineteenth century. In addition to their rank in the Indian Department, with the outbreak of war the superintendents in the Upper Country were granted senior ranks in the provincial militia.²¹ The junior officers of the Department meanwhile were given the rank of

¹⁸ Gordon Charles Davidson, *The North West Company* (Berkeley: University of California Press), 139-140. Brereton Greenhous, "A Note on Western Logistics in the War of 1812," *Military Affairs* 34, no. 2 (1970): 41-44. Hatter, *Citizens of Convenience*, 174-175.

¹⁹ See for example the correspondence of William McGillivray and John Richardson with Governor General Drummond contained in pages 18-37, vol. 132, Q series, C.O. 42, MG11, LAC.

²⁰ Robert McDouall to William McKay, 20 August 1816, 19345-19347, vol. 33, RG10, LAC.

²¹ It was a matter of serious complaint among the superintendents that despite enjoying senior ranks in the militia, it was ordered that they would only receive the salary due them from their position in the Indian Department, see William Claus to Sir John Johnson, 10 June 1815, 10548-10549, vol. 12, RG10, LAC.

captain or lieutenant.²² In the decades following the return of peace, the officers of the Indian Department who had served in the War of 1812 continued to enjoy their military titles as well as the allowances that came with them. During the Rebellion years, Chief Superintendent Samuel Peters Jarvis cited these precedents from the War of 1812 in order to secure for himself the military rank and allowances of a field officer in 1840.²³

Even more than the holding of military rank, the most visible element of the Department's militarization following the War of 1812 was the adoption of an official uniform. In November of 1812, Major General Roger Hale Sheaffe authorized the Indian Department to have its own military uniform, consisting of a scarlet jacket faced with green cuffs and collar.²⁴ Different marks of distinction, like gold lace and epaulettes, were introduced to differentiate the various ranks of the ID, from the lowliest blacksmith all the way to the Superintendent General. Previous to 1812, there had been no regulations for the dress of the Department, and the newly introduced use of a military uniform in the Department proved to be an enduring innovation. In 1823, Deputy Superintendent General Claus suggested a change in the colour of the jacket from scarlet to olive green on the grounds that this darker shade was more practical for "that nature of the service upon which Indians are usually employed in time of war."²⁵ Over the succeeding decades a number of Indian Department officials protested this change, arguing that, practical considerations aside, scarlet was the colour that held more prestige in the eyes of the warriors.²⁶ These protests fell on deaf ears, and the uniform suggested by Claus in 1823 continued in use beyond 1845.

²² See for example Return of the Names of Persons in the Western Indian Department, 10 May 1814, 16858, vol. 28, RG10, LAC.

²³ For Jarvis's campaign to acquire a military rank as Chief Superintendent, see for example S.P. Jarvis to Lieutenant Colonel Halkett, 25 March 18140, 52-53, vol. 504, RG10, LAC. For the order granting him the rank, see F.A. Mackenzie Fraser to S.P. Jarvis, 6 September 1840, 253-254, vol. 270, RG8, LAC.

²⁴ Circular to the Indian Department, 18 November 1812, 159, vol. 688B, RG8, LAC.

²⁵ Sir John Johnson to Henry Charles Darling, 6 February 1823, 30428-30429, vol. 493, RG10, LAC.

²⁶ See Report of James Buchanan Macaulay, 168862, vol. 117, RG10, LAC. See also James Givins to Henry Charles Darling, 24 November 1827, 31872-31873, vol. 497, RG10, LAC.

Perhaps the most significant impact the War of 1812 had on the military nature of the ID was the reunification of the Department under the exclusive control of the Commander of the Forces in British North America. The Lieutenant Governor of Upper Canada, Francis Gore, was absent from the colony from 1811-1815, and a number of high-ranking military officers administered the province in his place during the entirety of the war. In the absence of an independent civil administrator, exclusive control of the Indian Department reverted back to the Commander of the Forces. When Gore returned to Upper Canada in 1815, he tried to reassert the jurisdiction of the Lieutenant Governor of Upper Canada over the Indian Department.²⁷ The recently appointed Governor General, Sir Gordon Drummond, conceded that the current instructions from the Colonial Office did indeed give Gore control over Indian Affairs, but at the same time wrote to the Secretary of State for War and the Colonies suggesting “an immediate transfer of the Superintendence and Supreme Control of the Indian Department and Indian Affairs from the Civil Government to the military service.” Drummond argued that the recent conflict had already laid the groundwork for this change, since the redcoats and the warriors had “acted so constantly together during the late War with the United States of America.”²⁸ Earl Bathurst approved the proposed change, and accordingly Drummond dispatched orders “transferring the superintendence and supreme control of the Indian Department and all Indian affairs to the Military Commander of the North American Provinces” on May 13, 1816.²⁹ Gore protested this change, but control over the Indian Department in Upper Canada remained in the hands of the Governor General at Quebec rather than the Lieutenant Governor at York until 1830.³⁰

²⁷ Francis Gore to Sir Gordon Drummond, 5 November 1815, 16-19, vol. 320, Q series, C.O. 42, LAC.

²⁸ Sir Gordon Drummond to Earl Bathurst, 18 December 1815, 256-258, vol. 133, Q series, C.O. 42, LAC.

²⁹ General Orders, 13 May 1816, 10693, vol. 12, RG10, LAC.

³⁰ Fore Gore's protests, see Francis Gore to Sir John Coape Sherbrooke, 31 May 1816, 233-236, vol. 320, Q series, C.O. 42, LAC; Francis Gore to Earl Bathurst, 2 September 1816, 309-314, vol. 320, Q series, C.O. 42, LAC.

Soon after the news of the ratification of peace arrived in Canada in March 1815, orders were dispatched to reduce the size of the inflated wartime Department.³¹ In Upper Canada, this reduction took place on September 25, and diminished the size of the Indian Department in the upper country west of Montreal to 50 members.³² As this was still far above the number of employees before the war, Earl Bathurst ordered the following year that the size of the Department should be further reduced to what it had been in 1811.³³ The establishment at the newly formed post at Drummond Island was explicitly excluded from this constraint, and a few other wartime additions to the strength of the ID were allowed to stand.³⁴ The end result was that after the two peacetime reductions following the War of 1812, the Indian Department was still substantially larger than it had been before the war, counting 34 members in 1816 compared to 24 in 1811.³⁵

“The Fire Would Be Rekindled”: Post-War Continuity and Change, 1816-1828

In the twelve years following the establishment of the peace footing and the transfer to military jurisdiction in 1816, the Indian Department was relatively static in terms of its organization and membership. The concerns of the Department in this period accordingly remained largely unchanged from those established in the 1790s. This meant that first and foremost, the Department worked to preserve a viable military and political relationship with Indigenous nations across the American border. To a certain extent, this concern with maintaining a non-territorial sovereignty in the Great Lakes region based on Indigenous alliance was not in keeping with metropolitan policy. Despite pressure from Canadian interests, British proposals for the

³¹ Noah Freer to Sir John Johnson, 22 March 1815, 10533, vol. 12, RG10, LAC.

³² Extract from General Orders, 11 July 1815, 18123-18124, vol. 31, RG10, LAC.

³³ Sir John Coape Sherbrooke to Earl Bathurst, 13 August 1816, 98-99, vol. 137, Q series, C.O. 42, LAC.

³⁴ T.H. Addison to Sir John Johnson, 17 August 1816, 10782-10784, vol. 12, RG10, LAC.

³⁵ General Orders, 27 August 1816, 10794-10795, vol. 12, RG10, LAC. Compare with Proposed Establishment of the Indian Department of Upper Canada for the Year 1811, (no date), 171383, vol. 475, RG10, LAC.

establishment of an Indian buffer state were rejected by the American negotiators at Ghent, and when the final terms of the treaty were drafted on December 24, 1814, all that remained of the original Imperial demand was one article that ambiguously called for the restoration of “all possessions, rights, and privileges” that Indigenous nations had enjoyed previous to the war.³⁶ Despite appearing toothless, the Indian Department and other advocates of continued British presence in the Great Lakes region latched onto this ninth article of the Treaty of Ghent in order to encourage further Indigenous resistance to American expansion, as well as to avoid the recrimination of having broken their promise that the Empire would never abandon the warriors.³⁷ In councils at Amherstburg and Drummond Island, representatives of the Department presented the broadest possible interpretation of the treaty’s ninth article, explaining to the nations that not only did it restore their territories as they had existed in 1811, but that it guaranteed that these territories would remain free of American control forever.³⁸ When it became clear the United States did not share this interpretation but instead fully intended on expanding its settlements beyond their pre-war limits, both the Department and the western nations themselves advocated the Empire enforce the terms of the peace as they wanted them to be understood, by diplomacy if possible or by war if necessary.³⁹ There was, however, never any serious question that the Empire

³⁶ Allen, *His Majesty’s Indian Allies*, 168-169.

³⁷ For an example of such recrimination see Council at Drummond Island, 7 August 1817, 31-32, Letter Book of William McKay, William McKay Fonds, McCord Museum. British agents were sensitive to such accusations and did not want to be forced into breaking their promises due to the actions of their superiors, see Extract of a Letter from Robert McDouall to Sir Frederick Philipse Robinson, 22 September 1815, 271- 274, vol. 258, RG8, LAC; William McKay to James Givins, 27 July 1820, unpaginated, Letter Book of William McKay, William McKay Fonds, McCord Museum.

³⁸ Minutes of a Council at Amherstburg, 26 and 27 August 1815, 18355-18359, vol. 31, RG10, LAC; Minutes of a Council at Amherstburg, 2 August 1817, 20036-20037, vol. 34, RG10, LAC; Minutes of a Council at Drummond Island, 2 July 1817, 27-28, Letter Book of William McKay, William McKay Fonds, McCord Museum.

³⁹ Sir Gordon Drummond to Earl Bathurst, 27 August 1815, 81-85, vol. 133, Q series, C.O. 42, LAC; Minutes of a Council at Drummond Island, 29 June 1816, 329-347, vol. 260, RG8, LAC; Billy Caldwell to Gabriel Godfrey, 1 July 1816, 19185-19186, vol. 33, RG10, LAC.

would go to war to enforce this broad interpretation of the ninth article of the Treaty of Ghent.⁴⁰ The withdrawal of Imperial influence north of the border established in 1783 was reinforced by the Anglo-American commercial convention of 1815, which ended the right of British traders to freely cross into the territory to the United States.⁴¹ The Rush-Bagot agreement of 1817 and the border convention of 1818 further signaled the Empire's unwillingness to compete with the American republic for territorial or commercial dominance south and west of the Great Lakes.⁴²

It is, however, easy to exaggerate the imperial retreat from the Great Lakes in the immediate aftermath of the Treaty of Ghent. In the case of the Indian Department, the work of the officers and interpreters continued much as it had since the surrender of the posts in 1796. Many of the senior administrators in Canada, including Sir Gordon Drummond, Sir John Coape Sherbrooke, and the Earl of Dalhousie, continued to place great importance on the political and military relationship with First Nations communities across the international border in the period 1816-1828.⁴³ The occupation of Drummond Island was itself an assertive step towards maintaining a meaningful connection with Indigenous communities across the border, especially considering that contemporary British authorities recognized the possibility that the island itself might soon be

⁴⁰ Colin G. Calloway, "The End of an Era: British-Indian Relations in the Great Lakes Region after the War of 1812," *Michigan Historical Review* 12, no. 2 (1986): 3-4; Alan Taylor, *The Civil War of 1812: American Citizens, British Subjects, Irish Rebels, and Indian Allies* (New York: Vintage, 2011), 433-435. Lord Liverpool himself personally rejected this understanding of Article nine of the Treaty of Ghent, see Letter of Lord Liverpool, 11 October 1816, 136, vol. 139, Q series, C.O. 42, MG11, LAC.

⁴¹ Hatter, *Citizens of Convenience*, 163.

⁴² Allen, *His Majesty's Indian Allies*, 170. Taylor, *The Civil War of 1812*, 435.

⁴³ Drummond's commitment to the alliance was a key element of his administration following the end of the War of 1812, see for example Sir Gordon Drummond to Earl Bathurst, 18 December 1815, 256, vol. 133, Q series, C.O. 42, MG11, LAC. Sherbrooke for his part considered the alliance "extremely important," see Sir John Coape Sherbrooke to Earl Bathurst, 9 August 1816, 68, vol. 137, Q series, C.O. 42, MG11, LAC. Dalhousie earnestly advocated the Empire maintain a strong connection with the nations across the border "who, by every step of the American Government encroaching on them, become more earnestly and firmly attached to the interest of the British Power," Earl Dalhousie to Earl Bathurst, 16 December 1822, 322-325, vol. 161, Q series, C.O. 42, MG11, LAC. For the importance of the western alliance to Dalhousie in the commissioning of the Darling Report of 1828, see below.

determined to fall within the bounds of the United States.⁴⁴ As William Claus explained to Governor General Dalhousie, the occupation of Drummond Island was a key part of the post-war Indian Department, as the western nations had been promised at the end of the war that “their Great Father would never abandon them, and that the fire would be rekindled in that country for them to meet at as formerly where they would always be received and kindly treated.”⁴⁵ Even after the commissioners appointed to determine the exact course of the international border through the Great Lakes under the sixth article of the Treaty of Ghent officially recognized Drummond Island as American territory in 1822, the Indian Department and a skeleton garrison of British regulars continued to occupy the island as a crucial centre for Indigenous-Imperial diplomacy for an additional six years.⁴⁶

There was no decrease in the expense of the annual presents during the period 1816-1828 compared to the first decade of the nineteenth century. In fact, the value of the annual presents distributed in Upper Canada remained somewhat elevated following the war, averaging just over 15,600 pounds sterling in the years 1821-1829 compared to roughly 10,000 pounds sterling in the period 1800-1810.⁴⁷ The majority of these presents continued to go to Visiting Indians from U.S. Territory. In 1827, Resident Indians accounted for only roughly 5,232 of the 12,919 individuals who received presents from the Upper Canadian ID.⁴⁸ The Department continued to distribute

⁴⁴ See for example Robert McDouall to Sir George Murray, 17 May 1815, 72-74, vol. 688, RG8, LAC; Extract of a Letter from Earl Bathurst to Sir Gordon Drummond, 69-72, vol. 515, RG8, LAC.

⁴⁵ William Claus to Assistant Military Secretary Maitland, 2 August 1825, 24509-24510, vol. 568, RG10, LAC.

⁴⁶ Francis M. Carroll, “The Search for the Canadian-American Boundary along the Michigan Frontier, 1819-1827: The Boundary Commissions under Articles Six and Seven of the Treaty of Ghent,” *Michigan Historical Review* 30, no. 2 (2004): 93-95.

⁴⁷ For the value of presents in Upper Canada in the 1820s, see Estimated Value of Presents issued to Indian in Upper Canada in the Year 1823 taken as an Annual Average for the Last Eight Years, 21 February 18129, 23730-23731, vol. 45, RG10, LAC. For the period 1800-1810, see Requisition for Goods to Supply His Majesty’s Indian Stores for the Year 1800, 170681-170683, vol. 474, RG10, LAC; Requisition for Goods to Complete the Supply of His Majesty’s Indian Stores with Presents for the Indians in the Province of Upper Canada for the Year 1809, 171054-171055, vol. 475, RG10, LAC.

⁴⁸ General Return of Indians who have received Presents during the Year 1827, 384-387, vol. 182, Q series, C.O. 42, MG11, LAC. For the proportion of Visiting Indians to Resident Indians at the posts of Amherstburg and Drummond

British flags and medals in order to cultivate diplomatic relationships with influential leaders from across the border, including perhaps most prominently the Odawa chief Jean-Baptiste Assiginack.⁴⁹ The Indian Department likewise continued to gather intelligence on the policies and movements of the agents of the United States, and watched with jealousy the advance of American influence among the communities south and west of the Great Lakes.⁵⁰

Perhaps the best demonstration of the Upper Canadian Indian Department's continued commitment to the cross-border alliance came following the so-called Winnebago War of 1827.⁵¹ After clashes between the Winnebago and encroaching settlers in northern Illinois resulted in several deaths and widespread panic in both settler and Indigenous communities during the previous year, a delegation of 22 Winnebago made their way to Drummond Island in the summer of 1828 to ask for arms, ammunition, and support from their old Imperial partners. While they received no firm commitment from the British representatives on the island, the delegation was warmly received and amply supplied with presents and provisions.⁵² Following this visit, the Indian Department on the upper Great Lakes advocated increasing support for Indigenous nations in the region. In a memo to his superiors regarding the Winnebago delegation, Indian Department officer T.G. Anderson expressed his belief that the ongoing conflict between the United States and the Winnebago might spark a general frontier war. In the event that the other western nations joined with the Winnebago, Anderson wrote that the united warriors "would immediately commence a massacre on the unprotected inhabitants of the extensive American frontier, which

Island during this period, see List of Indians Resident in the Province, 24 December 1827, 23471, vol. 44, RG10, LAC; Return of Indians Resident in the United State and Who Visited Drummond Island in the Years 1824-1826, 23162-23165, vol. 44, RG10, LAC.

⁴⁹ For the Dalhousie's appointment of Assiginack as Grand Chief, see Address Made by James Winniett, 6 August 1821, 21757, vol. 39, RG10, LAC.

⁵⁰ See for example T.G. Anderson to William McKay, 11 January 1827, 31436-31437, vol. 496, RG10, LAC.

⁵¹ For this conflict, see Bethel Saler, *The Settlers' Empire: Colonialism and State Formation in America's Old Northwest* (Philadelphia: University of Pennsylvania Press, 2015), 151-153, 159-163.

⁵² Minutes of a Speech Delivered by Nayocautay the Winabago Chief, 30 June 1828, 334-341, vol. 267, RG8, LAC.

would probably end in the natives being restored to their rights of territory.”⁵³ The superintendent at the head of the ID at Drummond Island, William McKay, shared Anderson’s belief.⁵⁴ In the expectation that the Winnebago and their allies would return to Drummond Island the following year, McKay increased his requisition for the number of individuals to be supplied with presents in 1829 from 4,000 to 5,000.⁵⁵ These presents included 4,064 pounds of gunpowder, 2,736 pounds of musket balls, 9,456 pounds of shot, 5,472 gunflints, 200 hatchets, and 220 firearms, accompanied by five British flags and five large silver medals.⁵⁶ Far from balking at the prospect of supplying arms and ammunition that could be used against American settlers, the British Indian Department was not only advocating but materially preparing to again arm Indigenous warriors to go to war with citizens of the United States.

The conflict between the Winnebago and the United States ultimately did not lead to a generalized frontier war, and only a few months after the arrival of the Winnebago delegation the British garrison was finally withdrawn from Drummond Island. Nonetheless, this episode illustrates the nature of the ongoing relationship between the Indian Department and Indigenous communities across the border. When presented with the opportunity, the officers of ID were eager to supply arms and ammunition to warriors who they believed to be on the edge of a war with American settlers. Nor was the case of the Winnebago War an entirely isolated incident. Four years later, the Sauk chief Blackhawk cited a similar visit to the Indian Department superintendent at Amherstburg as an important catalyst to his raising the British flag and openly resisting the United

⁵³ Remarks on the Winnebago Chief Four Legs’s Speech by T.G. Anderson, 13 July 1828, 23597, vol. 25, RG10, LAC.

⁵⁴ William McKay to Lieutenant Colonel Napier, 16 October 1828, 346, vol. 267, RG8, LAC.

⁵⁵ William McKay to James Givins, 5 August 1828, 23629, vol. 45, RG10, LAC.

⁵⁶ Estimate of Presents Required for the Supply of Indians at the Post of Drummond Island for the Year 1829, 23637, vol. 45, RG10, LAC.

States alongside the warriors of his nation.⁵⁷ While I have yet to find record of this visit in the archive of the Indian Department, the officer in charge of the Amherstburg branch at this time would have been Maera George Ironside Jr., who was a staunch advocate for the continued military alliance between Indigenous nations in the United States and the British Empire. Given the very real danger posed to settlers by the Indian Department's continued distribution of arms and ammunition to Indigenous nations facing the brunt of American expansion, United States authorities continued to protest the Indian Department's distribution of arms and ammunition to Indigenous communities in U.S. territory nearly up to the end of the practice in 1843.⁵⁸

While the central principles of the Indian Department remained largely stable in the years following the establishment of the peace footing in 1816, important changes were nonetheless taking place at its periphery. One of these was the introduction of annuities. When Sir Peregrine Maitland replaced Francis Gore as the Lieutenant Governor of Upper Canada in 1818, he brought with him a new land policy. In the aftermath of the War of 1812, the British government was eager to open up as much land as possible for settlement in Upper Canada. In order to do so, Maitland introduced a policy whereby the Crown would obtain title to Indigenous land not through large lump sum payments, but by offering smaller annual payments in perpetuity.⁵⁹ Between October 1818 and July 1820, six of these treaties were negotiated, and the first instalments of the promised annuities were paid in the summer of 1821.⁶⁰ One additional treaty finalized in April 1825 meant that by the end of the 1820s seven Indigenous communities in Upper Canada were entitled to

⁵⁷ Black Hawk, *Life of Ma-ka-tai-me-she-kia-kiak or Black Hawk* (Boston: Russell, Odiorne, and Metcalf, 1834), 108-109.

⁵⁸ See for example Francis Bond Head to Lord Glenelg, 20 November 1836, in *Parliamentary Papers 1839*, 127.

⁵⁹ For the outline of this policy, see J.R. Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada* (Toronto: University of Toronto Press, 2009), 95-99.

⁶⁰ Statement of Lands purchased for the Crown from the Indians in Upper Canada, 31 May 1821, 97, vol. 12, Claus Papers, MG19, LAC. For the delay in actually issuing the annuities, see H.C. Darling to Sir John Johnson, 28 April 1821, 21581-21582, vol. 39, RG10, LAC.

annuities worth 4,426 pounds sterling collectively.⁶¹ In 1827, these seven communities numbered roughly 2,300 individuals, somewhat less than half the total number of Resident Indians in Upper Canada.⁶² While the annuities were valued in pounds sterling, they were distributed in the form of goods similar to those that made up the annual presents.⁶³ Communities who received annuities in no way gave up their right to the regular annual presents, and therefore the addition of annuity payments occasioned a marked increase in the total amount of goods annually distributed by the Indian Department. By the late 1820s, annuity payments made up one-quarter of the roughly 20,000 pounds sterling of goods distributed in the Upper Province.

During the first dozen years after their introduction in 1818, the annuities remained essentially a supplement to the annual presents, notwithstanding the diverse origins of the two categories of goods. However, already in the 1820s there was some indication that their impact could be much more transformative. When negotiating their annuity in 1818, the Ojibwe of Lakes Huron and Simcoe requested that as part of the treaty a medical professional might be appointed to tend to their needs whenever they travelled to York, there being no departmental surgeon at the provincial capital since 1816.⁶⁴ While the government did not accede to this request, Deputy Superintendent General Claus proposed that the Ojibwe might barter a portion of their annuity goods in exchange for medical care. The Ojibwe endorsed this idea, and they accordingly delivered

⁶¹ Abstract of Sums Annually Paid in Goods to the Undermentioned Indian Tribes in Upper Canada, (no date), 11, vol. 189, Q series, C.O. 42, MG11, LAC.

⁶² Return of Indian in Upper and Lower Canada for Whom the Presents Specified in the Annexed Estimate are Intended, 25 June 1827, 174128, vol. 483, RG10, LAC. All of the individuals at the posts of York and Kingston were entitled to annuities. For the Chippewa in the western district, see List of Indians Resident in the Province, 24 December 1827, 23471, vol. 44, RG10, LAC.

⁶³ While different Indigenous community and Indian Department officials suggested that half the value of the annuities might be paid in goods and the other half in cash, this never actually took place. See Sir Peregrine Maitland to H.C. Darling, 13 August 1820, 102-103, vol. 263, RG8, LAC. For an in-depth examination of the surrounding concerns regarding the payment of goods or of cash, see Brian Gettler, *Colonialism's Currency: Money, State, and First Nations in Canada, 1820-1950* (Montreal: McGill-Queen's University Press, 2020), 59-78.

⁶⁴ For the request of the Chippewa, see William Claus to Major Bowles, 10 November 1818, 29439, vol. 489, RG10, LAC.

goods valued at 40 pounds to the physician William Lee as payment for his medical services.⁶⁵ While this sort of arrangement was unusual for its time, the use of annuities in order to pay for services that had once been the responsibility of the permanent establishment of the ID would become a major feature of the Indian Department in the 1830s.

A dozen years after the establishment of the Indian Department's peace footing in 1816, the ID remained largely unchanged from the organization it had been for decades. Under pressure to further diminish expenses, Governor General Dalhousie had ordered a fairly large reduction in the ID in 1822.⁶⁶ This meant that by 1828 the permanent establishment counted some 16 members, somewhat less than the period immediately before the War of 1812, but somewhat more than the late 1780s and early 1790s.⁶⁷ While the position of Indian Department storekeeper had been done away with when all military stores were transferred to the jurisdiction of the Storekeeper General's Department in 1817, the introduction of the annuity system the following year meant that the ID's responsibilities had expanded rather than contracted during this period.⁶⁸ Nonetheless, the following years would see more serious reforms to the structure of the ID.

"This Arrangement is of Little Consequence": Structural Reforms, 1828-1835

While the decades following 1815 have been presented as a period of radical change in Indigenous-Imperial relations in the Great Lakes region, the years from 1828 to 1830 are often viewed as the culmination of this transformation.⁶⁹ The changes that took place in the late 1820s

⁶⁵ James Givins to William Claus, 20 July 1822, 22037-22038, vol. 40, RG10, LAC.

⁶⁶ Dalhousie to Bathurst, 16 December 1822, 322-326, vol. 161, Q series, C.O. 42, MG11, LAC.

⁶⁷ Memo of the Appointments in the Indian Department, 16 March 1829, 157, vol. 268, RG8, LAC.

⁶⁸ George Harrison to Henry Goulburn, 17 August 1816, 120-121, vol. 139, Q series, C.O. 42, LAC. For the order to the Indian Department, see T.H. Addison to Sir John Johnson, 21 November 1816, 10868-10869, vol. 12, RG10, LAC. For the transfer of the stores, see Alexander Pringle to Alexander McDonnell, 15 September 1817, 20100, vol. 34, RG10, LAC.

⁶⁹ See for example J.R. Miller, *Skyscrapers Hide the Heavens: A History of Native-newcomer Relations in Canada*, 4th ed. (Toronto: University of Toronto Press, 2018), 99-100.

and early 1830s certainly were important, but they must be kept in perspective. The administration of the Indian Department at the highest level was restructured and its membership significantly reduced, but these changes did little to alter the traditions, practices, and attitudes of the Department on the ground. A better understanding of the exact nature of the reforms undertaken in the years 1828-1835 can help illustrate the enduring continuity of the work of the Upper Canadian Indian Department.

The death of Deputy Superintendent General William Claus in November 1826 cleared the way for Governor General Dalhousie to appoint his military secretary Henry Charles Darling to the head of the Upper Canadian Indian Department the following month.⁷⁰ While at least one observer viewed his appointment as “a little bit of a job,” Darling was relatively well qualified to lead the Indian Department, having already served in his capacity as military secretary as the chief conduit between the ID and the governor since 1820.⁷¹ While his time at the head of the Department lasted only two years, Darling’s tenure has been conspicuous in the historiography thanks to his 1828 report on the Indian Department. The inspiration for the so-called Darling Report seems to have originated with its author’s chief benefactor, Lord Dalhousie. The Governor General was already preparing to send Darling on a pan-Canadian fact finding mission at the time of his appointment to the Indian Department in December 1826, but instructions dispatched on April 14, 1827 by Lord Goderich, the newly appointed Secretary of State for War and the Colonies, provided further impetus to the Governor’s plans.⁷² In his dispatch, Goderich instructed Dalhousie

⁷⁰ For the death of Claus, see James Givins to Sir John Johnson, 13 November 1826, 31313, vol. 495, RG10, LAC. While it took some time for Darling’s appointment to be confirmed, he was in practice the head of the Upper Canadian ID from December 1, 1826, see H.C. Darling to James Givins, 5 December 1826, 1, vol. 586, RG10, LAC.

⁷¹ E.G. Stanley to R.W. Hay, 18 April 1828, 401-402, vol. 350, Q series, C.O. 42, MG11, LAC. For Darling’s own estimation of his qualifications, see H.C. Darling to Dalhousie, 16 April 1827, 81-82, vol. 179, Q series, C.O. 42, MG11, LAC.

⁷² For Dalhousie’s plans to send Darling on a tour of inspection, see Dalhousie to Bathurst, 20 April 1821, 76-80, vol. 179, Q series, C.O. 42, MG11, LAC.

to begin preparations for the anticipated dissolution of the Indian Department.⁷³ As a consistent advocate of a robust relationship with Indigenous peoples, Dalhousie was strongly opposed to the proposed measures, and he made clear in his response of November 22, 1827 that he was not prepared to adopt any such policy.⁷⁴ The following summer, Dalhousie issued instructions to Darling to carry out his long-awaited tour of inspection, clearly anticipating that the results of this investigation would support his own views on the proper management of Indian affairs.⁷⁵

Dalhousie was not disappointed. Rather than representing the dawn of a new era, Darling's report was centered upon the same concerns that had occupied the Indian Department since the time of Sir William Johnson.⁷⁶ The past exploits of Indigenous warriors and the need to "rivet their attachment" to ensure support in any future conflict formed its chief focus.⁷⁷ To do this, Darling wrote, the infrastructure of alliance, including annual presents and the protection of property, needed to be maintained and expanded. Rather than reducing the Indian Department as had been ordered by Goderich, Darling suggested "that its membership be increased by one or two."⁷⁸ One such appointment that followed as a consequence of Darling's tour was that of Ahyonwaeghs John Brant to the position of Superintendent at the Grand River.⁷⁹ The son of a hero of the Revolutionary War who had himself served as a captain in the Indian Department during the War of 1812, the

⁷³ Copy of a Despatch from Lord Goderich to Earl Dalhousie, 14 July 1827, in *Papers Relative to the Aboriginal Tribes in British Possessions* (London: House of Commons, 1834), 5.

⁷⁴ Dalhousie to Goderich, 22 November 1827, in *Papers Relative to the Aboriginal Tribes*, 5-7.

⁷⁵ Instructions to Major Darling, 9 June 1828, in *Papers Relative to the Aboriginal Tribes*, 31.

⁷⁶ For the overall conservative bent of the Report in a wider Imperial context, see E.A. Heaman, "Space, Race, and Violence: The Beginnings of 'Civilization' in Canada," in *Violence, Order, and Unrest: A History of British North America, 1749-1876*, Elizabeth Mancke et al. eds. (Toronto: University of Toronto Press, 2019), 137.

⁷⁷ Darling to Dalhousie, July 24, 1828, in *Papers Relative to the Aboriginal Tribes*, 29-30.

⁷⁸ Darling to Dalhousie, July 24, 1828, in *Papers Relative to the Aboriginal Tribes*, 26.

⁷⁹ General Order Head Quarters Quebec, 2 August 1828, 23627, vol. 45, RG10, LAC. For more on the context of Brant's appointment, see Proceedings of a General Council of the Six Nations Indians Held at the Mohawk Village on the 3rd and 4th of July 1828, 23574-23575, vol. 45, RG10, LAC; Dalhousie to Bathurst, 20 April 1827, 76-83, vol. 179, Q series, C.O.42, MG11, LAC.

appointment of John Brant was well calculated to further the sort of Indian policy proposed by Dalhousie and Darling.

The forceful representations made by the Governor General and his military secretary were not without effect. The task of responding to Darling's report was left to Sir George Murray, Goderich's successor as Secretary of State for War and the Colonies. In a letter of December 3, 1828, Murray abandoned the idea of abolishing the Indian Department and radically altering the system of the annual presents. However, the new secretary of state made clear that the metropolitan government insisted on certain measures of reform and financial retrenchment.⁸⁰ Over the following year, a large amount of correspondence passed between Quebec and London regarding the possible reforms, until on December 1, 1829, Murray sent out final instructions for a major set of changes in Indian Affairs.⁸¹ These orders were received by Sir James Kempt, Dalhousie's successor as Governor General, on January 27, 1830. Kempt in turn issued directions to the Indian Department to carry the reforms into effect on April 13.⁸²

As outlined in a dispatch of November 20, 1829, from the Treasury Chambers, the reforms of 1830 had four major components. First, it was ordered that the membership of the Indian Department was to be reduced to the smallest possible number. Second, the annual expenses of the Indian Department in the Canadas were to be capped at 20,000 pounds sterling, the limit originally proposed in the Board of Trade's Plan of 1764. Third, on the advice of the Canadian governors, the annuities formerly distributed exclusively in the form of goods were to be converted into a sort of slush fund in order to finance projects such as "the building of houses and the purchase

⁸⁰ Copy of a Despatch from Sir George Murray to Sir J. Kempt, 3 December 1828, in *Papers Relative to the Aboriginal Tribes*, 36.

⁸¹ For this correspondence, see *Papers Relative to the Aboriginal Tribes*, 37-60.

⁸² Copy of a Despatch from Sir James Kempt to Sir George Murray, 27 January 1830, in *Papers Relative to the Aboriginal Tribes*, 89-90; General Order, 13 April 1830, 239, vol. 587, RG10, LAC.

of agricultural implements.” Finally, the Indian Department in the Canadas was to be split into separate Lower and Upper Canadian branches, and control over the Upper Canadian branch to again be vested in the Lieutenant Governor as had been the case in the years 1796-1816.⁸³

Each of these four elements represents a significant structural reform. None of them however constituted a fundamental break with the past. This is particularly true with the reform that has received the most attention in the historiography. Many historians have taken the transfer of the Indian Department from the control of the Commander of the Forces to the civil governor of Upper Canada in 1830 as the end of the system of alliance.⁸⁴ In reality, this transfer is better understood as a devolution of powers from the Governor General at Quebec to the local administrator in Upper Canada rather than a transformation of the Indian Department from a military department into a civil department. As both Sir George Murray and Sir James Kempt recognized, the distinction between the civil and military administration in Canada was at best ambiguous, as the current Lieutenant Governor of Upper Canada, Sir John Colborne, was both the civil administrator and chief military officer in the province.⁸⁵ As Kempt wrote in one dispatch to the secretary of state on the subject of the proposed transfer, “this arrangement is of little consequence whilst the civil government and military command in the respective provinces are vested in the same person.”⁸⁶ As shown by the ambivalence of the administrators who oversaw this jurisdictional adjustment, very little changed at a practical level as a result of the transfer. The Indian Department continued to occupy space in the military offices at York until 1837.⁸⁷ Military

⁸³ Copy of a Letter from G.R. Dawson to R.W. Hay, 20 November 1829, in *Papers Relative to the Aboriginal Tribes*, 58-60.

⁸⁴ See for example Leslie, *Commissions of Inquiry into Indian Affairs in the Canadas*, 17; *Miller Compact, Contract, Covenant*, 99

⁸⁵ See Sir James Kempt to Sir George Murray, 27 January 1830, and Sir George Murray to Sir James Kempt, 22 March 1830, both in *Papers Relative to the Aboriginal Tribes*, 90-91.

⁸⁶ Sir James Kempt to Sir George Murray, 27 January 1830, in *Papers Relative to the Aboriginal Tribes*, 90.

⁸⁷ S. Walcott to the Military Secretary, 21 August 1837, 63835, vol. 66, RG10, LAC.

officers continued to represent the Empire at the issuing of the annual presents until 1839.⁸⁸ The Indian Department was not returned in the Blue Books as part of the provincial establishment until 1842, and the salaries of its employees continued to be defrayed from the military chest.⁸⁹ Indian Department officers continued to wear their military uniforms and receive military allowances of rations, firewood, and candles into the 1840s.⁹⁰ While the reforms of 1830 had significantly reduced the membership of the Department, the employees who remained represented the same class of officers and interpreters that had made up the core of the Department since the 1750s, many of whom had actively served in the War of 1812.⁹¹ In 1840, Chief Superintendent Samuel Peters Jarvis managed to secure a military rank for himself by arguing that the ID was actually a military department, that it had in fact never been erected into a distinct civil department, that the reforms of 1830 explicitly stated that despite the transfer the ID was to be governed exactly as it had been before, and that “it was not the intention of the government to divest the Department of its Military Character.”⁹²

None of this is to say that the transfer of control of the Indian Department from the commander of the forces to the civil administrator of Upper Canada was completely devoid of significance. Administrators like Sir George Murray clearly believed it was an important change, even with its ambiguities. Nonetheless, the reforms of 1830 should be understood as one small step in the direction of the conversion of the Indian Department to a branch of the civil government

⁸⁸ James Givins to Assistant Commissary General Bayley, 1 December 1839, 263, vol. 503, RG10, LAC.

⁸⁹ Sir Charles Bagot to Lord Stanley, 20 August 1842, 177-178, vol. 63, RG7 G12, LAC.

⁹⁰ RAIC 1847, unpaginated (page 31).

⁹¹ Of the eleven individuals on the permanent establishment of the Department in Upper Canada in the years 1837-1841, seven had served alongside Indigenous warriors in the War of 1812 (T.G. Anderson, J.B. Clench, S.P. Jarvis, William Jones, Joseph St. Germain, William Solomon, and James Givens) while three were the sons of those who had served (George Ironside Jr., Jacob Martin, and J. W. Keating). The final member, James Winniett, had served as the commanding officer at the important Indian Department post of Drummond Island in the 1820s.

⁹² S.P. Jarvis to C. Coleville, 5 December 1840, 220-228, vol. 504, RG10, LAC. See also S.P. Jarvis to Captain Sterling, 13 July 1840, 116, vol. 504, RG10, LAC.

of Canada rather than its definitive completion. Nor should it be understood as an irreversible change, as a similar transfer in 1796 had been reversed 20 years later. The sort of unambiguous and enduring changes in the fundamental nature of the ID that have been ascribed to the transfer of 1830 would have to wait until after the upheavals of the rebellion and the subsequent reformation of the relationship between the metropole and the colony of Canada in the 1840s.

While the nature of the administration of Indian Affairs in the Canadas was being debated in the years 1828 and 1829, a change of much more material significance to the relationship between the British Empire and Indigenous peoples had taken place. In October 1828, the Indian Department was ordered to withdraw from Drummond Island in anticipation of its immediate cession to the United States.⁹³ While this was a substantial blow to the Indian Department's efforts to maintain the Indigenous-Imperial relationship across the border in the upper Great Lakes, it did not mark the end of this project. Instead, Indian Department officer T.G. Anderson spearheaded an effort to transfer the old Drummond Island Council Fire to the vicinity of the British naval outpost at Penetanguishene. Imagining that this would be followed by a large-scale migration of Indigenous communities to this new site, Anderson hoped that if the government supported his schemes the withdrawal from Drummond Island would not weaken the relationships with the First Nations communities living across the international border.

Anderson's proposals were endorsed by the government, and during the summer of 1829 the first steps were taken to reorganize the area around Penetanguishene into the new centre of Indigenous-Imperial relations on the upper lakes.⁹⁴ Existing historiography tends to identify the subsequent establishment of the Indigenous communities at Coldwater and the Narrows as an

⁹³ T.G. Anderson to William McKay, 29 November 1828, 476, vol. 267, RG8, LAC.

⁹⁴ T.G. Anderson to James Givins, 21 June 1829, 23803, vol. 45, RG10, LAC.

example of a new policy of nineteenth-century civilization in action.⁹⁵ While this project did include certain elements that were commonly championed by liberal humanitarians of the early nineteenth century, including an emphasis on European schooling, at its root the re-establishment of the Drummond Island Council Fire at Penetanguishene demonstrates strong continuity with patterns of resettlement going back to the seventeenth-century St. Lawrence valley. As I argue in greater depth in Chapter Seven, the undertaking proposed by T.G. Anderson after the evacuation of Drummond Island is perhaps better understood as part of a broader project of “domiciliation” rather than as a newly started experiment in nineteenth century liberal humanitarianism.

Aside from the work of T.G. Anderson around Penetanguishene, maintaining connections with Indigenous communities across the border more broadly continued to be a chief concern for the Upper Canadian Indian Department in the period 1828-1834. When Sir George Murray first broached the idea of transferring control of the Indian Department in 1828, he specified that the Lieutenant Governor in Upper Canada would also have to act as “the channel of intercourse with the tribes beyond its boundaries, with whom it is our policy to keep up a friendly connexion.”⁹⁶ Six years later this continued to be a principal concern. In the requisition for presents submitted in 1834, the Upper Canadian Department requested presents for the following year to equip 5,005 Resident Indians compared to 9,832 Visiting Indians.⁹⁷

⁹⁵ See for example Donald B. Smith, *Sacred Feathers: The Reverend Peter Jones (Kahkewaquonaby) and the Mississauga Indians*, 2nd ed. (Toronto: University of Toronto Press, 2013), 105.

⁹⁶ Copy of a Despatch from Sir George Murray to Sir James Kempt, 3 December 1828, in *Papers Relative to the Aboriginal Tribes*, 90.

⁹⁷ Estimated Number of Visiting and Resident Indians Requiring Presents for the Years 1835 and 1836, (no date), 58201, vol. 55, RG10, LAC.

“A Prodigious Useless Expense”: Settler Criticism of the Upper Canadian Indian Department, 1795-1835

While the Upper Canadian Indian Department remained fundamentally the same from the 1790s to the 1830s, the same cannot be said of the province more generally. These decades were a time of momentous change in Upper Canada. From a population of 14,000 settlers in 1791, the population of the upper province had exploded to some 237,000 by 1831.⁹⁸ The growing population and prosperity of Upper Canada during these decades led to substantial discontent among a large section of the province's inhabitants who were unhappy with the administration's financial mismanagement, cliquish favouritism, and strictly Tory bent. The privileged position of the Church of England, the prohibition of American-born inhabitants from holding office, the exclusion of settlers from valuable lands, the distribution of patronage appointments to family and friends, and the omission of certain traditional powers from the purview of the elected Legislative Assembly all contributed to the growing popular discontent that has generally been called the Upper Canadian Reform Movement.⁹⁹

While less prominent than the important questions cited above, the administration of the Indian Department was also a frequent subject of complaint from discontented inhabitants against the Upper Canadian government. Significantly, the Indian Department was one element of the administration from which the Legislative Assembly was completely excluded. Powerless to carry out their own priorities independently, the elected representatives of the settler yeomanry of Upper Canada were left to ask for the intercession of the executive government whenever they wished to conduct business with First Nations communities, such as in 1831 when the Assembly petitioned

⁹⁸ Douglas McCalla, *Planting the Province: The Economic History of Upper Canada, 1784-1870* (Toronto: University of Toronto Press, 1993), 249. These numbers exclude the Indigenous population of the province.

⁹⁹ For a basic overview of this history, see Gerald M. Craig, *Upper Canada: The Formative Years, 1784-1841* (Toronto: McClelland and Stewart, 1963), Chapter Ten.

the Lieutenant Governor to negotiate the surrender of all Indigenous lands along the main trunk road of the province “whose situation much impedes settlement.”¹⁰⁰ What little business the Assembly conducted regarding First Nations was generally referred to that body by the executive branch when the government required legislation be passed.¹⁰¹ Given that the acquisition and transformation of Indigenous land was the foundation of prosperity in the settler society of Upper Canada, it is not surprising that the total exclusion of settlers from the oversight of the ID become a point of contention in Upper Canada. Already in 1795, Lieutenant Governor Simcoe complained of this arrangement on behalf of the Legislative Assembly, writing that the Legislature and the people of the province did not wish to see “the lives and properties of themselves and of their families at this momentous period dependant on the discretionary conduct of the Indian Department.” As its activities fell outside the normal channels of the government of the province, Simcoe suggested that the Legislature looked with “diffidence and suspicion” on the activities of this Department.¹⁰² In another letter that same year, Simcoe was even more explicit, writing that the people of the province “openly accuse, whether quietly or not, the Indian Department of fomenting disputes, for the purpose of self consequence and wealth, and of appropriating public bounty to private vices.”¹⁰³

¹⁰⁰ Legislative Assembly of Upper Canada, *Journal of the House of Assembly, Session 1831* (Toronto: John Carey, 1831), 89.

¹⁰¹ See for example *Journal of the House of Assembly of upper Canada, Session 1825-1826* (York: William Lyon Mackenzie, 1826), 55; *Journal of the House of Assembly of Upper Canada, Session 1829* (York: Francis Collins, 1829), 30; J. B. Robinson to James Givins, 12 April 1828, 23515-23517, vol. 45, RG10, LAC. In addition, petitions from First Nations communities were addressed to the Lieutenant Governor, who would then refer them to the Legislative Assembly if some action was required from that body. See *Journal of the House of Assembly of upper Canada, Session 1835* (Toronto: M. Reynolds, 1835), 242-243. Also, *General Index to the Journals of the House of Assembly of the Late Province of Upper Canada* (Montreal: Lovell and Gibson, 1848), 15.

¹⁰² Simcoe to Dorchester, 9 March 1795, in *Documents Relating to the Constitutional History of Canada*, eds. Arthur G. Doughty and Duncan A. McArthur (Ottawa: C.H. Parmelee, 1907-1914), 2:177. It should be noted that while Simcoe appealed to the concerns of the Legislature, he was mostly concerned that the control of the Indian Department fall under the purview of his own office as the head of the civil government of upper Canada. This, however, does not mean the concerns he raised were not also felt by the members of the Legislative Assembly.

¹⁰³ Simcoe to the Duke of Portland, 17 February 1795, 274, vol. 281, Q Series, C.O. 42, MG 11, LAC.

Robert Thorpe was one member of the Legislative Assembly who openly called for the dissolution of the Indian Department. In a letter to Sir George Shee, the under secretary of state for war and the colonies, dated December 1, 1806, Thorpe declared that the Indian Department was a useless expense that served only to enrich its corrupt members while they robbed and abused the Indigenous communities they were meant to serve. As part of his plans to improve the administration of the province, Thorpe proposed that “the Indian & Marine Department be struck off, and some useless places which have been arrogantly established, and twenty thousand a year may be saved to Great Britain, and more satisfaction will be given to the Indians, and prosperity to the Province, because roads will be opened; let fifty thousand poor sufferers in Germany be sent there, and the cultivation of hemp encouraged sufficiently, and in less than ten years you will have more hemp than England can want, and better than Russia ever produced.”¹⁰⁴ In his protests, Thorpe outlined the crucial idea that lay at the heart of many subsequent attacks on the Indian Department: unfettered settlement, not an expensive and morally dubious relationship with the region’s First Nations, was the proper path to power and prosperity for the province of Upper Canada.

Others took up the same views espoused by Thorpe. John Mills Jackson in his 1809 pamphlet *A Political View of the Province of Upper Canada*, decried the Indian Department as a “prodigious useless expense” and a site of “patronage and plunder.” This forerunner of the later Reform movement suggested that the department be abolished, and the government allow Indigenous communities to sell their lands “to whom they please.”¹⁰⁵ Robert Gourlay in his 1822

¹⁰⁴ Robert Thorpe to Sir George Shee, 1 December 1806, in *Report of the Canadian Archives for 1892*, ed. Douglas Bymner, (Ottawa: S.E. Dawson, 1893), 58. For more of Thorpe’s views on the Indian Department, see pages 90, 98.

¹⁰⁵ John Mills Jackson, *A View of the Political Situation of the Province of Upper Canada* (London: W. Earle, 1809), 20-22. Robert Fraser, “Jackson, John Mills,” in *DCB*, vol. 7, University of Toronto-Université Laval, 2003, accessed May 18, 2020, http://www.biographi.ca/en/bio/jackson_john_mills_7E.html.

Statistical Account of Upper Canada identified unceded Indian lands as a major obstacle to settlement, equal in importance to the remoteness of Upper Canada from trans-Atlantic markets.¹⁰⁶ Like Thorpe, Gourlay was an advocate of mass European emigration to Canada, and he did not believe that the reservation of Indigenous lands should present an obstacle to this project. In his *Statistical Account*, Gourlay declared that “the transfer of land from Indians to any one likely to settle it, was indeed no public grievance, but the contrary, by whatever means the business was settled.”¹⁰⁷ As for the Indian Department, Gourlay claimed that it “had long been notorious for the grossest delinquencies,” suggesting that officers of the department used their influence “to swindle the Indians out of their property, or to procure for lust the prostitution of their wives and daughters.”¹⁰⁸ John Howison, who published a travel account of Upper Canada in 1821, expressed similar sentiments. He remarked that “the Indians are feeble and useless allies,” and that if only their neutrality in future wars could be assured “the Indian Department might be advantageously abolished.”¹⁰⁹

The representatives elected to the Legislative Assembly as one body also protested the Crown’s exclusive control of the Indian Department (alongside numerous other branches of government) in their 1835 *Seventh Report on Grievances*. William Lyon Mackenzie and his fellow committee members who drafted the report additionally complained that, while the Indian Department was currently paid for by the metropolitan government, soon the inhabitants of the

¹⁰⁶ Gourlay’s queries to the “resident proprietors” of the colony returned four complaints of unceded Indian Lands retarding the improvement of the country, though he noted that one complaint had since been resolved thanks to a government purchase. See Robert Gourlay, *Statistical Account of Upper Canada* (London: Simpkin and Marshall, 1822), 1:283, 305, 367, 387, 624.

¹⁰⁷ Gourlay, *Statistical Account of Upper Canada*, 2:488. Gourlay’s staunch support for alienating Indigenous land was somewhat complicated by his defence of the Six Nations claim to their Grand River lands: see Elizabeth Elbourne, “Broken Alliance: Debating Six Nations’ Land Claims in 1822,” *Cultural and Social History* 9, no. 4 (2012): 505. It must however be noted that Gourlay himself recognized the case of the Grand River as an aberration from a general pattern, as indicated for example by the above quote.

¹⁰⁸ Gourlay, *Statistical Account of Upper Canada*, 2:486.

¹⁰⁹ John Howison, *Sketches of Upper Canada* (Edinburgh: Oliver and Boyd, 1821), 150-151.

province would be forced to bear this expense themselves. This new burden would add insult to injury, argued the Committee on Grievances, since the Indian Department at its core acted “for British and not for Colonial interests.”¹¹⁰

Despite these complaints, control of Indian Affairs remained outside the purview of the elected Legislative Assembly in 1835. Thus, while Upper Canadian society had changed dramatically during the period from the mid-1790s to the mid-1830s, the exclusion of settler assemblies from exercising control over the Indian Department, first established in the time of Sir William Johnson, remained intact. The province would have to pass through the chaos of rebellion and the crucial reforms of the early 1840s before this important element of the Indian Department began to change.

Conclusion

The two decades following the War of 1812 were a crucial period in Upper Canadian history. The settler population of the province rapidly expanded, and political battle lines were drawn between the government and its supporters on one hand and the supporters of Reform on the other. Important developments also took place in the Indian Department during the two decades between 1815 and 1835. The ID was substantially reduced in size, and many positions such as surgeons and blacksmiths previously employed on the permanent establishment were instead hired on a temporary or ad hoc basis. The new practice of purchasing Indigenous lands with annual instalments created an additional set of duties administering these payments. It also made possible a new financial arrangement whereby the government began to outsource payment for the Department to these Indigenous funds. The uppermost administration of the Indian Department

¹¹⁰ *The Seventh Report from the Select Committee of the House of Assembly of Upper Canada on Grievances* (Toronto: M. Reynolds, 1835), v, 341.

was also substantially reformed in these years, as the position of Superintendent General, occupied by Sir John Johnson since 1782, was abolished and the Department was split into two distinct branches, each one ultimately under the control of the individual administering to the civil government in each of the Canadas.

These changes, however, do not add up to a complete overhaul of the Indian Department in Upper Canada. Instead, despite these important structural reforms, the Indian Department of 1835 remained firmly rooted in the same traditions, practices, and attitudes it had since the late eighteenth century. Rather than marking the end of an era, the legacy of War of 1812 largely shaped the outlook of the Indian Department over the following decades. The Department maintained the substantially increased presence on Lake Huron that had been established during the war, its positions continued to be filled by men who entered the ranks during the years 1812-1815, and, most visibly, the employees of the Department continued to dress in the military uniform that had first been assigned at the outbreak of the conflict. Even as criticism of the Department continued to be voiced by both metropolitan administrators and settler Reformers, the Indian Department's work on the ground continued to be largely unaffected by the surrounding changes. A more significant transformation, however, was on the horizon. Chapter Eight will continue to trace the chronological history of the Department by examining the crucial years around the Canadian Rebellion of 1837-1838 and the union of the Canadas in 1841.

Chapter Six

“As Englishmen and Brethren”: The Indian Department and the Indigenous-Imperial Relationship, 1796-1845

In studies of Indigenous-newcomer relations in northeastern North America in the eighteenth and nineteenth centuries, the juxtaposition of the categories of “allies” and “subjects” is a common point of departure.¹ According to investigations that follow from this dichotomy, the British and French empires consistently sought to incorporate Indigenous peoples into their imperial projects as subjects, while Indigenous nations themselves insisted that they were instead only allies and were thus essentially independent.² There is real value in exploring the different attributes of ally and subject, as these two terms were frequently juxtaposed by contemporaries in their efforts to define the relationship between the Indigenous nations of North America and the trans-Atlantic imperial powers. In Upper Canada, the dichotomy of allies and subjects was commonly used to interrogate the legal and political status of First Nations communities within the province, and determining which of these two categories Indigenous people fell into formed a major part of the various investigations into Indian Affairs in the 1830s and early 1840s.³ However, even though contemporaries used the language of ally and subject, neither of these terms fully or

¹ Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (Cambridge: Cambridge University Press, 1991), 40; Daniel Richter, *Trade, Land, Power: The Struggle for Eastern North America* (University of Pennsylvania Press, 2013), 190; J.R. Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada* (Toronto: University of Toronto Press, 2009), 78; Wayne E. Lee, “Subjects, Clients or Allies or Mercenaries?: The British Use of Irish and Amerindian Military Power, 1500-1800,” in *Britain's Oceanic Empire: Atlantic and Indian Ocean Worlds, c. 1550-1850*, H.V. Bowen, Elizabeth Mancke, and John G. Reid eds. (Cambridge: Cambridge University Press, 2012), 179-217; Alan Ojiiig Corbiere, “Anishinaabe Treaty-Making in the 18th- and 19th-Century Northern Great Lakes: From Shared Meanings to Epistemological Chasms,” (PhD diss., York University, 2019), 258; Joshua Hazelbower, “Allies or Subjects?: Shifting Canada-Indigenous Political Relations from Treaty Six to the Electoral Franchise Act” (MA diss., University of Victoria, 2017).

² White, *The Middle Ground*, 178-179; Richter, *Trade, Land, Power*, 190.

³ See for example the queries posed both by the commissioners of legislative committee no. 4 in 1840, and those posed by the Bagot commissioners, RAIC 1847, unpaginated, (pages 66-67, 147). For Indigenous engagement with this question, see Petition of the Mississauga of the River Credit, 24 January 1840, 66806-66809, vol. 72, RG10, LAC.

adequately describes the types of relationships that Indigenous peoples were trying to build with representatives of the British Empire. Accordingly, these terms tended to mislead contemporary Imperial officials into adopting an overly simplified vision of these relationships, rather than actually describing Indigenous-Imperial relations as they existed on the ground.

During the Upper Canadian period, both alliance and subjecthood could in fact convey a number of contradictory meanings. In some cases, subjecthood was taken to imply the termination of Indigenous autonomy and their political subjection to an outside power.⁴ Into the Upper Canadian period, when Indigenous speakers wanted to express that they were a free people, this idea of subjection was often glossed into English as “slavery” at diplomatic councils.⁵ Among the First Nations communities of Upper Canada, the Six Nations on the Grand River were generally the strongest opponents of being viewed as subjects, not least because many prominent leaders on the Grand River believed that if they were not subjects of the Crown they would be free to grant, sell, or rent their lands as they pleased without reference to Imperial administrators who sought to control these transactions.⁶

In other cases, a claim to the common rights of subjecthood could be used to strengthen a community’s position within colonial society.⁷ The Mohawk of the Bay of Quinte, for example, petitioned the government in 1836 expressing their “wish to enjoy all the Constitutional rights and

⁴ Peter S. Schmalz, *The Ojibwa of Southern Ontario* (Toronto: University of Toronto Press, 1991), 83.

⁵ Brett Rushforth, *Bonds of Alliance: Indigenous and Atlantic Slaveries in New France* (Chapel Hill: University of North Carolina Press, 2012), 375-376; Schmalz, *The Ojibwa of Southern Ontario*, 64, 67, 88. Subjection continued to be glossed as slavery in diplomatic councils during the Upper Canadian period. Indigenous spokesmen described American violence against them in the years around the War of 1812 as an attempt to reduce them to slavery. See Matthew Elliott to William Claus, 10 June 1810, 16099, vol. 27, RG10, LAC; Minutes of a Council at Drummond Island, 7 August 1817, 20212-20216, vol. 35, RG10, LAC; Minutes of a Council Held at Drummond Island, 7 July 1818, 20381-20384, vol. 35, RG10, LAC.

⁶ Susan M. Hill, *The Clay We Are Made Of: Haudenosaunee Land Tenure on the Grand River* (Winnipeg: University of Manitoba Press, 2017), 86, 158, 229. Elizabeth Elbourne, “Broken Alliance: Debating Six Nations’ Land Claims in 1822,” *Cultural and Social History* 9, no. 4 (2012): 509.

⁷ For an outline of the meaning of subjecthood in the British Empire, see Hannah Weiss Muller, *Subjects and Sovereign: Bonds of Belonging in the Eighteenth-century British Empire* (Oxford: Oxford University Press, 2017).

privileges of British subjects,” including crucially the right to participate in the ongoing elections for the province’s legislative assembly.⁸ The Mississauga of the River Credit likewise petitioned for the right to exercise the electoral franchise that same year.⁹ One of the leading men of the Credit River community, the Reverend Kahkewaquonaby Peter Jones, staunchly advocated that the First Nations of Upper Canada might soon “be able to walk side by side with their white neighbours, and partake in all the blessings and privileges enjoyed by the white subjects of her most gracious Majesty the Queen.”¹⁰ The meaning and value of subjecthood were therefore interpreted differently among Indigenous communities in Upper Canada, as some First Nations leaders rejected the label in order to insist on their community’s autonomy, while others sought to acquire for themselves the rights and privileges that subjecthood entailed.

The idea of alliance was also invoked to describe widely different political relationships during the Upper Canadian period. It was a common view among non-Indigenous British North Americans that an ally was *external* to one’s own body politic. In the words of the missionary James Coleman, if Indigenous peoples were allies of the Crown then “they are of course possessed of no other rights, political or civil, than other aliens.”¹¹ According to this view, to be an ally was to be an alien. This was not the case with Indigenous societies, where diplomatic relations tended to encompass much more than mere politics. Among the nations of northeastern North America, to enter into an alliance was to form a family relationship, either through marriage, adoption, or some other marker of kinship.¹² Alliances accordingly tended to be described in terms of family relationships, with each of the constitutive parties being assigned a kinterm denoting their proper

⁸ Petition of the Mohawk of the Bay of Quinte, 16 June 1836, 61345-61346, vol. 61, RG10, LAC.

⁹ Petition of the Mississauga Indians Residing at the River Credit, 9 June 1836, 61294-61295, vol. 61, RG10, LAC.

¹⁰ Peter Jones, *History of the Ojebway Indians* (London: A.W. Bennett, 1861), 218.

¹¹ RAIC 1847, unpaginated, (page 174).

¹² Michael J. Witgen, *An Infinity of Nations: How the Native New World Shaped Early North America* (Philadelphia: University of Pennsylvania Press, 2012), 31-34; Heidi Bohaker, *Doodem and Council Fire: Anishinaabe Governance through Alliance* (Toronto: University of Toronto Press, 2020), 26-27.

place in the alliance.¹³ Unlike the British understanding of alliance, wherein the contracting partners remained distinct despite their diplomatic entente, these kin-based alliances entailed the integration of the partners into a broader family. The members of inter-Indigenous alliances thus often appear in the archive of the Upper Canadian Indian Department as “Brother Nations,” and British observers in turn often understood these sorts of alliance relationships as confederacies, a term that continues to be widely used in the historical literature today.¹⁴

One example might serve to reveal some of the discrepancies around British and Indigenous ideas of alliance. At a diplomatic council on August 7, 1817, the Sauk war chief Blackhawk rose to address the British garrison of Drummond Island. In a speech full of bitterness and disappointment, Blackhawk outlined how, after the end of the War of 1812, the British Empire had abandoned the Indigenous nations west of Lake Huron to the mercy of the United States, even though during the war these nations had been promised that they would be included in any peace treaty “as Englishmen and brethren.” The Indian Department clerk T.G. Anderson, foreseeing that the language used by the Sauk chief might confuse others in the Imperial administration, made a note in the council minutes that what Blackhawk meant by “Englishmen and Brethren” was “allies.”¹⁵ Anderson’s simple clarification however did not exactly convey the meaning of Blackhawk’s words. When Blackhawk used the phrase “Englishmen and brethren,” he was referring to a relationship where the Empire and the nations formed one family, and thus this relationship might be better described as a confederacy than as an alliance. While T.G. Anderson was perfectly correct that Blackhawk’s metaphorical language contained in part the idea of

¹³ Gilles Havard, *Great Peace of Montreal of 1701: French-Native Diplomacy in the Seventeenth Century*, Phyllis Aronoff trans. (Montreal: McGill-Queens University Press, 2014), 29.

¹⁴ For examples of the use of the term Brother Nations see, Extract from the Minutes of a Council at Amherstburg, 11 July 1799, 15271-15273, vol. 26, RG10, LAC; Speech of the Nadouessies to the Saakies, June 1805, 15578-15582, vo. 26, RG10, LAC; William Caldwell to William Claus, 20 July 1815, 187205-18208, vol. 31, RG10, LAC.

¹⁵ Minutes of a Council at Drummond Island, 7 August 1817, 20212-20216, vol. 35, RG10, LAC; Minutes of a Council Held at Drummond Island, 7 July 1818, 20381-20384, vol. 35, RG10, LAC.

alliance, his simple gloss did not convey exactly what kind of relationship this alliance entailed. The relationship the Sauk chief was advocating was an integrative alliance that incorporated the contracting parties into a single confederal space while still allowing them to remain autonomous in their local affairs, rather than an alliance between discrete and alien peoples who lacked the bonds of kinship.¹⁶

In English translations of Indigenous speeches describing the formation of these confederal relationships, the word most often used was union.¹⁷ In 1805, for example, representatives from the Sioux and Sauk arrived at the Indian Department post at Amherstburg to announce the formation of a new confederacy, declaring that “at last we have been able to effect a union among the different nations.”¹⁸ Twenty years later, when asked whether his community would be willing to cede their land on the Detroit River the Wyandot chief Isidore prefaced his refusal by declaring “our union with the English nation is of long standing and we hope it will continue unimpaired to the latest posterity.”¹⁹ Kahkewaquonaby Peter Jones in his *History of the Ojebway Indians* described the formation of “federal unions” as one of the principal outcomes of general councils between nations.²⁰ Despite its prevalence in First Nations discourses, the idea of union does not seem to have been widely used by non-Indigenous observers to describe the Indigenous-Imperial relationship. Where it does appear, it carries more ambiguity than in contemporary Indigenous diplomacy. In an 1823 report on the Empire’s relations with First Nations in Upper Canada, the future attorney-general of New South Wales Saxe Bannister characterized these communities as

¹⁶ For an examination of the role of confederacies and alliances in First Nations history in the Great Lakes Region, see Bohaker, *Doodem and Council Fire*, 123.

¹⁷ For examples not discussed below, see Speech of Joseph Brant to the Ottawas, Chippewas, and Potawatomes, 29 October 1801, 46-48, vol. 254, RG8, LAC; Memorandum on Colonel Brant’s Relations with the Mississauga, 3 April 1802, 15415-1418, vol. 26, RG10, LAC.

¹⁸ Minutes of a Diplomatic Council, 8 June 1805, 15579-15580, vol. 26, RG10, LAC.

¹⁹ Minutes of a Conference with the Huron Indians, 7 April 1825, 22784-22785, vol. 43, RG10, LAC.

²⁰ Peter Jones, *History of the Ojebway Indians*, 106.

“the aborigines of North America in union or alliance with us.”²¹ Like T.G. Anderson’s gloss of Blackhawk’s speech, Bannister depended on the idea of alliance to convey one part of a much more significant relationship. If his formulation “union or alliance” is understood as an inclusive list of attributes rather than two exclusive choices, it describes much the same relationship outlined by Blackhawk above, albeit by invoking a pair of constituent elements of the relationship rather than by using the more precise language of kin-based confederacy.

Far beyond any simple dichotomy of ally versus subject, it is apparent that a diverse multitude of views existed in Upper Canada regarding the place First Nations did (or should) occupy in the province. Those who were most concerned in this question were of course Indigenous communities themselves. Different First Nations, and even different voices within the same community, could hold conflicting views on this subject. Nonetheless, a large number of leaders from across the region shared a similar enough conception of what the proper Indigenous-Imperial framework should look like that we can speak of a general consensus. While the language of alliance and subjecthood both appeared in diplomatic discourses during the Upper Canadian period, when First Nations speakers described their ideal relationship with the broader Empire, they much more frequently had recourse to longstanding Indigenous diplomatic metaphors. As discussed in Chapter One, among these was the image of a shared “Fire of Friendship” that would bring warmth to all who attended it. In order to keep this fire burning, both Indigenous communities and the Empire had to fulfill their own responsibilities. According to this vision, the British had promised to protect Indigenous land and other resources from settler encroachments,

²¹ Saxe Bannister to Robert Wilmot Horton, 21 August 1823, 261, vol. 167, Q Series, C.O. 42, MG11, LAC. Saxe Bannister’s brother, John William Bannister, was the author of an influential pamphlet on emigration to Upper Canada, see John William Bannister, *Sketch of a Plan for Settling in Upper Canada a Portion of the Unemployed Labourers of England* (London: J. Harding, 1821). The Bannister family was in correspondence with John Brant at this time, and it is likely that Saxe Bannister’s views expressed in the above report were heavily influenced by this correspondence, see Elizabeth Elbourne, “Broken Alliance: Debating Six Nations’ Land Claims in 1822,” *Cultural and Social History* 9, no. 4 (2012): 508.

to recognize the autonomy of First Nations communities, to listen to their concerns and provide them a voice in the government, and to distribute annual presents both as material support and as a symbolic marker of the alliance. Indigenous communities for their part had committed to aid the Empire in times of war and act as good children in times of peace.²² Despite the marked asymmetry of this relationship, this vision of the Indigenous-Imperial framework closely resembled the type of integrative alliances or confederacies referenced above. The structure of this relationship was almost always expressed using the same kinterms that Indigenous communities had long used to describe their political relationships, and while the nations committed themselves to become part of a broader confederal system within the Empire, this did not prevent them from staunchly defending the continued existence of their own autonomous communities and ways of life.

A crucial element of the Fire of Friendship was that it had to be tended by both the Indigenous nations and the representatives of the Empire if it was to continue burning bright. On the side of the Empire, it was of course the Indian Department that was primarily charged with keeping the flames alight. As we have seen in previous chapters, the Upper Canadian Indian Department was substantially a co-creation between the Indigenous nations of the Great Lakes region and the metropolitan government of the British Empire. A significant amount of an Indian Department employee's influence and prestige was determined by their ability to satisfy the desires of their Indigenous partners, patrons, and clients. It is therefore only fitting that the members of the Indian Department largely adhered to the same principles that were central to the Indigenous understanding of the Fire of Friendship.

²² For a fuller discussion of this topic, see Nathan Ince, "'As Long as that fire Burned': Indigenous Warriors and Political Order in Upper Canada, 1837-1842," *Canadian Historical Review* 102, no. 4 (2021): forthcoming. The term children was widely although not universally adopted across the British alliance, as the Six Nations considered themselves brothers.

This is not to say that First Nations leaders and Indian Department officials held the exact same view of the Indigenous-Imperial relationship. There were always substantial differences within as well as between the two groups and drawing a dividing line between Indigenous leaders and Indian Department members is further complicated by the substantial overlap between them. It is nonetheless clear that, as employees of the metropolitan government, members of the Indian Department were certainly more interested in forwarding strictly imperial goals than were their Indigenous counterparts. While the work of the ID in many ways resembled traditional confederacy building, the Department was also deeply concerned in the maintenance and extension of British imperial power.

Still, enough similarities existed between the views of many Indigenous leaders and the members of the ID to speak of a shared commitment to the principles of the Fire of Friendship during the Upper Canadian period. The rest of this chapter will examine three particular ways in which the work of the Upper Canadian Indian Department demonstrates a shared commitment to this particular vision of the Indigenous-Imperial relationship. To begin, the Upper Canadian Indian Department generally promoted the view that Indigenous peoples had a unique relationship with the Empire, and that the elements that made this relationship unique, such as the annual presents, corporate land tenure, local autonomy, and Indigenous traditions of dispute resolution, should be maintained and protected. Secondly, the members of the Indian Department during the Upper Canadian period first and foremost viewed themselves, and by extension the Indigenous communities of the region, as military auxiliaries ready to defend the Empire against outside invasion or internal insurrection at a moment's notice. Finally, the Indian Department consistently argued in favour of maintaining cross-border relations with Indigenous communities in U.S.

territory into the 1840s, advocating the continued fulfillment of imperial pledges that dated back to the Treaty of Niagara of 1764.

“Perfect Traditional Knowledge”: The Upper Canadian Indian Department and *Sui Generis* Indigenous Communities

The role of the Dominion Indian Department in dismantling the customary structures and practices of Indigenous societies in the years after Confederation has been well documented in the historical literature.²³ The relative prominence of the post-1867 period in the study of Canadian history and the understandable elision of the British and Canadian administered Departments have tended to obscure the fact that, during the Upper Canadian period, the Indian Department functioned along very different lines. Rather than a tool of settler assimilation, the earlier Indian Department had been explicitly tasked with maintaining the “ancient customs” of the First Nations with whom the British Empire had diplomatic relations.²⁴ Knowledge of Indigenous languages, traditions, and customs was cited as a crucial attribute for employment in the Department throughout the Upper Canadian period, and as we have seen the officers and interpreters of the Upper Canadian Indian Department continued to be intimately connected with Indigenous communities into the 1840s. The work that the Indian Department did was likewise largely intended to delineate Indigenous social, cultural, and political spaces from the settler society that dominated the rest of the province. The diplomatic councils with their involved ceremonies and rich language of kinship and reciprocity, the distinct forms of Indigenous land tenure, the unique relationship of Indigenous communities to the settler legal system, the distribution of the annual

²³ Keith D. Smith, *Liberalism, Surveillance, and Resistance: Indigenous Communities in Western Canada, 1877-1927* (Edmonton: University of Athabasca Press, 2009); J.R. Miller, *Skyscrapers Hide the Heavens: A History of Native-newcomer Relations in Canada* 4th ed. (Toronto: University of Toronto Press, 2018), 207-229.

²⁴ Mark D. Walters, “The Extension of Colonial Criminal Jurisdiction over the Aboriginal Peoples of Upper Canada: Reconsidering the Shawanakiskie Case (1822-26),” *The University of Toronto Law Journal* 46, no. 2 (1996): 273-310.

presents with gifts of flags, medals, and firearms, and the mobilization of Indigenous warriors painted and dressed in the traditions of their ancestors were all facilitated by the work of the ID. Outside observers were completely correct when they commented that Indigenous people in Canada formed a distinct class separate from the larger mass of the Crown's Canadian subjects.²⁵ This indeed was the state of affairs that the Imperial Indian Department was meant to safeguard. The Indian Department thus can be understood as a sort of imperial ligature. It was not intended to break down the important cultural, political, and social barriers between First Nations and the wider British Empire. Rather it was meant to connect discrete and autonomous Indigenous polities to a broader imperial project.

Perhaps the best summary of the Indian Department's own understanding of the unique place of Indigenous communities within the British Empire in the thirty years between the end of the War of 1812 and the report of the Bagot Commission was written by the Department's chief secretary, Duncan Campbell Napier, in 1829. When Napier was first appointed to the Department in 1825, Sir John Johnson complained that he did not have the requisite knowledge of the customs and traditions of Indigenous-Imperial diplomacy to serve in the ID.²⁶ It appears, however, that Napier worked hard to learn from Sir John, and after a few years in his position as the ID secretary, Napier's views were closely aligned with those of the Department's long-time Superintendent General. Napier's 1829 report was prompted by a request from Governor General Sir James Kempt to have laid before him the views of the Indian Department regarding the various directives regarding "civilization" that were circulating between Canada and the metropole.²⁷ Rather than address the Governor General's request directly, Napier began his report by explaining to Kempt

²⁵ See for example Sydenham to Sir George Arthur, 4 November 1840, 68377-68381, vol. 75, RG10, LAC.

²⁶ Sir John Johnson to Dalhousie, 5 March 1826, 56-57, vol. 266, RG8, LAC.

²⁷ For the original order, see Military Secretary Couper to Duncan Campbell Napier, 13 March 1829, 24776-24777, vol. 22, RG10, LAC.

the unique position occupied by First Nations communities in the Canadas. These communities, Napier explained, considered themselves “free and independent allies of Great Britain.” This meant that they could not be governed like the other inhabitants of the Canadas. Since these Indigenous “allies” of the British crown were “unacquainted with control or subordination,” they could only be “managed with address, persuasion, and conciliatory measures.” The ID secretary explained that the unique position of Indigenous peoples within the broader empire had been established over long generations of diplomacy and compromise, and that this position was universally understood among the Indigenous communities of Canada, since “though unlettered, they have a perfect traditional knowledge of every circumstance of material import which has occurred to them since their intercourse or connection with the British Government.” Napier added that any reforms to the conduct of Indian Affairs could not include the abolition of the annual presents. “The Indians,” Napier explained, “receive their presents in fulfillment of what they have been taught to believe a sacred promise from the throne of their Great Father the King for their services as His Majesty’s allies in war.”²⁸

Napier explained all of this to Kempt in order to temper the Governor General’s expectations of how far any potential reforms could be carried. This report by the ID secretary therefore illustrates the enduring conservative nature of the Department at the end of the third decade of the nineteenth century. Central to this conservatism was the idea that Indigenous communities constituted a distinct class of subjects, with their own organization and privileges, whose relationship with the broader Empire was governed by a longstanding body of orally transmitted law. In their overview of pre-Confederation Canadian law, Girard et al. argue that up to the early nineteenth century Indigenous communities were treated as “a sui generis type of body

²⁸ Duncan Campbell Napier to Military Secretary Lieutenant Colonel Couper, 30 March 1829, 178-182, vol. 268, LAC.

corporate” within the British Empire.²⁹ While using the language of Indigenous-Imperial diplomacy rather than Latin jargon, it was exactly this status that Napier was describing in his 1829 report.

While Napier did not outright claim in his report to Kempt that the autonomous status of Indigenous communities was a positive good, he gave no indication that this status should, or could, be changed. Over the 1830s, the position of Indigenous communities as distinct social and political spaces within the broader Empire was increasingly attacked, particularly in Upper Canada where the dissolution of these communities promised to allow settlers access to thousands of acres of rich farmland.³⁰ Despite increasing opposition to the longstanding autonomy of First Nations communities by both government officials and Canadian settlers, relatively little changed on the ground. In 1840 and 1841, for example, Governor General Sydenham penned a number of strongly worded dispatches directly criticizing the continued existence of the very Indigenous-Imperial relationship that Napier described in 1829.³¹

Alongside generally advocating the continuation of the annual presents and the maintenance of Indigenous forms of land tenure, members of the Upper Canadian Indian Department frequently supported employing Indigenous legal traditions rather than settler jurisprudence when adjudicating disputes touching on First Nations communities. In his examination of the status of Indigenous legal practices in Upper Canada, legal scholar Mark D. Walters identifies the Indian Department as the most important advocate within the Imperial government for recognizing Indigenous law as a valid alternative to British law in the province, at

²⁹ Philip Girard, Jim Phillips, and R. Blake Brown, *A History of Law in Canada* (Toronto: University of Toronto Press, 2018), 1:456.

³⁰ The policies of Sir Francis Bond Head being the best example. For a general overview of this trend, see Girard et al., *A History of Law in Canada*, 1:450.

³¹ Sydenham to Sir George Arthur, 4 November 1840, 68377-68381, vol. 75, RG10, LAC; Sydenham to Russell, 22 July 1841, 128-129, vol. 58, RG7 G12, LAC.

least in certain circumstances. Walters argues that a broader Imperial acceptance of Indigenous law can be inferred from the ID's general support of these practices, writing that "the policies of the Indian Department suggest that the imperial crown continued to acknowledge the continuity of the aboriginal customary laws and government."³² The idea that this approach constituted a distinct form of "imperial legal pluralism" was suggested by Walters and has subsequently been taken up by other scholars.³³

While Walters's conclusion regarding the ID's advocacy of the application of Indigenous legal traditions in place of British practices is correct, much of his work on the subject rests on inference from general principles rather than concrete examples. The present research offers an opportunity to examine a number of particular cases that appear in the Indian Department archive. Numerous examples of the Upper Canadian ID advocating the acceptance of Indigenous legal practices, either implicitly or explicitly, could be cited for cases as varied as punishing murder,³⁴

³² Walters, "The Extension of Colonial Criminal Jurisdiction over the Aboriginal Peoples of Upper Canada," 286.

³³ Mark D. Walters, "The Continuity of Aboriginal Customs and Government under British Imperial Constitutional Law as Applied in Colonial Canada, 1760-1860" (PhD diss., University of Oxford, 1995), 1-2; Girard et al., *A History of Law in Canada*, 1:201, 450.

³⁴ Walters cites one example of the ID presiding over the application of customary forms of dispute resolution in the case of an 1800 murder among the Mohawk of the Bay of Quinte, see Walters, "The Extension of Colonial Criminal Jurisdiction over the Aboriginal Peoples of Upper Canada," 288. For other examples not cited elsewhere, see Joseph Chew to Alexander McKee, 28 August 1796, 9156-9157, vol. 9, RG10, LAC; William Halton to the Attorney General, 16 April 1810, 1089-1090, vol. 3, RG10, LAC; Matthew Elliott to William Claus, 19 June 1810, 16095-16097, vol. 27, RG10, LAC; William Claus to Matthew Elliott, 12 July 1810, vol. 27, RG10, LAC.

enforcing exile,³⁵ or determining inheritance.³⁶ The three examples discussed below, however, all deal with murder. These cases also demonstrate the longevity of the Indian Department's recognition of and advocacy for Indigenous legal practices, as all three date from the period 1832-1840.

The first case concerns a boy from Coldwater, described as a "half breed," who accidentally shot and killed another boy who belonged to Yellowhead's Ojibwe community at the Narrows in July of 1832. The killing was followed by the normal procedures of settler justice. The local coroner held an inquest on the body, and a settler jury was assembled to deliberate on the case. This jury ruled the killing to have been purely accidental, and so T.G. Anderson, the local Indian Department superintendent, reported that the boy "was freed from guilt on that head." This trial, however, only marked the first half of the legal proceedings. When the verdict was translated for Yellowhead, Anderson wrote that the chief "was highly dissatisfied and that his village should have greater cause to mourn than it had before." Yellowhead then declared "that the young man should either live with him to supply the place of the deceased or be killed." On being assured by

³⁵ After Norton murdered the Oneida warrior Big Arrow, George Martin, the Indian Department interpreter on the Grand River, informed William Claus that Norton would be killed if ever he returned to the Grand River, see George Martin to William Claus, 10 August 1823, 22353-22354, vol. 41, RG10, LAC. The subsequent correspondence implied that the Deputy Superintendent General implicitly accepted this verdict, see William Claus to George Martin, 13 August 1823, 22355, vol. 41, RG10, LAC. Norton's departure from Upper Canada, never to return despite being acquitted of the murder by a settler jury, likewise supports the view that the Indian Department may have implicitly supported the enforcement of his exile. A similar case occurred at Rice Lake in 1820, when a Mississauga boy arrested for murder and sentenced to death instead had his sentence commuted to permanent exile from the settled parts of the province, a sentence that was to be enforced by the local chiefs. What is remarkable is that unlike other cases that were subject to Indigenous dispute resolution, the victim in this case was a white settler, see James Givins to William Claus, 18 November 1820, 21482, vol. 38, RG10, LAC; Proclamation, 23 October 1820, 21807, vol. 39 RG10, LAC. All this can be compared to the case of the Abenaki Alexander Sacastin in Lower Canada, whose death sentence was commuted to exile following an agreement with his community, see Henry Charles Darling to Niverville, 17 November 1827, 24592-24593, vol. 586, RG10, LAC.

³⁶ When the length of time between the submission of war losses from the War of 1812 and the payment of these claims meant that some of the original claimants had passed away in the interval, the ID explicitly advocated adopting Indigenous practices for determining the heirs of the original claimants, see James Givins to Henry Charles Darling, 3 September 1828, 353-354, vol. 267, RG8, LAC.

the Ojibwe chief that he would be well taken care of in his new life, the youth agreed to these terms.³⁷

A number of the details of this case are remarkable. The first is that rather than taking place in a part of the province far from white settlement, the area around the Narrows had a fully functioning settler legal system. Not only that, but the normal process of settler justice actually did take its course, and it was only after this process, and in *direct opposition* to it, that Indigenous customs of conflict resolution were applied. In addition, it is remarkable that this case did not involve a dispute between two Indigenous individuals or communities. While the guilty party was described as a half breed, the mixed-race community at Coldwater were recent transplants to the region, having followed the Indian Department there after the evacuation of Drummond Island, and the family of the young boy accused of the killing likely had no connection with the Ojibwe community at the Narrows. Finally, it is remarkable that T.G. Anderson presented this entire affair as an accomplished fact. He did not ask permission from his superiors to see Yellowhead's proposed arrangement go into effect, nor did he question its legitimacy. If anything, Anderson seems to have explicitly supported the adopted method of conflict resolution, since the Indian Department Superintendent expressed his belief that had not the young boy agreed to Yellowhead's terms, he "would have been waylaid and killed."³⁸

The second case is in many ways as remarkable as the first. On May 29, 1839, T.G. Anderson reported from his new posting on Manitoulin Island on a murder that had taken place some weeks before on the French River. The particulars of the case are peculiar enough that it is worth reading Anderson's own account.

³⁷ Most of the information on this case comes from a letter of T.G. Anderson to James Givins, 18 July 1832, 56543-56545, vol. 51, RG10, LAC. Supplementary details can be found in Details of a Meeting at the Narrows, 17 July 1832, 56538, vol. 51, RG10, LAC; Gerald Alley to James Givins, 26 July 1832, 56567-56568, vol. 51, RG10, LAC.

³⁸ T.G. Anderson to James Givins, 18 July 1832, 56544-56545, vol. 51, RG10, LAC.

The case, as far as I can learn, was thus. A poor idiot Chippewa Indian, who had been in a state of partial derangement for the last two years, after spending the former part of the winter at Wiquamecong, and occasionally paying me a visit, went off to the place above mentioned [the French River] with his dog and, probably, a tomyhawk. Finding some deer in that part of the woods, with the assistance of his dog, the snow being deep, he succeeded in killing several, after which he made his way to a camp of Indians when, the report says, he remarked, in his usual laughing good humour, for he was one of the best natured creatures I ever beheld, that some of the children who were playing about were “like sheep and would be good eating.” Some of the Indians instantly conceived the idea that he either was or would become a “man eater”, (it is to be hoped that fears overcoming their better judgement) they in consequence held a deliberate council and resolved to shoot him. It appears that he received private information from a friend of what was about to be his fate, to which he coolly replied it’s as well that I should die, and they shot him. This, we are told, occurred in a camp where there were Roman Catholic and Methodist Indians.

On Learning that it was the intention of the relatives of the murdered to avenge his death I dispatched messengers with a parole, directing them to remain peaceable and at the time of the issue of the presents, steps would be taken to investigate and settler the matter.³⁹

Unlike the first case, this murder took place far away from the settled parts of the province. Also unlike the first case, absolutely no recourse was made to settler forms of justice. In fact, there is not even a reference to any settler judicial proceedings. However, as in the first case, T.G. Anderson was not asking permission from his superiors to pursue Indigenous forms of conflict resolution. The local superintendent was simply informing the chief superintendent of the ID how he intended to see justice done. An account of how this case was resolved the following summer does not appear in the subsequent correspondence, but reference to the great annual diplomatic conference on Manitoulin Island and the concurrent distribution of the annual presents, paired with Anderson’s stated desire to prevent revenge killings, strongly suggests recourse to the long standing custom of “covering the grave” of a murdered individual, whereby the relatives of the

³⁹ T.G. Anderson to S.P. Jarvis, 29 May 1839, 65764-65765, vol. 70, RG10, LAC.

guilty would give presents as compensation to the relatives of the victim in order to avoid initiating a cycle of retributive violence.⁴⁰

The third case differs somewhat from the first two. On June 10, 1840, the Ojibwe chief Kitchimetass was severely beaten by a group of white settlers near his home in the township of Anderdon on the Detroit River. Three days later, he died from his wounds. The local Indian Department superintendent, George Ironside Jr., accordingly ordered the coroner to hold an inquest on the body of Kitchimetass, and shortly thereafter a warrant was issued for the arrest of one Henry James who had been implicated in the murder. A few weeks later, local magistrates opened a broader investigation in order to bring all those involved in the assault to justice. In his correspondence, Ironside described Kitchimetass as a sort of ideal chief, calling him “sober and exemplary,” and relating how he had fought alongside the British in the War of 1812 and had only recently arrived on the Canadian side of the Detroit River having resolved never again to return to United States territory.⁴¹

As opposed to the first two cases, in which the Indian Department superintendent independently presided over Indigenous forms of justice, in this case Ironside communicated to his superiors that “although much exasperated at the unprovoked murder, the friends of the deceased are determined to remain quiet and to leave the punishment of the murderers to be decided by the laws of the country.”⁴² While the Indigenous community involved in the murder were willing to follow the course of British criminal justice in this case, Ironside’s correspondence reveals that this was an open question that had to be determined by the friends and relatives of the deceased. These individuals did not feel themselves bound to automatically follow settler law.

⁴⁰ For more on this practice, see White, *The Middle Ground*, 76-77.

⁴¹ George Ironside Jr. to George Vardon, 20 August 1840, 68009-68011, vol. 74, RG10, LAC. See also S.P. Jarvis to S.B. Harrison, 26 August 1840, 131, vol. 504, RG10, LAC.

⁴² George Ironside Jr. to George Vardon, 20 August 1840, 68011, vol. 74, RG10, LAC.

Rather, it appears that they made a choice based on the particular circumstances of the murder that settler law would be acceptable in this case. Ironside's letter gives voice to the discontent of the injured community, and the wording of his letter implies that the Indian Department superintendent understood the conditionality of this decision. It is easy to imagine that if the course of British justice did not run to the liking of the friends and relatives of the murdered man, then their willingness to stand by "the laws of the country" would quickly dissolve, as appears to have taken place in the above case involving Yellowhead.

While there are numerous examples from the Upper Canadian period of ID officers either openly advocating or implicitly endorsing Indigenous forms of dispute resolution, this does not necessarily mean that the administration of Upper Canada accepted First Nations legal customs as legitimate, to say nothing of the British Empire more broadly. There are numerous examples in the Indian Department archive of cases wherein provincial officials flatly rejected ID claims that Indigenous forms of law might have any legitimate place in the legal framework of the province. In 1821 for example, Lieutenant Governor Sir Peregrine Maitland wrote to Deputy Superintendent Claus ordering him to inform the Indigenous inhabitants of the province that they were "completely subject to the operation of the law, as much so as the whites."⁴³ John Beverley Robinson, then serving as the attorney general of Upper Canada, was even more severe in a report of 1827. After being asked by Superintendent James Givins to determine how the Lieutenant Governor of the province might exempt the Mohawk of the Bay of Quinte from certain of the laws of the province, Robinson responded by flatly rejecting the premise, writing that "I have never seen any treaty giving any promise to the Indians that they should be free from Subjection to the laws and I can not think there was ever such a treaty, because it would not be binding if there was

⁴³ George Hillier to William Claus, 16 July 1821, 21708-21710, vol. 39, RG10, LAC.

one.”⁴⁴ Despite the opposition of other parts of the Upper Canadian administration, the Indian Department’s adoption of Indigenous forms of dispute resolution is an excellent example of how the Department helped reinforce the distinction between Indigenous communities and settler society in the Upper Canadian period.

While some members of the Upper Canadian Indian Department may have valued Indigenous forms of governance and dispute resolution for their utility or practicality, it is important to note that advocating the maintenance of these practices also furthered their own interests. Almost all members of the Upper Canadian Indian Department acquired their lucrative government employment because of their knowledge of Indigenous “languages, manners, and customs.”⁴⁵ The more that Indigenous communities were treated like citizens-in-training rather than autonomous communities with their own laws and customs, the less valuable such experience was. It is easy to imagine how those employed in the Indian Department may have closely associated the maintenance of these structures with their own continued employment.

“Give Us Arms and Ammunition that We May Die Like Men!”: The Upper Canadian Indian Department and Indigenous Warriors

From the time of Sir William Johnson, the Indian Department occupied an ambiguous position in the government of British North America, fitting neatly into neither the military nor the civil administration.⁴⁶ During his tenure as superintendent, Sir William Johnson was tasked with mobilizing warriors to assist the British regulars and colonial militias during the Seven Years’ War

⁴⁴ Copy of a Report by J.B. Robinson, 9 July 1827, 2349-2350, vol. 5, RG10, LAC.

⁴⁵ This formulation was common in the Upper Canadian period, see Petition of John Carey, 1 October 1832, 56816, vol. 52, RG10, LAC. For a more general account of the desired traits of an ID employee, see William Claus to Military Secretary Loring, 2 May 1814, 16822-16824, vol. 28, RG10, LAC.

⁴⁶ This ambiguity led to significant disputes in the early years, see for example Major General Johnson to the Lords of Trade, 3 September 1755, in *DCNY*, 6:993.

and Pontiac's War, and he himself served prominently as a commander in the former conflict.⁴⁷ At the same time, Johnson and his subordinates were charged with numerous civil functions, such as conciliating the nations to the British alliance system, regulating the fur trade, securing land surrenders for expanding settlement, overseeing the execution of justice in both civil and criminal cases, and generally ensuring peace and good order in the trans-Alleghany west.⁴⁸ While the outbreak of the American Revolutionary War in 1775 enhanced the military nature of the Indian Department, imperial administrators still did not recognize the ID as a strictly military organization.⁴⁹ In his instructions to Sir John Johnson on his appointment to the position of superintendent in 1783, Governor General Haldimand wrote that he did not want to grant the members of the ID military rank as he considered that department "more a civil than a military one."⁵⁰

While this earlier era may seem distant from the Upper Canadian period, it is important to remember that the Indian Department occupied an ambiguous position somewhere between the military and civil government even from its earliest days, and that at no point before 1845 was the Department unequivocally part of one or the other. A significant amount of the historical literature on the Upper Canadian Indian Department has placed emphasis on the transfer of the Department from the jurisdiction of military officers to civil officials, or back again.⁵¹ In reality, these administrative reforms had very little impact on the ground and are a poor measure of developments in Indian Affairs.

⁴⁷ Fred Anderson, *Crucible of War: The Seven Years' War and the Fate of Empire in North America, 1754-1766* (New York: Vintage Books, 2001), 116-119, 330-338.

⁴⁸ For an outline of these civil duties, see Lords of Trade to Sir William Johnson, 10 July 1764, in *DCNY*, 7:634-641.

⁴⁹ Beaulieu, "Under His Majesty's Protection," 92.

⁵⁰ Haldimand to Sir John Johnson, 6 February 1783, 12, vol. 116, Haldimand Papers, MG21, LAC.

⁵¹ Miller, *Skyscrapers Hide the Heavens*, 99-100; Robert S. Allen, *His Majesty's Indian Allies: British Indian Policy in Defence of Canada, 1774-1815* (Toronto: Dundurn Press, 1996), 189.

Despite the ambiguous official position of the Indian Department, the members of the ID themselves generally viewed their role as much more closely related to military than civil government. In a 1777 memorandum, Daniel Claus recommended that, once the rebellious colonies were defeated, the warriors should be maintained as part of a permanent military frontier within the expanded province of Quebec in order to “overawe the British colonies.”⁵² Alexander McKee echoed these sentiments in 1795, when he lamented the creation of a separate civil government in Upper Canada by the Constitution Act of 1791, an arrangement that the Deputy Superintendent General claimed could only please “the giddy and unthinking.” McKee wrote that he would have instead preferred the region of the Great Lakes to have remained under martial law.⁵³

Part of the Indian Department members’ desire to be closely associated with the military was due to the prestige that accompanied martial endeavours in both settler and Indigenous societies. In Upper Canada and the British Empire more widely, holding a commission as a military officer in the service of the monarch was a powerful status symbol.⁵⁴ During the period 1796-1845, the officers of the Upper Canadian Department consistently expressed a desire that their position in the Department should be accompanied by a military rank conferred through a commission from the Crown, as evidenced by requests from high-ranking members such as Alexander McKee in 1796, William Claus in 1814, and S.P. Jarvis in 1840.⁵⁵ Petitions from ID members or their families for pensions following retirement or death made frequent mention of zealous military service as justification for state support, demonstrating the very real gains such

⁵² Colonel Claus to Secretary Knox, 1 March 1777, in *DCNY*, 8:700-704.

⁵³ Copy of a Letter from Alexander McKee to Joseph Chew, 27 March 1795, 108-110, vol. 248, RG8, LAC.

⁵⁴ J.K. Johnson, *Becoming Prominent: Regional Leadership in Upper Canada, 1791-1841* (Montreal: McGill-Queen’s University Press, 1989), 71

⁵⁵ Alexander McKee to Lord Dorchester, 7 June 1796, 175-180, vol. 249, RG8, LAC; William Claus to Sir John Johnson, 30 August 1814, 17165-17168, vol. 29, RG10, LAC; S.P. Jarvis to C. Coleville, 5 December 1840, 220-228, vol. 504, RG10, LAC.

service could provide even to the lowest ranking members of the ID.⁵⁶ An important factor in John Norton's rapid promotion in the ID during the War of 1812 was his claim that he alone of the Department's officers had faced the enemy in battle.⁵⁷ Facing enemies in battle was likewise an important source of prestige among Indigenous communities, and the relationship between the officers of the Crown and Indigenous communities was often expressed in terms of a shared warrior masculinity.⁵⁸ Upper Canadian Indian Department officers therefore frequently argued to their superiors in the colonial administration that they would be able to exercise greater influence among First Nations if their positions were more strongly associated with the military rather than the civil government.⁵⁹ The prestige that came from military endeavours thus helped members of the Indian Department reinforce their standing both among their Indigenous partners and within settler society and the broader empire.

Of course, members of the Indian Department could only gain martial prestige in either settler or Indigenous society so long as the British Empire considered the mobilization of First Nations warriors an important part of the ID's work. The ID thus consistently advocated for the military importance of the warriors and the need to maintain the military alliance on a firm footing.

⁵⁶ See for example Petition of Madelaine Askin, 8 September 1823, 22377-22378, vol. 41, RG10, LAC; Petition of Matthew Elliott Jr., 2 April 1832, 101-104, vol. 270, RG8, LAC; Petition of Edward N. de Lorimier, 1 April 1847, 6290-6295, vol. 123, RG10, LAC.

⁵⁷ This claim was of course not true, but it was effective at undermining William Claus who was throughout his entire adult life in extremely poor health, see Major General Francis de Rottenburg to E.B. Bunson, 22 July 1814, 102-105, vol. 257, RG8, LAC.

⁵⁸ For the importance of facing enemies in battle, see Cary Miller, *Ojimaag: Anishinaabeg Leadership, 1760-1845* (Lincoln: University of Nebraska Press, 2010), 128-129. For an example of this on the Grand River, see W.J. Kerr to Colonel Love, 22 February 1839, 194-197, vol. 270, RG8, LAC. For shared Indigenous-British warrior masculinity in a similar context, see Michelle LeMaster, *Brothers Born of One Mother: British-Native American Relations in the Colonial Southeast* (Charlottesville: University of Virginia Press, 2012), 51-83. For this discourse in Upper Canada, see for example the following two references to "brother warriors", Copy of Lt. Col. James's Address to the British Indian in Council, 14 September 1815, 362-369, vol. 258, RG8, LAC; Petition of the Following Nations of Indians to His Grace the Duke of Richmond, 31 August 1819, 20891, vol. 36, RG10, LAC.

⁵⁹ John Norton to Lieutenant Colonel Addison, 8 May 1817, 204-207, vol. 261, RG8, LAC; James Givins to Henry Charles Darling, 24 November 1827, 31872-31873, vol. 497, RG10, LAC; Copy of a Despatch from Sir James Kempt to Sir George Murray, 27 January 1830, in *Papers Relative to the Aboriginal Tribes*, 89-90.

During and after the War of 1812, members of the Department such as Matthew Elliott, George Martin, and William Johnson Kerr wrote about the critical role played by the warriors in repulsing the Americans, and each commented on the need to more widely recognize their essential contributions to the war effort.⁶⁰ William Claus was especially strident on this point. The Deputy Superintendent General wrote several times to his superiors that even when victory could be attributed solely to the conduct of the warriors, all the credit went to the regular troops.⁶¹

Following the return of peace in 1815, the officers of the Indian Department continued to advocate for the importance of the warriors in the defence of the British Empire's possessions in North America, especially on the upper Great Lakes where Indigenous military strength remained of primary importance.⁶² The two decades following the end of the War of 1812, however, offered few opportunities for the ID to press their views. It was only with the outbreak of rebellion in the Canadas in the autumn of 1837 that the members of the Upper Canadian ID were presented with the chance to advocate a more substantial military role for their department.

On June 27, 1838, Joseph Brant Clench wrote to Chief Superintendent Samuel Peters Jarvis in a panic. He reported that the London District was rife with rumours of an imminent uprising, and that the disaffected inhabitants were only waiting for "the first opportunity to throw off the mask." Clench knew that his position as ID superintendent of the First Nations communities on the Thames River had marked him out as a potential target of Patriot violence. Indeed, Clench wrote that "I have been repeatedly informed that the Rebels would hang me at my own door and

⁶⁰ Matthew Elliott to William Claus, 24 October 1813, 111-113, vol. 10, Claus Papers, MG19, LAC; Proceedings of a Council of the Five Nations at Ancaster, 20 January 1815, 17604-1711, vol. 30, RG10, LAC; Petition of William Johnson Kerr, 16 April 1821, 21600-21602, vol. 39, RG10, LAC.

⁶¹ See for example William Claus to Sir John Johnson, 30 August 1814, 17165-17166, vol. 29, RG10, LAC. The following report likewise contains many statements of this kind, see Account of Operations of the Indian Contingent on the Niagara Frontier during the War of 1812, 4 December 1813, 87-110, vol. 10, Claus Papers, MG19, LAC.

⁶² T.G. Anderson's Responses to Queries Posed by the Right Honourable Bishop McDouall of Glengarry, 30 July 1827, 23310-23311, vol. 44, RG10, LAC; T.G. Anderson's Remarks on the Winnebago Chief Four Legs Speech 13 July 1828, 23597, vol. 45, RG10, LAC.

then murder the Indians.” In concluding his letter, Clench pleaded that he and his warriors might be provided with the means of defending themselves, exhorting the chief superintendent to “give us arms and ammunition that we may die like men!”⁶³

J.B. Clench was a staunch advocate of the enduring value of Indigenous warriors as military auxiliaries to the British Empire. Some two months before dispatching the above letter, Clench wrote to Jarvis complaining of the government’s apparent disregard for maintaining the old military alliance. In this missive, Clench remarked prophetically “You may rely on it, the Indian interest is worth preserving. Time will prove it.”⁶⁴ To support his belief that the military value of the warriors should not be underestimated, Clench forwarded a letter in June 1838 to Chief Superintendent Jarvis from the son of the prominent Indian Department officer John Askin Jr., Jean-Baptiste Askin. Of Jean-Baptiste’s four grandparents, only his paternal grandfather had unambiguously been of European descent, and Jean-Baptiste was accordingly widely regarded in Upper Canadian society as a “half-breed.”⁶⁵ Having served alongside his father in the ID throughout the War of 1812, Jean-Baptiste rose to become a prominent magistrate in the London District during the decades following the return of peace. With the outbreak of the Rebellion, Jean-Baptiste was appointed to the rank of lieutenant colonel of a militia battalion.⁶⁶ It was in this capacity that Jean-Baptiste Askin wrote to Clench, requesting the superintendent to hold his warriors in readiness to come to the assistance of the militia as soon as they might be needed. Askin shared Clench’s high appreciation for the value of Indigenous military support, writing that

⁶³ J.B. Clench to S.P. Jarvis, 27 June 1838, 70389-70390, vol. 125, RG10, LAC.

⁶⁴ J.B. Clench to S.P. Jarvis, 10 April 1838, 70383, vol. 125, RG10, LAC.

⁶⁵ This was the language that Jarvis himself used to describe Jean-Baptiste Askin, see S.P. Jarvis to S.B. Harrison, 10 June 1839, 196, vol. 503, RG10, LAC.

⁶⁶ J. J. Talman, “Askin, John Baptist,” in *DCB*, vol. 9, University of Toronto/Université Laval, 2003–, accessed July 22, 2021, http://www.biographi.ca/en/bio/askin_john_baptist_9E.html.

a force of warriors “would produce a more powerful effect on the marauding and rebellious scoundrels than any other force whatever, not even Regulars.”⁶⁷

Chief Superintendent Samuel Peters Jarvis himself took up this argument for the value of First Nations auxiliaries in safeguarding the Empire from its enemies both within and without. In February 1839, he wrote to Lieutenant Governor Sir George Arthur’s personal secretary regarding the utility of keeping a force of warriors assembled along the St. Clair River. Jarvis argued that no other force could be better calculated to guard this distant frontier of the province, and that “the dread in which the Indians are held by the American population has I am persuaded contributed largely in deterring those marauders from attempting to commit depredations on the property of the unprotected settlers.”⁶⁸ Beyond the immediate circumstance of the Rebellion, Jarvis also argued that the Indian Department was in fact a military department, and that he should accordingly hold a military rank as its chief superintendent.⁶⁹

In fact, nearly all the senior members of the Indian Department during the 1830s and early 1840s expressed their belief that the Department’s chief importance to the Empire lay in organizing Indigenous warriors. John William Keating was among the most bellicose of all the Department’s employees during this period. In his original application for a position in the ID, Keating wrote that “if the present rebellion should lead, as all loyal subjects must consider inevitable, to a war with our scoundrel neighbours, it would perhaps be advisable to send as soon as the ice will allow of it along the northern shore of Lake Huron to the Sault Ste. Marie and thence to the various Hudson’s Bay posts on Lake Superior to warn the Indians to be ready to come down in the

⁶⁷ Extract of a Letter from Lt. Colonel J.B. Askin to Joseph B. Clench, 23 June 1838, 70391, vol. 125, RG10, LAC.

⁶⁸ S.P. Jarvis to John Macaulay, 2 February 1839, 65340-65342, vol. 70, RG10, LAC.

⁶⁹ S.P. Jarvis to C. Coleville, 5 December 1840, 220-228, vol. 504, RG10, LAC. See also S.P. Jarvis to Captain Sterling, 13 July 1841, vol. 504, RG10, LAC.

spring.”⁷⁰ While this scheme might seem ridiculous in light of the widespread historical consensus that Indigenous military power had long ceased to be relevant in the Great Lakes region, Keating’s application succeeded in securing him a position in the ID. During the time he was posted at Walpole Island, Keating consistently expressed his eagerness to come to grips with the Empire’s republican enemies.⁷¹

At his post on Manitoulin Island, T.G. Anderson likewise continued to be a strong believer that the Indian Department existed to mobilize Indigenous allies on the side of the Empire. Following the Rebellion, T.G. Anderson expressed his hope that the recent upheaval might lead to the reinvigoration of the ID’s military character, writing “now that the importance of its being well organized is again manifest we may indulge hopes of its being raised to the situation it deserves as an arm of defence to the country.”⁷² After he replaced Anderson as the resident superintendent at Manitoulin Island, George Ironside Jr. penned one of the most remarkable iterations of this view in 1846. With the ongoing dispute over the border between the British Empire and the United States in the Oregon Country again threatening war between the two powers, Ironside suggested that the warriors from the upper Great Lakes be organized into a regular fighting force. As the son of an ID officer and a leading woman of the Shawnee nation, Ironside had lived his whole life enmeshed in the diplomatic protocols and family networks that were so crucial to the Indigenous-Imperial relationship. He was therefore well placed to recommend several measures to ensure that his proposed military force would appeal to warriors. Ironside suggested that all officers should be fluent in “the Indian language,” that Indigenous war chiefs within the force should receive the

⁷⁰ J.W. Keating to S.P. Jarvis, 26 November 1838, 65109-65110, vol. 69, RG10, LAC.

⁷¹ See for example J.W. Keating to S.P. Jarvis, 27 January 1839, 65335-65337, vol. 70, RG10, LAC; J.W. Keating to S.P. Jarvis, 29 May 1839, 65767-65770, vol. 70, RG10, LAC; J.W. Keating to Colonel Chichester, 31 October 1839, 66356, vol. 71, RG10, LAC.

⁷² T.G. Anderson to S.P. Jarvis, 6 January 1840, 66701, vol. 72, RG10 LAC.

same pay as lieutenants, that the warriors themselves should receive the same pay, pensions, and provisions as regular troops, that annual presents should again be issued to Indigenous communities living across the border in United States territory, and that the families of the warriors should be provisioned with rations and clothing during the time the men were away on active service. As for a uniform, Ironside wrote that it would be best to allow every man to “please his own taste,” but that tomahawks and deer skin for moccasins should be provided by the government.⁷³

From the evidence preserved in writings from the period, it is apparent that during the late 1830s and early 1840s, members of the Indian Department were unanimously in favour of maintaining, and in many cases expanding, the military role of Indigenous warriors within the British imperial system. Given the military background of these individuals, the prestige that came with military exploits in both imperial and Indigenous cultures, and the direct relationship between the employment of Indigenous auxiliaries and their own social standing and continued position in government, it is not surprising that these members of the ID advocated for a robust military role for themselves and the warriors along whom they would serve. What might be less expected is the extent to which members of the ID succeeded in spreading their views regarding the acceptability or desirability of Indigenous warriors as imperial auxiliaries to other branches of the Canadian administration in the years following 1837. One of the clearest material indications of this success was the increase in the number of firearms distributed as part of the annual presents, which increased in the requisitions of the ID from 80 before the Rebellion to 500 after the outbreak of the insurrection.⁷⁴ The increase in quantity was matched by an increase in quality, as the old

⁷³ Memorandum of George Ironside Jr., 10 March 1846, 49-51, vol. 251, RG8, LAC.

⁷⁴ For more on this subject, see Nathan Ince, “‘As Long as that fire Burned’: Indigenous Warriors and Political Order in Upper Canada, 1837-1842,” *Canadian Historical Review* 102, no. 4 (2021): forthcoming.

flintlock models that had been distributed since the eighteenth century were replaced with cutting-edge percussion lock rifles in 1840.⁷⁵

The role of Indigenous people as military auxiliaries had never been uncontroversial. Since at least the time of the American declaration of independence, the British Empire's employment of "merciless Indian Savages whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions" had been decried by its opponents.⁷⁶ As the nineteenth century progressed, however, the status of Indigenous men as legitimate military participants was increasingly challenged as the growing influence of liberal humanitarianism in the Anglophone world eroded the acceptability of employing racialized warriors as Imperial auxiliaries, and by the 1830s many prominent observers in the British Empire as well as in the United States spoke out against their employment.⁷⁷ When faced with the outbreak of the Rebellion, however, a large section of the administration in Upper Canada expressed their support for the view held by men like J.B. Askin, George Ironside Jr., S.P. Jarvis, and J.B. Clench that, rather than a moral liability, Indigenous warriors were the perfect fighters to counter the looming threats of insurrection and invasion. Local military commanders such as Charles Chichester on the St. Clair River and Richard Bonnycastle at Kingston wrote that not only were the warriors effective allies who were well adapted to irregular frontier warfare, but the terror they inspired in their enemies was of inestimable value.⁷⁸

⁷⁵ C.E. Trevelyan to James Stephen, 27 June 1840, 383-384, vol. 275, Q series, C.O. 42, MG11, LAC.

⁷⁶ For more on this subject, see Peter Silver, *Our Savage Neighbors: How Indian War Transformed Early America* (New York: W.W. Norton and Company, 2008), especially Chapter Eight.

⁷⁷ Ince, "As Long as that Fire Burned," forthcoming. See also James Heartfield, *The Aborigines' Protection Society: Humanitarian Imperialism in Australia, New Zealand, Fiji, Canada, South Africa, and the Congo, 1836-1909* (New York: Columbia University Press, 2011), 6-8.

⁷⁸ Letter of Colonel Chichester, 20 October 1839, 66315-66317, vol. 71, RG10, LAC; Richard Bonnycastle, *The Canadas in 1841* (London: Henry Colburn, 1841), 2:24.

The view that Indigenous warriors were ideal participants in suppressing the Rebellion was shared by some among the highest circles of the civil government of Upper Canada. In a report to Lieutenant Governor Arthur on the state of the province during the autumn of 1838, the executive council of Upper Canada wrote effusively on the “eminent utility, courage, and enterprise” of these “most valuable auxiliaries.” Not only did military necessity require the employment of such useful allies, but the council added that it would be a cruel injustice to debar the warriors “from taking up arms in defence of the property and rights which they enjoy under the British Government.” As to any objection that Indigenous people practised a form of warfare unsuited to the civilized ideals of the British Empire, the executive councillors retorted that the real barbarians were the American frontiersmen who had carried out the violence of Indian removal and who now threatened the borders of Upper Canada, and therefore no reasonable observer could object “to oppose the tomahawk to the more savage and relentless knife of the western American.”⁷⁹ The Chief Justice of the province, Sir John Beverley Robinson, echoed these remarks in December of the same year. In a letter to Lieutenant Governor Arthur, Robinson decried the critics in the metropole who spoke against the use of Indigenous auxiliaries, saying that it was such “mawkish feeling that has disgusted the loyal people of both Provinces.” Robinson hoped that the Lieutenant Governor would not “throw the slightest discouragement upon the zeal of the brave Indian Warriors to defend their Country and support the cause of their Queen.” Reflecting on the ongoing threats of invasion and insurrection, the apparent unwillingness of the mother country to defend Canada, and the very real possibility of open war with the United States, the Chief Justice added wistfully “I wish we had ten thousand of them.”⁸⁰

⁷⁹ Minutes of a Council, 20 October 1838, 43-56, vol. 51, RG1 E3, LAC.

⁸⁰ J.B. Robinson to Lieutenant Governor Arthur, 5 December 1839, in *The Arthur Papers*, ed. Charles Rupert Sanderson (Toronto: Toronto Public Libraries, 1943-1959), 1:519.

Thus we see that not only did the ID promote the role of Indigenous warriors as military auxiliaries, but this view was shared by some among the highest-ranking members of the Upper Canadian civil government well into the nineteenth century. It is important to note that throughout the late eighteenth and early nineteenth centuries, Indigenous warriors were not just valuable as military auxiliaries in resisting outside invasion, but in large part because they provided crucial aid in suppressing internal resistance from disloyal or recalcitrant subjects. In this way, the Indian Department and its Indigenous partners can be understood as acting as a sort of paramilitary police force before the widespread introduction of professional policing in Canada.⁸¹ The role of the First Nations warriors as guardians of the internal order of British North America became especially clear in times of crisis or rebellion. This was most obviously the case during the period of the Revolutionary War, when Daniel Claus suggested that the principal purpose of the Department should be “to overawe the British colonies,” but this principle endured long after the advent of American independence.⁸² During the War of 1812, for example, the threat of violence from Indigenous warriors was used to keep refractory subjects in line. In an address to the electors of Wentworth County in 1817, a reform member of the Upper Canadian assembly, Jordan Durand, evoked this practice to remind his listeners of the many past misdeeds of the Upper Canadian administration. Durand recalled to the yeomanry of the county how in 1814 a local British military commander had threatened that any man who did not fulfill his militia service would be turned out of his house by the western warriors and chased destitute across the Niagara River.⁸³

⁸¹ E.A. Heaman, “Space, Race, and Violence: The Beginnings of ‘Civilization’ in Canada,” in *Violence, Order, and Unrest: A History of British North America, 1749-1876*, ed. Elizabeth Mancke et al., (Toronto: University of Toronto Press, 2019), 135, 140; Allan Greer, “The Birth of the Police in Canada,” in *Colonial Leviathan: State-Formation in Mid-Nineteenth-Century Canada*, eds. Allan Green and Ian Radforth (Toronto: University of Toronto press, 1992), 17-49.

⁸² Colonel Claus to Secretary Knox, 1 March 1777, in *DCNY*, 8:700-704.

⁸³ Entry in the Journal of the Legislative Assembly of Upper Canada for Saturday, 1st March, 1817, in *Ninth Report of the Bureau of Archives for the Province of Ontario* (Toronto: L.K. Cameron, 1913), 337. Durand in his address was

The mobilization of warriors against dissention and disloyalty within the confines of British North America is perhaps best demonstrated by the role the Indian Department played in preventing desertion from the ranks of the British regulars stationed in Canada. Desertion had long been a major problem for the British army in North America. Since the time of Sir William Johnson, the return of deserters who took shelter in First Nations communities had been one of the principle commitments Indigenous peoples made in their relationship with the British Empire, as stipulated in many of the foundational treaties made after the conflicts of the 1750s and 1760s.⁸⁴ During the American Revolutionary War, Indigenous warriors played a major role preventing the desertion of British and German regulars.⁸⁵ Not only did the warriors prevent desertion by physically capturing and returning enlisted men, their presence around British posts seems also to have been an important psychological deterrent. When the post of Yamaska was afflicted with a wave of desertions, Governor Haldimand cited a case that occurred at Oswego where a party of warriors had hunted down a fleeing soldier and returned with his scalp as a warning to others who might contemplate desertion. Haldimand suggested that the local commander adopt a similar course and maintain a party of five or six warriors around Yamaska, as was practised at the posts in the Upper Country.⁸⁶ After the close of the Revolutionary War, Indigenous warriors continued to be an important obstacle for desertion among the British troops left to garrison Canada.⁸⁷ In October 1804, for example, Major Bleamire commanding at Amherstburg wrote that he was forced

protesting against such military coercion during the War of 1812, for which the house of assembly voted to censure him.

⁸⁴ See for example Draft of Treaty with the Hurons of Detroit, 17 July 1764, *PWJ*, 4:485; Meeting with the Chenussios, 1 August 1764, *PWJ*, 4:500; Congress with the Western Nations, 7-10 September 1764, *PWJ*, 4:529.

⁸⁵ For other cases of Indigenous warriors preventing desertion during the American Revolutionary War, see Brigadier Watson Powell to Governor Carleton, 29 June 1778, 8-9, vol. 129, Haldimand Papers, MG21, LAC; Orders of General Haldimand to the Chiefs of Madawaska, 9 July 1782, 169, vol. 119, Haldimand Papers, MG21, LAC.

⁸⁶ Governor Haldimand to Major General Riedesel, 19 December 1782, 255-256, vol. 139, Haldimand Papers, M21, LAC.

⁸⁷ See for example Lieutenant Colonel England to the Military Secretary, 25 April 1796, 76-79, vol. 249, RG8, LAC.

to constantly maintain eight warriors around the post “to assist in retaking any men who may attempt to desert.” Like Haldimand two decades earlier, Bleamire also remarked on the beneficial psychological effect of the warriors’ presence, writing that “I even think the knowledge amongst the soldiers of their being about the Garrison would be attended with good effect.”⁸⁸

As in the earlier war against the American republic, Indigenous warriors played an important role preventing desertion among the troops dispatched to Canada during the War of 1812.⁸⁹ With the return of peace in 1815, an epidemic of desertion struck the British forces as hundreds of soldiers slipped across the US border before their regiments could be withdrawn from the region.⁹⁰ To counter desertions among the garrison of the frontier post of Amherstburg, Lieutenant Colonel James announced to his troops that he would pay 50 dollars for the scalp of any soldier found beyond the limits of the garrison.⁹¹ The following year, a group of Shawnee warriors elicited protests from the governor of Michigan after they crossed the Detroit river into U.S. territory in pursuit of a British deserter from Amherstburg.⁹² Only a few weeks later, the commanding officer at Drummond Island dispatched a group of warriors to accompany and guard deserters on their way to trial at York.⁹³ One of the more dramatic examples of the Indian Department’s participation in preventing desertion occurred at Drummond Island on February 4, 1819, when six soldiers from the British garrison deserted, pursued by three Indian Department interpreters. The three pursuers overtook the deserters and lay in wait along their path. When the soldiers fell into the ambush, the interpreters shot two of the deserters and brought the remaining

⁸⁸ Major Bleamire to Military Secretary Greene, 27 October 1804, 238, vol. 254, RG8, LAC.

⁸⁹ See for example Major General Francis de Rottenburg to E.B. Bunton, 22 July 1813, 104, vol. 257, RG8, LAC.

⁹⁰ For post-war desertion more generally, see Alan Taylor, *The Civil War of 1812: American Citizens, British Subjects, Irish Rebels, and Indian Allies* (New York: Alfred A Knopf, 2010), 433.

⁹¹ The controversy over James’s payment for deserters’ scalps is found in two letters: William Caldwell to William Claus, 20 December 1815, 145, vol. 260, RG8, LAC; Lieutenant Colonel James to Military Secretary Major Foster, 12 May 1816, 220, vol. 260, RG8, LAC.

⁹² Billy Caldwell to William Claus, 1 July 1816, 19185, vol. 33, RG10, LAC.

⁹³ T.G. Anderson to James Givins, 27 July 1816, 19269, vol. 33, RG10, LAC.

four back as prisoners.⁹⁴ For their actions, the interpreters received prize money and the thanks of the commanding officer.⁹⁵

With the withdrawal of British troops from the frontiers of Upper Canada in the 1820s, references to deserters become rare in the Indian Department archive. It was only with the influx of regular troops dispatched from the metropole to stamp out the political upheavals during the years 1837-1841 that desertion again became a prominent issue in the Canadas. After a party of men from the Six Nations of the Grand River apprehended a deserter in Brantford in April 1839, Chief Superintendent S.P. Jarvis recommended offering a bounty to any Indigenous warrior who helped to bring in deserters.⁹⁶ Lieutenant Governor Arthur took up this suggestion, and a few days later offered a reward of five pounds to any Indigenous individual who might assist in the capture of deserters.⁹⁷ Echoing earlier suggestions from British officers like Governor Haldimand and Major Bleamire, in November 1839 Colonel Charles Chichester, the commanding officer on the southwestern frontier of Upper Canada, proposed forming fifteen warriors into “a sort of police upon the River St. Clair” in order to gather information and capture British deserters.⁹⁸

By policing and intimidating regular troops, Indigenous warriors were central to maintaining the infrastructure of British power in Upper Canada, particularly in times of crisis. The role of the Indian Department was therefore not only to mobilize Indigenous warriors in order to supplement British power, but also to ensure that the regular troops could be depended upon when stationed on the distant frontiers of Canada. This arrangement between the Indian

⁹⁴ T.G. Anderson to William Claus, 6 February 1819, 20676, vol. 36, RG10, LAC.

⁹⁵ Copy of Garrison Orders, 6 February 1819, 20711, vol. 36, RG10, LAC.

⁹⁶ S.P. Jarvis to Colonel Fortin, 2 April 1839, 113, vol. 503, RG10, LAC.

⁹⁷ Indian Department Circular, 15 April 1839, 128-129, vol. 503, RG10, LAC.

⁹⁸ Letter of Colonel Chichester, 20 October 1839, 66315-66317, vol. 71, RG10, LAC; J.W. Keating to S.P. Jarvis, 16 November 1839, 66443-66445, vol. 71, RG10, LAC.

Department and Indigenous warriors was accordingly at the very foundation of British power in the Great Lakes region.

“Nowhere More Friendly Allies”: The Upper Canadian Indian Department and Cross-border Communities

The importance that the Upper Canadian Indian Department placed on maintaining a viable diplomatic and military relationship with Indigenous communities in United States territory has been discussed in Chapter One. This policy was shared to a significant extent by important military and civil administrators in the Canadas, such as Lord Dorchester, Sir Gordon Drummond, and Lord Dalhousie. The years following the War of 1812 however saw a marked decline in the willingness of the metropolitan government of the British Empire to exert influence across the thickening international border.⁹⁹

This was not the case with the Indian Department. Into the 1840s, the ID remained committed to maintaining the same cross-border relationships with communities living in U.S. territory that had been established following the evacuation of the western posts in 1796. Given the difference in opinion between metropolitan administrators anxious to remove the infrastructure of cross-border alliances and ID officers eager to reinvigorate these same relationships, it is not surprising that policies intended to strictly limit the Indian Department to British territory occasioned significant resistance from its members.

Three such disagreements are examined below. Together, they help illustrate that the members of the Indian Department did not simply carry out policy decisions at the direction of administrators in York/Toronto, Quebec, or London, but that they sought to shape this policy themselves. The fact that relations with communities in United States territory were frequently a

⁹⁹ See for example Taylor, *The Civil War of 1812*, 432-433.

point of contention likewise demonstrates that the ID considered these relationships to be a fundamental part of their work, and that defending these cross-border connections was worth pushing back against superiors in the government.

“Very Essential Service during the Late War:” The Case of Western War Losses

The controversy around the payment of losses from the War of 1812 presents a good illustration of the importance the ID placed on the relationship with Indigenous communities in U.S. territory. Already in 1815, the Upper Canadian Indian Department was directed to draw up a record of the Indigenous property lost during the war so that a claim for compensation could be laid before the government.¹⁰⁰ In collecting this information, the ID included losses sustained by communities in Upper Canada as well as those in the United States.¹⁰¹ In fact, the Indian Department had committed itself to compensating Indigenous property destroyed by American forces within United States territory at the very beginning of the war. In an attempt to rally any warriors who may have hesitated to join the British in repelling General Hull’s invasion of Upper Canada in the summer of 1812, superintendent Matthew Elliott had told the nations of the Detroit region to think nothing of leaving their property on the west side of the river since the King would not fail to compensate his faithful allies for their losses.¹⁰²

Despite the early initiative in collecting the Indigenous claims, it would be more than a decade before the Empire actually made any sort of payment. In the meantime, the communities in the United States that had been promised compensation were apprehensive. In a petition to the Duke of Richmond dated August 31, 1819, the various nations from the Detroit River to the

¹⁰⁰ Lieutenant Colonel James to William Caldwell, 20 September 1815, 18451, vol. 31, RG10, LAC; Lieutenant Colonel James to Alexander Ferguson, 5 November 1815, 18621, vol. 31, RG10, LAC.

¹⁰¹ Halton to William Claus, 4 September 1823, 22371, vol. 41, RG10, LAC.

¹⁰² Speech of the Huron Chiefs on Behalf of themselves and the Other Nations of Indian at this Post to Major Brock, 13 July 1816, 294, vol. 260, RG8, LAC.

Mississippi reminded the Governor General of the promise the British had made at the start of the war to compensate them for loss of property in U.S. territory.¹⁰³ When the Indigenous war losses, amounting to more than 15,000 pounds altogether, were eventually submitted to the board of claims in December 1825, the commissioners protested that many of them appeared to have originated outside of Upper Canada. James Buchanan Macaulay, the secretary of the board, accordingly called on Deputy Superintendent William Claus to clarify the provenance of the individual claims.¹⁰⁴

Claus bristled at Macaulay's suggestion that there should be any difference between claims for losses in Canada and those in the United States. In his terse reply to the secretary of the board of claims, the Deputy Superintendent protested that drawing a distinction between these losses would have such a serious impact on the British relationship with the communities outside of Upper Canada that he did not consider himself authorized to make such an inquiry without explicit orders from the Lieutenant Governor.¹⁰⁵ That same day, Claus dispatched a lengthier letter to Sir Peregrine Maitland, protesting Macaulay's request. Claus reminded the Lieutenant Governor that the warriors from United States territory had been among the most zealous and effective partisans of the Crown during the recent conflict with the American Republic. "His Majesty," Claus wrote, "had nowhere more friendly allies than those Indians, nor men not only more ready but actually rendered very essential service during the late war." Appealing to Maitland's sense of justice, the Deputy Superintendent asked, "would it be fair Sir, or would it be just to deprive those faithful people of the loss they sustained because it was without the limits of this province?" Claus repeated to the Lieutenant Governor that he would only carry out such an examination if directly ordered

¹⁰³ Petition to His Grace the Duke of Richmond, 31 August 1819, 20910, vol. 36, RG10, LAC.

¹⁰⁴ J. Macaulay to William Claus, 26 December 1825, 2300-23001, vol. 43, RG10, LAC.

¹⁰⁵ William Claus to James Buchanan Macaulay, 29 December 1825, 24524-54525, vol. 568, RG10, LAC.

to do so, although he concluded his letter by warning that failure to pay claims originating in the United States would “not only be felt a sore disappointment to those people, but be the cause of much unpleasant feeling among them.”¹⁰⁶

Despite Claus’s protests, the Indian Department was ordered in January 1826 to investigate which Indigenous claims originated in Upper Canada and which in the United States. In communicating this order to George Ironside, the superintendent at Amherstburg who had originally submitted the claims, Claus again lamented the decision of the board of claims, writing that the nations from the west of the Detroit River had been “the larger body of Indians that adhered to H. M. arms during the last and previous wars and have since our acquaintance with them proved faithful allies.” Claus did not despair entirely however, as he hoped that even should their claims be rejected “in the end the Indians will not lose, for should the commission strike them off I have trust in His Majesty’s kind feeling and consideration for such faithful poor people.”¹⁰⁷ In another letter to Sir John Johnson at Montreal, Claus repeated that “it is to be lamented that those poor people will not share the payment for losses sustained in His Majesty’s service.”¹⁰⁸ When the claims were finally determined in the summer of 1826, only claims for property within the limits of Upper Canada were allowed. Rather than the 15,000 pounds submitted, only 5,000 pounds were awarded as compensation.¹⁰⁹ Claus made one last protest to the Lieutenant Governor, but Maitland made clear that the policy of only paying claims originating within the boundaries of the province was not to be excepted in the case of the western nations.¹¹⁰

¹⁰⁶ William Claus to Major Hiller, 29 December 1825, 24523-24524, vol. 568, RG10, LAC.

¹⁰⁷ William Claus to George Ironside Sr., 23 January 1826, 24526-24527, vol. 568, RG10, LAC.

¹⁰⁸ William Claus to A.K. Johnson, 26 January 1826, 24527, vol. 568, RG10, LAC.

¹⁰⁹ George Hiller to William Claus, 31 July 1826, 22994-22996, vol. 43, RG10, LAC.

¹¹⁰ George Hillier to William Claus, 10 September 1826, 23065-23066, vol. 43, RG10, LAC.

No Indigenous response to this decision appears to have survived in the Indian Department archives. It is however safe to assume that it was a bitter disappointment, as both Claus and Ironside had predicted.¹¹¹ British influence among the western nations indeed appears to have reached a nadir in the mid-1820s.¹¹² After the betrayal of British promises at the Treaty of Ghent, the members of the Indian Department hoped that they could at least fulfill the promises of compensation for loss of property that were made at the start of the war. As Claus pointed out to Maitland, providing this compensation was one way that the British could maintain a good relationship with the populous nations to the west of the Detroit River. While the Indian Department was ultimately unsuccessful in obtaining this compensation, the significant pushback from Deputy superintendent Claus indicates the importance that was placed on maintaining a working alliance with communities living in United States territory.

“Their Great Father Would Never Abandon Them”: The Case of Drummond Island

In the years after the War of 1812, the post of Drummond Island represented one of the most tangible manifestations of the British commitment to maintain a meaningful connection with Indigenous communities in the United States. Despite the surrender of Michilimackinac in 1815 as stipulated by the Treaty of Ghent, the Indian Department and their Indigenous partners continued to work with their allies in the Montreal fur trade and British military administration to maintain an outpost on the frontier of the upper Great Lakes.¹¹³ The Odawa of Arbre Croche, staunch opponents of the Americans during the recent war, were particularly keen to see the British

¹¹¹ For Ironside’s response to Claus’s directive, see George Ironside Sr. to William Claus, 1 February 1826, 22901, vol. 43, RG10, LAC.

¹¹² After a serious falling out with the British, the Shawnee Prophet left Upper Canada and returned to United States territory in 1825. He was removed from the list of recipients of the annual presents in 1826, see Duncan Campbell Napier to William Claus, 20 February 1826, 22915, vol. 43, RG10, LAC.

¹¹³ See for example Lieutenant Colonel Robert McDouall to Sir George Murray, 17 May 1815, 72-74, vol. 688, RG8, LAC; Lieutenant Colonel McDouall to Military Secretary Foster, 15 May 1815, 45, vol. 688, RG8, LAC; Extract of a Letter from Earl Bathurst to Sir Gordon Drummond, 69-72, vol. 515, RG8, LAC.

maintain a presence in the region.¹¹⁴ Despite some uncertainty regarding the ownership of the island, Lieutenant Colonel McDouall pre-emptively established the new post at Drummond Island in July 1815 immediately following the evacuation of Michilimackinac.¹¹⁵ Over the next 13 years, this new outpost would rival Amherstburg as the most important centre of the Indian Department in the Canadas.

The importance of this post did not prevent its eventual surrender to the United States. When the commissioners appointed to determine the exact course of the international border through the upper Great Lakes under the sixth article of the Treaty of Ghent finalized their agreement in June 1822, the island was awarded to the Americans.¹¹⁶ Already by September, Governor General Dalhousie began investigating whether the Indian Department might be relocated to the former Northwest Company establishment at Sault Ste. Marie.¹¹⁷ The home government however was sceptical of the military value of Sault Ste. Marie, despite Dalhousie's argument that the establishment of a post on this distant frontier was important not as a military base but as a centre of diplomacy with the western nations.¹¹⁸ Thus as the years passed neither was a new post established, nor did orders come to hand over Drummond Island to American authorities.

In the summer of 1825, Dalhousie asked Deputy Superintendent William Claus to weigh in on the debate surrounding the eventual evacuation of Drummond Island. Like his correspondence on the question of the western nations' war losses, Claus's response to the

¹¹⁴ See for example Lieutenant Colonel Robert McDouall to Military Secretary Foster, 15 May 1815, 45, vol. 688, RG8, LAC; John Askin Jr. to William Claus, 4 May 1815, 167, vol. 10, Claus Papers, MG19, LAC.

¹¹⁵ Lieutenant Colonel Robert McDouall to Major General Sir Fredrick Robinson, 21 July 1815, 236, vol. 688, RG8, LAC.

¹¹⁶ Francis M. Carroll, "The Search for the Canadian-American Boundary along the Michigan Frontier, 1819-1827: The Boundary Commissions under Articles Six and Seven of the Treaty of Ghent," *Michigan Historical Review* 30, no. 2 (2004): 93-95.

¹¹⁷ Dalhousie to Bathurst, 10 September 1822, 264, vol. 161, Q Series, C.O. 42, MG 11, LAC.

¹¹⁸ Dalhousie to Bathurst, 12 June 1826, 424, vol. 176, Q Series, C.O. 42, MG 11, LAC.

Governor General was emphatic. The Deputy Superintendent General related that the post at Drummond Island was established after the War of 1812 as part of the promise to the nations of the upper lakes that “their Great Father would never abandon them, and that the fire would be rekindled in that country for them to meet at as formerly where they would always be received and kindly treated.” Claus explained that the communities resorting to Drummond Island were both numerous and powerful, with over 4,000 individuals visiting the post annually. While these communities could potentially continue to receive presents at Amherstburg, Claus wrote that withdrawing from Drummond Island would “give them a most unfavourable impression.” Nor would this unfavourable impression be limited to the communities in the immediate neighbourhood of Drummond Island, as these groups would in turn communicate the British abandonment “to all the nations round them by wampum.”¹¹⁹

Like the payment of the war losses of the western nations, Claus viewed the retention of Drummond Island as an important way the British Empire could maintain a viable relationship with Indigenous communities in the United States in the years following the War of 1812. As with his views on the war claims of the western nations, Claus argued that the fulfillment of earlier promises made by the Indian Department was of paramount importance to this relationship. Unlike the case of the board commissioners for overseeing war losses, the administration seems to have seriously considered Claus’s arguments. Drummond Island remained in British hands for six years after the final ruling of the commissioners appointed under article six of the Treaty of Ghent. It was not until October 1828 that an order to evacuate was received at the frontier post.¹²⁰ No prior warning of this order had been given, and therefore the excavation was conducted hastily. The vessels carrying the inhabitants of the island did not depart until November, well after the end of

¹¹⁹ William Claus to Assistant Military Secretary Maitland, 2 August 1825, 24509-24510, vol. 568, RG10, LAC.

¹²⁰ Military Secretary Couper to William McKay, 6 October 1828, 23677, vol. 45, RG10, LAC.

the normal shipping season, and one was wrecked en route.¹²¹ The members of the Indian Department spent the trying winter of 1828-1829 in temporary shelters erected at the skeleton naval depot of Penetanguishene. It was here that T.G. Anderson came up with his scheme to rekindle the Drummond Island council fire in the neighbourhood of Penetanguishene in order to provide a new centre for continuing diplomatic relations with the communities in United States territory.¹²² This new project of cross-border diplomacy will be discussed further in Chapter Seven.

“Owing Allegiance to the Crown”: The Case of Cross-border Presents

The final disagreement that illustrates the Indian Department’s desire to maintain strong connections with Indigenous communities in the United States involves the important question of distributing annual presents to the Visiting Indians. As we have seen in Chapter One, these groups often constituted an absolute majority of the communities who received presents from the Upper Canadian ID, as will be further discussed in Chapter Eight. The termination of the distribution of annual presents to the Visiting Indians at Amherstburg in 1835 marked the first significant blow to the connection with these groups.¹²³ In 1836, Lieutenant Governor Francis Bond Head ordered that the issue to First Nations resident in the United States should be terminated entirely after the distribution for 1839.¹²⁴ The outbreak of the Canadian Rebellion in 1837 however presented a significant opportunity to push back against this policy.

On his return from the distribution of the annual presents at Manitoulin Island in August 1838, Chief Superintendent Samuel Peters Jarvis made a report to Lieutenant Governor Sir George

¹²¹ A.C. Osborne, “The Migration of the *Voyageurs* from Drummond Island to Penetanguishene in 1828,” *Ontario Historical Society Papers and Records* 3 (1901): 123-166.

¹²² Memorandum of T.G. Anderson, 29 March 1829, 23752-23754, vol. 45, RG10, LAC; T.G. Anderson to Lieutenant Colonel Napier, 20 February 1829, 193, vol. 269, RG10, LAC.

¹²³ For the end of presents to Visiting Indians at Amherstburg in 1835, see James Givins to George Ironside Sr., 28 August 1835, 74, vol. 501, RG10, LAC.

¹²⁴ Francis Bond Head to Lord Glenelg, 20 November 1836, in *Parliamentary Papers 1839*, 127-129.

Arthur on the proposal to end presents to the Visiting Indians after the 1839 issue. Jarvis began by stating his view that “the policy of this step has always appeared to me very questionable, and the justice of it still more so.” The Chief Superintendent explained that “the Indians generally residing within the American territory consider themselves allies of Great Britain and many of them as owing allegiance to the Crown.” These communities fought in the War of 1812, and now with the ongoing crisis of the Rebellion, Jarvis argued that it would be “extremely impolitic” to end presents at this juncture. As an even stronger argument, the Chief Superintendent added that “British Faith” had been pledged to continue these presents for all time, and this promise could not be abandoned without loss of character.¹²⁵

It is important to notice Jarvis’s characterization of the relationship between the communities in the United States and the British Empire. First, Jarvis presents the relationship from the perspective of the First Nations communities, and by basing his subsequent arguments on this Indigenous characterization, Jarvis himself implicitly endorses this view. Second, this description of the Indigenous-Imperial relationship defies the common dichotomy of ally and subject. While Jarvis says that these communities generally considered themselves allies, he adds that many also viewed themselves as “owing allegiance” to the Crown. The idea of owing allegiance was of course not current in Indigenous politics of the Great Lakes region. By using the language of allegiance, however, Jarvis was, somewhat clumsily, adopting a familiar term to explain to his superiors that many individuals in these Indigenous communities viewed themselves as part of the same broader political space as the British Empire, i.e. that they were connected in a kin-based confederacy. The language of allegiance certainly warped the original meaning intended by Indigenous speakers, but it nonetheless conveyed the view shared by the Upper Canadian Indian

¹²⁵ S.P. Jarvis to John Macaulay, 25 August 1838, 126-127, vol. 502, RG10, LAC.

Department and many among the Sauk, Menominee, Winnebago, Odawa, and Ojibwe that the British and the western nations formed one broader confederacy.

In arguing that the presents to the Visiting Indians should continue, the Indian Department made clear that this was an important stake for Indigenous communities in United States territory. Both S.P. Jarvis and T.G. Anderson related that the discontinuance of the presents would be a sore loss to the communities.¹²⁶ Speeches from Indigenous leaders such as Shingwaukonse asking to continue the annual presents reinforced this point.¹²⁷ In the context of the ongoing insecurity following the Canadian Rebellion, in 1839 Sir George Arthur ordered that the presents to the Visiting Indians would not be discontinued.¹²⁸ It was not long however until the Canadian administration reverted to the course set by Sir Francis Bond Head. In 1841, the first Governor General of the newly united Province of Canada, Baron Sydenham, ordered that the final issue of presents to Visiting Indians should be in 1843.¹²⁹

Conclusion

The members of the Upper Canadian Indian Department had their own vision of the proper Indigenous-Imperial relationship, the broad outline of which they shared with their Indigenous partners and patrons. While much of the literature regarding the position of Indigenous people within the broader British Empire has focused on the dichotomy of subject and ally, these terms are not particularly helpful in illustrating how both Indigenous peoples and the Indian Department understood the relationship. Instead, the relationship was generally described using traditional Indigenous diplomatic language, including terms of kinship. The diplomatic image that I have

¹²⁶ For T.G. Anderson's views on the subject, see Answers of Thomas G. Anderson to the Queries Proposed by Mr. Secretary Harrison, 18 July 1839, 65961-65962, vol. 71, RG10, LAC.

¹²⁷ Memorandum of T.G. Anderson, (no date, 1839), 66474, vol. 71, RG10, LAC.

¹²⁸ S.P. Jarvis to S.B. Harrison, 15 July 1839, 202, vol. 503, RG10, LAC.

¹²⁹ Sydenham to Russel, 27 March 1841, 200, vol. 57, RG7 G12, LAC.

adopted here is that of a shared Fire of Friendship, tended both by First Nations and by the servants of the Empire. In general, the Indian Department during the Upper Canadian period adhered to the principles of this Fire of Friendship, as can be seen in their support for a distinct social and political space for First Nations communities, their enduring commitment to the legitimacy and usefulness of Indigenous military auxiliaries, and their dedication to maintaining British pledges to cross-border communities.

Chapter Seven

“To Rivet their Attachment”: The Indian Department and Civilization in Canada, 1796-1845

On August 10, 1808, Teyoninhokarawen John Norton forwarded a memorandum to the former under-secretary of state for the Home Office Sir Evan Nepean. As the adopted protégé of the recently deceased Mohawk leader Thayendenegea Joseph Brant, Norton had for some years carried on an extensive correspondence with prominent Englishmen, including leading members of the reformist Clapham Sect, regarding the state of the Indigenous communities on the Grand River in Upper Canada.¹ Like other pieces of this correspondence, Norton’s most recent memorandum had for its subject “the civilization of the tribes within the British limits.” While he touched on the concerns of agricultural improvement and Christianization that had long been considered markers of Indigenous acculturation to European ideals, Norton’s proposed project of civilization was at the same time inextricable from the considerations of Imperial power in North America. Following the Chesapeake Affair the previous summer, war with the United States seemed a very real possibility. Norton therefore proposed a scheme to convince the Six Nations communities remaining in American territory to join their brethren currently living on the Grand River in order to form one great settlement on the southwestern frontier of Upper Canada. To recommend his proposal, Norton pointed out that “twelve hundred men collected into one settlement might be more relied on in time of war than scattered divisions, and would require little more trouble to improve and civilize them than a settlement of a much smaller number.”²

¹ Carl F. Klinck, “Biographical Introduction,” in *The Journal of Major John Norton, 1816*, eds. Carl F. Klinck and James J. Talman (Toronto: The Champlain Society, 1970), xxiii-xcviii.

² Letter of John Norton, 10 August 1808, 170-177, vol. 111, Q series, C.O. 42, MG11, LAC. While this letter is unaddressed, it seems more than likely that Nepean was the intended recipient, see John Norton to John Owen, 10 August 1808, 128-129, Norton Letter Book, Ayer Collection, Newberry Library.

Norton's proposal included all the key elements of subsequent projects of liberal "civilization" from the later nineteenth century. A religious mission and an educational institute would be established. Traders would be encouraged to live on the settlement to encourage Indigenous participation in market exchange. The Six Nations would receive payment for the surrender of the Grand River lands they currently held; this money would be invested in trust by the government, and the interest would be spent in order to further industry and agriculture.³ There were however, a number of crucial differences between the scheme proposed by Norton and the projects drawn up decades later by men like Egerton Ryerson. The centrality of Indigenous warriors was one important difference, but this difference led naturally to an even more significant divergence. The importance of the fighting power of Indigenous warriors meant that the end goal of Norton's scheme was not the total assimilation of Indigenous peoples. Rather, it was the creation of a largely autonomous Indigenous community strengthened by the adoption of certain cultural and economic models from Euro-American society. Norton did not frame his proposal as the solution to an "Indian Problem." Rather, by granting assistance to First Nations communities in adapting to the impact of settler colonial cultures and economies, by increasing the number of Indigenous peoples inside the borders of the Empire, and by consolidating these warriors into one powerful body, Norton presented this scheme to his metropolitan audience as the potential solution to an "Empire Problem."

Norton's inspiration for this project was the old model adopted by the French Empire in North America. In the same letter, he pointed out that "the position of the British in this country is at present very similar to that of the French at a former period." Like the French, the British were currently dependent on maintaining alliances with Indigenous communities in order to safeguard

³ Letter of John Norton, 10 August 1808, 174, vol. 111, Q Series, C.O. 42, MG11, LAC.

their presence in an inland region not easily accessible to reinforcements coming from across the Atlantic. When placed in this situation, Norton argued that “the French to secure more effectually the services of the tribes, always used their utmost endeavours to have their settlements compact.” Norton identified the three settlements of St. Regis, Two Mountains, and Kahnawake in the region around Montreal as the remnants of this system, and he commented approvingly that these three communities could still muster 600 warriors between them.⁴

While Norton’s views may seem out of line with our understanding of projects of civilization in the Upper Canadian period, such views were widely shared by a substantial number of influential individuals. Prominent members of the Indian Department made proposals similar to Norton’s throughout the period 1796-1845. In three cases, at Chenail Ecarté in 1796, at Coldwater in 1829 and on Manitoulin Island in 1835, the government adopted the proposed projects, while on the St. Clair River in 1839-1842 they were presented with a *fait accompli*. In all of these cases, these projects could be deemed to have been successful, even if this success was short lived. What is perhaps more significant, Indigenous peoples themselves were often among the most important advocates for such projects. Relocating communities to the proximity of an ally in times of crisis was a longstanding practice among the Nations of the greater Great Lakes region. The period of 1796-1845 was full of many such crises, and therefore policies that from an Imperial perspective were meant to reinforce British power in the region found willing partners among Indigenous leaders looking for stability and refuge.

The significant differences between what is usually understood in the existing historiography by “civilization” and schemes like those proposed by John Norton suggest that more nuance is needed in how we write about these different projects. Following Norton’s own

⁴ Letter of John Norton, 10 August 1808, 174, vol. 111, Q Series, C.O. 42, MG11, LAC.

reference to the *nations domiciliées* of the St. Lawrence Valley, I propose that projects of community consolidation, limited Euro-American education, and Christianization that were rooted in the continuance of Indigenous autonomy, alliance, and military strength might more meaningfully be called projects of domiciliation. Following the work of Elsbeth Heaman, what has usually been termed civilization could be described more accurately as a project of liberal assimilation.⁵ Establishing a distinction between these two different projects does not mean that the two projects were always diametrically opposed. Often times actors pursuing a policy of domiciliation made alliance with others who were advocating the approach of liberal assimilation, since there was clear overlap between the methods that each advocated, even if the end goals were quite different. These alliances, however, proved to be of short duration, and by the 1840s the proponents of liberal assimilation made clear that they would no longer tolerate the so-called “half-civilization” of autonomous and self-contained Indigenous communities that had been advocated by the proponents of domiciliation.

“To Secure More Effectually the Services of the Tribes”: Defining Domiciliation

Two defining elements separated domiciliation from other approaches taken by European and creole settler polities to managing Indigenous populations in the Americas, such as the *reducciones* of the Spanish Empire or the reserve systems of various settler colonial states. The first defining element of domiciliation was that it sought to create auxiliaries who could lend their military strength, diplomatic influence, and local knowledge to a broader project of sovereignty. Because the special attributes of such auxiliaries could only be usefully employed by willing partners, any power wishing to carry out a project of domiciliation had to rely on persuasion and

⁵ E.A. Heaman, “Space, Race, and Violence: The Beginnings of ‘Civilization’ in Canada,” in Elizabeth Mancke et al. eds., *Violence, Order, and Unrest: A History of British North America, 1749-1876* (Toronto: University of Toronto Press, 2019), 137.

compromise rather than coercion. Thus the second defining element of domiciliation was that Indigenous peoples themselves remained largely autonomous actors within the partnership. In the language of nineteenth-century British North America, as was discussed in the previous chapter, this meant that domiciled Indigenous communities were to be considered “allies” rather than “subjects,” at least according to the simplified vocabulary commonly used in the English-speaking Empire. Domiciled communities should therefore be considered a joint creation of both Indigenous and imperial leaders. Even if First Nations and imperial officials often had different motivations and different understandings of the undertaking, domiciliation could only work if both sides were willing to commit to the same broader framework in spite of any underlying tensions.

Not all Indigenous-newcomer alliances in northeastern North America involved domiciled communities. More often than not, Indigenous communities preferred to continue to occupy their own lands far from the immediate influence of European powers even after having entered into an alliance, as was the case with the majority of the nations allied to the French in the *pays d'en haut*.⁶ For Indigenous communities, relocation to the proximity of European outposts tended to be the result of an immediate pressing necessity rather than a decision made from a position of strength, as illustrated by the history of the St. Lawrence Valley settlements of the seventeenth century.⁷ Powers such as the French and British had their own reasons for encouraging the relocation of Indigenous communities to the neighbourhood of their outposts, such as to promote trade, strengthen diplomatic relations, or increase the proximity of military allies. This sort of migration, however, was not the only approach advocated by imperial proponents of Indigenous alliances.

⁶ Gilles Havard, *Empire et Métissages: Indiens et Français dans le Pays d'en Haut, 1660-1715* (Québec: Septentrion, 2017). See also Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815*, 20th anniversary edition (Cambridge: Cambridge University Press, 2011).

⁷ Jean-François Lozier, *Flesh Reborn: The Saint Lawrence Valley Mission Settlements through the Seventeenth Century* (Montreal: McGill-Queen's University Press, 2018).

After both the American Revolution and War of 1812, for example, some British policy makers proposed that Indigenous allies would do more for the Empire by remaining in American territory as a buffer to any potential republican expansion.⁸ Nonetheless, in the same period many Indigenous leaders and British officials consistently advocated for the relocation of First Nations communities to territory claimed by the British Empire, particularly after the Treaty of Paris in 1783, the Jay Treaty in 1794, and the Treaty of Ghent in 1814. Thus domiciliation differed in another crucial way from the policies later adopted by the Canadian settler state. Rather than embracing a “logic of elimination” by advocating the elimination of First Nations communities, proponents of domiciliation actively sought to increase the number of Indigenous peoples inside of British Canada.

To a certain extent, this was true in terms of culture as well as raw demography. Imperial agents who advocated a policy of domiciliation from Sir William Johnson to T.G. Anderson envisioned that the Indigenous communities settled in alliance with the British Empire would always retain certain key elements of their culture, chief among them their longstanding warrior traditions. This did not mean, however, that domiciled communities were uninfluenced by their proximity to imperial outposts or settlements. Far from it. For communities from Kahnawake to Coldwater, the selective and limited adoption of Euro-American cultural and economic modes was one of the attractions of living in proximity to imperial outposts. Officers of the Indian Department thus informed their superiors in the Canadian administration that providing schools, churches, missionaries, and mills was fundamental to attracting Indigenous populations into British territory. Not every example of domiciliation in British Canada was accompanied by these sorts of incentives, however. No imperial assistance in adapting to Euro-American cultural and economic

⁸ See for example Alan Taylor, *The Divided Ground: Indians Settlers and the Northern Borderland of the American Revolution* (New York: Alfred A. Knopf, 2006), 118-122.

modes was held out to induce Indigenous communities to relocate to the envisioned settlement at Chenail Ecarté in the 1790s, nor to the Potawatomi who relocated to Walpole Island in the late 1830s and early 1840s, perhaps in large part because push factors driving these Indigenous communities from their homelands in U.S. territory were more important in these cases than the attractions held out by the British administration in Canada.

Thus, while projects of domiciliation tended to incorporate certain elements that were generally understood to constitute “civilization,” such as missionaries, schools, and European-style agriculture, the relationship between projects of domiciliation and other efforts to “civilize” Indigenous communities was ambiguous. While it may appear that actors such as the Wesleyan Missionary Society or the Aborigines’ Protection Society were acting in tandem with British Indian Agents and Indigenous leaders pursuing their own programs of domiciliation, the approach of these liberal humanitarians was opposed in important ways to the approach advocated by domiciliation. The relative freedom of Indigenous peoples to pick and choose the elements they wished to adopt from Euro-American culture within the framework of domiciliation was decried by many observers as leading to a state of “half-civilization” worse than a pure and noble savagery. The liberal humanitarians thus advocated a more coercive approach to civilization, including the forcible removal of children for education in boarding schools.⁹

In addition, these observers were appalled by the military nature of the relationship between the Indian Department and Indigenous communities, which they viewed as preventing true civilization from taking root. The Aborigines’ Protection Society, headed by prominent humanitarians such as Fowell Buxton, Sir Augustus d’Este, Saxe Bannister, and Dr. Stephen Lushington, went so far as to petition the British House of Common to request that “the military

⁹ See for example the comments of the Reverend Peter Jones, discussed below, in RAIC 1847, unpaginated, (pages 181-182).

service hitherto required of the Indians may be abolished, as like injurious to them and opposed to the honour of this country.”¹⁰ Outraged by this petition, Chief Superintendent Samuel Peters Jarvis penned a response to the lieutenant governor of Upper Canada, pointing out the hypocrisy of the of the Aborigines’ Protection Society, who wanted to assimilate Indigenous communities to the same civil status as the rest of settler society, “but at the same time reject the military service of that people when required for the defence of the province.”¹¹

This difference in opinion on the matter of the acceptability of employing Indigenous warriors as military auxiliaries between the Aborigines’ Protection Society and Chief Superintendent Jarvis helps illustrate the significant distance between domiciliation and other contemporary projects. Despite the dramatically different goals envisioned by proponents of domiciliation and the liberal humanitarians, Canadian historiography has tended to treat all proposals relating to the building of churches and schools, or the adoption of European-style husbandry, plough agriculture, or other modes of economic organization, as part of a single unified project.¹² Understanding domiciliation as a unique approach separate from, and often opposed to, the approaches advocated by other groups can help elucidate the changing position of First Nations in the Canadas during the early part of the nineteenth century, and the struggles of various actors to shape contemporary government policy.

¹⁰ Petition of the Aborigine’s Protection Society, (no date, 1839), 498, vol. 95, RG7 G1, LAC. For a list of the committee members who endorsed this petition, see *First Annual Report of the Aborigines’ Protection Society* (London, P. White and Son, 1838).

¹¹ S.P. Jarvis to S.B. Harrison, 10 June 1839, 196, vol. 503, RG10, LAC.

¹² For works that continue to influence this view, see for example John Leslie, *Commissions of Inquiry into Indian Affairs in the Canadas, 1828-1858: Evolving a Corporate Memory for the Indian Department* (Ottawa: Treaties and Historical Research Centre, 1985); J.R. Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada* (Toronto: University of Toronto Press, 1991).

“Those Qualities which Render Them Useful to Us”: The Historical Background, 1637-1796

John Norton was right to identify the *nations domiciliées* as a key pillar of French power in North America. From the first settlement of St. Lawrence Algonquians at Kamiskouaouangachit in 1637 to the capitulation of Montreal in 1760, the Indigenous communities of the St. Lawrence Valley were among New France’s most influential military and diplomatic allies.¹³ As important as were these communities in the imperial calculations of Bourbon Canada, the *nations domiciliées* owed their existence to the French Empire only in part. Instead, they are better understood as a “joint creation,” shaped both by Indigenous and imperial concerns.¹⁴ For indigenous communities, there were many attractions to resettling in the proximity of the French, including claiming a place of privilege in the Franco-Indigenous alliance system, accessing new forms of spiritual power and political influence from adopting elements of Christianity, or gaining easy access to local trade routes and trans-Atlantic markets.¹⁵ As significant as were these attractions, the communities that relocated to the St. Lawrence Valley did not do so on terms entirely of their own choosing. To a large extent, they were compelled to seek shelter with the French by catastrophic wars, political and social upheavals, and demographic collapse brought on by epidemic disease.¹⁶ These migrations can therefore be understood as a continuation of the long standing practice of Indigenous communities migrating to the proximity of allied settlements in times of crisis.¹⁷ While Louis XIV and his ministers generally advocated a policy of “*francization*” towards the domiciled

¹³ Lozier, *Flesh Reborn*. D. Peter MacLeod, *The Canadian Iroquois and the Seven Years' War* (Toronto: Dundurn Press, 2012). Gilles Havard, *Great Peace of Montreal of 1701: French-Native Diplomacy in the Seventeenth Century* (Montreal: McGill-Queen’s University Press, 2014), 34-37.

¹⁴ Lozier, *Flesh Reborn*, 54.

¹⁵ Lozier, *Flesh Reborn*, 55, 202. Jan Grabowski, “Les Amérindiens domiciliés et la ‘contrebande’ des fourrures en Nouvelle-France,” *Recherches amérindiennes au Québec* 25 (1994): 45-52.

¹⁶ Lozier, *Flesh Reborn*, 8-9.

¹⁷ Heidi Bohaker, *Doodem and Council Fire: Anishinaabe Governance through Alliance* (Toronto: University of Toronto Press, 2020), 21; Kathryn Magee Labelle, *Dispersed But Not Destroyed: A History of the Seventeenth-Century Wendat People* (Vancouver: University of British Columbia Press, 2013).

settlements in the St. Lawrence Valley, these communities largely maintained their existing languages, cultures, subsistence patterns, political organization, and legal traditions, and only selectively adopted cultural practices from across the Atlantic.¹⁸ In fact, some colonial authorities argued it was better that these communities retain their traditional lifeways in order that they might be better commercial partners in the fur trade and more dangerous allies in forest warfare.¹⁹

As early as 1678, English authorities noticed with consternation the French efforts to resettle Indigenous communities to the St. Lawrence Valley, and they accordingly made efforts to persuade First Nations not to emigrate to their imperial rival's North American heartland.²⁰ Despite this concern, the English never seriously adopt any domiciliation policy of their own. Historians have generally identified the Praying Towns of New England as part of a radically different system than that practised on the St Lawrence, focused on the isolation and subjugation of local Indigenous communities rather than the establishment of autonomous communities as crucial props to imperial power.²¹ Meanwhile, on the New York frontier the Indian Commissioners at Albany paid close attention to the diplomatic and commercial influence of the St. Lawrence communities, but took no steps to adopt the practice of domiciliation as carried on by the French.²²

¹⁸ Lozier, *Flesh Reborn*, 6. For Francization, see Mairi Cowan, "Education, Francisation, and Shifting Colonial Priorities at the Ursuline Convent in Seventeenth-Century Québec," *The Canadian Historical Review* 99, no. 1 (2018): 1-29.

¹⁹ Lozier, *Flesh Reborn*, 198-200.

²⁰ Lozier, *Flesh Reborn*, 241-242.

²¹ Neal Salisbury, "Red Puritans: The 'Praying Indians' of Massachusetts Bay and John Eliot," *The William and Mary Quarterly* 31, no. 1 (1974): 27-54. Julius H. Rubin, *Tears of Repentance: Christian Indian Identity and Community in Colonial Southern New England* (Lincoln: University of Nebraska Press, 2013).

²² Jon W. Parmenter, "'Onenwahatirighsi Sa Gentho Skaghnuhtudigh': Reassessing Haudenosaunee Relations with the Albany Commissioners of Indian Affairs, 1723-1751," in Nancy L. Rhoden ed., *English Atlantics Revisited: Essays Honouring Ian K. Steele* (Montreal: McGill-Queen's University Press, 2007), 235-283. One reason for this difference was that Indigenous communities in crisis looking to resettle near an ally ended up relocating to the territory of the League of the Haudenosaunee, becoming "Props of the Longhouse" rather than relocating to English territory, see Daniel Richter, *The Ordeal of the Long House: The Peoples of the Iroquois League in the Era of European Colonization* (Chapel Hill: University of North Carolina Press, 1992), 239-240.

Following his appointment in 1755, however, Sir William Johnson proposed that the British Empire more closely emulate their French rivals by making religion a binding tie of alliance.²³ In his 1764 plan for the future management of the Indian Affairs, Johnson insisted on the importance of having four missionaries employed on the permanent establishment of the Indian Department.²⁴ In a letter sent two years later to the Society for the Propagation of the Gospel, Sir William explained how his vision of evangelization differed from the approach taken in New England. To begin, Indigenous conversion to Christianity was only desirable if it meant conversion to the established Church of England. Alluding to the recent unrest in the colonies over the imposition of a stamp tax, Johnson explained that “I cannot but think that the members of that Church are the surest supports of the Constitution, and that they are the faithfulest subjects of the Crown, an argument which may be particularly applied to America where the number of the dissenters and the measures they pursue threaten more than our religious liberties.” For Johnson, Christianization was not a sufficient motivation, but rather one element in a broader project of alliance. Johnson also criticized the New England missionary approach because it discouraged the habits of the warrior and the hunter and thus made Indigenous men lose “those qualities which render them useful to us.”²⁵ While Sir William believed in the value of missionary and educational establishments among the allies of the Crown, he differed from other proponents of evangelization on the extent to which European ideals should be taken as a measure of civility. On this point, Johnson wrote that he had “always considered the conduct of the Jesuits as well in Paraguay as elsewhere to be worthy of our imitation,” and he insisted that the case of the *domiciliées* of the St.

²³ Sir William Johnson to the Lords of Trade, (no date, 1756), in *DCNY*, 7:42-43.

²⁴ Lords of Trade to Sir William Johnson, Whitehall, 10 July 1764, in *DCNY*, 7:634-641.

²⁵ Sir William Johnson to Daniel Burton, 8 October 1766, in *PWJ*, 5:388-391.

Lawrence Valley “sufficiently proves that a civilized member of society and an Indian hunter are not incompatible characters.”²⁶

While the missionary and educational establishments that Sir William proposed to set up among the Six Nations explicitly drew on the example of the domiciled communities of the St Lawrence Valley, because they were intended to be planted among long-established, powerful, and sedentary Indigenous communities, Johnson’s vision can be understood as containing all the ideological principles of domiciliation without the central element of Indigenous migration to the vicinity of an ally in a time of crisis. Such a project had to wait until ten years after the death of the first superintendent of Indian Affairs. After the disasters of the American Revolutionary War, both British administrators and Haudenosaunee leaders were confronted with the necessity of making the best of a bad situation. Similar to the situation that existed on the seventeenth-century St. Lawrence, domiciliation appeared as a possible solution to Indigenous as well as Imperial actors. Men like Thayendanegea Joseph Brant and John Deseronto saw migration to a new settlement across the border recently delineated in the Treaty of Paris as presenting the possibility not only of reconstituting their war-torn society but also as a chance to further their own influence. British officers such as Allen MacLean and Sir Fredrick Haldimand envisioned such a settlement as a potential anchor to secure Imperial influence south and west of the Great Lakes. Two settlements of refugees were accordingly established, one largely under the leadership of Joseph Brant on the Grand River, and another headed by John Deseronto on the Bay of Quinte.²⁷ As part of this arrangement, the government promised to build the community on the Grand River a saw mill, a grist mill, a church, and a school building, and committed to an annual grant of 25 pounds

²⁶ Sir William Johnson to William Smith, 10 April 1767, in *PWJ*, 5:530.

²⁷ Taylor, *The Divided Ground*, 119-122.

sterling to support a schoolmaster.²⁸ Similar promises were made to the settlement on the Bay of Quinte.²⁹

Missionary activity, scholastic education, and participation in the sorts of industry that required saw and grist mills were all clear markers of what contemporary British observers would term civilization. Yet it is clear that the Six Nations settlements on the Grand River and on the Bay of Quinte were not part of any project of liberal assimilation. The church buildings, schoolhouses, blacksmiths, and mills were requested by the Six Nations émigrés in order to ensure that their new settlements would thrive, and as a means of attracting further emigration from the territories now claimed by the United States of America. These establishments were provided by the Imperial government as a part of the reciprocal exchange required of alliance, both as compensation for the losses experienced by the Six Nations in the recent war, and as a pledge for the continuance of the Indigenous-Imperial relationship.

“A General Council Fire for All Nations”: Domiciliation in Upper Canada, 1796-1828

Following the resettlement of the Six Nations and their allies on the Grand River and Bay of Quinte, the first major project of domiciliation in Upper Canada was the proposed pan-Indigenous settlement on the eastern branch of the St. Clair River known as the Chenail Ecarté. The Northwest War had pushed a number of communities to retreat to the relative safety of British North America in the early years of the 1790s, including most prominently the Moravian

²⁸ Sir Fredrick Haldimand to Arent de Peyster, November 1784, in *The Valley of the Six Nations: A Collection of Documents on the Indian Lands on the Grand River*, ed. Charles M. Johnston (Toronto: Champlain Society, 1964), 52.

²⁹ Sir Fredrick Haldimand to John Chew, 22 April 1784. The Report of the Rev. John Stuart, 25 May 1784. Both in Johnston, ed., *Valley of the Six Nations*, 46, 49.

Delawares who founded the village of New Fairfield on the River Thames in 1792.³⁰ The support of the Moravian community had been assiduously courted by both American and British agents over the preceding decades, and their relocation to Upper Canada appreciably increased British influence in the region.³¹ Around the same time, a community of the Munsee Delaware moved from south of Lake Erie to a new settlement on the same river, some 40 miles above their Moravian kin.³²

As important as were these movements, they only anticipated a project on a much larger scale. Following the Battle of Fallen Timbers in August 1794 and the signing of the Jay Treaty three months later, the British administration in the Canadas began work on a scheme to maintain the Empire's influence in the rapidly changing Great Lakes region. As early as December 1794, Lieutenant Governor Simcoe had endorsed a plan to purchase lands on the Chenail Ecarté as a "residence for the Western Indians, if they think proper to come there."³³ The project of settling various nations from the south and west at Chenail Ecarté was intended to be a key prop to British power in the region. In the words of Alexander McKee's secretary Prideaux Selby, from this new settlement "a constant intercourse and communication will be kept up with all the western and southern nations to the Mississippi, and also with all the eastern tribes as far as Lorette. This accomplished the British possession in this country and the British Interest will be perfectly secure."³⁴ McKee was sanguine in his expectations for the establishment, and he anticipated that

³⁰ For a full account of this history, see John P. Bowes, "The Gnadenhutten Effect: Moravian Converts and the Search for Safety in the Canadian Borderland," *Michigan Historical Review* 34, no. 1 (2008): 101-117. See also Helen Hornbeck Tanner et al. eds., *Atlas of Great Lakes Indian History* (Norman: University of Oklahoma Press, 1987), 84-91.

³¹ Larry L. Nelson, *A Man of Distinction Among Them: Alexander McKee and the Ohio Country Frontier, 1754-1799* (Kent: Kent State University Press, 1999), 144-145.

³² Ives Goddard, "Delaware," in *Handbook of North American Indians: Northeast*, ed. Bruce Trigger (Washington: Smithsonian Institution, 1978), 224.

³³ Simcoe to Dorchester, 18 December 1794, in *The Correspondence of Lieut. Governor John Graves Simcoe* (Toronto: Ontario Historical Society, 1923-1931), 3:225.

³⁴ Prideaux Selby to Joseph Chew, 11 March 1796, 31, vol. 249, RG8, LAC.

anywhere from two to three thousand individuals would soon move to the Chenail Ecarté.³⁵ At a meeting with representatives of the Indian Department on August 30, 1796, the local Ojibwe agreed to establish a “general council fire for all Nations” on a tract of land 12 miles by 12 miles on the banks of the Chenail Ecarté in exchange for goods worth 800 pounds currency. At this meeting, McKee reiterated the promise that the land would be open to “all such Indians as are desirous of planting and living within the Kings dominions.”³⁶ While this agreement was finalized too late in the season for the communities to relocate that same year, over the following winter McKee continued to be optimistic regarding the settlement’s prospects. In a letter to Sir John Johnson, the Deputy Superintendent General wrote that “already there is a considerable village of Ottawa at that place and there is every reason to suppose that the Sawanese, Mingoes, Nanticokes, Munsees, and Chippawas will fix themselves there also and commence their cornfields as soon as the season will permit.”³⁷

McKee’s expectations were to be disappointed. While a few hundred Odawa did temporarily relocate to the Chenail Ecarté lands in the summer of 1796, the mass exodus from U.S. territory never materialized. This was due in part to the American federal government’s efforts to reconcile their erstwhile enemies following the Treaty of Greenville in 1795, including through the payment of annuities to resident communities.³⁸ At the same time, Spanish agents from across the Mississippi had some success in their own efforts to attract discontented Shawnee and Delaware into Upper Louisiana.³⁹ More than these external factors, however, it was conflict within

³⁵ Extract of a Letter from Alexander McKee, 24 October 1795, 474, vol. 75, Q Series, C.O. 42, MG11, LAC.

³⁶ Colonel McKee’s Speech to the Chippewa Indians at Chenail Ecarté, 30 August 1796, 9165-9172, vol. 9, RG10, LAC.

³⁷ Alexander McKee to Sir John Johnson, 20 January 1797, 450, vol. 249, RG8, LAC.

³⁸ John Sugden, *Blue Jacket: Warrior of the Shawnee* (Lincoln: University of Nebraska Press, 2000), 209, 212.

³⁹ The British Indian Department took Spanish activities in the Ohio Valley very seriously, see for example Alexander McKee to Joseph Chew, 20 June 1796, 212, vol. 249, RG8, LAC. See also Tanner, *Atlas of Great Lakes Indian History*, 92-93.

Upper Canada itself that doomed the Chenail Ecarté project. To encourage Indigenous settlement at Chenail Ecarté, the Indian Department had requisitioned a large amount of provisions to support the new arrivals until they could support themselves with their own cornfields. The slow rate of migration the year following the formal agreement in August 1796 led to a large discrepancy between the number of individuals settled at Chenail Ecarté and the number of provisions ordered. The commanding officer at Amherstburg accused the Indian Department of willfully inflating the number of potential migrants to Chenail Ecarté so that they could make personal use of the requisitioned provisions. As discussed at some length in Chapter Two, Superintendent Matthew Elliott was dismissed from the Department on exactly these charges in December 1797, and no further provisions were supplied to encourage emigration.⁴⁰ The end of Imperial patronage contributed to the Odawa abandoning their recently established village on the St. Clair River. While the local Ojibwe continued to request that the Indian Department fulfill their promises to assist their kin from Saginaw relocate to Chenail Ecarté in the years immediately following this controversy, Alexander McKee lamented that he was no longer authorized by the government to encourage or support any prospective emigrants.⁴¹

While the withdrawal of government support in the autumn of 1797 ended any concerted effort at domiciliation, the lands at Chenail Ecarté continued to be an important centre for Indigenous communities. Alongside the local Ojibwe who had planted corn, hunted fowl, and tapped their sugar bushes on Walpole Island and the Chenail Ecarté tract for generations, other members of the mobile Indigenous communities of the Great Lakes region continued to move in

⁴⁰ For a summary of this controversy, see Reginald Horsman, *Matthew Elliot: British Indian Agent* (Detroit: Wayne State University Press, 1964), 134-139.

⁴¹ Alexander McKee to Prideaux Selby, 2 December 1798, 15228-15229, vol. 26, RG10, LAC.

and out of this territory as part of both seasonal and longer-term migrations.⁴² During the upheavals of the War of 1812, the region again became a place of shelter for Indigenous communities in a time of crisis. The displacements brought on by the war meant that between 600 and 700 Ojibwe gathered at Chenail Ecarté to plant corn in the summer of 1815.⁴³ The Indian Department recognized the ongoing importance of the lands at Chenail Ecarté, and in 1804 and 1816 they advocated distributing the annual presents there rather than at Amherstburg.⁴⁴

The evacuation of the western posts in 1796 did however lead to the successful establishment of at least one community of cross border refugees. Even before the execution of the Jay Treaty, reports circulated that chief Adam Brown of the Wyandot village of Brownstown was being threatened with death by American partisans for his support of the British during the Northwest War.⁴⁵ Brown accordingly requested in the summer of 1796 that his entire village be allowed to settle on the reserve land just north of the recently established post at Amherstburg.⁴⁶ While this Wyandot community was small in number, they were generally considered to be of great influence in the region, and over the next half century they played an outsized role in the Indigenous history of Upper Canada.⁴⁷ The descendants of the Brownstown Wyandot would continue to occupy the Huron Reserve at Anderdon on the Canadian side of the Detroit River until it was dissolved by the Dominion government in 1914.⁴⁸

⁴² For a good account of the Ojibwe communities of Chenail Ecarté, see Rick Fehr, Janet Macbeth, and Summer Sands Macbeth, "Chief of this River: Zhaawni-binesi and the Chenail Ecarté lands," *Ontario History* 111, no. 1 (2019): 19-35. For longer-term migration to Chenail Ecarté, see Thomas McKee to Prideaux Selby, 30 July 1807, 15725, vol. 27, RG10, LAC.

⁴³ George Ironside to Duncan Cameron, 6 June 1815, 18032-18034, vol. 30, RG10, LAC; Matthew Elliott Jr. to William Claus, 2 August 1815, 18264, vol. 31, RG10, LAC.

⁴⁴ Major Bloamire to Military Secretary Green, 27 October 1804, 237, vol. 254, RG8, LAC; Duncan Cameron to William Caldwell, 21 May 1815, 18000, vol. 30, RG10, LAC; Indian Department Circular, 6 November 1816, 19481-19482, vol. 33, RG10, LAC.

⁴⁵ Extract of a Letter from Colonel McKee to Joseph Chew, 11 August 1795, 260-261, vol. 248, RG8, LAC.

⁴⁶ William Mayne to James Green, 3 September 1796, 319, vol. 249, RG8, LAC.

⁴⁷ Joseph Chew to James Green, 9 April 1797, 477, vol. 240, RG8, LAC.

⁴⁸ Laurie LeClaire, "The Huron-Wyandottes of Anderson Township: A Case Study in Native Adaption, 1701-1914," (MA diss., University of Windsor, 1988).

Following the War of 1812, the administration of Upper Canada was eager to bring more land under the control of settlers.⁴⁹ While settlement on a small-scale had been ongoing in the area since the establishment of Lord Selkirk's colony at Baldoon in 1804, it was only following the Crown's negotiation for the surrender of the Longwoods tract in 1820 that the presence of settlers expanded dramatically. That same year, the Chenail Ecarté tract that had originally been designated as a place of refuge for all nations was officially incorporated as the township of Sombra.⁵⁰ The Ojibwe of the St. Clair River were outraged by this betrayal. Not only had they expected that they would continue to be allowed to live on the Chenail Ecarté lands after the surrender of the adjoining Longwoods Tract, but the incoming flood of white settlers exposed even their remaining lands to settler violence.⁵¹ Despite the Upper Canadian government's expropriation of the land, Indigenous communities both on the St. Clair River and further afield continued to remember the promises that had been made by Alexander McKee in 1796.

Even while the Chenail Ecarté lands were being opened to settlement, different actors on both sides of the Great Lakes border continued to advocate the emigration of Indigenous populations from the United States to Upper Canada. American victories in the years 1813 and 1814 had seriously damaged the position of the First Nations of the Great Lakes, Ohio Valley, Illinois country, and upper Mississippi. Their situation was made more precarious when it became clear that the British Empire was not committed to continued warfare with the American Republic in order to fulfill the promises they had frequently made to their Indigenous allies. By the close of the war, some 3,000 Indigenous had left their home in American territory to accompany the British forces to their stronghold at the head of Lake Ontario, and in the following years many smaller

⁴⁹ For the outline of this policy, see J.R. Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada* (Toronto: University of Toronto Press, 2009), 95-99.

⁵⁰ Fehr et al., "Chief of this River," 19, 30.

⁵¹ Substance of a Speech Delivered in Council, 18 June 1820, 21260-21261, vol. 37, RG10, LAC.

groups from the United States established temporary or permanent residence in Upper Canada, including the Shawnee attached to Tecumseh's brother The Prophet, a community of Munsee Delaware from Sandusky, and various groups of Six Nations who moved to join their brethren on the Grand River.⁵² Larger projects were proposed as well. In 1815, John Norton again suggested the government establish a pan-Indigenous settlement on the southeastern shores of Lake Huron for any nation wishing to leave American territory.⁵³ Even more ambitious than his previous proposal, Norton suggested in a series of letters to Henry Goulburn, the under secretary of state for war and the colonies, that this settlement could soon count some 8,000 individuals from the multi-national coalition that had supported the British during the war.⁵⁴ This time Norton's proposal was approved, and the metropolitan government directed that the settlement would be established on the same principles as the Six Nations on the Grand River.⁵⁵ Orders to that effect were dispatched to Canada, and Governor General Sir John Coape Sherbrooke in turn sent instructions to the Indian Department to begin preparations for this settlement in the autumn of 1816.⁵⁶ However, for one reason or another no further steps seem to have been taken beyond this point, and the proposal for a pan-Indigenous settlement on the southeastern shore of Lake Huron disappeared without bearing any fruit.

In the fifteen years following the return of peace in 1815, the idea of domiciliation remained most prominent on the upper Great Lakes. It was an idea championed both by Indigenous leaders looking to distance themselves from American power, and British officials attempting to bolster

⁵² For the Shawnee, see William Claus to Alexander McDonell, 17 December 1816, vol. 33, RG10, LAC. For the Munsee, see John Norton to William Claus, 17 May 1815, 17986-17987, vol. 30, RG10, LAC; John Norton to Lieutenant Colonel Addison, 8 May 1817, 207, vol. 261, RG8, LAC. For the Six Nations, see Proceedings of a Council Held at Burlington Heights with the Six Nations, 12 October 1820, 21430-21432, vol. 38, RG10, LAC.

⁵³ John Norton to Henry Goulburn, 1 December 1815, 381-383, vol. 135, Q Series, C.O. 42, MG11, LAC.

⁵⁴ John Norton to Henry Goulburn, 6 January 1816, 345-347, vol. 140, Q Series, C.O. 42, MG11, LAC.

⁵⁵ Henry Goulburn to John Norton, 2 January 1816, 18767-18772, vol. 32, RG10, LAC.

⁵⁶ T.F. Addison to Sir John Johnson, 28 September 1816, 19423, vol. 33, RG10.

the Empire's strength in the region. In advance of the British evacuation of Michilimackinac as stipulated in the Treaty of Ghent, Lieutenant Colonel McDouall wrote that it was "much to be desired" that the Odawa of Arbre Croche might accompany the British garrison to their new post. McDouall believed that this desire was shared by some of the Odawa, of whom he wrote "I believe they wish to be at a greater distance from the American Garrison, and to be in the vicinity of our new Post, and yet are naturally loath to quit the pleasant abodes of their ancestors."⁵⁷ John Askin Jr. likewise reported in May 1815 that a number of leaders from Arbre Croche had "signified to me their intentions of removing to an island which [lies] between St. Joseph and Matchedash, also to endeavour to get the whole of their nation to remove to the same island with them."⁵⁸ While it was not mentioned by name, the letters of both Askin and McDouall indicate that the island to which the Odawa were considering emigrating was Manitoulin Island, an understandable destination as the Odawa had earlier had important settlements on the island in the seventeenth century, and they continued to revere it as the place their nation had first been placed by the Great Creator.⁵⁹

Jean-Baptiste Assiginack, the closest Odawa ally of the ID at the time, was likely one of these leaders from Arbre Croche encouraging this move.⁶⁰ Amable Chevalier was likely another. While there is no record of Chevalier's position in 1815, eleven years later he became an open advocate for relocation. In 1826, with the prospect that the post on Drummond Island might be abandoned, Chevalier approached the British government in partnership with the Ojibwe leader

⁵⁷ Lieutenant Colonel McDouall to Secretary Foster, 15 May 1815, 45, vol. 688, RG8, LAC.

⁵⁸ John Askin Jr. to William Claus, 4 May 1815, 167, vol. 10, Claus Papers, MG19, LAC.

⁵⁹ At a council on Drummond Island in July 1818, the Odawa Ogima Ocuitaw explained to the assembled British that the Odawa had been created and placed at Manitoulin at the dawn of time, where they lived happily for many years before the French arrived, see Council of July 7, 1818 (Council No. 1), 42, McKay Letter Book part 1, William McKay Fonds, McCord Museum Archives.

⁶⁰ Assiginack did in fact remove to the new British post of Drummond Island, where he was a key member of the Indian Department.

Yellowhead. The two spokesmen proposed that a new settlement might be founded on lands bordering Lake Huron offered up by Yellowhead “in the hope of getting his friends to settle in the adjoining islands, as from their residence in the United States he much fears that they are becoming disaffected to the British Government.”⁶¹ This proposal by Yellowhead and Chevalier demonstrates that while domiciliation was an imperial policy that sought to use Indigenous populations for imperial ends, Indigenous leaders had their own hopes and aspirations that worked in tandem.

As was the case with Chenail Ecarté, the projects of domiciliation in the upper Great Lakes planned by individuals such as Lieutenant Colonel McDouall, John Askin Jr., Jean-Baptiste Assiginack, Amable Chevalier, and Yellowhead in the years after the War of 1812 did not include explicit mention of the adoption of European cultural and economic modes as a central component. The potential alliance between missionaries, schools, and European-style husbandry or plough agriculture with projects of domiciliation was nonetheless recognized, and in the dozen or so years following the return of peace in 1815 various proposals were put forward to mobilize these elements of trans-Atlantic culture in order to strengthen both local Indigenous communities and the Indigenous-Imperial relationship in the region. Writing from Drummond Island in February 1817, T.G. Anderson proposed a scheme to aid “the rising and future generations of Indians in this part of the country.” The first part of his proposal was to encourage agricultural self-sufficiency among the Potagannissing Ojibwe community of Drummond Island by withholding annual presents to those who did not plant corn. The second was to have a school attached to the Indian Department on the island so that local children, including the offspring of British officers and Indigenous women who had been abandoned by their fathers, might learn to read and write and

⁶¹ James Givins to William Claus, 17 January 1826, 22896-22897, vol. 43, RG10, LAC.

thus become “valuable subjects” to the Empire.⁶² Anderson had a particular stake in this proposal, as he himself was a British officer who had left his two children among their mother’s Sioux community on the upper Mississippi River during the War of 1812. While the British Empire had yet to take any steps to establish educational infrastructure for its Indigenous allies on the upper Great Lakes, Anderson lamented that the Americans had recently founded just such a school on Mackinac Island, a short journey across the recently established international border from the Indian Department post on Drummond Island. Lacking any comparable institution on the British side of the border, Anderson was eventually obliged to send his own half-Sioux children to be educated at American-occupied Mackinac, despite the republican principles Anderson feared they might inadvertently imbibe there.⁶³

Over the following decade, it seems as if the Potagannissing Ojibwe eventually came to share similar views to those expressed by T.G. Anderson. In a speech to the Indian Department establishment at Drummond Island, the Potagannissing expressed their displeasure that while Indigenous children were being educated not far away on Mackinac Island, their Great Father the King did not provide them with any support in learning how to “mark their thoughts on papers and to think the news from books.” They might go to Mackinac, but they reminded their listeners that “we are not Big Knives.” In the words of their spokesman Ashagashe, the Potagannissing also wished to learn “how to be beloved of the Great Spirit,” an idea that T.G. Anderson glossed for his superiors as “become civilized.” For the Potagannissing, this process was about securing a more prosperous and secure future for their community in a rapidly changing world. As Ashagashe explained, “how we should laugh to see our daughters milking cows and making dresses for us,

⁶² T.G. Anderson to William Claus, 23 February 1817, 19677-19679, vol. 34, RG10, LAC.

⁶³ Charles A. Anderson, “Frontier Mackinac Island, 1823-1824: Letters of William Montague and Amanda White Ferry,” *Journal of the Presbyterian Historical Society* 25, no. 4 (1947): 208.

and to see the young men beating iron and making shoes for each other.” At the close of the speech, however, the Potagannissing hearkened back to the military nature of their relationship with the Crown by offering their Great Father the benediction that the Great Spirit might “make your enemies scream at the sight of you.”⁶⁴

T.G. Anderson had the opportunity to further elucidate his views on the connection between civilization and imperial power on the occasion of Bishop Alexander Macdonell’s visit to Drummond Island in the summer of 1827. While at the frontier post, the Roman Catholic bishop posed a number of questions to Anderson on the subject of civilizing and Christianizing the Indigenous communities of the upper Great Lakes. Anderson responded enthusiastically to the Bishop’s questions, and offered his own views on the subject, explaining that a program of building schools, forming settlements, and granting lands was not merely a civilizing project, but could potentially serve as the foundation for the British Empire in the region. Had the government already sincerely invested in providing educational and agricultural support, Anderson argued that the nations “would not only have become civilized, but their numbers would in all probability have greatly multiplied, their offspring would now be faithful subjects, and, in this new country at least, valuable members of society.” Equipped as they were with “natural genius and bravery,” in the event of a future war with the US, Anderson wrote that “a population of mixt breed, Canadians, and Indians judiciously organized into Corps, and properly disciplined under Militia Laws, would be the most serviceable defence which could be brought to contend, on equal footing, with the bush fighting Americans on the frontier.” Regarding the size of this population, Anderson wrote

⁶⁴ Minutes of a Speech by the Potaganasee Indians, 19 July 1827, 23292-23294, vol. 44, RG10, LAC.

that with migration from the U.S. territories and if properly encouraged and supported, some 30,000 individuals could be settled on Manitoulin Island and the north shore of Lake Huron.⁶⁵

Another iteration of domiciliation during this period came from Governor General Dalhousie's military secretary Henry Charles Darling. While his 1828 report on Indian affairs has often been viewed as a seminal moment in the "shift to civilization," on closer inspection it is clear that the project Darling was proposing was much more in line with domiciliation than liberal assimilation.⁶⁶ Darling's report chiefly focused on the military potential of First Nations warriors and the best means of maintaining them as imperial auxiliaries. Most Indigenous communities visited by Darling were assessed based on their military usefulness, with the original *nations domiciliées* of the St. Lawrence Valley receiving particularly high praise.⁶⁷ "Civilization" was mainly discussed in Darling's report as something that was desired by First Nations communities themselves, and thus was primarily important to the Chief Superintendent in order to "rivet their attachment" and ensure their support in any future conflict.⁶⁸ In order to ensure the aid of such "useful subjects" however, the British Empire needed to ensure the continued existence and

⁶⁵ Queries Proposed by the Right Reverend Bishop McDonnell of Glengarry, Upper Canada, to Thomas G. Anderson Esquire, Drummond Island, (no date), 23300-23312, vol. 44, RG10, LAC. Anderson did not expect this population to be purely Indigenous but given his experience in the upper Great Lakes imagined a region settled by Indigenous peoples, French Canadians, and their Métis offspring "intermixed" with newer arrivals from Europe. Anderson's responses to the Bishop were written down by himself, forwarded to his superiors, and eventually made their way to Governor General Dalhousie, see Copy of a Letter from Jas. J. Gaston, Lieut. 70th Regiment to the Right Hon. The Earl of Dalhousie, in *Papers Relating to the Aboriginal Tribes*, 16.

⁶⁶ See for example John Leslie, "The Bagot Commission: Developing a Corporate Memory for the Indian Department," *Canadian Historical Review* 17, no. 1 (1982), 32-33. For a corrective account, see E.A. Heaman, "Space, Race, and Violence: The Beginnings of 'Civilization' in Canada," in *Violence Order, and Unrest: A History of British North America, 1749-1876*, eds. Elizabeth Mancke et al., (Toronto: University of Toronto Press, 2019), 135-156.

⁶⁷ The Huron of Lorette, the Algonquins and Abenaki of Three Rivers, St. Francis and Becancour, the Algonquins and Nipissing of Two Mountains, and the Iroquois of Kahnawake all received Darling's praise for their participation in the War of 1812. See Darling to Dalhousie, 24 July 1828, in *Papers Relative to the Aboriginal Tribes*, 23-25.

⁶⁸ The full quote from the report lays this out in plain language: "That the Six Nations may be considered faithful in their attachment to the British government, is justified as well by the events of the American revolutionary war as their conduct in the late contest. It will depend upon the conduct of the British Government during this period of peace, to improve that feeling and rivet their attachment. This I humbly presume will be best promoted by taking advantage of the disposition now so rapidly spreading amongst them to advance in civilization; by creating and improving in them, by every means, a love of the country, of the soil in which they are settled, and a respect for the Government which protects them." Darling to Dalhousie, 24 July 1828, in *Papers Relative to the Aboriginal Tribes*, 29-30.

coherence of these communities, and thus Indigenous populations had to be sheltered from settler violence through “vigilant superintendence and effectual legal protection.”⁶⁹

“Useful and Loyal Subjects”: Domiciliation in Practice at Coldwater and Manitoulin, 1829-1836

The British withdrawal from Drummond Island in October 1828 presented a new opportunity to champion the project of domiciliation. While temporarily housed at the naval base at Penetanguishene, T.G. Anderson spent the winter of 1828-1829 formulating a plan for how to continue supporting the Indigenous-Imperial relationship on the upper Lakes following yet another retreat from the region. In a memo dated March 29, 1829, Anderson proposed a two-pronged solution. First, he suggested that the government circulate a large belt of wampum inscribed with the symbols of alliance and confederacy throughout the upper lakes in order to signal the Empire’s continued commitment to its long-standing relationship with the Indigenous communities in the region. Second, he proposed that a pan-Indigenous settlement should be established near the British naval outpost at Penetanguishene. Similar to Alexander McKee’s plan for a settlement at Chenail Ecarté in 1796 following the withdrawal of British forces from Detroit, Anderson imagined that this new establishment would anchor the Empire’s relationship with Indigenous people throughout the region. Like the settlements on the Bay of Quinte and Grand River in the 1780s, however, Anderson also suggested that teachers, schools, and blacksmiths should be provided in order to entice communities from U.S. territory to relocate to the proposed settlement, and that potential emigrants should be allocated land and given assistance to bring it under cultivation.⁷⁰

⁶⁹ Darling to Dalhousie, 24 July 1828, *Papers Relative to the Aboriginal Tribes*, 24. Darling’s use of “useful subjects” comes on page 30.

⁷⁰ Memorandum of T.G. Anderson, 29 March 1829, 23752-23754, vol. 45, RG10, LAC. See also T.G. Anderson to Lieutenant Colonel Napier, 20 February 1829, 193, vol. 269, RG10, LAC.

Anderson's proposals were endorsed by the government, and during the summer of 1829 the first steps were taken to reorganize the area around Penetanguishene into the new centre of Indigenous-Imperial relations on the upper lakes.⁷¹ Both Lieutenant Governor Colborne and Governor General Kempt supported expending substantial quantities of money, labour, and other resources on fortifications and roads to Penetanguishene given its recently acquired importance to the Empire.⁷² Under the arrangement established after the surrender of Drummond Island, the naval base at Penetanguishene served as the site for the distribution of the annual presents, while the local Ojibwe established themselves with assistance from the Indian Department in two nearby settlements known as Coldwater and The Narrows at either end of the portage connecting lakes Huron and Simcoe.⁷³ Over the course of 1829, the Anishinaabe community from Drummond Island known as the Potagannissing moved from the former British post to join the recently established settlement at Coldwater.⁷⁴ While T.G. Anderson continued to insist that there was "little doubt but emigration from the Western Country will take place," much like the earlier project at Chenail Ecarté, relatively few additional emigrants arrived despite repeated professions of interest from the western nations.⁷⁵ One exception to this was the prominent Odawa chief Jean-Baptiste Assiginack. According to T.G. Anderson, Assiginack had grown tired of living under the increasingly assertive American government, and so he made up his mind to relocate to Coldwater in 1832. Following his arrival, Assiginack was accordingly reemployed as an interpreter in the

⁷¹ T.G. Anderson to James Givins, 21 June 1829, 23803, vol. 45, RG10, LAC.

⁷² See for example Sir James Kempt to Sir George Murray, 103-105, vol. 189, Q series, C.O. 42, MG 11, LAC; Sir John Colborne to Sir George Murray, 19 August 1829, 28-35, vol. 352, Q series, C.O. 42, MG11, LAC.

⁷³ For an outline of this arrangement, see T.G. Anderson to James Givins, 17 September 1830, 24252-24265, vol. 46, RG10, LAC.

⁷⁴ For the Potagannissing's intention to move, see T.G. Anderson to Lieutenant Carson, 12 November 1828, 393-395, vol. 267, RG8, LAC. They arrived before the end of the year, see T.G. Anderson to Lieutenant Mudge, 7 December 1829, 2321, vol. 5, RG10, LAC.

⁷⁵ Statement of Captain Anderson, 30 February 1832, 55869-55872, vol. 50, RG10, LAC.

Indian Department.⁷⁶ In September 1835, T.G. Anderson summarized the prospects of the settlement as “very cheering.” At that time, the two settlements contained some 500 individuals, a similar number of acres under cultivation, two sawmills, a grist mill, two batteaux for carrying on a commercial fishery, and numerous houses, barns and stables. Of equal importance, Anderson wrote that Visiting Indians from around the Great Lakes had noticed the success of the settlements around Penetanguishene and were themselves contemplating undertaking similar projects.⁷⁷

From one perspective, the Coldwater-Narrows project was clearly an imperial undertaking. At the same time, however, the local Ojibwe had their own aims in cooperating in the scheme. In his original proposal for the settlement of Coldwater-Narrows, T.G. Anderson wrote that John Aisance was the real originator of the settlement. The ID superintendent explained that the chief of the Coldwater Ojibwe was anxious on four points in particular. First, Aisance suggested the area around Coldwater as the location for the pan-Indigenous settlement, as he knew the land there was good and that it lay on the traditional portage route to his brethren on Lake Simcoe at the Narrows. Second, Aisance wanted a school opened for the children. Third, the Ojibwe chief requested aid in ploughing a large plot of land where they wished to plant corn and potatoes. Finally, Aisance requested that the government might support a blacksmith near them for the repair of their axes, hoes, spades and so on.⁷⁸

While the Indian Department was not above placing words in the mouths of Indigenous leaders to further their own aims, there is every reason to believe that these requests really came from Aisance rather than Anderson. For a start, Anderson was more or less a complete stranger to

⁷⁶ For Assiginack’s determination to move, see T.G. Anderson to James Givins, 3 May 1830, 24001-24003, vol. 46, RG10, LAC. For his final decision to move, see T.G. Anderson to James Givins, 8 October 1832, 56846-56847, vol. 52, RG10, LAC.

⁷⁷ T.G. Anderson to Sir John Colborne, 24 September 1835, 59886-59896, vol. 59, RG10, LAC.

⁷⁸ Memorandum of T.G. Anderson, 29 March 1829, 23752-23754, vol. 45, RG10, LAC

the area around Penetanguishene, having spent the entirety of his adult life around the Straits of Mackinac and on the upper Mississippi where he had entered the fur trade as a youth. Secondly, as far back as 1817, Aisance had requested the government supply his people with “a blacksmith and iron” in exchange for a surrender of their land.⁷⁹ Finally, by the late 1820s settlers were rapidly moving into the area to the northwest of Lake Simcoe, and it is reasonable to believe that Aisance would have welcomed the emigration of the western nations and the establishment of a branch of the Indian Department at Coldwater to help protect his people’s land from settler depredations. The establishment of the project at Coldwater-Narrows also promised to give additional prestige to the leaders of the local Ojibwe. In preparation for the first issue of the annual presents since the evacuation of Drummond Island, T.G. Anderson presented a large medal to Aisance as head chief of the region, and smaller medals, flags, and gorgets to three village chiefs and three war chiefs who were newly recognized by the ID as his subordinate chiefs.⁸⁰

Given the benefits that they could reap, the leadership of the local Ojibwe largely seems to have enthusiastically endorsed the project of domiciliation at Coldwater-Narrows. In the summer of 1831, for example, Aisance and Yellowhead proposed to T.G. Anderson that stronger measures should be adopted to compel their kinsmen living towards the French River to settle in the recently established villages.⁸¹ The goal of welcoming the numerous and wealthy western nations such as the Odawa of Arbre Croche also continued to be a central concern. In the summer of 1832, the Ojibwe of lakes Huron and Simcoe summoned these Odawa to a council where “Yellowhead and John Aisance earnestly expressed their wishes that they, the Ottawas, would come and reside with them.” While the Odawa were non-committal, they expressed their vague approval of the project

⁷⁹ Minutes of a Council at the Garrison of York, 7 June 1817, 19882, vol. 34, RG10, LAC.

⁸⁰ T.G. Anderson to James Givins, 21 June 1829, 23803-23805, vol. 45, RG10, LAC.

⁸¹ T.G. Anderson to James Givins, 24 July 1831, 54811, vol. 48, RG10, LAC.

in principle and promised they would attend another larger council next year to further discuss the matter.⁸² At another meeting only a few weeks later, the two Ojibwe chiefs proposed that not only the western nations but all the communities already resident in Upper Canada should join them on one piece of land.⁸³

The fact that the Indian Department and Indigenous leaders like Aisance and Yellowhead shared certain goals in the establishment of the settlement at Coldwater and the Narrows does not mean that the local establishment of the ID and the Ojibwe of Lakes Huron and Simcoe always agreed on everything. Despite a promising beginning, Aisance and Anderson fell out only six months after the establishment of the Coldwater settlement and a deep enmity existed between the two men for years.⁸⁴ The Ojibwe settlements were also deeply riven by sectarian divisions between Methodists, Roman Catholics, and adherents of the Church of England.⁸⁵ The Methodists missionaries likewise fell foul of the Indian Department, and Anderson made enemies of several influential men in the Wesleyan establishment.⁸⁶ One major reason for this was that, like Sir William Johnson in the 1760s, T.G. Anderson did not believe that Christianization in and of itself was the proper goal of his department. Only conversion to the established Church of England was desirable, since only adherence to that church could reinforce the political bonds connecting the nations and the empire.⁸⁷

⁸² T.G. Anderson to James Givins, 27 June 1832, 56412-56413, vol. 51, RG10, LAC.

⁸³ Minutes of a Council at the Narrows, 17 July 1832, 56537-56539, vol. 51, RG10, LAC.

⁸⁴ See for example Letter of T.G. Anderson, 2 February 1831, 54128-54131, vol. 54, RG10, LAC; T.G. Anderson to William Hepburn, 7 February 1837, 62626-62627, vol. 64, RG10, LAC.

⁸⁵ For an outline of this conflict, see James Ralph Handy, "The Ojibwa: 1640–1840. Two Centuries of Change from Sault Ste. Marie to Coldwater/Narrows" (MA diss., University of Waterloo, 1978), particularly Chapter Eleven.

⁸⁶ For a taste of the vitriol between Anderson and the Methodist missionaries, see James Richardson to Edward McMahon with its enclosures, 9 May 1832, 56284-56293, vol. 51, RG10, LAC.

⁸⁷ For Anderson's enduring commitment to the Church of England, see T.G. Anderson to James Givins, 27 May 1834, 58390-58391, vol. 55, RG10, LAC; T.G. Anderson to William Hepburn, 22 April 1837, 63325-63326, vol. 65, LAC.

Existing historiography tends to identify the establishment of the Indigenous communities at Coldwater and the Narrows as an example of the new policy of nineteenth-century liberal assimilation in action.⁸⁸ Certainly there were elements of liberal humanitarian civilization at these two settlements, particularly in the form of the Methodist missionary establishments that coexisted uneasily with the Indian Department there. At root, however, these settlements were a continuation of the policy of imperial domiciliation paired with Indigenous autonomy going back to the seventeenth-century St. Lawrence Valley, the Grand River in the 1780s, and Chenail Ecarté in the 1790s.

While the ID establishment centered at Penetanguishene had been successful in domiciling the local Ojibwe in the settlements of Coldwater and The Narrows, it had largely failed to attract the promised emigration of the western nations. The influential Lake Michigan Odawa had expressed their unwillingness to live so near to European settlers around Penetanguishene, and they had instead begun a small scale emigration from American territory to Manitoulin Island of their own accord as early as 1832.⁸⁹ Taking heed of these sentiments, T.G. Anderson proposed in September 1835 that the government undertake a new project of domiciliation on the Upper Great lakes at Manitoulin in addition to the settlements of Coldwater and the Narrows.⁹⁰ Proposals to establish a joint Imperial-Indigenous settlement on Manitoulin Island had been made at least as far back as the end of the War of 1812, but it was only with this proposal that the project received the backing of the government.⁹¹ While Anderson's proposal had elements that were clearly aligned

⁸⁸ See for example Donald B. Smith, *Sacred Feathers: The Reverend Peter Jones (Kahkewaquonaby) and the Mississauga Indians*, 2nd ed. (Toronto: University of Toronto Press, 2013), 105.

⁸⁹ T.G. Anderson to James Givins, 28 May 1832, 56324-56325, vol. 51, RG10, LAC; T.G. Anderson to James Givins, 3 July 1832, 56472, vol. 51, RG10, LAC.

⁹⁰ T.G. Anderson to Sir John Colborne, September 24, 1835, 59886-59896, vol. 59, RG10, LAC.

⁹¹ This proposal dates at least to the end of hostilities in 1815 and seems to have originated with the Odawa of Arbre Croche. See Lieutenant Colonel McDouall to Secretary Foster, 15 May 1815, 45, vol. 688, RG8, LAC; John Askin Jr. to William Claus, 4 May 1815, 167, vol. 10, Claus Papers, MG19, LAC.

with the concerns of contemporary humanitarians like the Aborigines' Protection Society, the Manitoulin Island project was firmly rooted in older Imperial considerations. As Anderson explained, the congregation of Indigenous communities from around the upper lakes into one great settlement would offer peace, security, and autonomy to the First Nations, while securing to the Empire "useful and loyal Subjects during Peace, and [who] in the Event of War might become an important Support to the Government."⁹² Lieutenant Governor Colborne endorsed Anderson's proposal, and the ID superintendent was dispatched to Manitoulin Island that same fall to lay the ground for the new project of domiciliation.

"The Indians Will Forever Remain in Their Half-civilized State": Opposition to Domiciliation

Projects of domiciliation existed in a somewhat ambiguous relationship with projects championed by more strident European and Euro-American "civilizers." While men like J.W. Keating, John Aisance, T.G. Anderson, John Norton, and J.B. Assiginack could sometimes enter into fruitful alliance with members of groups such as the Clapham Sect, the Aborigines' Protection Society, or the Methodist missionary societies, often these relationships were strained. There were two main points upon which the proponents of domiciliation disagreed with the champions of liberal assimilation. The first was on the question of whether or not Indigenous warriors constituted legitimate or even desirable military allies. The second point of disagreement was whether selective and limited acculturation to trans-Atlantic culture, referred to by its critics as "half-civilization," was a desirable or even acceptable way for First Nations communities to live, or whether more coercive methods were needed to bring these communities to a more totalizing level of liberal civility.

⁹² T.G. Anderson to Sir John Colborne, Coldwater, September 24, 1835, in *Parliamentary Papers 1839*, 121.

The position of Indigenous men as legitimate military auxiliaries of the British Empire had been attacked in the English-speaking world since the American Declaration of Independence. While the employment of these allies had long been decried as a stain upon British honour, by the mid-nineteenth century a new criticism was levelled against the practice. With an original twist on a classic theme, the proponents of liberal assimilation took up the argument that not only was Indigenous military participation an evil to the Empire, but it was also an evil to Indigenous communities themselves. The Aborigines' Protection Society made clear that there was no room for Indigenous warriors to participate in the Empire's war as military auxiliaries in their vision of civilization. In their 1839 report on the affairs of Upper Canada, the society ventured to suggest that "the Indians having hitherto taken a part in military service disproportioned to their number in the province; and the character of their mode of warfare being at once disgraceful to their allies, and irritating and horrible to their enemies, it would be alike expedient for us and for them, either greatly to limit or wholly to abolish their employment on military duty for the future."⁹³ Similar comments were made in Upper Canada itself. In January 1842, a patrol of 20 warriors was called to the St. Clair frontier in response to rumours of an imminent Patriot attack. While Indigenous men had helped guard this border since the beginning of the Patriot troubles in 1837, this latest mobilization was decried by outside observers, and the local military commander accordingly ordered that "the employment of the Indians may be terminated as early as possible, as it is [...] decidedly inexpedient to bring these people into active service, or to revive in them their warlike habits and dispositions."⁹⁴

⁹³ Aborigines' Protection Society, *Report on the Indians of Upper Canada* (London: William Ball, Arnold, and co., 1839), 27.

⁹⁴ McIntosh to the Military Secretary, 21 January 1842, 277-278, vol. 270, RG8, LAC.

Inherent in this criticism was the idea that Indigenous communities had only reached an imperfect level of civilization that could easily be lost to their inherent “warlike habits and dispositions.” To many outside observers, the inhabitants of communities like Kahnawake, the Grand River, and Manitoulin Island were neither civilized men nor noble savages, but were instead described with the label “half-civilized.” Already in 1795, Duke François Alexandre Frédéric de La Rochefoucauld-Liancourt on his travels through Upper Canada observed upon visiting the Six Nations communities on the Grand River that it seemed to be the government’s policy to impart “a half civilization to all the Indian nations in the interest of England.”⁹⁵ Twenty-five years later, physician and author John Howison echoed these remarks in his *Sketches of Upper Canada*. Howison remarked that the inhabitants of the Grand River were at most half civilized, and that any further attempt to civilize them would necessarily fail. While in Howison’s opinion the community of Kahnawake had made further strides than the communities on the Grand River, he noted that even there “a partial civilization had contributed but little to extinguish their savage propensities.”⁹⁶ Other authors, including the extended Strickland clan of Catherine Parr Traill, Susanna Moodie, Samuel Strickland, and Agnes Strickland likewise considered First Nations communities in Canada half-civilized.⁹⁷

The commissioners appointed by Governor General Bagot attempted to explain the origins of this half-civilized state from a historical perspective in their 1844 report. They explained that during the French regime the domiciled communities of Lower Canada had adopted Christianity and had become “partially civilized.” During the period of British rule, the communities of Upper

⁹⁵ Duke de La Rochefoucauld Liancourt, *Travels Through the United States of North America, the Country of the Iroquois, and Upper Canada in the Years 1795, 1796, and 1797* (London: R. Philips, 1799), 251.

⁹⁶ John Howison, *Sketches of Upper Canada* (Edinburgh: Oliver and Boyd, 1821), 146-148.

⁹⁷ See for example Catherine Parr Trail, *The Backwoods of Canada, Being Letters from the Wife of an Emigrant Officer*, 4th ed. (London: Charles Knight and Co., 1939), 164. Susanna Moodie, *Roughing It in the Bush, or Forest Life in Canada*, Canadian Edition (Toronto: Maclear and Co., 1871), 294-311. Samuel Strickland, *Twenty-Seven Years in Canada West, or the Experience of An Early Settler*, Agnes Strickland ed. (London: Richard Bentley, 1853), 1:90.

Canada had advanced somewhat in civilization while those of Lower Canada had remained stagnant, so that by the 1840s First Nations communities in both provinces had attained a similar level of half-civilization. The commissioners cautioned that this first step towards civilization, however, had been the easiest. To progress beyond their half-civilized state, they explained, would require “more enlarged measures and more active interference.”⁹⁸ By the 1840s, many observers agreed that Indigenous communities in Canada would not make any further advance in civilization without a radical break from the approach that had previously been adopted. Governor General Charles Poulett Thomson, 1st Baron Sydenham was one of these. During his brief tenure at the head of the administration of the newly united Province of Canada, Sydenham castigated the past management of Indian affairs, writing that “the attempt to combine a system of pupilage with the settlement of these people in civilized parts of the country leads only to embarrassment to the Government, expense to the Crown, a waste of resource to the province, and injury to the Indians themselves. Thus circumstanced the Indian loses all the good qualities of his wild state, and acquires nothing but the vices of civilization.”⁹⁹ When presenting evidence to the Bagot Commission, the Mississauga missionary Kahkewaquonaby Peter Jones generally agreed with Sydenham, though without the same vehemence. Unless a new system of education could be established, including industrial schools that would separate children from the influence of their parents for long periods of time, Jones wrote that “the Indians will forever remain in their half-civilized state.”¹⁰⁰ Already by the 1840s, this had been the position of the Wesleyan Methodist Society, of which Peter Jones was a leading member, for a number of years. In 1837, the Reverend Robert Alder, secretary of the society, had written a lengthy report to the secretary of state for war

⁹⁸ RAIC, in *Appendix to the Fourth Volume of the Journals of the Legislative Assembly of the Province of Canada* (Montreal: Rollo Campbell, 1845), Appendix EEE, unpaginated (page 8).

⁹⁹ Sydenham to Lord John Russell, 22 July 1841, 127-129, vol. 58, RG7 G12, LAC.

¹⁰⁰ RAIC 1847, unpaginated, (pages 181-182).

and the colonies proposing among other things that Indigenous children “be removed from their imperfectly civilized parents and placed under the exclusive direction of their religious and secular instructors.”¹⁰¹

The most comprehensive illustration of what exactly constituted this state of half-civilization can be found in a list of questions sent out by the commissioners appointed by Governor General Bagot to the officers of the Indian Department. Fifty-three such queries were dispatched by the commissioners as part of their efforts to gather information on the state of Indian Affairs in the Canadas. Many of these questions presented simple dichotomies that juxtaposed more and less civilized states and asked the superintendents to identify which of the two descriptions fit their local Indigenous communities. Consider for example the following questions: Question three: “Where and in what manner are they settled, whether in villages or upon small farms?” Question six: “Is the land cultivated by the Indians under your superintendence subdivided into regular blocks or parcels, or does each Indian select the spot he wishes to cultivate according to his taste, or is the land selected by chiefs for him?” Question nineteen: “Is their fondness for hunting and fishing as great as formerly?”¹⁰²

In each of these three examples, the difference between half-civilization and civilization is baked into the question. Living in villages, farming irregular lots, and continuing dependence on hunting and fishing were all considered markers of a half-civilized life. Living on independent farmsteads, cultivating regularly subdivided blocks, and decreased dependence on hunting and fishing were understood as civilized. While other questions were less direct, when paired with the answers given by the superintendents, this survey from the Bagot commissioners paints a detailed

¹⁰¹ Robert Alder to Glenelg, 14 December 1837, in *Parliamentary Papers 1839*, 95.

¹⁰² RAIC 1847. The queries of the commissioners are contained in the report’s Appendix 2, while the various answers can be found in Appendix 3 to Appendix 45.

picture of the difference between civilization and half-civilization. Growing potatoes was half-civilized; growing wheat was civilized. Breaking the soil with a hoe was half-civilized; using a plough was civilized. Cultivating land in common was half-civilized; cultivating the land in private lots was civilized. Seasonally living in wigwams or other impermanent dwellings was half-civilized; permanently living in stone or frame houses was civilized.¹⁰³ Other markers of civilization inquired after by the commissioners included stock keeping and taking meals “at regular stated periods of the day, as is customary among the white settlers.” A final important question involved the gendered division of labour. Question sixteen asked “By whom is the field labor performed? If by the young men, do they take their fair share of the labor?” In the Iroquoian societies of the Great Lakes region, women had traditionally been charged with overseeing the bulk of agricultural work, and the continuation of field work by women was a clear indication of a society only half-civilized.¹⁰⁴

Activities that were termed half-civilized by outside observers, such as the commissioners appointed by Governor General Bagot, can generally be divided into two categories. The first set of activities consisted of longstanding Indigenous practices that did not meet European expectations that First Nations had recently lived entirely in a “state of nature” but that also did not meet Old World norms, such as the cultivation of maize rather than wheat, or the prominence of women in agricultural field work. The second set of activities that were often described as half-civilized was made up of cultural or social practices that were largely trans-Atlantic in origin but that had only been partially or selectively adopted. This was an important distinction. For Indigenous communities, the adoption of cultural and economic modes from settler society was only desirable if they could be positively incorporated into a pre-existing framework. For their

¹⁰³ See also Howison, *Sketches of Upper Canada*, 147.

¹⁰⁴ See also Liancourt, *Travels Through the United States of North America*, 251.

part, members of the Indian Department such as Sir William Johnson, John Norton, and T.G. Anderson, had long implicitly endorsed what settler observers called half-civilization as the desired outcome of the imperial project of domiciliation. From the perspective of these imperial agents, domiciled Indigenous communities were meant to be self-sufficient agricultural communities that had in many cases also adopted certain elements of European cultural and economic modes, but there was no intention that Indigenous men would lose the warrior ethos or other elements of their culture and social organization that made them so useful to the Empire. Superintendent Joseph Brant Clench, for example, expressed his belief that Indigenous communities who remained unconverted to Christianity were superior to those who joined non-conforming Christian sects such as the Methodists. In 1833, this great-grandson of Sir William Johnson wrote “I find the pagan Indians more industrious and much more healthful than the Methodists, who from their violent mode of worship, become so exhausted that many of them expectorate blood.”¹⁰⁵ Significantly, this observation reversed commonly held views that only Christianization could improve both the work ethic and the physical health of First Nations communities.¹⁰⁶

It was perhaps Lieutenant Colonel Sir Richard Bonnycastle who presented the most eloquent defence of half-civilization in the later part of the Upper Canadian period. While not himself a member of the Indian Department, Bonnycastle shared the tory-imperial vision for Indigenous-Imperial relations of its members. Having commanded the garrison of Kingston during the rebellion years, Bonnycastle spoke highly of the Mohawk warriors who came to his assistance when threatened with a Patriot attack, and he recognized the ID as a strictly military department

¹⁰⁵ J.B. Clench to James Givins, 5 July 1833, 57678, vol. 54, RG10, LAC.

¹⁰⁶ See for example Aborigines' Protection Society, *Report on the Indians of Upper Canada* (London: William Ball, Arnold, and co., 1839), 28.

that must not “be surrendered to the representatives of the people” but kept under the “paternal care of the Queen.”¹⁰⁷ In his book detailing the state of the Canadas following the Rebellion, Bonnycastle reflected on the progress of “civilization” among the Indigenous peoples of the colony. “I have seen the red man in all his relative situations- of warrior, hunter, tiller of the soil, and preacher of the word,” Bonnycastle reported. “I have seen him wholly wild, but never wholly civilized,” continued the lieutenant colonel, “for the best specimen of an Indian missionary I am acquainted with in Upper Canada forgot all his instruction, all his acquired feelings and habits, when he witnessed with me the war dance of heathen and perfectly savage warriors.” Over the following two pages, the British military officer waxed rhapsodic relating the valorous histories of great Indigenous leaders, clearly delighted that the progress of European civilization had not driven, and perhaps could not drive, this warrior tradition to extinction.¹⁰⁸ Bonnycastle wrote in glowing terms of the terror these warriors had so recently inspired in the rebels and bandits who had disturbed Her Majesty’s domains.¹⁰⁹ What is more, Bonnycastle was convinced of the continued importance of maintaining the old military alliance, not least due to “the numerical strength of the tribes thrust forth from the neighbouring country, and seeking the protection of our flag.”¹¹⁰ By advocating the employment of Indigenous communities driven from the United States as military auxiliaries to support the position of the British Empire in post-Rebellion Canada, Bonnycastle was echoing the same arguments for domiciliation as contemporary Indian Department officers such as T.G. Anderson and J.W. Keating.

For most European observers in Upper Canada, however, half-civilization seems to have meant the worst of all worlds. It was a commonly held belief that contact with Europeans had only

¹⁰⁷ Richard Bonnycastle, *Canada as it Was, Is, and May Be* (London: Colburn and Co., 1852), 2:105, 2:154.

¹⁰⁸ Richard Bonnycastle, *The Canadas in 1841* (London: Henry Colburn, 1842), 2:170-172.

¹⁰⁹ See for example Bonnycastle, *The Canadas in 1841*, 2:24-25, 2:63-65.

¹¹⁰ Bonnycastle, *Canada as it Was, Is, and May Be*, 2:154.

passed on European vices without contributing any of its virtues, while at the same time depriving Indigenous peoples of the characteristics of the “noble savage” so highly valued by romantic writers of the eighteenth and nineteenth centuries. As Viscount Bury commented in his 1855 report on Indian Affairs “half-civilization, as they now possess, would lend the Indian nothing but its vices.”¹¹¹ Susanna Moodie framed this claim in almost biological terms, writing that the child of a mixed marriage “is generally a lying vicious rogue, possessing the worst quality of both parents in an eminent degree.”¹¹² As Kahkewaquonaby Peter Jones wrote, half-civilization rendered an Indigenous individual “ten times more the child of the devil than he was before.”¹¹³ In the words of the 1844 report commissioned by Bagot, “in his half civilized state, [the Indian] is indolent to excess, intemperate, suspicious, cunning, covetous, and addicted to lying and fraud.”¹¹⁴

One particularly vocal critic of half-civilization was Lieutenant Governor Sir Francis Bond Head. With his pretensions to being a romantic travel writer, Head often expressed his affection for the “red children of the forest.”¹¹⁵ However, Head claimed that any attempt to Christianize or civilize the Indigenous communities of Upper Canada was not only futile but would actually prove fatal. In a lengthy memorandum to the colonial secretary, Head argued that the policy of congregating Indigenous people into villages had caused the men to rot away from consumption and had exposed the women to sexual exploitation by the very missionaries who were meant to

¹¹¹ Report of Bury to Sir Edmund W. Head, 5 December 1855, in *Copies or Extracts of Recent Correspondence Respecting Alterations in the Organization of the Indian Department in Canada* (London: House of Commons, 1856), 18.

¹¹² Moodie, *Roughing it in the Bush*, 314.

¹¹³ Peter Jones, *History of the Ojebway Indians* (London: A.W. Bennett, 1861), 171

¹¹⁴ RAIC 1845, unpaginated, (pages 15).

¹¹⁵ Theodore Binnema and Kevin Hutchings, “The Emigrant and the Noble Savage: Sir Francis Bond Head’s Romantic Approach to Aboriginal Policy in Upper Canada, 1836-1836,” *Journal of Canadian Studies* 39, no. 1 (2005): 115-138. For the above quote, see Sir Francis B. Head, *The Emigrant* (New York: Harper and Brothers, 1847), 143.

instruct them.¹¹⁶ While critics of half-civilization usually advocated a more strenuous and coercive approach to Indian Affairs in order to more completely civilize First Nations communities, Head came to a different conclusion. The Lieutenant Governor instead proposed that all First Nations communities should be removed from their settlements in proximity to white settlement and instead be congregated on Manitoulin Island. The Lieutenant Governor considered the land upon which the Coldwater and Narrows settlement were located as having already been surrendered to the Crown in an earlier treaty, thus the Ojibwe were viewed as occupying the land at the discretion of the government. Unable to prevent the government from dissolving their settlement, the Ojibwe petitioned to be allowed to retain in 50 acre lots in fee simple tenure along the road running between two settlements, but Head declined this request.¹¹⁷ In the document drawn up by the government to extinguish any outstanding Ojibwe claims on the territory stemming from the promises made to them since 1829, Bond Head agreed to pay the Ojibwe one-third the value of their lands once they had been sold to incoming settlers.¹¹⁸ While the predominant historiographical view remains that the “experiment” at Coldwater and the Narrows was unsuccessful, in actuality this project of domiciliation was intentionally terminated by a hostile governor while both the Ojibwe and the Indian Department remained committed to its continuation.¹¹⁹

¹¹⁶ Copy of a Despatch from Sir F.B. Head to Lord Glenelg, 20 November 1836, in *Further Copies of Extracts of Correspondence Relative to the Affairs of Lower Canada and Upper Canada* (London: House of Commons, 1838), 125.

¹¹⁷ James Givens to T.G. Anderson, 6 October 1836, 191-193, vol. 501, RG10, LAC.

¹¹⁸ Treaty No. 48, 26 November 1836, in *Indian treaties and Surrenders from 1680-1890* (Ottawa: Brown Chamberlin, 1891), 117.

¹¹⁹ For the best account of the end of the settlements at Coldwater and Narrows, see Handy, “The Ojibwa, 1640–1840,” especially Chapter Twelve and Chapter Thirteen.

“To Seek an Asylum in that Country for which They Fought and Bled”: The Case of Potawatomi, 1837-1845

In the late 1830s, the project of domiciliation at Chenail Ecarté was revived by one of the very communities that was originally meant to occupy the settlement. Unlike the projects at the Grand River, Manitoulin Island, or Coldwater and the Narrows, the settlement of the Potawatomi along the St. Clair River borderland beginning in 1837 was only reluctantly adopted by the government when faced with an accomplished fact. Nonetheless, this population movement was remarkably similar to earlier projects that had been explicitly promoted by the government. Like the relocation of the Six Nations after the American Revolutionary War, this migration was brought on by an acute crisis, as Potawatomi families sought to escape their forced relocation west of the Mississippi at the hands of American militiamen. The Potawatomi had two partners in this project. Like the earlier settlement at Coldwater, the first crucial partner was the local Ojibwe settled along the Upper Canadian side of the St. Clair River, who welcomed their Anishinaabe brethren with open arms. Their second key ally was the Indian Department, who argued to the provincial administration that not only were the Potawatomi entitled to settle on the land in light of the promises made in 1796, but that such a settlement on the border of the province was in fact desirable given the Potawatomi's prominent warrior traditions and the unsettled state of this frontier in the aftermath of the Upper Canadian Rebellion.

Since the passage of the Indian Removal Act by the federal government of the United States in 1830, Indigenous communities in the old northwest had come under increasing pressure to relocate across the Mississippi.¹²⁰ Prominent among the communities who resisted this pressure were the Potawatomi, but by 1837 increasing settler and state-sponsored violence had brought

¹²⁰ Daniel P. Barr, *The Boundaries between Us: Natives and Newcomers along the Frontier of the Old Northwest Territory, 1750-1850* (Kent: the Kent State university Press, 2006), 182-183.

even these holdouts to the breaking point.¹²¹ While some groups of Potawatomi did move west across the Mississippi at least temporarily, many more sought shelter across the border in Upper Canada. When they arrived across the St. Clair River, the refugees reminded the British of their previous promises that they should always find a safe shelter on Canadian soil. In a lengthy and eloquent speech, the Potawatomi spokesman Manitogabowit explained that his people had always been prepared to fight side by side with the Redcoats, including most recently in the War of 1812. In return for the assistance of the warriors, the British had promised to always protect the Potawatomi from harm. Now Manitogabowit reminded the British of the great council fire that had been kindled on the Chenail Ecarté lands in 1796, and the promise that Alexander McKee had made then that the nations could always take shelter on the land that their Great Father had reserved for them there. While the original tract may have been unjustly taken from its rightful owners and opened up to white settlement, the adjacent Walpole Island just to the west remained at least partially in Anishinaabe hands. The Potawatomi thus claimed the right to settle on these lands. Referring to the promises made by Alexander McKee, Manitogabowit called the former Deputy Superintendent General by the name given to him by the nations of the Great Lakes, saying “shall not the words of the White Elk be true? Will you cast shame on his tomb? Shall he quiver in the Happy Hunting Grounds that his promises to us remain unfulfilled?”¹²²

The Potawatomi were not alone in wanting to see the British Empire fulfill its earlier promise. The Ojibwe living along the Canadian side of the River St. Clair were happy to be joined by their Anishinaabe kinsmen from across the border. They lent their aid in helping to ferry the Potawatomi across the river, and provided the starved refugees with 60 bushels of their own

¹²¹ For an outline of this movement, see James A. Clifton, *A Place of Refuge for All Time: Migration of the American Potawatomi into Upper Canada, 1830-1850* (Ottawa: National Museums of Canada, 1975), 65-71

¹²² Speech of Manitogabowit, June 1839, 81534-81537, vol. 142, RG10, LAC.

corn.¹²³ The Ojibwe of Walpole Island in particular invited the Potawatomi to settle alongside them.¹²⁴ By the late 1830s and early 1840s, the lands on Walpole Island were inundated with squatters, and no doubt the Ojibwe hoped that the addition of the numerous and warlike Potawatomi would lend strength in their ongoing struggle against the encroaching invaders.

The officers of the Indian Department were likewise enthusiastic in welcoming the Potawatomi. J.W. Keating in particular wrote at length about the sufferings of the Potawatomi at the hands of the Americans and the necessity that the British Empire welcome them with open arms. Certainly there was a strong element of self-interest in this; Keating's original appointment to the ID in 1838 was only meant to be temporary, and having to manage an influx of thousands of refugees across the international border would be a powerful argument for retaining him in the employ of the government. But Keating was also strongly committed to the military nature of the Indigenous-Imperial alliance, and he saw in the newly arrived Potawatomi the perfect warriors for any future struggle with the United States. Keating wrote that the Potawatomi brought with them "the most bitter hatred that was ever caused by a long series of unprovoked and until now unresisted outrages for their dastardly oppressors the Americans." With the ongoing border tensions in the aftermath of the Rebellion, Keating highlighted that "the terror they inspire in our *friends* across the river" would do much to dissuade further Patriot incursions.¹²⁵ Gerald Alley, a former employee of the ID who was appointed at the outbreak of the Rebellion to organize the warriors between lakes Huron and Simcoe, similarly reported that the local Potawatomi under their

¹²³ For assistance in transportation, see J.W. Keating to S.P. Jarvis, 26 October 1840, 68352-68355, vol. 75, RG10, LAC. For the bushels of corn, see William Jones to S.P. Jarvis, 12 November 1839, 66423-66425, vol. 71, RG10, LAC. These letters also make reference to the Ojibwe's general satisfaction at the arrival of the newcomers.

¹²⁴ William Jones to S.P. Jarvis, 12 November 1839, 66423-66425, vol. 71, RG10, LAC.

¹²⁵ J.W. Keating to Colonel Chichester, 21 October 1839, 66356, vol. 71, RG10, LAC.

leader Eshkewee were the “bravest warriors” among the region’s communities, and that many of them could be counted on to rally against the enemies of the Queen.¹²⁶

Despite these testimonials from members of the Indian Department, the political environment that the Potawatomi encountered in Upper Canada was generally hostile to their permanent settlement. Sir Francis Bond Head’s vocal criticism of half-civilization and his policy that Indigenous communities be removed from the proximity of Upper Canada’s white population was in no small part motivated by his desire to bring as much of the province’s land as possibly under the cultivation of settlers. When he was subsequently reprimanded by the colonial office for not taking sufficient steps to protect Indigenous property from squatters, Sir Francis explained that while he had done his best to enforce the law of the land “I always feel it is natural, and consequently to a certain degree excusable, for white men openly to commit the sin of cultivating rich land wherever it is found sleeping by itself in a state of nature.”¹²⁷ Convinced that opening more land to settlement would help alleviate the mounting political tension in Upper Canada, Sir Francis Bond Head essentially strong-armed resident communities into surrendering extensive lands. Besides the lands belonging to the Coldwater tract, these included large portions of the lands set aside for the Wyandot on the Detroit River and the Moravian Delaware on the River Thames in the 1790s.¹²⁸ The surrender of part of their territory divided the Moravian community deeply, and as a result nearly half their number proposed taking up an offer from the United States to emigrate from Upper Canada to settle with their kin in Missouri.¹²⁹ While the Wyandot of

¹²⁶ Gerald Alley to S.P. Jarvis, 29 November 1838, 65124, vol. 69, RG10, LAC.

¹²⁷ Copy of a Despatch from Sir F.B. Head to Lord Glenelg, 13 August 1837, in *Parliamentary Papers 1839*, 151.

¹²⁸ Copy of a Despatch from Sir F.B. Head to Lord Glenelg, 20 November 1836, in *Parliamentary Papers 1839*, 126

¹²⁹ RAIC 1845, unpaginated, (pages 29).

Anderdon continued on their diminished reserve for some decades, they too began to consider emigration to live with their relatives in the United States shortly after this surrender.¹³⁰

Even as these two communities debated the merits of removing to American territory, many more were looking to cross the border in the opposite direction. While the arrival of the Potawatomi was enthusiastically embraced by their Ojibwe brethren and the members of the Indian Department, the new arrivals faced extreme hostility from Upper Canadian settler society more generally. In their 1844 report, the commissioners appointed by Bagot remarked on the uncivilized state of the Potawatomi, calling them “wild, turbulent, mendicant, and dishonest”, and concluded that “their arrival in the province is in every respect to be regretted.”¹³¹ The American government likewise protested the flight of the Potawatomi across the Canadian border, claiming that these refugees had previously committed to removing westward across the Mississippi.¹³² The metropolitan administration took notice of these protests, and informed the government of Upper Canada that no encouragement was to be offered to the refugees.¹³³ Lieutenant Governor Sir George Arthur acknowledged these instructions, and sent out orders to the ID that no encouragement was to be given to induce any refugees from the United States. On the St. Clair River, superintendent J.W. Keating acknowledged these instructions, but he objected that whatever treaties the Potawatomi may have signed with the Americans had been forced upon them at gunpoint. He reiterated that while he would provide no encouragement to the Potawatomi, he could not stop the Ojibwe already resident in Upper Canada from providing aid.¹³⁴ Nor did the government leave the Potawatomi entirely without support. Despite his commitment to the colonial

¹³⁰ Petition of the Wyandot of Anderdon, 16 October 1842, 71506-71508, vol. 126, RG10, LAC.

¹³¹ RAIC 1845, unpaginated, (page 34).

¹³² For American protests, see George Vardon to S.B. Harrison with enclosures, 2 November 1840, 68368-68371, vol. 75, RG10, LAC; William Jones to S.P. Jarvis, 25 October 1840, 68351, vol. 75, RG10, LAC.

¹³³ Lord Russell to Sir George Arthur, 22 June 1840, 502-504, vol. 95, RG7 G1, LAC.

¹³⁴ J.W. Keating to S.P. Jarvis, 26 October 1840, 68352-68355, vol. 75, RG10, LAC.

office, Lieutenant Governor Arthur nonetheless authorized the new arrivals to settle with their Ojibwe kin on the St. Clair River and to receive presents and rations.¹³⁵ Arthur knew that the St. Clair River was particularly exposed to cross-border raids, and in the context of ongoing Patriot incursions he was by no means averse to mobilizing Indigenous warriors to secure the province from external enemies.

Later administrators did not share the approach taken by Arthur. After a few years, the administration of the new United Province of Canada noticed with consternation the dramatic increase in the number of Indigenous individuals living within the confines of Canada West since the time of the Rebellion. The Indian Department calculated that between 1839 and 1843, the number of Indians resident in the province had increased by 50 per cent, from 6,900 to 10,323.¹³⁶ Governor General Sir Charles Metcalfe accordingly ordered an investigation into the causes of the dramatic increase in the communities on the St. Clair River on June 1, 1844. In the perennial mission to cut cost, Metcalfe argued that surely since the Potawatomi arrived as refugees rather than willing migrants they could not be entitled to a share in the annual presents. In addition, the Governor General made clear his expectation that, were the Potawatomi to remain, they would have to adopt to the same trans-Atlantic standards of plough agriculture as their Ojibwe brethren.¹³⁷ While Metcalfe never openly said so, the tenor of his letter indicated he clearly regretted that the Potawatomi should have been welcomed into Canada in the first place.

In a joint report to the Governor General that was intended to address these concerns, superintendents William Jones and J.W. Keating launched an impassioned defence of the

¹³⁵ See for example S.P. Jarvis to S.B. Harrison, 10 February 1840, 14, vol. 504, RG10, LAC; S.P. Jarvis to Colonel Halkett, 7 March 1840, 39, vol. 504, RG10, LAC.

¹³⁶ Statement Showing the Number of Indians Including Resident and Visiting Indians in Upper Canada in 1839, 1840, 1841, and 1843, (no date), 170299-170302, vol. 140, RG10, LAC.

¹³⁷ S.P. Jarvis to William Jones, 1 June 1844, 9-10, vol. 510, RG10, LAC.

Potawatomi. Referring to the speeches made by leaders such as Manitogabowit, the two superintendents explained to the Governor General that the Potawatomi had come “in the hour of their need to seek an asylum in that country for which they fought and bled, in the soil which it was promised by solemn treat should always be open to them under that government which to reward their many and arduous service had emphatically pledged itself to provide them with presents.” The presents were an “unconditional and sacred engagement, there can be no doubt. Every wampum records it, every aged man is acquainted with it, every speech alludes to it.” Keating and Jones argued that the two-year delay between the order announcing the end of the presents to visiting Indians in March 1841 and the actual termination of the practice in November 1843 in order to let information spread throughout the region “is proof that it was then thought advisable to induce as many as would avail themselves of the opportunity offered of securing the bounty of the government for ever without distinction of race or place.” As for the current state of the Potawatomi, Keating and Jones admitted that they had not yet all taken up the trans-Atlantic agricultural methods expected by the program of liberal assimilation, but the ID superintendents had no doubt that soon the Potawatomi would form settlements of “successful and industrious farmers,” especially given that the government’s ongoing commitment to removing squatters from Walpole Island would soon give them plenty of land on which to plant. The two superintendents concluded by pointing out that under no circumstance could the Potawatomi be excluded from settling on Walpole Island. The communities along the St. Clair River still remembered the treaty with Alexander McKee in 1796, and all recognized that the land there was “intended as a place of refuge for three tribes, Chippewas, Ottawas, and Pottawatomies, that it was assumed by government for the purpose and that only.”¹³⁸

¹³⁸ Report of William Jones and J.W. Keating, 1 June 1844, 81446-81451, vol. 142, RG10. LAC.

Conclusion

Civilization is a central leitmotif in the historiography of Indigenous-newcomer relations in North America. Perhaps nowhere is this more true than in the study of nineteenth-century Canada. Even in the nineteenth century, however, the word civilization could be used to invoke a plethora of largely unrelated and even contradictory practices, although always with a positive connotation. The framework of domiciliation allows us to parse some of these ambiguities by demonstrating that not all invocations of education, agriculture, sedentarization, and religion in the context of Indigenous communities were part of one overarching project of “civilization.” Some proponents of these discrete elements, such as the Indian Department officer T.G. Anderson and the Methodist missionary Egerton Ryerson, were speaking largely at cross-purposes, despite using the same vocabulary.

Domiciliation explains how projects like those at Coldwater and the Narrows and Manitoulin Island came into being, and how Indigenous leaders such as John Aisance and J.B. Assiginack understood them. Domiciliation also explains why those settlements lost government support and were broken up. These projects were founded on a partnership between the British Empire and largely autonomous Indigenous communities. At their heart was a military alliance that existed implicitly and explicitly to counter white settlers, whether citizens of the American republic or disloyal inhabitants of the Canadas, who constituted the most important threat to Imperial sovereignty in North America from the close of the Seven Years’ War to the post-Rebellion reforms of the 1840s. Domiciliation was not intended to eliminate Indigenous peoples, but to increase their numbers inside the Empire as crucial props of imperial sovereignty. In short, domiciliation was not a policy designed for a settler colonial state that was eager to adopt a logic of elimination. As the British Empire retreated from Canada in the 1840s and settlers increasingly

took control of the state apparatus, there was no reason to continue these projects. The growing settler state had different priorities, and accordingly adopted policies that rather than seeking to strengthen First Nations communities as important partners in empire, instead aimed at their total eradication.

Chapter Eight

“No Reason to Doubt Our Loyalty”: Reformers, Rebellion, and Transformation, 1836-1845

While the years 1828-1835 had seen significant structural reforms, the first substantive step to dismantling the existing system of Imperial-Indigenous relations came in 1836. In this year, the government of Upper Canada ended the distribution of presents to Visiting Indians at the Post of Amherstburg. In March 1834, Commissariat General Randolph Isham Routh had recommended limiting the distribution of presents for Visiting Indians to one post alone. This recommendation was made in order to reduce the expenses of the Indian Department while not openly breaking the Empire's previous pledges of support to these cross-border communities, since the communities who had received their presents at Amherstburg were invited instead to travel to Manitoulin Island in the future where they could continue to receive their Great Father's bounty.¹ Lieutenant Governor Colborne took up this idea, and on August 28, 1835 he dispatched orders to the Indian Department to terminate the distribution of annual presents at Amherstburg.² While the roughly 5,000 individuals who had habitually crossed the Detroit River to receive presents from the Amherstburg branch of the Indian Department were still theoretically entitled to receive presents, the difficulties of the 500 kilometer journey to Manitoulin Island made this impracticable for all but the most committed. When the announcement of the termination was made in the summer of 1836, Indigenous leaders who had previously received the King's bounty at Amherstburg protested the change.³ The government in response authorized a one-time issue of presents to the communities resorting to the post, but the overall policy was not amended.⁴ The issue of 1836

¹ Report of R.I. Routh, 7 March 1834, 58184-58194, vol. 55, RG10, LAC.

² James Givins to George Ironside, 28 August 1835, 74, vol. 501, RG10, LAC.

³ George Ironside Jr. to James Givins, 11 June 1836, 61308-61309, vol. 61, RG10, LAC.

⁴ Copy of R.I. Routh to A.Y. Spearman, 24 September 1836, 265-266, vol. 230, Q Series, C.O. 42, MG11, LAC.

accordingly marked the last time that Visiting Indians outnumbered Resident Indians in the issue of annual presents in Upper Canada.

As the termination of the distribution of presents at Amherstburg to Indigenous communities primarily residing in U.S. Territory illustrates, the changes that took place in the Indian Department beginning in 1836 were qualitatively different from the changes that had taken place in the twenty years following the return of peace in 1815. The reductions of 1816, 1822, and 1830 had been part of a program of Imperial retrenchment, not part of a transformation in the relationship between Indigenous peoples and the wider empire. The ID establishment that remained after 1830, while somewhat smaller than it had been in the 1790s, was still intended to serve essentially the same purpose it had four decades years earlier.

The end of the distribution of annual presents at Amherstburg represented something more fundamental. Since its establishment in 1796, this post had always been the most important of those maintained by the Indian Department in Upper Canada. For forty years, Amherstburg had been at the centre of an alliance system reaching across the international border into the Ohio Valley, Illinois Country, and all the way to the upper reaches of the Mississippi River. This post had been central to keeping the cross-border alliance alive, an undertaking this dissertation has identified as one of the defining aims of the Upper Canadian Indian Department. The end of the distribution of annual presents at Amherstburg in 1836 was different than earlier setbacks the ID faced in the region. Unlike the Treaty of Ghent in 1814 or the abandonment of Drummond Island in 1828, pressure from the United States government played essentially no role in the abandonment of this key practice of the cross-border alliance. Perhaps even more importantly, the Upper Canadian Indian Department did not begin any new project to compensate for the end of presents to Visiting Indians.

The year 1836 saw other important developments in Indian Affairs in Upper Canada, as the newly arrived Lieutenant Governor, Francis Bond Head, adopted a radical new approach to the Indian Department in the face of the ongoing political upheavals facing the province. The outbreak of rebellion in the Canadas in the autumn of 1837, however, changed the trajectory of the Indian Department significantly. During the crises of the rebellion years, the Indian Department and the Indigenous warriors they helped mobilize served as key props to the British Empire in North America against the threats of domestic insurrection and foreign invasion. Both of these groups were therefore able to advocate the reestablishment of the Indigenous-Imperial relationship as it had existed since the mid-eighteenth century. The years immediately following the Rebellion accordingly saw a remarkable rekindling of the old Fire of Friendship. The annual presents were increased, squatters faced expulsion from First Nations lands, and Indigenous warriors were recognized as crucial military allies. As notable as these achievements were, the period following the union of the Canadas in 1841 saw a dramatic deterioration in the position of Indigenous peoples and the Indian Department in Canada, a process that culminated in the implementation of the recommendations of the Bagot commissioners in 1845.

This chapter begins with an examination of the place of Indian Affairs in Upper Canadian politics in 1836-1837. The second section details the activities of the Indian Department and Indigenous warriors in the crises of the Canadian Rebellion. The third section examines the exact elements of the old Indigenous-Imperial relationship that were strengthened thanks to this participation in countering the insurrections of 1837-1838. The final part details the important changes that took place in the early 1840s as the Canadian state entered a new period of rapid growth.

“Impeding the Progress of Civilization in Upper Canada”: Lieutenant Governor Head and the Legislative Assembly, 1836-1837

All across the Canadas in the 1830s, control of land was a central point of contention between Reformers and the supporters of the established administration.⁵ Upper Canada in particular had seen a surge in immigration after the War of 1812, placing new pressures on access to farmland. This led many inhabitants to chafe against government policies that restricted settler access to land. In Upper Canada, these restrictions took a number of forms. Lands had been set aside as Crown and Clergy Reserves at the founding of the province in order that revenue from their eventual sale might finance the government and the Church of England respectively. These reservations were resented by settlers who wanted all land to be settled as quickly and cheaply as possible in order to bolster local markets and increase the value of their own lands and produce.⁶ To revise this unpopular system, the government sold many of these reserved lands in 1826 for bargain prices to the Canada Company, a private corporation with strong ties to the governing clique of Upper Canada. This controversial arrangement allowed the Canada Company to sell for private profit lands whose occupation Reformers considered crucial for the common good of an agrarian society.⁷ Meanwhile, other lands in the province were reserved as rectories for the benefit of specific Anglican congregations, while still others were set aside for the support of the Tory-controlled University of King’s College.⁸

⁵ Allan Greer, “1837–38: Rebellion Reconsidered,” *The Canadian Historical Review* 76, no. 1 (1995): 9.

⁶ Douglas McCalla, *Planting the Province: The Economic History of Upper Canada, 1784–1870* (Toronto: University of Toronto Press, 1993). See also Robert Gourlay, *Statistical Account of Upper Canada* (London: Simpkin and Marshall, 1822), 1:623. It should be noted that Reform protests against the Clergy Reserves were caused by the preferential treatment of the Church of England in addition to the restrictions they placed on settlement.

⁷ For the foundation of the Canada Company, see Robert C. Lee, *The Canada Company and the Huron Tract, 1826-1853: Personalities, Profits, and Politics* (Toronto: Natural Heritage Books, 2004), 15-17. For Reform complaints against the company, see Colin Read and Ronald J. Stagg, eds., *The Rebellion of 1837 in Upper Canada* (Toronto: The Champlain Society, 1985), 29, 41, 71, 96, and 112.

⁸ For the Assembly’s reaction to the establishment of the rectories, see *Journal of the House of Assembly, Session 1836* (Toronto: M. Reynolds, 1836), 381. The future Patriot Robert Davis called these rectories “canker worms” eating away at the “tree of prosperity”, see Robert Davis, *The Canadian Farmer’s Travels* (Buffalo: Steele’s Press, 1837),

Important as were these restrictions on the immediate occupation of land, arguably the most important check on settler expansion in Upper Canada was the imperial government's claim to the exclusive right to negotiate with First Nations for the legal surrender of their titles, as delineated in the Royal Proclamation of 1763 and upheld by later administrators.⁹ As discussed in Chapter Five, the Indian Department remained completely independent from the settler assemblies of the two Canadas until after their union in 1841. While much land in Upper Canada had been opened to white settlement through this process since the coming of peace in 1815, major land cessions having taken place in 1818, 1822, and 1825, still in 1836 some 2.8 million acres of prime agricultural land on the very doorstep of white settlement were reserved as Indigenous territory by the Imperial government.¹⁰ Further north, the enormous area between Lake Huron and the Ottawa River held the possibility of being opened to farming, mining, and timbering in the not too distant future.¹¹

The Assembly's exclusion from the management of Indian Affairs and the restriction of white settlement due to the government's exclusive claim to negotiate surrenders with First Nations communities became important political stakes during Francis Bond Head's tenure as

53. For the King's College reservation lands, see John Clarke, *Land, Power, and Economic on the Frontier of Upper Canada* (Montreal: McGill-Queen's University Press, 2001), 431. According to the Assembly, the reservation for this institution consisted of 225,000 acres "of valuable public land", see *The Seventh Report from the Select Committee of the House of Assembly of Upper Canada on Grievances* (Toronto: M. Reynolds, 1835), 185. For the impact of the King's College land on settlement, see Read, *The Rising in Western Canada*, 19.

⁹ John Borrows, "Wampum at Niagara: The Royal Proclamation, Canadian Legal History, and Self-Government," in Michael Ash ed., *Aboriginal and Treaty Rights in Canada: Essays on Law, Equity, and Respect for Difference* (Vancouver: UBC Press, 1997), 157-172.

¹⁰ Return of Lands Held as Special Reservations for the Several Indian Tribes in the Province of Upper Canada, in *Appendix to the Journal of the House of Assembly of Upper Canada, Session 1839*, (Toronto: Robert Stanton, 1839), 2:538-539. These lands consisted of two large tracts (the Six Nations reserve on the Grand River and the Saugeen Tract between Lake Huron and Georgian Bay), and many smaller reserves throughout the province.

¹¹ In the summer of 1835, an expedition under the command of Lieutenant Carthew of the Royal Navy was sent to survey the "Character, Soil, Timber, etc." of this region, see Instructions to Lieutenant Carthew, 85325-85328, vol. 155, RG5 A1, LAC. See also "Report of Lieutenant Carthew," in *Appendix to the Journals of the House of Assembly of Upper Canada from the 8th Day of November 1836, to the 4th Day of March, 1837* (Toronto: W.J. Coates, 1837), appendix no. 37.

Lieutenant Governor of Upper Canada. A one-time Poor Law commissioner with literary pretensions and a penchant for controversy, Head's time as the province's chief administrator from 1836 to 1838 would prove to be particularly tumultuous.¹² Shortly after his arrival in Upper Canada in January of 1836, the new Lieutenant Governor clashed with the Assembly over the issue of the executive government's exclusive jurisdiction over Indian Affairs. The month following Head's arrival, a group of Wyandot from Anderdon on the Detroit River broke with tradition and sent a petition with their grievances directly to the Legislative Assembly rather than to the Lieutenant Governor.¹³ This petition, alleging government and Indian Department mismanagement of their affairs, was seized upon by the Reform-dominated Assembly. The Legislative Assembly ordered 200 copies of the petition to be printed, and drafted an address asking the government to hand over all documents relevant to the complaint in order to assess whether the "further interference" of the Assembly was merited in this affair. In his reply, Bond Head flatly denied that the Assembly had any right to meddle in the government's dealings with First Nations. With characteristic bombast, the Lieutenant Governor explained that "the superintendents, missionaries, schoolmasters, and others who reside among [the Indians] for their protection and civilization, are appointed and paid by the King – to his representative [i.e. the governor] all appeals have until now been made, and with him has all responsibility rested." Head concluded that it would be "highly impolitic [...] to sanction the adoption of a new course for their internal government."¹⁴ As trivial as this episode

¹² J.R. Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada* (Toronto: University of Toronto Press, 1991), 110. See also Ted Binnema and Kevin Hutchings, "The Emigrant and the Noble Savage: Sir Francis Bond Head's Romantic Approach to Aboriginal Policy in Upper Canada, 1836-1838," *Journal of Canadian Studies*, vol. 39, no. 1 (Winter 2005): 115-138.

¹³ Petition of the Wyandot of Anderdon, 60728-60731, vol. 60, RG10, LAC. For the background of this petition, see Rhonda Telford, "How the West Was Won: Land Transactions Between the Anishinabe, the Huron and the Crown in Southwestern Ontario," in *Papers of the Twenty-Ninth Algonquian Conference*, ed. David H. Pentland (Winnipeg: University of Manitoba, 1998): 328-351.

¹⁴ Most of the documents relevant to this case can be found in *Journal of the House of Assembly of Upper Canada, Session 1836*. For the Wyandot petition itself, 75-76. For the order to print copies, 78. For the address of the assembly to the Lieutenant Governor, 156. For Head's reply, 194. The Reformers seem to have taken a special interest in this

may appear, Sir Francis later compared this clash with the Reformers in the Assembly to an innocuous cloud that nonetheless signaled the approach of an oncoming tempest.¹⁵

While Head was unwilling to concede oversight of Indian Affairs to the Assembly, the Lieutenant Governor still viewed his control of the Indian Department as a possible venue to conciliate the settlers of Upper Canada. As we have seen in previous chapters, Sir John Colborne, Head's predecessor as lieutenant governor of Upper Canada, had endorsed a plan that was proposed to him by Indian Department officer T.G. Anderson and his close ally the Odawa chief Jean-Baptiste Assiginack in 1835. This plan called for the foundation of a pan-Indigenous settlement on Manitoulin Island in order to gather together all the First Nations communities of the region, including those groups fleeing Jacksonian removal in the United States, and thereby create an important settlement of pro-British subjects on the upper Great Lakes.¹⁶

Upon his replacing Colborne as governor, Bond Head took this project and turned it to his own purposes. The new Lieutenant Governor had no intention of welcoming additional Indigenous people into British territory, explaining to Lord Glenelg that he "did not approve of the Responsibility as well as the Expense of attracting, as had been proposed, the wild Indians." Instead, Head proposed to repurpose the Manitoulin Island plan to undertake the removal of Indigenous communities living in Upper Canada south of Lake Huron, thus opening their territories to white settlement. In justification of his scheme, which was carried out on his own

issue; Mackenzie himself tabled the petition of the Wyandot, John McIntosh and Samuel Lount sat on the committee to draft the Assembly's address, and Mackenzie presented the address to the House. Francis Caldwell meanwhile, himself a member of a family prominent in the Indian Department, presented to the Assembly a second petition from a competing faction from the Huron Reserve expressing that party's faith in the Government, *Journal of the House of Assembly of Upper Canada, Session 1836*, 154. For the text of the competing Wyandot petition, see Petition of Joseph Warrow, Adam Brown, Peter Gould, and Others, (no date), 60728-60732, vol. 60, RG10, LAC.

¹⁵ Sir Francis Bond Head, *A Narrative* (London: John Murray, 1839), 60.

¹⁶ T.G. Anderson to Sir John Colborne, 24 September 1835, in *Parliamentary Papers 1839*, 121. This proposal dates at least to the end of hostilities in 1815 and seems to have originated with the Odawa of Arbre Croche. See Lieutenant Colonel McDouall to Secretary Foster, 15 May 1815, 45, vol. 688, RG8, LAC. See also John Askin Jr. to William Claus, 4 May 1815, 167, vol. 10, Claus Papers, MG19, LAC.

initiative rather than on metropolitan orders, the Lieutenant Governor explained to Glenelg after the fact that “it was evident to me that we should reap a very great benefit if we could persuade those Indians, who are now impeding the progress of civilization in Upper Canada, to resort to a place [...] in no way adapted to the white population.”¹⁷ Head was dismissive of Indigenous property rights and openly expressed sympathy for squatters, writing that “I always feel it is natural, and consequently to a certain degree excusable, for white men openly to commit the sin of cultivating rich land wherever it is found sleeping by itself in a state of nature.”¹⁸ Accordingly, Head secured three land cessions over the course of 1836, consisting of two small surrenders of valuable land that settlers had long complained of as impeding their prosperity (the Huron and Moravian reserves), and one vast surrender of 1.5 million acres known as the Saugeen Tract.¹⁹

In all his correspondence, Sir Francis Bond Head ceaselessly claimed that he undertook these cessions only in the best interest of his “red children,” although even at the time he failed to convince many that his motivations were philanthropic.²⁰ What cannot be questioned is that Head viewed these surrenders as crucial to his socio-economic project of emigration, as well as to his political goal of securing Canada to the British Empire. After the tumultuous elections that had taken place earlier in 1836, Bond Head considered these surrenders as a reward to the Upper Canadian yeomanry for their good behaviour in electing a Tory majority to replace the previous Reform-dominated Assembly, writing that “the surrender of the Saugeen Territory has long been

¹⁷ F.B. Head to Glenelg, 20 August 1836, in *Parliamentary Papers 1839*, 122.

¹⁸ F.B. Head to Glenelg, 15 August 1837, in *Parliamentary Papers 1839*, 151.

¹⁹ F.B. Head to Glenelg, 20 November 1836, in *Parliamentary Papers 1839*, 126. For settler complaints regarding the Huron Reserve see Gourlay *Statistical Account*, 1:283. The Assembly consistently petitioned the government to secure the surrender of the Moravian Reserve in order to improve the road that ran through that territory, see for example *Journal of the House of Assembly, Session 1831*, 89. Head’s interpretation of the Moravian Reserve was in line with that of the Assembly, as he described that community as “highly demoralized, and almost starving on a large block of rich, valuable land, which in their possession was remaining roadless and stagnant.” Head, *The Emigrant*, 79.

²⁰ Head, *Narrative*, appendix, 11; Head, *The Emigrant*, 70, 143. The chief opponents of Head’s scheme included the Wesleyan missionaries of Upper Canada and their allies in the British Aborigines’ Protection Society, see Lord Glenelg to Sir G. Arthur, Downing Street, 22 August 1838, in *Parliamentary Papers 1839*, 86-87.

a desideratum in the Province, and it is now especially important, as it will appear to be the first fruits of the political tranquility which has been attained.” In more general terms, the Lieutenant Governor boasted to Glenelg that “there can be no doubt that the acquisition of [this] vast and fertile territory will be hailed with joy by the whole province.”²¹

In the Lieutenant Governor’s speech to the Legislative Assembly marking the opening of the first session of the newly elected parliament in November 1836, Head touted his acquisition of “very extensive tracts of rich land,” and stated his belief that before long these lands would be filled with the “redundant enterprise, capital, and population of the Empire,” leading inevitably to increased prosperity across the province. The Assembly replied in their own address to the governor that “while happy to learn that extensive tracts of rich land have been obtained from the Indians [...] this House cannot refrain from expressing their anxious wish that these lands may be thrown open to settlement upon terms of the most favorable nature for those who desire to become residents upon them.”²² Sir Francis Bond Head, who later wrote that crown lands in the colonies “ought always to have been given to the British emigrant for nothing,” undoubtedly sympathized with the Assembly’s desire.²³

Given his position on the benefits of turning Indigenous land over to white settlers, it is not surprising that Lieutenant Governor Head saw very little use in upholding the established practices of the Indigenous-Imperial relationship. While administrators in Canada had long been under pressure from the metropolitan government to cut the Indian Department’s expenses, unlike previous governors such as Dalhousie or Sir James Kempt, Head did not push back against these demands, but rather complied enthusiastically. In the summer of 1836, Head announced at the first

²¹ F.B. Head to Glenelg, 20 August 1836, in *Parliamentary Papers 1839*, 123.

²² *Journal of the House of Assembly of Upper Canada, Session 1836-1837* (Toronto: Robert Stanton, 1837). For Head’s speech, 19. For the Assembly’s reply, 36.

²³ Head, *The Emigrant*, 76.

general distribution of the annual presents that took place at the new Indian Department post on Manitoulin Island that Indigenous communities currently living in the United States would only receive presents for three more years.²⁴ The Lieutenant Governor conceded that if they relocated to British territory previous to 1839, these communities might continue to receive presents. It was clear, however, that this was not an ideal solution for Head, and he expressed his hope that “though a few would at first probably immigrate to Canada, they would not long remain there.”²⁵ Nor did Head share the conviction of previous administrators that the Indian Department should not be further reduced beyond its current attenuated level. While the Lieutenant Governor did not support the immediate abolition of the ID, he proposed that a substantial reduction could be carried out in anticipation of its eventual elimination in the not-so-distant future. Head accordingly dismissed four ID employees in July 1837.²⁶ The superintendents George Ironside Jr., Joseph Brant Clench, and James Winniett, and the interpreter Jacob Martin were all informed that after overseeing that year’s issue of the annual presents their services in the Department would no longer be required.²⁷

Sir Francis Bond Head’s eagerness to sacrifice the existing Indigenous-Imperial relationship in order to appease settler demands for land marked a critical moment in the history of Indigenous-newcomer relations in Canada. Head’s decision to end presents to the Visiting Indians, to further reduce the ranks of the Indian Department, and to disregard the established processes and principles for conducting land treaties as laid down in Governor General Dorchester’s additional instructions of 1794 all amounted to a complete dismissal of long recognized frameworks. At this very moment, however, the outbreak of Rebellion in the Canadas presented an opportunity for First Nations communities and their allies in the Indian Department

²⁴ F.B. Head to Glenelg, 20 November 1836, in *Parliamentary Papers 1839*, 127-129.

²⁵ F.B. Head to Glenelg, 20 November 1836, in *Parliamentary Papers 1839*, 127-129.

²⁶ F.B. Head to Glenelg, 20 November 1836, in *Parliamentary Papers 1839*, 129-130.

²⁷ Indian Department General Order, 4 July, 23, vol. 502, RG10, LAC.

to pressure the colonial administration to observe the long-established terms of the Indigenous-Imperial relationship in exchange for their political and military support in countering the insurrectionary crisis afflicting the two colonies.

“To Smoke the Pipe of War”: Indigenous Warriors, the Indian Department, and the Rebellion in Upper Canada, 1837-1842

As important as control of the Indian Department and access to Indigenous land were in the political calculations of the Assembly and Lieutenant Governor in the period leading up to November 1837, the spark that ultimately turned settler discontent into armed insurrection in Upper Canada was lit far away from the legislature in Toronto by Lower Canadian *Patriotes* in the district of Montreal. Nonetheless, once violence had broken out, the twin issues of access to land and settler-Indigenous relations became important stakes in the ensuing conflict. In a handbill published on December 1, a few days before his fateful march on Toronto, William Lyon Mackenzie made clear that grants of land would be the reward of those settlers who rose up to overthrow the British regime, declaring “Canadians! It is the design of the friends of liberty to give several hundred acres to every volunteer.” The independent state they would form would then have access to “millions of acres of lands for revenue,” unshackled from the restrictions placed upon these lands by imperial policies.²⁸ It was not lost on observers which lands might be appropriated for the volunteers of the new Republic of Upper Canada. William Johnson Kerr, himself connected to the Six Nations of the Grand River both by ancestry and marriage, asked rhetorically in a letter to the government “whose lands would McKenzie and his followers have first selected or seized upon, had he succeeded in his diabolical purpose?”²⁹ As we have seen, opening Indigenous lands

²⁸ W.L. Mackenzie’s Appeal to Arms, in *Rebellion of 1837*, eds. Read and Stagg, 111-112.

²⁹ W.J. Kerr to John Macaulay, 3 October 1838, in *The Valley of the Six Nations: A Collection of Documents on the Indian Lands of the Grand River*, Charles Murray Johnston ed., (Toronto: Champlain Society, 1964), 230-231.

to settlement had long been an ardent desire of Reformers, so there is no reason to think Kerr was wrong in his assessment.

The constitution Mackenzie drafted for this independent Upper Canadian state outlined how settler society would acquire control over the land it claimed as its own. The third article placed all public lands, including the clergy reserves, crown reserves, and the land of the Canada Company, “at the disposal of the Legislature, for the public service thereof.”³⁰ The twenty-first article addressed the Assembly’s ability to negotiate the surrender of Indigenous land. Citing frauds carried out by the imperial administration, this twenty-first article decreed that no land cessions “shall be binding on the Indians and valid, unless made under the authority of the legislature.”³¹ Like another article in Mackenzie’s constitution that granted people of colour currently residing in Upper Canada citizenship while demanding they swear an additional oath of loyalty not demanded of whites, this twenty-first article was framed in the language of humanitarianism all while serving to strengthen the power of the settler state over groups it sought to further disenfranchise.³² Behind the lip-service to justice was the long-sought acquisition by Upper Canadian settler society of the right to independently negotiate the opening of First Nations territories.

³⁰ W.L. Mackenzie’s Constitution, in *Rebellion of 1837*, Read and Stagg eds., 95-103.

³¹ The full text of the article reads as follows: “*And Whereas* frauds have been often practised towards the Indians within the limits of this State, it is hereby ordained, that no purchases or contracts for the sale of lands made since the day of ___ in the year ___, or which may hereafter be made with the Indians within the limits of this State, shall be binding on the Indians and valid, unless made under the authority of the legislature.”

³² Article 7. In a later version of this constitution, Mackenzie went further, declaring that white men could not be expected to live together in the same state as people of African descent, and that therefore the Black population of the Republic of Upper Canada would be removed far to the west to live in their own polity, *The Caroline Almanack and American Freeman’s Chronicle for 1840* (Rochester: Mackenzie’s Gazette Office), 115. For more on the white supremacy of the Patriot movement, see Thomas Richards Jr., “The Lure of a Canadian Republic: Americans, the Patriot War, and Upper Canada as a Political, Social, and Economic Alternative, 1837-1840,” in Maxime Dagenais and Julien Mauduit, ed., *Revolutions across Borders: Jacksonian America and the Canadian Rebellion*, Dagenais and Mauduit eds., (Montreal: McGill-Queen’s University Press, 2019), 113.

While leaders like William Johnson Kerr already saw a clear conflict between the political program of rebel leaders like William Lyon Mackenzie and the continued existence of First Nations communities, when violence broke out in Upper Canada in December 1837, there was no single Indigenous response. Disillusioned with their treatment in the province, some Indigenous leaders chose not to take up arms. Joshua Wawanosh and other Ojibwe leaders on the St. Clair River informed their kinsmen on the River Thames that they considered it best “to let the people who like powder and ball fight their own battles.”³³ The Wyandot chief Thomas Clarke was even more blunt. When asked why he did not join the attack on the Patriots occupying Pelee Island, Clarke responded that he “did not think it necessary to put himself in danger of being shot like a fool.”³⁴

Despite the misgivings of some, many more were willing to participate in the current conflict. While the exact number of warriors who assembled in response to alarms of invasion or insurrection is impossible to know for certain, contemporary records give a reasonably clear idea: From the Nations of the Grand River, 511.³⁵ From the Ojibwe, Munsee, and Moravian settlements on the River Thames, 232.³⁶ From the Potawatomi and Ojibwe around Georgian Bay, 148.³⁷ From the Ojibwe of the River St. Clair, 133.³⁸ From the Mississauga of Rice Lake and Mud Lake, 100.³⁹

³³ Letter of Joshua Wawanosh, Edward Ojeebegun, and Gordon Megezeez, 14 December 1837, 70337, vol. 125, RG10, LAC.

³⁴ George Ironside Jr. to S.P. Jarvis, 30 November 1838, 6514, vol. 69, RG10, LAC.

³⁵ Colonel Love to Sir George Arthur, 23 February 1839, 198, vol. 270, RG8, LAC.

³⁶ Return of Indian Chiefs and Warriors on the River Thames, 22 December 1838, 70370, vol. 125, RG10, LAC.

³⁷ Pay List of the Chippewa of Lake Huron and Simcoe, 15 January 1839, 65313-65315, vol. 70, RG10, LAC.

³⁸ Letter Book of William Jones, 25 January 1839, 190, William Jones Fonds, Archives of Ontario; J.W. Keating to S.P. Jarvis, 29 May 1839, 65767, vol. 70, RG10, LAC. Chief Superintended Jarvis wrote that this number was closer to 150, see S.P. Jarvis to John Macaulay, 2 February 1839, 65342, vol. 70, RG10, LAC.

³⁹ This number is approximate since the returns of these warriors have not survived. However, we know one hundred blankets were issued to these warriors, and that one blanket was issued per warrior, see S.P. Jarvis to Charles Anderson, 20 December 1838, 184, vol. 502, RG10, LAC. A contemporary rumour claimed that 170 warriors from this region moved towards Toronto in December 1837, but as the adult male population numbered only 158 this was likely an exaggeration, see C.P. Traill's December Diary, in *Rebellion of 1837*, 295.

From the Mohawk of the Bay of Quinte, 60.⁴⁰ From the Wyandot, Ojibwe, and others of the Detroit River, 56.⁴¹ From the Mississauga of the River Credit, 38.⁴² Added together, these records suggest some 1,278 warriors mustered between December 1837 and January 1842 in southern Upper Canada. This number does not include warriors from the upper Great Lakes who may have heeded the message delivered by the Odawa chief and Indian Department interpreter J.B. Assiginack to prepare themselves “to smoke the pipe of war” in case of open conflict with the United States.⁴³ Even a modest proportion of the 1,296 warriors from this region who received presents from the British Indian Department in 1838 would have constituted a substantial addition.⁴⁴

Calculating the percentage of adult Indigenous men who were under arms is an even more dubious prospect than finding the gross total, but combining the above numbers with the Indian Department numerical returns for 1838 can at least give some idea. The 511 warriors from the Grand River represented 84% of males over the age of fifteen, the point at which the Indian Department recorded young men as “warriors.”⁴⁵ The proportion of this demographic who turned out from the Detroit River was 81%, from around Georgian Bay, also 81%, from the Bay of Quinte, 70%, from Rice and Mud lakes, 65%, from the Credit River, 56%, and from the St. Clair River, 51%.⁴⁶ The remarkable 103% of adult men from the River Thames recorded at a muster in December 1838 can be explained by the presence of Ojibwe warriors from U.S. territory wintering

⁴⁰ Saltern Givins to S.P. Jarvis, 13 December 1837, 64199-64203, vol. 67, RG10, LAC.

⁴¹ George Ironside Jr. to S.P. Jarvis, 26 November 1838, 65094, vol. 69, RG10, LAC.

⁴² List of Warriors Residing at the River Credit, 26 November 1838, 65104, vol. 69, RG10, LAC.

⁴³ T.G. Anderson to S.P. Jarvis, 12 March 1838, 64334, vol. 68, RG10, LAC.

⁴⁴ Number of Resident and Visiting Indians Requiring Presents for the Year 1840, 65169-65173, vol. 69, RG10, LAC.

⁴⁵ This classification was widely used during this period, see for example Return of Indians Who Received Presents at Manitowaning in August 1837, 64440, vol. 68, RG10, LAC. The use of the word “warrior” in this context did not refer to members of a specialized warrior society but to the mass of young men who were not chiefs, see Cary Miller, *Ogimaag: Anishinaabeg Leadership, 1760-1845* (Lincoln: University of Nebraska Press, 2010), 66.

⁴⁶ The populations are based on Estimated Number of Resident and Visiting Indians Requiring Presents for the Year 1840, 65169-65173, vol. 69, RG10, LAC. This document reflects population estimates in November 1838.

in Upper Canada, and who had offered to join forces with their kinsmen.⁴⁷ Bearing in mind that Indigenous communities were flexible in terms of their membership, and not necessarily confined either by the international boundary or by the numerical returns of the Indian Department, these numbers suggest that 77% of all adult men from Indigenous communities in southern Upper Canada, or 1,278 of a total adult male population of 1,650, appeared under arms between December 1837 and January 1842.

Like contemporary militia musters across the Canadas, the gathering of First Nations warriors during the Rebellion years was in many cases more a show of force than a prelude to battle. Nonetheless, it appears that some 800 to 900 warriors, or roughly half of all Indigenous men in the province, actively participated in countering the alarms of insurrection and invasion in the years 1837-1842. The largest proportion of these came from the Grand River. In December 1837, some 100 of these warriors helped suppress an uprising in the London district, while roughly 200 more assembled on the banks of the Niagara River in readiness to drive the Patriots from their occupation of Navy Island.⁴⁸ During the following summer, 400 men from the Grand River helped round up Patriot prisoners after a failed cross-border raid.⁴⁹

While smaller in population, other Indigenous communities in Upper Canada participated proportionally. Over the course of 1838 for example, the warriors from the River Thames took to the field three times; 160 of them guarded the Detroit River frontier in January and February, 152 scoured the London region in anticipation of an expected uprising in July, and 150 were once again

⁴⁷ J.B. Clench to S.P. Jarvis, 18 December 1837, 70335, vol. 125, RG10, LAC; J.B. Clench to S.P. Jarvis, 19 November 1838, 70401, vol. 125, RG10, LAC; Peter Jones to S.P. Jarvis, 6 December 1838, 65187, vol. 69, RG10, LAC.

⁴⁸ Despatch from Allan McNab, 14 December 1837, in *Rebellion of 1837*, 239; George Coventry, "A Contemporary Account of the Navy Island Episode, 1837," *Proceedings and Transactions of the Royal Society of Canada*, third series, vol. 13 (1920): 57-76.

⁴⁹ Sir George Arthur to Colonel Chichester, 23 June 1838, 32, vol. 610, RG8, LAC; W.J. Kerr to Colonel Halkett, 30 June 1838, 149, vol. 610, RG8, LAC.

asked to guard the western frontier in December.⁵⁰ In December 1837 and again in November 1838, some 150 warriors from north of Lake Simcoe moved south to occupy the head of Yonge Street, a strategic point in a region well known for Reform discontent.⁵¹ While numbering only 336 souls in total, the Mohawk of the Bay of Quinte were among the most enthusiastic respondents to the crises of the Rebellion years. Richard Bonnycastle, the commander of the Kingston garrison, wrote that at the rumour of an impending Patriot attack during the early months of 1838, the entire adult male population of the Mohawk of the Bay of Quinte “drove into Kingston, ninety in number, with the old Union Jack proudly floating over them, to offer their services to me.”⁵² Meanwhile throughout Upper Canada smaller groups of warriors acted as lookouts along the shores of the Great Lakes, helped guard shipments of armaments, or searched for weapons cached by Patriot sympathizers.⁵³ A new front in the defence of the province was opened in April 1839, when the government offered Indigenous warriors a bounty of five pounds for the capture of deserters from the British regiments who had been sent to Upper Canada in the wake of the Rebellion.⁵⁴

While the warriors who left their homes to guard the border with the United States or suppress threatened uprisings were presumably prepared to come to blows with the enemy, only the warriors on the Detroit frontier actively engaged Patriot sympathizers in heated encounters. Over the course of 1838, they fought at Amherstburg in January, at Fighting Island in February, at

⁵⁰ J.B. Clench to Colonel Halkett, 3 October 1839, 222, vol. 270, RG8, LAC; F.D. Kelly to J.B. Clench, 6 December 1838, 221, vol. 270, RG8, LAC; Estimate of Pay Required for the Indian Volunteers, 64564, vol. 68, RG10, LAC.

⁵¹ Number of Indians Employed in the Late Rebellion, December 1837, 64592, vol. 68, RG10, LAC; John Macaulay to S.P. Jarvis, 19 November 1838, 65038, vol. 69, RG10, LAC.

⁵² Richard Bonnycastle, *Canada as it Was, Is, and May Be* (London: Colburn and Co., 1852), 2:105.

⁵³ For lookouts, see T.G. Anderson to S.P. Jarvis, 17 December 1838, 69678-69679, vol. 124, RG10, LAC; T.G. Anderson to S.P. Jarvis, 5 February 1838, 69801, vol. 124, RG10, LAC; W.J. Kerr to S.P. Jarvis, 26 November 1838, 65079, vol. 69, RG10, LAC. For armament shipments, see Anthony Manahan to James Fitzgibbon, 11 December 11, 1837, in *Rebellion of 1837*, 280. For cached weapons, see W.J. Kerr to Colonel Halkett, February 16, 1839, 65428, vol. 70, RG10, LAC.

⁵⁴ Indian Department Circular, 15 April 1839, 128-129, vol. 503, RG10, LAC.

Pelee Island in March, and at Windsor in December.⁵⁵ The half-Shawnee Wyandot chief and former Indian Department officer George Ironside Jr. was one of the first men to board the Patriot schooner *Anne* when it was captured at Amherstburg, personally taking down the flag of the Republic of Canada that it flew.⁵⁶ In the bloody fighting on Pelee Island shortly thereafter, the British commander related that the warriors' "local knowledge and peculiar sagacity at forest warfare proved very useful," and the reconnaissance conducted by chief Adam Brown Jr. was particularly praised.⁵⁷ The warriors from the Detroit frontier were again engaged against the Patriots at Windsor in December 1838, where they took seven prisoners.⁵⁸

Not far to the north, Ojibwe warriors along the sparsely settled St. Clair River likewise played a critical part in discouraging Patriot incursions from the United States.⁵⁹ In the summer of 1838, they helped track, capture, and imprison a group of cross-border raiders.⁶⁰ After the Battle of Windsor, the men from the St. Clair actively patrolled the frontier during the winter of 1838-1839.⁶¹ As tensions simmered over the following years, the warriors continued to guard the border, occasionally crossing into United States territory to gather intelligence.⁶² Colonel Charles Chichester, the local commanding officer, even proposed forming fifteen warriors into "a sort of

⁵⁵ Memorial of George Ironside, 71445, vol. 126, RG10, LAC; Lieutenant Colonel John Maitland to Colonel Foster, 4 March 1838, in *Further Copies of Extracts of Correspondence Relative to the Affairs of Lower Canada and Upper Canada* (London: House of Commons, 1838), 16-17.

⁵⁶ Colonel Radcliffe to Lieutenant Colonel Strachan, in *Further Copies of Extracts of Correspondence Relative to the Affairs of Lower Canada and Upper Canada*, 150; E.A. Theller, *Canada in 1837-38* (Philadelphia: Henry F. Annors, 1841), 1:128.

⁵⁷ Memorial of George Ironside, 71445, vol. 126, RG10, LAC; Lieutenant Colonel John Maitland to Colonel Foster, 4 March 1838, in *Further Copies of Extracts of Correspondence Relative to the Affairs of Lower Canada and Upper Canada*, 16. For Adam Brown Jr., see George Ironside Jr. to S.P. Jarvis, 14 January 1840, 66732, vol. 72, RG10, LAC.

⁵⁸ Militia General Order, 10 December 1838, 65201, vol. 69, RG10, LAC; George Ironside Jr. to S.P. Jarvis, 5 January 1839, 65286, vol. 70, RG10, LAC. For the Battle of Windsor, see R. Alan Douglas ed., *John Prince: A Collection of Documents* (Toronto: The Champlain Society, 1980), 30-31.

⁵⁹ S.P. Jarvis to John Macaulay, 2 February 1839, 65340-65342, vol. 70, RG10, LAC.

⁶⁰ William Jones to S.P. Jarvis, 64605, vol. 68, RG10, LAC; Letter of Lieutenant Colonel Wright, 3 July 1838, 64616, vol. 68, RG10, LAC; Letter to William Jones, 64627, vol. 68, RG10, LAC.

⁶¹ William Jones to S.P. Jarvis, 25 January 1839, 109-110, William Jones Fonds, Archives of Ontario.

⁶² J.W. Keating to S.P. Jarvis, 5 December 1839, 66485-66488, vol. 71, RG10, LAC; J.W. Keating to Colonel Chichester, 31 October 1839, 66356, vol. 71, RG10, LAC.

police upon the River St. Clair” in order to gather information and capture British deserters.⁶³ While Chichester’s proposal was ultimately rejected, Indigenous men continued to play an important role on the St. Clair frontier.⁶⁴ As late as January 1842, twenty warriors were called to patrol the river in response to reports of an imminent Patriot raid.⁶⁵

“A Promise Was Made”: Defending the Fire of Friendship

Indigenous men had many reasons to take up arms in response to crises of the Rebellion years. Some may have been swayed by government promises of pay and provisions.⁶⁶ Others, particularly in western Upper Canada, may have feared annexation to the United States, where the violence of Indian Removal was reaching its apogee.⁶⁷ Some among the Potawatomi and Ojibwe who had recently fled to Upper Canada may have been additionally motivated to take up arms from a desire to have their revenge on the American-aligned Patriots.⁶⁸ Other young men may have been eager to put down the Rebellion in hopes of acquiring the prestige that came from facing enemies in battle.⁶⁹

None of these motivations, however, can be disentangled from the broader Indigenous-Imperial framework. First Nations communities preferred continued residence in British Canada over annexation to the United States not because of any inherent affection for British imperialism, but because there still existed in Upper Canada a diplomatic framework that allowed these

⁶³ Letter of Colonel Chichester, 20 October 1839, 66315-66317, vol. 71, RG10, LAC; J.W. Keating to S.P. Jarvis, 16 November 1839, 66443-66445, vol. 71, RG10, LAC.

⁶⁴ J.W. Keating to Colonel Chichester, 31 October 1839, 66356, vol. 71, RG10, LAC.

⁶⁵ S.P. Jarvis to Thomas Murdoch, 21 January 1842, 2953-2958, vol. 6, RG10, LAC.

⁶⁶ While such promises were important, Indigenous men were equally likely to complain that this payment did not make up for the loss of the hunting or sugar-making season, see William Jones to S.P. Jarvis, 31 January 1838, 64277-64278, vol. 68, RG10, LAC; Andrew Borland to Gerald Alley, 30 January 1839, 70057, vol. 124, RG10, LAC.

⁶⁷ James Clifton, *A Place of Refuge for All Time: Migration of the American Potawatomi into Upper Canada, 1830-1850* (Ottawa: National Museums of Canada, 1975), 31-32.

⁶⁸ J.W. Keating to S.P. Jarvis, 29 June 1839, 65852-65854, vol. 70, RG10, LAC.

⁶⁹ Miller, *Ogimaag*, 128-129. For evidence of this motivation on the Grand River, see W.J. Kerr to Colonel Love, 22 February 1839, 194-197, vol. 270, RG8, LAC.

communities a certain degree of stability, autonomy, and voice.⁷⁰ Many Indigenous communities and leaders on the American side of the Great Lakes had never ceased to count themselves among the adherents of the Fire of Friendship, and when they arrived as refugees in the late 1830s they were well aware of previous British promises of welcome and shelter.⁷¹ What is more, fighting alongside the British for pay, prestige, or revenge was only possible because Indigenous military participation was recognized as a legitimate element of sovereignty in Upper Canada.

While all these considerations were inherently bound up in the political status of First Nations within the Empire, other Indigenous motivations for mobilizing against the Rebellion were more explicitly tied to maintaining the principles of the Fire of Friendship. With the significance of their political and military support suddenly amplified by the ongoing insurrectionary crisis, Indigenous communities used this newly increased leverage to insist on the government's due observance of the established Indigenous-Imperial framework as a condition of their support. First Nation leaders pushed for the renewal, fulfilment, or continuation of four crucial elements of the Fire of Friendship in particular. These four demands included the continuation of the annual presents, the fulfillment of the commitment to protect Indigenous property, the maintenance of the Indian Department as a key locus of Indigenous influence, and the continued recognition of First Nations warriors as legitimate military actors within the political order of British North America.

The first element of the Fire of Friendship that First Nations pressured the government to uphold in the context of the Rebellion was the issuing of the annual presents. Indigenous people had long feared the end of this symbol of reciprocity, but the Imperial commitment to annual gift-

⁷⁰ John G. Reid, "Empire, Settler Colonialism, and the Role of Violence in Indigenous Dispossession," in *Violence, Order, and Unrest*, eds. Elizabeth Mancke et al., 119-120.

⁷¹ See for example Petition of the Chiefs of the Potawatomie Tribe, 3 July 1837, 63825, vol. 66, RG10, LAC; J.W. Keating to S.P. Jarvis, 11 June 1839, 65791, vol. 70, RG10, LAC; see also Clifton, *A Place of Refuge for All Time*, 47. Allen, *His Majesty's Indian Allies*, 197.

giving appeared even more uncertain when the outbreak of the Rebellion resulted in the total failure to deliver presents either in 1837 or 1838.⁷² These arrears were a source of resentment to those who were now being asked to mobilize in support of the government. While struggling to muster a force on the River St. Clair in November 1838, Indian Department superintendent William Jones reported that the warriors' minds had been "soured by disappointment of their presents for the past two years, with which they never fail to reproach the government."⁷³ Upon returning from patrol on the western frontier in the winter of 1838, the warriors from the Thames sent a petition to the Lieutenant Governor highlighting their military services and asking that their overdue presents be given without delay.⁷⁴ Meanwhile on the Grand River, William Johnson Kerr stressed that if the government expected the support of the Six Nations, it would have to fulfill its commitments and deliver the outstanding presents as soon as possible.⁷⁵

As these annual presents were strongly associated with the past military exploits of the warriors, the first major mobilization of Indigenous military strength in over twenty years presented a powerful opportunity for First Nations to reprimand the government for its failure to stand by such a foundational commitment.⁷⁶ It was not long before this pressure produced results. The years following the Rebellion saw the value of the annual presents increase from an average of 7,648 pounds in 1836-1839 to an average of 8,918 pounds in 1840-1843, due to the government's desire to remedy the arrears caused by the Rebellion as well as increased issues to

⁷² For earlier resentment surrounding the diminution of presents, see for example John Colborne to James Kempt, 13 February 1830, 180, vol. 269, RG8, LAC. For the failure of the presents in 1837-1838, see S.P. Jarvis to Deputy Commissary General Knowles, 24 December 1839, 66741-66744, vol. 72, RG10, LAC. That their presents were in part instead given to settler militiamen was a source of particular anger, see W.J. Kerr to S.P. Jarvis, 21 November 1838, 65052, vol. 69, RG10, LAC.

⁷³ William Jones to S.P. Jarvis, 15 December 1838, 65241, vol. 69, RG10, LAC.

⁷⁴ Memorial of the Chippewa and Munsee of the Thames, 14 February 1838, 64294, vol. 68, RG10, LAC.

⁷⁵ W.J. Kerr to John Macaulay, 3 November 1838, 65006, vol. 69, RG10, LAC.

⁷⁶ Lord Glenelg to the Earl of Gosford, 14 January 1836, in *Parliamentary Papers 1839*, 1; Memorandum of Wounded Indians, 3 July 1828, 23556-23557, vol. 45, RG10, LAC; John Colborne to James Kempt, 13 February 1830, 180, vol. 269, RG8, LAC.

First Nations coming from U.S. territory.⁷⁷ The desire to secure the support of these cross-border communities in case of open war meant that they continued to receive annual presents into the 1840s rather than only to 1839 as planned.⁷⁸

The outbreak of the Rebellion likewise presented an opportunity for Indigenous leaders to demand the government uphold its obligations to protect Indigenous property. When responding to Lieutenant Governor George Arthur's call to arms in November 1838, the Six Nations sent a deputation to Toronto to ascertain on what terms they were being asked to mobilize. One question they posed was whether the government would finally take "immediate and decisive steps" for the removal of squatters from their lands. In response, the Lieutenant Governor promised that he would do everything in his power to remove them.⁷⁹ In a council that likewise addressed the desired preconditions of the participation of their warriors, the Wyandot of the Detroit River requested that the government might secure their lands through grants in fee simple, just like settlers in the rest of the province.⁸⁰ Recent government promises to protect their buildings from white intruders likewise played an important part in the response of the Ojibwe warriors from between lakes Huron and Simcoe.⁸¹

⁷⁷ RAIC 1847, unpaginated (pages 8, 59).

⁷⁸ S.P. Jarvis to S.B. Harrison, 15 July 1839, 202, vol. 503, RG10, LAC.

⁷⁹ Memorandum of John Johnson and John Buck Clear Sky, 30 November 1838, 65150, vol. 69, RG10, LAC; Memorandum Taken at Brantford, 19 January 1839, 65324, vol. 70, RG10, LAC.

⁸⁰ Notes Taken in Council of the Wyandot Chiefs, 10 August 1839, 65992-65993, vol. 71, RG10, LAC. The question of land tenure among the Wyandot was contentious, with one party favouring fee simple and another communal tenure, see Rhonda Telford, "How the West Was Won: Land Transactions Between the Anishinabe, the Huron and the Crown in Southwestern Ontario," in *Papers of the Twenty-Ninth Algonquian Conference*, ed. David H. Pentland, (Winnipeg: University of Manitoba, 1998): 328-351. Similar demands for fee simple had been made on the Grand River, see Elizabeth Elbourne, "Broken Alliance: Debating Six Nations' Land Claims in 1822," *Cultural and Social History* 9, no. 4 (2012): 512.

⁸¹ Address to His Excellency Sir Francis Bond Head, 8 February 1838, in *Copies or Extracts of Despatches from Sir F.B. Head* (London: House of Commons, 1839), 521; Rhonda Telford, "The Central Ontario Anishinabe and the Rebellion, 1830-1840" in *Papers of the Thirty-Second Algonquian Conference*, ed. John D. Nichols (Winnipeg: University of Manitoba Press, 2001), 555-557.

Perhaps nowhere was Indigenous military participation more closely attached to the expectation that government would better protect Indigenous property than among the Mohawk of the Bay of Quinte. Since the 1810s, this community had repeatedly asked the government to stand by its commitment to protect their lands from settler encroachments, but despite the government's half-hearted efforts depredations only increased.⁸² With the coming of the insurrectionary crisis, the warriors from the Bay of Quinte were among the most adamant to insist that their support of the government merited the fulfillment of British promises. After the entire adult male population went to the defence of Kingston in the early months of 1838, local settlers took advantage of their absence to further plunder their timber. Incensed by this latest outrage, the prominent Mohawk leader John W. Hill traveled to Toronto and resolved to remain there until the government finally delivered on its pledge to protect their property.⁸³ When the government once again failed to act, Hill took matters into his own hands. Taking advantage of a muster of the warriors in the autumn of 1839, Hill led his young men not against a Patriot raiding force but against a group of squatters who had established themselves on Mohawk land. The warriors destroyed the squatters' shanties and drove them away at gunpoint. When some of these squatters launched a lawsuit against Hill for these actions, the Mohawk leader claimed that he was only enforcing the established law of the land.⁸⁴

Even though these measures might not have been condoned by an Upper Canadian court, Hill's actions were in keeping with the principles of the Fire of Friendship. As the Ojibwe chief Bauzhigeeshigwashekum explained in 1835, the British had entreated the Nations from the very

⁸² See for example John Ferguson to William Claus, 5 March 1816, 18907, vol. 32, RG10, LAC; Alexander Pringle to Alexander McDonell, 10 March 1817, 19712, vol. 34, RG10, LAC; James Givins to Civil Secretary Mudge, 12 February 1830, 2342, vol. 5, RG10, LAC; Petitions of the Mohawk and Mississauga of the Post of Kingston, 1835, 60384-60391, vol. 59, RG10, LAC; Petition of the Inhabitants of Tyendinaga, 20 February 1836, 60744-60745, vol. 60, RG10, LAC.

⁸³ Saltern Givins to S.P. Jarvis, 4 April 1838, 64400-64402, vol. 68, RG10, LAC.

⁸⁴ Saltern Givins to S.P. Jarvis, 9 November 1839, 66146-66418, vol. 71, RG10, LAC.

beginning of their relationship that whosoever tried to get hold of their property, even if they were subjects of the Crown, the warriors should “make a strong arm against them.”⁸⁵ Given such longstanding promises, it is understandable that Hill felt entitled to unilaterally fulfill the government’s pledge to remove squatters. Nor was this the only instance where First Nations warriors were prepared to take the enforcement of the government’s commitments into their own hands during the Rebellion years. At the Grand River in June 1840, a group of chiefs faced a lawsuit after they unilaterally pulled down a squatter’s house in the spring of 1840, while on Walpole Island the Indian Department officer J.W. Keating reported in May 1839 that the Ojibwe had often argued that surely the government would not object if they were to shoot the squatters’ cattle, or even the squatters themselves.⁸⁶

The emphatic promises extracted from Lieutenant Governor Arthur by the warriors of the Grand River led to the only serious attempt in the history of Upper Canada to remove white settlers from First Nations territory. In November 1838, at the height of anxiety over Patriot invasions, the executive council of Upper Canada ordered the Indian Department to begin procedures for expelling squatters on Indigenous land across the province.⁸⁷ This was followed in the spring of 1839 by the passage of the Crown Lands Act, granting the officers of the Indian Department additional authority as commissioners of Crown Lands.⁸⁸ While open bloodshed was avoided in the enforcement of this act, it was nonetheless accompanied by violence. On Walpole Island, the local Ojibwe and Superintendent Keating went from house to house breaking down the doors of

⁸⁵ Speech of the Chippewa of St. Clair, August 1835, 59779, vol. 58, RG10, LAC.

⁸⁶ James Winniett to S.P. Jarvis, 10 June 1840, 67802, vol. 73, RG10, LAC; J.W. Keating to S.P. Jarvis, 29 May 1839, 65769, vol. 70, RG10, LAC.

⁸⁷ James Winniett to S.P. Jarvis, 12 December 1838, 65220, vol. 69, RG10, LAC.

⁸⁸ S.P. Jarvis to John Macaulay, 30 May 1839, 65772, vol. 70, RG10, LAC.

the squatters' homes and establishing Indigenous families in their place, all under the guard of a nearby detachment of militiamen.⁸⁹

Alongside the annual presents and the protection of property, the Rebellion allowed First Nations communities to protest the government's recent reductions in the Indian Department. At a council with Lieutenant Governor Sir George Arthur in September 1838, the Six Nations of the Grand River expressed that they were "greatly astonished and disappointed" that both their superintendent and interpreter had been dismissed by Francis Bond Head in 1837. They explained that "when the friendship was established between the Six Nations and the English, a promise was made, that the Indians should be protected, and their Department maintained."⁹⁰ When Arthur came to review the Grand River warriors in January 1839, the Onondaga chief Clear Sky repeated to the Lieutenant Governor that "the Six Nations wish their superintendent and interpreter to be continued in the Department."⁹¹ The Indian Department superintendent at Amherstburg, George Ironside Jr., had likewise been dismissed by Head in 1837. The Wyandot on the Detroit River responded by adopting their former superintendent into their community and declaring him as one of their chiefs. In their petition to have Ironside's election as chief confirmed by the government, the Wyandot explained that they still desired "to have a person at our head who is qualified and well disposed to act for us in all our affairs."⁹² In response to these representations and others made

⁸⁹ J.W. Keating to S.P. Jarvis, 13 March 1840, 67382-67385, vol. 73, RG10, LAC.

⁹⁰ Proceedings of an Indian Council Held at the Mohawk Village, 15 September 1838, 64832, vol. 69, RG10, LAC.

⁹¹ Memorandum Taken at Brantford, 19 January 1839, 65324, vol. 70, RG10, LAC.

⁹² Petition of the Wyandot to Francis Bond Head, 65496, vol. 70, RG10, LAC. Head approved the appointment shortly thereafter, S.P. Jarvis to George Ironside Jr., 25 September 1837, 65498, vol. 70, RG10, LAC. The election of Ironside as chief was nonetheless a source of controversy among the Wyandot, see Telford, "How the West Was Won," 346-350.

by the reduced employees themselves, the government reversed the course set by Head and reemployed the four members that he had dismissed.⁹³

In other communities, the upheaval of the Rebellion allowed First Nations leaders to push the government to reinforce Indigenous influence in “their Department.” In the summer of 1838, the Mississauga from the Rice Lake region petitioned the government to appoint Charles Anderson as their agent. The petitioners stressed Anderson’s close connection with their community, as well as his previous military service with them, explaining that “in the late war with the Americans, he led us forth into the field against the enemies of our country, and in the late insurrection he generously offered again to perform the same service.”⁹⁴ The Mississauga of the Credit River similarly petitioned the government to ask if their war chief John Jones might receive a commission to lead the warriors as an officer in the Indian Department.⁹⁵ Meanwhile, on the St. Clair frontier, J.W. Keating was temporarily appointed in December 1838 to superintend the warriors from Walpole Island. At the dismissal of the warriors a few months later, Bauzhigeeshigwashekum asked that his community might retain this appointment.⁹⁶ The Wyandot similarly petitioned to have Thomas Alexander Clarke Jr., a warrior who had been particularly active during the crises of 1838, appointed as an interpreter in the Department in order to help “protect their lands and quarries from trespassers.”⁹⁷

⁹³ James Winniett to John Macaulay, 19 September 1838, 64853, vol. 69, RG10, LAC; Memorial of George Ironside Jr., 6 April 1838, 71444-71446, vol. 126, RG10, LAC; John Macaulay to George Ironside Jr., 10 November 1838, 65011-65012, vol. 69, RG10, LAC.

⁹⁴ Petitions of the Mississauga to Sir George Arthur, 1 June 1838, 64534-64538, vol. 68, RG10, LAC.

⁹⁵ Petition of the Credit River Mississauga to Sir George Arthur, 65085, vol. 69, RG10, LAC.

⁹⁶ J.W. Keating to S.P. Jarvis, 13 February 1839, 65406-65408, vol. 70, RG10, LAC.

⁹⁷ Notes Taken in Council of the Wyandot Chiefs, 10 August 1839, 65992-65993, vol. 71, RG10, LAC; George Ironside Jr. to S.P. Jarvis, 11 July 1840, 67943, vol. 74, RG10, LAC.

These representations bore fruit. Charles Anderson and J.W. Keating were both retained as superintendents, and Thomas Alexander Clarke Jr. was appointed interpreter.⁹⁸ Rather than its impending dissolution as was envisioned as recently as the summer of 1837, the years immediately following the Rebellion saw a substantially bolstered Indian Department fulfilling largely the same diplomatic and military roles it had since the 1750s. As the veteran superintendent T.G. Anderson wrote in the winter of 1840, he now expected that “the Indian Department may be put on a permanent and respectable footing, for it has been going down hill ever since the last war, but now that the importance of its being well organized is again manifest we may indulge hopes of its being raised to the situation it deserves as an arm of defence to the country.”⁹⁹

While pressuring the Empire to stand by its commitments, First Nations during the Rebellion years were equally concerned that they be allowed to fulfill their own obligations to the Fire of Friendship. The support of Indigenous warriors in times of war had been a founding principal of the Indigenous-Imperial relationship, but when the warriors mustered in response to the crises of the Rebellion years they found their legitimacy as military actors called into question. As was the case in previous conflicts in the Anglo-American world, the military participation of Indigenous warriors in the upheavals of the Canadian Rebellion outraged many white commentators.¹⁰⁰ The military mobilization of people of African descent was likewise denounced during the crises of 1837-1838, as it had been in 1812-1815 and 1775-1783, and as it would be again in 1861-1865.¹⁰¹ While some criticism of the Empire’s acceptance of racialized auxiliaries

⁹⁸ S.P. Jarvis to William Jones, 27 April 1839, 137, vol. 503, RG10, LAC. Anderson was appointed on the condition that the Mississauga pay his salary from their annuity, see Charles Anderson to S.P. Jarvis, 15 June 1838, 64555-64556, vol. 68, RG10, LAC; George Ironside Jr. to S.P. Jarvis, 11 July 1840, 67943, vol. 74, RG10, LAC.

⁹⁹ T.G. Anderson to S.P. Jarvis, 6 January 1840, 66701, vol. 72, RG10, LAC.

¹⁰⁰ Peter Silver, *Our Savage Neighbors: How Indian War Transformed Early America* (New York: W.W. Norton and Company, 2008).

¹⁰¹ Gerald Horne, *Negro Comrades of the Crown: African Americans and the British Empire Fight the U.S. before Emancipation* (New York: New York University Press, 2012), 116. Van Gosse, ““As a Nation, the English Are Our

in the Canadian Rebellion came from supporters of continued British rule in North America, more vociferous outrage by far came from those who backed the Patriot cause. This outrage is unsurprising, given that, as one historian has put it, “the patriot movement was, in essence, united by whiteness.”¹⁰² As Mackenzie’s newspaper *The Constitution* outlined in October 1836, his reform program was intended for the benefit of “white and freeborn men.”¹⁰³

Since the Patriot movement had little interest in, and no real hope of, courting Indigenous support, significant amounts of Patriot propaganda were dedicated to decrying Indigenous military participation. This accomplished two things. On one hand, Patriots could use well worn stories of “merciless Indian Savages whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions” to delegitimize Indigenous military participation in the eyes of the broader Anglo-American public, and therefore force the government of Canada to renounce one of its most dependable reserves of military manpower.¹⁰⁴ While such stories of Indigenous barbarities could potentially decrease Loyalist military power in Upper Canada by delegitimizing Indigenous military participation, this tactic also promised to swell the ranks of the Patriots. During the Rebellion, supposed atrocities and imminent massacres were used to motivate Upper Canadians to join the Patriot cause, while stories of past brutalities were spread by Patriot sympathizers looking to secure support in the United States.¹⁰⁵

Friends’: The Emergence of African American Politics in the British Atlantic World, 1772–1861,” *American Historical Review* 113, no. 4 (2008): 1012-1013.

¹⁰² Richards Jr., “The Lure of a Canadian Republic,” 113.

¹⁰³ Read and Stagg eds., *Rebellion of 1837*, 30. For more on the connections between the Patriot movement and the embryonic Free Soil movement in the U.S., see Richards Jr., “The Lure of a Canadian Republic,” 112-114.

¹⁰⁴ William Lyon Mackenzie himself made reference to Thomas Jefferson’s formulation from the Declaration of Independence when he reminded his followers at a convention in November 1837 of the “merciless savages, furnished by British gold and British cruelty, with tomahawks to scalp our countrymen on their frontier,” in *Correspondence Relative to the Affairs of Lower Canada and Upper Canada, Ordered by the House of Commons to be Printed May 4, 1838* (London: House of Commons, 1838), 160. One example of using supposed atrocities to recruit supporters is the report published in the Rochester Democrat of Indigenous warriors scalping fallen Patriots in December 1837, Read and Stagg, *Rebellion of 1837*, 240-242.

¹⁰⁵ For fear as a recruiting tool in Upper Canada, Colin F. Read, *The Rising in Western Upper Canada, 1837–38: The Duncombe Revolt and After* (Toronto: University of Toronto Press, 1982), 19-20. For Patriots reviving old stories, see

The narrative published by the prominent Patriot Edward Alexander Theller perfectly demonstrates the abhorrence many Patriots held for the military participation of racialized communities. Irish by birth, Theller had spent time in Lower Canada in the 1820s before settling in Detroit sometime around 1836. After being appointed general of the so-called western division of the Patriot army, Theller led a disastrous incursion into Upper Canada in January 1838, during which he was taken prisoner by government forces. Sentenced to death, Theller managed to escape his captors and make his way back to the United States, where he published his account of the Canadian Rebellion in 1841.¹⁰⁶

In Theller's account of the Rebellion, Indigenous warriors appear as "the hired savage, whose natural appetite for the white man's blood, was whetted and stimulated by the pecuniary reward offered for the scalp of the patriot." People of African descent appear as "the vile runaway negro slave of the south" who is cast as a perpetrator of sexual violence against Patriot daughters while volunteering in the service of the government.¹⁰⁷ Wyandot warriors were liars who at first promised not to fight alongside the British and the "dirty black birds" (as Theller termed the free Black population in Canada), but who later treacherously offered their services to the government of Upper Canada regardless.¹⁰⁸ When Theller himself was taken prisoner in the course of a disastrous Patriot incursion into Upper Canada, he spared no detail of how he was seized and bound by First Nations warriors, exposed to the "wild looks of the Indians," and subjected to "the jeers and taunts of all the negroes, Indians, and Tories."¹⁰⁹ Condemned to death, Theller described

Robert Davies, *The Canadian Farmer's Travels in the United States* (Buffalo: Steele's Press, 1837), 19-20, 35-38. See also the following discussion on the writings of Theller and Mackenzie.

¹⁰⁶ Colin Frederick Read, "Theller, Edward Alexander," in *DCB*, vol. 8, University of Toronto/Université Laval, 2003–, accessed June 17, 2020, http://www.biographi.ca/en/bio/theller_edward_alexander_8E.html.

¹⁰⁷ Theller, *Canada in 1837-38*, 1:106.

¹⁰⁸ Theller, *Canada in 1837-38*, 1:120-123.

¹⁰⁹ Theller, *Canada in 1837-38*, 1:138-139.

awaiting his execution by the window of his cell in Quebec City, where he wrote that even then Indigenous warriors guarded the exterior of his prison.¹¹⁰

While not as vehement in his racism as Theller, William Lyon Mackenzie drew upon the same imagery as his prominent Patriot colleague in order to delegitimize Indigenous military participation and encourage new recruits to join the Patriot cause.¹¹¹ In an article in his publication *The Caroline Almanack and American Freeman's Chronicle*, Mackenzie sought to whip up outrage against the British tyrants by describing how “at Toronto and elsewhere, Indian savages were often employed to guard the scaffolds,” these being the scaffolds whereupon the Patriot martyrs had met their fate. To illustrate his point, Mackenzie’s article was accompanied by an image of the hapless Patriot prisoners staring through a grated window, while outside in the street a gibbet with two hanging bodies was guarded by a feathered warrior brandishing a tomahawk.¹¹² This scene, like other Patriot writings that paired British tyranny with Indian savagery, was largely intended to rouse the U.S. government and people to support the Patriot cause. Understanding that the massacre of white settlers by First Nations warriors was a part of the founding myth of the American Republic, Mackenzie often invoked the British-Indigenous military alliance in his attempts to secure support south of the Great Lakes.¹¹³

While this sort of rhetoric was mostly mobilized by the Patriot rebels and their supporters, it was not exclusively limited to the opponents of British rule in North America. On the floor of the House of Commons the MP Joseph Hume criticized the Upper Canadian government for

¹¹⁰ Theller, *Canada in 1837-38*, 1:229.

¹¹¹ During the Rebellion years, Mackenzie wrote highly of Theller, and gave public addresses alongside him on at least two occasions, *The Caroline Almanack and American Freeman's Chronicle for 1840*, 94, 95, 116.

¹¹² *The Caroline Almanack and American Freeman's Chronicle for 1840*, 3.

¹¹³ For examples, see *Who Began the Frontier Troubles?* (Rochester: Mackenzie's Gazette, 1840), 16-17. See also *Mackenzie's Gazette*, March 30, 1839. Mackenzie also made sure to note numerous historical incidences of British-Indigenous military cooperation from the Revolutionary War to the War of 1812 throughout *The Caroline Almanack*.

employing auxiliaries universally noted for their “cruelty in the conduct of war.”¹¹⁴ The metropolitan government took notice of these criticisms and issued instructions to the Canadian administration to strictly limit the employment of the warriors.¹¹⁵

Indigenous warriors did not intend to be strictly limited. Not only would their military disenfranchisement leave their partnership with the Empire essentially meaningless, but it would also further expose them to the risk of settler violence.¹¹⁶ Accordingly, one of the primary Indigenous concerns during the Rebellion was securing arms and ammunition to maintain their position as a meaningful military force. Warriors from the Grand River, Credit River, and River Thames all petitioned the government to secure arms and ammunition.¹¹⁷ The Six Nations in particular reminded the government that firearms were previously included in the annual presents, and requested that they be reintroduced as a condition for the support of their warriors.¹¹⁸ Despite metropolitan calls for restraint, the Upper Canadian government largely fulfilled these requests, issuing substantial quantities of gunpowder, musket balls, and gunflints, supplying armourers to repair damaged weapons, and granting an irregular one-time issue of 150 firearms to the Grand River, 75 firearms to Rice and Mud lakes, and 16 firearms to the River Credit.¹¹⁹ An Indian Department requisition submitted in 1838 called for a substantial increase in the number of

¹¹⁴ Theller, *Canada in 1837-38*, 1:106; *Hansard's Parliamentary Debates*, 3rd series (London: 1830-1891), 40:642.

¹¹⁵ Lord Glenelg to George Arthur, 20 October 1838, 145-146, vol. 412-C, Q series, C.O. 42, MG11, LAC.

¹¹⁶ W.J. Kerr to John Macaulay, 3 October 1838, in *The Valley of the Six Nations: A Collection of Documents on the Indian Lands of the Grand River*, ed. Charles Murray Johnston (Toronto: Champlain Society, 1964), 230-231.

¹¹⁷ Six Nations Warriors to W.J. Kerr, 14 December 1837, in *The Arthur Papers*, ed. Charles Rupert Sanderson (Toronto: Toronto Public Libraries, 1943-1959), 1:28; Petition of the Chippewa of the Thames, 21 December 1837, 64213, vol. 69, RG10, LAC; Equipment Required for the Warriors of the River Credit, 26 November 1838, 65103, vol. 69, RG10, LAC.

¹¹⁸ Memorandum of John Johnson and John Buck Clear Sky, 30 November 1838, 65149-65151, vol. 69, RG10, LAC.

¹¹⁹ Required for the Indians on the River St. Clair, 26 November 1838, 65107, vol. 69, RG10, LAC; Arms and Ammunition Required for the Indian Department, 25 November 1838, 65069, vol. 69, RG10, LAC; S.P. Jarvis to the Military Secretary, 6 January 1840, 226, vol. 270, RG8, LAC.

firearms distributed as part of the annual presents, from 80 the previous year to 500 following the outbreak of the Rebellion.¹²⁰

The significance of these weapons became clear in February 1839 when the government ordered that the irregularly issued firearms be returned.¹²¹ On the Grand River, the warriors flatly refused. The Onondaga chief Clear Sky told the government that such a demand tarnished the Chain of Friendship. He explained that the Six Nations had always kept their covenant with the Crown, from the wars with the French down to the present. Now it appeared that the government did not appreciate the support of the warriors who had so recently helped suppress the Rebellion, or worse yet that their attachment to the Crown was in question, even though as Clear Sky pointed out, “the government have no reason to doubt our loyalty, not so much reason as they have to doubt the loyalty of the militia.”¹²² The warriors from Rice Lake likewise petitioned Lieutenant Governor Arthur to retain the issued firearms in case of further disturbances in the province, explaining that “your children desire to be ready, yes, always ready at the bidding of their Great Father.”¹²³ As the Six Nations warriors still possessed these firearms in January 1840, it does not appear that their refusal met with further government demands.¹²⁴ Meanwhile, the Lieutenant Governor ordered that the warriors from Rice Lake be allowed to retain the issued firearms on February 26, 1840.¹²⁵

The history of the Rebellion period demonstrates that, despite the policies pursued by Lieutenant Governor Head during his tenure at the head of the province’s administration, Indigenous peoples and their allies in the Indian Department were still capable of shaping the

¹²⁰ Estimate of Goods Required by the Indian Department, November 1838, 64096, vol. 67, RG10, LAC.

¹²¹ Letters of S.P. Jarvis to W.J. Kerr and Charles Anderson, 6 February 1839, 42-44, vol. 503, RG10, LAC.

¹²² W.J. Kerr to Colonel Love, 22 February 1839, 194-197, vol. 270, RG8, LAC.

¹²³ Petition of the Rice Lake Mississauga, 4 February 1840, 67158, vol. 72, RG10, LAC.

¹²⁴ S.P. Jarvis to Colonel Halkett, 6 January 1840, 287-288, vol. 503, RG10, LAC.

¹²⁵ S.B. Harrison to S.P. Jarvis, 26 February 1840, 67218, vol. 72, RG10, LAC.

course of Indian Affairs, at least when given the right circumstances. The years following the Rebellion, however, saw a more concerted effort at remaking the Indigenous-Imperial relationship in the Canadas than the reforms initiated by Sir Francis Bond Head in 1836.

“Compelled to Fall into the Rank of the Rest of Her Majesty’s Subjects”:
Refashioning the Indian Department, 1841-1845

Despite the reinvigoration of the Indian Department during the Rebellion years, once the dust of insurrection had settled government officials noticed with consternation the unexpected expenses incurred in strengthening the position of Indian Affairs in the province.¹²⁶ On January 29, 1841, Lord John Russell, the Secretary of State for War and the Colonies, dispatched instructions to Governor General Sydenham asking him to explain why the expenses of the Indian Department were so much in excess of what they had been before the outbreak of the Rebellion.¹²⁷ Six months later, Russell issued a more direct order to establish a permanent footing for the Indian Department closer in size to the stripped down establishment proposed by Sir Francis Bond Head in 1837.¹²⁸ Instead of carrying out this limited administrative directive, Sydenham proposed a complete overhaul of the British Empire’s relationship with Indigenous people in Canada. In his response to Russell, the Governor General advised that the entire existing framework of Indian Affairs was “of the most mistaken character.” While Sydenham repeated his belief that the current system might be beneficial to those communities who “still follow their accustomed pursuits,” he stressed that for those communities in close proximity to white settlers the current framework of Indian Affairs could only lead to drunkenness and debauchery. These communities therefore “should be compelled to fall into the rank of the rest of Her Majesty’s subjects, exercising the same

¹²⁶ For this consternation, see the correspondence in 68842-68852, vol. 76, RG10, LAC. See also RAIC 1847, unpaginated (page 8).

¹²⁷ Lord John Russell to Sydenham, 29 January 1841, 267, vol. 30, RG7 G5, LAC.

¹²⁸ For Russell’s dispatch, see Russell to Sydenham, 1 July 1841, 173-174, vol. 31, RG7 G5, LAC.

independent control over their own property and their own actions, and subject to the same general laws as other citizens.”¹²⁹

In this missive, Sydenham was further elaborating on ideas he had been considering for some months. On November 4, 1840, Sydenham had dispatched a similar letter to Sir George Arthur, the Lieutenant Governor of Upper Canada. The immediate subject of Sydenham’s letter was the ongoing migration to Upper Canada of Ojibwe and Potawatomi communities seeking to escape the violence of Indian Removal in United States territory, although the Governor General took the opportunity to comment on the British Empire’s relationship with Indigenous people more generally. In response to American accusations that the Canadian administration had encouraged this migration by offering new arrivals a share in the annual presents, Sydenham offered his opinion that “the distribution of presents generally is in itself impolitic, except to such of the Indians as may be settled at the extreme verge of the province, such as the Manitoulin islands and any other places where they may still retain their savage habits.” In place of the old system of annual presents, the Governor General suggested that “those who may become bona fide settlers should in my opinion be allowed to become citizens.” While Sydenham did not elucidate how exactly this new arrangement would work, the Governor General was clearly implying that these new “citizens” would no longer enjoy the unique position within the broader framework of the British Empire that they had since the mid-eighteenth century, but would rather be treated like all other Canadian subjects of the Crown. Despite his own opinions on the matter, Sydenham recognized that the adoption of this new policy was not immediately practical, writing that “this however is a very wide question, which it is at the present moment unnecessary to discuss.”¹³⁰

¹²⁹ Sydenham to Russell, 22 July 1841, 128-129, vol. 58, RG7 G12, LAC.

¹³⁰ Sydenham to Sir George Arthur, 4 November 1840, 68377-68381, vol. 75, RG10, LAC.

While Sydenham never got the chance to undertake the complete overhaul of Indian Affairs he envisioned, his time at the head of the Canadian administration still saw a number of crucial developments. The first major change following the Rebellion period was the termination of presents to Visiting Indians. While the Rebellion had effectively delayed the implementation of this measure by four years, the urgings of Indian Department officers such as Samuel Peters Jarvis were not sufficient to secure the continuance of presents to cross-border communities indefinitely. In March 1841, Governor General Sydenham ordered that the Indians be informed that the final distribution of presents to American residents would take place in 1843. Chief Superintendent Samuel Peters Jarvis forwarded this order to the local superintendents in December of the same year. The final issue took place in the summer of 1843 without exceptional fanfare, and the era of cross-border presents first begun with the establishment of American power in the region in 1796 came to an end.¹³¹

In the meantime, legal challenges and difficulties in enforcement soon rendered the Crown Lands Act of 1839 a dead letter. As discussed in Chapter Four, Chief Justice John Beverley Robinson's 1842 ruling against the legality of expelling squatters from Walpole Island essentially rendered the act unenforceable.¹³² When the Crown Lands Act of 1839 had first been passed by the Legislature, members of the Indian Department had strenuously objected to the inclusion of a clause that allowed all accused squatters to challenge their removal in court. Chief Superintendent Jarvis argued that this clause would destroy the intended effect of the bill, and that summary punishment at the hands of the commissioners was the only way to ensure the removal of

¹³¹ Catherine A. Sims, "Algonkian-British Relations in the Upper Great Lakes Region: Gathering to Give and to Receive Presents, 1815-1843." PhD Dissertation (History), University of Western Ontario, 1992, 395-406.

¹³² Sidney L. Harring, *White Man's Law: Native People in Nineteenth-Century Canadian Jurisprudence* (Toronto: University of Toronto Press, 1998), 31, 68-70.

squatters.¹³³ Chief Justice Robinson's 1842 ruling proved this view right. After the legal challenges launched by squatters against the Crown Lands Act of 1839, the Canadian government shied away from trying to expel squatters on Indigenous territory and instead moved to legitimize such settlements by securing the surrender of lands where squatters had established themselves.¹³⁴

Important as were the developments in Canadian Indian policy during his tenure as Governor General, Sydenham's death in September 1841 prevented him from playing any further role in the development of Indian Affairs in British North America. As with so much else in the on-going process of state formation in Canada, Sydenham's opinions on Indian Affairs proved to be foundational to the development of the modern Canadian state. As Ian Radforth pointed out, Sydenham's administration "laid important foundations in a host of areas, including local government, public works, the postal service, and education. The state had expanded into new areas, and more centralized structures had been introduced to make state power more effective."¹³⁵ While the briefness of his tenure had prevented Sydenham from fully realizing his vision for Indian Affairs, the following years would see important developments in the Indian Department in the same directions indicated above by Radforth.

Governor General Sydenham's ambition to remodel the Indian Department fell to his immediate successor, Sir Charles Bagot. On August 20, 1842, Bagot announced his intention to appoint a commission to investigate the ongoing questions regarding the administration of Indian Affairs in Canada.¹³⁶ The report of the commissioners was submitted to Bagot's successor, Sir Charles Metcalfe on January 22, 1844. While the Report of the Bagot Commission has long been

¹³³ Report of S.P. Jarvis, (no date, 1839), 168879-168880, vol. 117, RG10, LAC.

¹³⁴ Karen Jean Travers, "Seeing with Two Eyes: Colonial Policy, the Huron Tract Treaty and Changes in the Land in Lambton County, 1780-1867" (PhD diss., York University, 2015) 186-18; Thomas Murdoch to S.P. Jarvis, 13 July 1841, 69266-69268, vol. 77, RG10, LAC; Haring, *White Man's Law*, 31.

¹³⁵ Ian Radforth, "Sydenham and Utilitarian Reform," in *Colonial Leviathan: State-Formation in Mid-Nineteenth-Century Canada*, eds. Allan Green and Ian Radforth (Toronto: University of Toronto press, 1992), 95.

¹³⁶ Sir Charles Bagot to Lord Stanley, 20 August 1842, 176-177, vol. 63, RG7 G12.

considered an important turning point in the history of Indian Affairs in Canada, the truly revolutionary nature of its recommendations has not yet been fully explored.¹³⁷ The first recommendation of the commissioners was that the management of the Indian Department “be placed under the Civil Secretary with the view of its being brought more immediately under the notice of the Governor General.” This step entailed the abolition of the position of Chief Superintendent, and effectively marked the end of the independence the Department had enjoyed since the time of Sir William Johnson. The second recommendation was the consolidation of the Lower and Upper Canadian branches of the Department into one centralized office. The commissioners next suggested that the “correspondence and chief business” of the Department should be done by a Chief Clerk at a salary of 300 pounds and that “an accountant should be employed under him, who will be specially charged with the management of the various accounts of the Department connected with the estimates, requisitions, annuities, sales of land, etc., and devote any spare time which he may have to the general business of the office.” This change meant that the Department was no longer to be headed by officers well versed in Indigenous diplomacy who were expected to conciliate in peace and lead in war. Instead, modern bureaucrats were to have charge of Indian Affairs.¹³⁸ The qualifications for these two administrators at the heart of the new ID were dramatically different from the attributes recommended by Sir William Johnson, Daniel Claus, Governor General Kempt, and Duncan Campbell Napier, as discussed in Chapters One and Two. It was recommended in the report of the Bagot commissioners that these individuals should “possess active habits, and enlarged and philanthropic views upon the subject of

¹³⁷ John Leslie, “The Bagot Commission: Developing a Corporate Memory for the Indian Department,” *Canadian Historical Review* 17, no. 1 (1982), 31-52. Leslie’s article and his research elsewhere is excellent, but he misses the fact that the impact of the report of the Bagot commission was not in developing a “corporate memory” for the Department, but in dismantling the foundations of the Indian Department as it had existed for 90 years.

¹³⁸ J.E. Hodgetts, *Pioneer Public Service: An Administrative History of the United Canadas, 1841-1867* (Toronto: University of Toronto Press, 1955), 222.

ameliorating the condition of the Indian tribes, and be qualified to assist in forming and perfecting measure for that object.”¹³⁹

The officers of the ID came in for particular criticism in the final report of the commissioners appointed by Governor General Bagot. The commissioners observed that the officers of the ID had apparently not been sufficiently staunch advocates for civilization, and that this role was in fact better accomplished by missionaries. They accordingly suggested that the total number of superintendents across the United Province of Canada be reduced to four, arguing instead that the “appointment of missionaries and schoolteachers in each settlement is a primary objective.” Given the great reduction in the number of superintendents, these were no longer to reside with one particular community, but were instead appointed as “Visiting Officers” who were expected to inspect the Indigenous settlements in their assigned territories at least once every six months. The commissioners accordingly proposed that only three interpreters should be retained who could travel from community to community with the three visiting superintendents.¹⁴⁰

Perhaps the most important symbol of the Bagot commissioners’ willingness to dismantle the former framework of Indigenous-Imperial relations was their recommendations regarding the annual presents. After the metropolitan government had long looked for ways to reduce the cost of these presents, the commissioners at last proposed a final solution. They suggested that a census be made of “all the Indians now residing in the province,” excluding “half-breeds” “American Indians” and those groups who retained their “migratory habits.” Anyone not on this census list, including children born after its compilation, would no longer be entitled to partake in the distribution of the annual presents. As the years passed, the expense of supplying presents would

¹³⁹ The following quotes from the final Report of the Bagot commission can be found in RAIC unpaginated (pages 34-39).

¹⁴⁰ The commissioners proposed that one resident superintendent at Manitoulin should supplement these three Visitors.

diminish until after a generation or two it would be eliminated entirely. In this way, explained the commissioners, the Indigenous communities in Canada would be brought to “fall into the ranks of the other subjects of Her Majesty.”¹⁴¹

In its final summary, the report of the commissioners appointed by Governor General Bagot reflected on the recent history of the Indian Department. As this concluding section presents a succinct account of my own arguments, it bears quoting at length:

Your commissioners cannot conclude this report without offering an apology for the length to which it has extended. They found that for many years past, the amelioration of the Indian tribes, and the remodelling of the system of managing their affairs, had been objects of solicitude with Her Majesty's government; that owing to the peculiarity of the relations between the government and the Indians, the original constitution of the Indian Department, the changes which have been of late years introduced in it, and the absence of records with regard to Indian affairs generally, the government was very imperfectly informed as to the state of the Indians and the proceedings of the Department. They found that within a few years, a change had taken place in the views of the government with respect to the Indians, that in consequence, a number of recommendations had been offered by the governors in the two provinces, and a number of instructions issued by the Secretary of State, which, owing to the disturbed state of political affairs, had been neglected, or only partially carried out; and the former constitution of the Department, which was adapted to a different system, had remained unchanged. It appeared to your commissioners, that in order to carry out the benevolent views of Her Majesty's government, considerable changes were requisite in the general system of management; and that with a view to the sane object, and to the necessity of increased economy, the Department required to be entirely remodelled.¹⁴²

The “peculiarity of the relations between the government and the Indians” refers to the unique framework of Indigenous-Imperial relations developed in the middle decades of the eighteenth century, explored in Chapter One under the name of the Fire of Friendship. As part of their tradition of imperial ligation, it was in large measure the task of the Indian Department to safeguard this “peculiarity,” as outlined in Chapter Six. The commissioners then discuss that “in late years” a number of reforms had been proposed. These years were roughly equivalent to the period discussed

¹⁴¹ RAIC 1847, unpaginated (pages 15, 38).

¹⁴² For the conclusions of the report of the Bagot Commission, see RAIC 1847, unpaginated (page 50).

in Chapter Five, and these proposed reforms I suggest did not constitute fundamental changes to the system of Indian Affairs, as the commissioners appointed by Bagot agree. They then mentioned that “the disturbed state of political affairs” stopped all attempts at reform. While I share a similar interpretation as to the impact of the Rebellion period, the above sections of this chapter go further in suggesting that a number of earlier reforms were actually reversed during these years of crisis. Even after all this, the commissioners recognized that “the former constitution of the Department, which was adapted to a different system, had remained unchanged.” The Bagot commissioner thus recognized something that many historians have failed to see. Despite constant talk of Christianization, education, and civilization, the Indian Department remained rooted in the same traditions it had since the period of Sir William Johnson.

In response to the endurance of these longstanding traditions, the report of the Bagot Commission recommended that the Indian Department “be entirely remodelled.” Over the following year, this was exactly what took place as the recommendations made by the commissioners were put into practice almost in their entirety. A few months after the report was presented, the report of the commissioners was forwarded to London with the endorsement of Governor General Metcalfe.¹⁴³ Their recommendations were approved by the Secretary of State, and accordingly in the spring of 1845 the reforms began to be put into place.¹⁴⁴ The first element of the reforms of 1845 was the consolidation of the two branches of the Indian Department in Canada. This marked the end of a distinct Upper Canadian branch of the Department, first established by Portland’s additional instructions of December 1796. It also marked the end of an

¹⁴³ Sir Charles Metcalfe to Lord Stanley, 11 June 1844, 347-348, vol. 64, RG7 G12, LAC.

¹⁴⁴ Sir Charles Metcalfe to Lord Stanley, 27 April 1845, 433-436, vol. 64, RG7 G12, LAC.

independent Department head, as the position of Superintendent General was henceforth vested in the Civil Secretary of the United Province of Canada.¹⁴⁵

A second major change was the end of the system of resident superintendents. Since the 1750s, the employees of the Indian Department were expected to live in intimate proximity with Indigenous communities. The reforms of 1845 replaced this practice with the new system of so-called Indian Visitors as proposed by the Bagot Commissioners. These visiting superintendents now lived far from the communities they oversaw, but were tasked with making bi-annual visits to all of the communities under their superintendence. The shift from resident to visiting superintendents meant that fewer employees overall were needed, and accordingly the five resident superintendents who had been appointed to oversee communities in the settled regions of Upper Canada were replaced with two visiting superintendents, as outlined in the Bagot Commission's report. Due to its particular location, the establishment at Manitoulin Island was allowed to retain a resident superintendent, the only such position in the entirety of Canada. Alongside these three superintendents, two interpreters were retained on the permanent establishment in Canada west.¹⁴⁶

The third major component of the reforms of 1845 was a radical change in the issuing of the annual presents. Following the recommendations of the commissioners, Governor General Metcalfe's civil secretary, J.M. Higginson, announced on September 5, 1845 in his new capacity of Superintendent General *ex officio* that no child born after December 31, 1845 would receive any part of the annual presents.¹⁴⁷ This was a dramatic betrayal of the original British pledge that, as Indigenous leaders had reminded the government again and again, had been made in perpetuity. This betrayal was frequently protested in petitions from Indigenous communities. Already in

¹⁴⁵ Sir Charles Metcalfe to Lord Stanley, 27 April 1845, 433-436, vol. 64, RG7 G12, LAC.

¹⁴⁶ For the establishment of the post-1845 Department, see List of Officers of the Indian Department in Canada with the Amount of their Annual Salaries, 30 September 1846, 163411, vol. 267, RG10, LAC.

¹⁴⁷ J.M. Higginson to the Commissary General, 5 September 1845, 92, vol. 511, RG10, LAC.

October of 1845, the Ojibwe community of Snake Island petitioned the Governor General, saying that word of this change “makes us feel very sick in our hearts, because we think all our children born to us after this will never receive any presents from our Great Mother over the big water.”¹⁴⁸ Three years later, the collected communities living between lakes Huron and Simcoe drew up a similar petition, reminding the Governor General that they had been promised “as long as the sun shines, grass grows, and water runs, you will receive your presents as much as you receive now.” Now, however, the Ojibwe protested that they received fewer and fewer presents every year.¹⁴⁹ The Anishinaabeg living at the Saugeen and Owen’s Sound were even more blunt in their petition of August 25, 1847. These communities simply stated, “we wish to know why in the distribution of presents our children born since 1845 are not included.”¹⁵⁰

It was not only Indigenous communities who viewed the changes that took place in 1845 as constituting an important break with the past. Subsequent observers in the colonial administration likewise remarked that the Indian Department took on a new form in this year. Ten years after the above reforms had been put in place, Superintendent General Viscount Bury wrote that “the department has now been in existence in its present shape, viz. a civil department, under the control of the Governor General since 1845. Before that time it was military in its character, and the officers enjoyed military rank.” Bury explained that in the preceding decades the government was much more dedicated to the ideals of military alliance; “the attention of the authorities was much more anxiously devoted to making him a faithful ally in war than ameliorating his condition in peace. It may almost be said, that till 1845 the civilization of the

¹⁴⁸ Petition of the Chippewa of Snake Island, 22 October 1845, 5644-5645, vol. 122, RG10, LAC.

¹⁴⁹ Petition of the Chippewa of Lake Huron and Lake Simcoe, 17 February 1848, 6200, vol. 123, RG10, LAC.

¹⁵⁰ Petition of the Indians of the Saugeen and Owen’s Sound, 25 August 1847, 6266, vol. 123, RG10, LAC.

Indians was never the object of a definite and well organized scheme.”¹⁵¹ While observers in the 1850s had their own reasons for stressing the recent nature of reform in the Indian Department, comments like Bury’s attest to the qualitative difference of the reforms in the period 1841-1845. While the cost cutting measures taken in the first two decades after the War of 1812 can be seen as a reduction in the expense of the ID, during the early 1840s we instead see a dismantling of the tasks that had until recently been at the heart of the Upper Canadian Indian Department. The end of presents to Visiting Indians, the beginning of the system of visiting superintendents, the incorporation of the Department into the rest of the provincial bureaucracy, and the betrayal of the pledge of perpetual presents all indicated that a significant shift had taken place.

Nonetheless, just as the Indian Department had demonstrated a staunchly conservative nature over the preceding decades, the changes in 1845 can be overstated. While the structure of the Department was significantly changed, the few members who remained in the Department in Canada West were largely the same who had been employed before the reforms. Rather than simply dismissing the former resident superintendents, T.G Anderson and Joseph Brant Clench were both appointed to the new position of visiting superintendent, while the resident superintendent at Amherstburg, George Ironside Jr., was relocated to Manitoulin Island as the last remaining resident superintendent in Canada. Likewise, while the Indian Department was beginning to look less like a branch of the Queen’s Service and more like any other part of the colonial state’s bureaucracy, the reforms of 1845 did not transfer control over the ID to the province of Canada, but rather kept Indian Affairs under the exclusive jurisdiction of the Imperial government. This change would not take place for another 15 years, during which time many more

¹⁵¹ Viscount Bury to Sir Edmund Walker Head, 5 December 1855, in *Copies or Extracts of Recent Correspondence Respecting Alterations in the Organization of the Indian Department in Canada* (London: House of Commons, 1856), 21, 26.

of the old elements of the Indian Department would be done away with. The reforms of 1845, however, signaled the changes that were to come, and subsequent transformations in Indian Affairs were simply following the path first blazed by these important reforms.

Conclusion

The decades following the Rebellion have long been considered the dawn of a new political order in Canada, characterised by the steady retreat of metropolitan oversight, the beginning of responsible government, the growing power of the Canadian state, and the increasing prevalence of liberalism as an organizing political principle.¹⁵² As part of the establishment of this new order, these years also saw the radical dismantling of the Indigenous-Imperial framework that had been established in the decade 1754-1764. While significant changes in the society and politics of British North America in the years before the Rebellion already threatened the Fire of Friendship, the report of the Bagot Commission in 1844, the end of the annual presents in 1858, and the transfer of the Indian Department to the Canadian legislature in 1860 all marked definitive transformations in the position of First Nations in Canada much more than did the Treaty of Ghent in 1814 or the transfer of the Indian Department to the jurisdiction of the civil governors in 1830. From 1850 onwards, the newly empowered legislature exercised increasing influence in Indigenous life, passing legislation regulating First Nations membership, property, and cultural assimilation to settler society.¹⁵³ The warrior traditions of First Nations in Canada did not end with the Rebellion, but this conflict marked the last time these warriors mobilized as an independent military force.¹⁵⁴

¹⁵² Ged Martin, *Britain and the Origins of Canadian Confederation 1837-67* (Vancouver: UBC Press 1995), 82-83; Allan Greer and Ian Walter Radforth eds., *Colonial Leviathan: State Formation in Mid-nineteenth-century Canada* (Toronto: University of Toronto Press, 1992); E.A. Heaman, *A Short History of the State in Canada* (Toronto: University of Toronto Press, 2015), 83-143, especially 96; Ian McKay, "The Liberal Order Framework: A Prospectus for a Reconnaissance of Canadian History," *The Canadian Historical Review* 81, no. 4 (2000): 632

¹⁵³ J.R. Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada* (Toronto: University of Toronto Press, 1991), 109-112.

¹⁵⁴ Allen, *His Majesty's Indian Allies*, 184.

By the 1860s, it was clear that in any future conflict Indigenous men would be incorporated into regular battalions inside the Canadian militia.¹⁵⁵

While this process did not begin in 1836, this year marked the commencement of a serious assault on the Indian Department as it had existed since the eighteenth century. As the above account of Indigenous mobilization during the Rebellion years demonstrates, however, the final rejection of the older model of military alliance and imperial incorporation was never a forgone conclusion. Like contemporary transformations in the Canadian state, the “entire remodelling” of Indian Affairs was the result of a conscious revolution in governance that followed the Rebellion period. Indigenous communities at the dawn of the 1840s remained willing and able to fight for the maintenance of the old Fire of Friendship, as evidenced by the pressure they applied on the government in exchange for their support in the upheavals of the Rebellion. The significant results that this pressure delivered demonstrate that at least part of the Upper Canadian government likewise still valued the Indigenous-Imperial framework as an element of British sovereignty in North America. In the decades following the Rebellion, however, Governor General Sydenham’s view that maintaining a relationship with Indigenous communities “gives infinite trouble to the Government and adds nothing either to the wealth, the industry, or the defence of the province” became increasingly prevalent.¹⁵⁶

¹⁵⁵ W.S. Kerr to John A. MacDonald, 22 March 1866, 168-171, vol. 1, Brant Family Correspondence, MG19, LAC.

¹⁵⁶ Governor General Sydenham to Lord John Russell, 22 July 1841, 128-129, vol. 58, RG7 G12, LAC.

Conclusion:
“No One Should Be Attached to the Department
but Those Well Known to the Indians”

The reforms of 1845 undercut the foundations of the Indigenous-Imperial framework as it had existed going back to the 1750s. The British betrayal of the pledge that the annual presents would be given “as long as the sun shines, grass grows, and water runs” was the most visible element of this sea change.¹ The exclusion of all children born after 1845 from the annual presents, however, was accompanied by a significant dismantling of the Indian Department that had previously done so much to support the Indigenous-Imperial framework. Resident superintendents in Upper Canada were replaced by visiting superintendents, and the Indian Department lost its own independent head and was instead placed under the direct supervision of the civil secretary of the Province of Canada. These changes signaled the decreasing importance among metropolitan and Canadian administrators of the view that Indigenous peoples could serve as a potential solution for the problems that faced British sovereignty in the Great Lakes region. Instead, the view that Indigenous peoples were themselves the problem became increasingly prominent across the old colony of Upper Canada.

Still, the reforms of 1845 did not so much create a new system as they dismantled the old one. The Indian Department that existed immediately after 1845 was too small to undertake any radical new projects. In Canada West, the total establishment consisted of three superintendents, two interpreters, a surgeon, two schoolteachers, and four missionaries.² Despite the talk of “civilization” at all levels of government throughout the early decades of the nineteenth century, this was the same number of teachers that had been employed by the Upper Canadian Department

¹ Petition of the Chippewa of Lake Huron and Lake Simcoe, 17 February 1848, 6200, vol. 123, RG10, LAC.

² List of Officers of the Indian Department in Canada, 17 July 1845, 163389, vol. 267, RG10, LAC.

in the 1790s. By the 1870s, however, the number of employees in the Indian Department of the newly established Dominion of Canada had ballooned; in this year, nineteen teachers were employed in the former territory of Upper Canada alone.³ The development of an Indian Department specifically designed to deal with the “Indian Problem” as it was envisioned by the developing settler colonial state was still some years in the future when the recommendations of the commissioners appointed by Governor General Bagot were put into place in 1845.

In the meantime, old habits died hard. Perhaps the most remarkable document produced by a member of the Indian Department in the immediate aftermath of the reforms recommended by the Bagot Commission was penned by Maera George Ironside Jr. on March 16, 1846. This memorandum by Ironside, already touched upon in Chapter Six, perfectly illustrates the extent to which individual members of the Department remained committed to the longstanding traditions of military mobilization and imperial ligation even as the reforms of 1845 dismantled the infrastructure that had served to support them. During the reorganization of the previous year, Ironside had been reassigned from Amherstburg to Manitoulin Island. Once installed at his new post, the only remaining resident superintendent in Canada wrote a lengthy memorandum with his recommendations for the renewal of the Indian Department on the upper Great Lakes. The context of the letter was the ongoing crisis in the Oregon country that had once again pulled the United Kingdom and the United States to the brink of war. Given the crisis, Ironside estimated he could gather 600 fighting men from the immediate region of Manitoulin Island. This number would surely be supplemented by “a very large portion of the aborigines residing in the United States,” although Ironside criticized the government for having recently halted the issue of presents to these communities. As for the officers charged with commanding this force, Ironside argued that “no

³ *Report of the Indian Branch of the Secretary of State for the Provinces* (Ottawa: I.B. Taylor, 1872), 9-11.

one should be attached to the Department but those well known to the Indians and with whom they have been on terms of friendship and who possess their confidence.” It was also indispensable that they should speak and understand “the Indian language.” Superintendent Ironside recommended that all officers of the ID should hold a military rank, and that Indigenous chiefs should be paid as lieutenants. The warriors would be allowed to clothe themselves as they pleased, but the government would supply tomahawks and moccasins. Ironside also outlined the proper method the officers of the Indian Department should use for giving speeches, delivering addresses at councils not through interpreters but through the practice of employing a *mizhinawe*, as discussed in Chapter Four.⁴

Ironside’s recommendations for the management of the Indian Department are almost exactly the same as those made by Sir William Johnson, Guy Johnson, and Daniel Claus in the eighteenth century. This demonstrates the remarkable longevity of the ID’s traditions. As late as the second half of the 1840s, a high-ranking member of the Canadian Indian Department was recommending essentially the same approach as had his predecessors for nearly a century. Yet by 1846, it is undeniable that the foundations of the Department had shifted. It was no longer the “*Imperium in Imperio*” that Lieutenant Governor Simcoe had encountered in 1794. The reforms of 1845 marked an important step in the incorporation of this exceptional department into the provincial bureaucracy. As this dissertation has argued, however, and as the above recommendations from Ironside suggest, it is easy to exaggerate the importance of any single turning point. Even as the growing settler state increased its control over the Indian Department, culminating in the transfer of jurisdiction over Indian Affairs from the Imperial government to the Canadian administration in 1860, important elements of the old Imperial-Indigenous relationship

⁴ Suggestions of Mr. Superintendent Ironside Relative to the Indian Forces, 10 March 1846, 49-51, vol. 271, RG8, LAC.

continued to be observed. Most importantly, Indigenous communities largely continued to insist on following the principles of reciprocity that had been enshrined in numerous speeches, petitions, wampum belts, over the course of generations. As the nineteenth century progressed, however, the Indian Department ceased playing the part of an ally in advocating the maintenance of these ancient traditions, as it had during the Upper Canadian period and before. Instead, a new Department was taking shape, one that was based on different principles entirely.

Bibliography

Archival Sources

Library and Archives Canada, Ottawa

RG1, E3, Upper Canada State Papers
 RG5, A1, Upper Canada Sundries
 RG7, G1, Despatches from the Colonial Secretary to Governors in Canada
 RG7, G5, Letterbooks of Despatches from the Colonial Office
 RG7, G12, Letterbooks of Despatches to the Colonial Office
 RG8, C Series, Military Records
 Vols. 247-271, Indian Affairs (1794-1846)
 Vols. 676-695, War of 1812 (1806-1815)
 RG10, Indian Department
 Vols. 8-21, Correspondence to Sir John Johnson (1791-1828)
 Vols. 26-46, Correspondence to the Deputy Superintendent General (1789-1830)
 Vols. 47-77, Correspondence to the Chief Superintendent (1831-1841)
 Vols. 498-509, Letterbooks of the Chief Superintendent (1829-1845)
 MG11, C.O. 42, Q Series, Correspondence with the Colonial Office
 MG19, Claus Family Papers
 MG19, Brant Family Papers
 MG21, Haldimand Papers

McCord Museum, Montreal

William McKay Fonds
 Beaver Club Fonds

Burton Historical Collection, Detroit Public Library

Robert McDouall Orderly Book
 Ironside Collection

Archives of Ontario, Toronto

William Jones Fonds

Huroniana Museum Archives, Midland

T.G. Anderson Fonds

Newberry Library, Chicago

Ayer Collection, John Norton Letter Book

Published Primary Sources

Aborigines' Protection Society. *Report on the Indians of Upper Canada*. London: William Ball, Arnold, and co., 1839.

———. *First Annual Report of the Aborigines' Protection Society* (London, P. White and Son, 1838).

Anderson, Charles A. "Frontier Mackinac Island, 1823-1824: Letters of William Montague and Amanda White Ferry." *Journal of the Presbyterian Historical Society* 25, no. 4 (1947): 192-222.

Anderson, Thomas Gummersall. "Personal Narrative of Captain Thomas G. Anderson." *Wisconsin Historical Society* 9 (1882), 137-206.

Canada. *Indian Treaties and Surrenders from 1680 to 1890*. 2 vols. Ottawa: Brown Chamberlin, 1891.

———. *Annual Reports of the Department of Indian Affairs*

Baird, Elizabeth Therèse. "Reminiscences of Early Days on Mackinac Island." *Wisconsin Historical Society* 14 (1898): 17-64.

Bannister, John William. *Sketch of a Plan for Settling in Upper Canada a Portion of the Unemployed Labourers of England*. London: J. Harding, 1821.

Black Hawk. *Life of Ma-ka-tai-me-she-kia-kiak or Black Hawk*. Boston: Russell, Odiorne, and Metcalf, 1834.

Bigsby, John J. *The Shoe and the Canoe, or Pictures of Travel in the Canadas Illustrative of Their Scenery and of Colonial Life*. 2 vols. London: Chapman and Hall, 1850.

Bonnycastle, Richard. *Canada as it Was, Is, and May Be*. 2 vols. London: Colburn and Co., 1852.

———. *The Canadas in 1841*. 2 vols. London: Henry Colburn, 1841.

Bymner, Douglas, ed. *Report of the Canadian Archives for 1892*. Ottawa: S.E. Dawson, 1893.

Clark, John. "Memoirs of Colonel John Clark of Port Dalhousie," *Ontario Historical Society Papers and Records* 7 (1910): 157-193.

Clarke, Peter Dooyentate. *Origin and Traditional History of the Wyandotts*. Toronto: Hunter, Rose, 1870.

Clode, Charles M. *The Military Forces of the Crown: Their Administration and Government*. 2 vols. London: John Murray, 1869.

Coventry, George. "A Contemporary Account of the Navy Island Episode, 1837." *Proceedings and Transactions of the Royal Society of Canada* 13, third series (1920): 57-76.

Cruikshank, E.A., ed. *The Correspondence of Lieut. Governor John Graves Simcoe*. 5 vols. Toronto: Ontario Historical Society, 1923-31.

Cruikshank, E.A. and A.F. Hunter, eds. *The Correspondence of the Honourable Peter Russell*. 3 vols. Toronto: Ontario Historical Society, 1932-1936.

Davis, Robert. *The Canadian Farmer's Travels*. Buffalo: Steele's Press, 1837.

Doughty, Arthur G., and Duncan A. McArthur, eds. *Documents Relating to the Constitutional History of Canada*. 2 vols. Ottawa: C.H. Parmelee, 1907-1914.

Douglas, Alan, ed. *John Prince: A Collection of Documents*. Toronto: The Champlain Society, 1980.

Elliott, Charles. *Indian Missionary Reminiscences, Principally of the Wyandot Nation*. New York, Carlton and Porter, 1835.

Fraser, Alexander, ed. *Ninth Report of the Bureau of Archives for the Province of Ontario*. Toronto: L.K. Cameron, 1913.

Gemmell, J. A., ed. *The Canadian Parliamentary Companion 1897*. Ottawa: J. Durie and Son, 1897.

Gourlay, Robert. *Statistical Account of Upper Canada*. 2 vols. London: Simpkin and Marshall, 1822.

Great Britain, House of Commons. *Papers Relative to the Aboriginal Tribes in British Possessions*. London: House of Commons, 1834.

———. *Further Copies of Extracts of Correspondence Relative to the Affairs of Lower Canada and Upper Canada*. London: House of Commons, 1838.

———. *Copies or Extracts of Despatches from Sir F.B. Head*. London: House of Commons, 1839.

———. *Copies or Extracts of Correspondence since 1st April 1835, between the Secretary of State for the Colonies and the Governors of the British North American Provinces Respecting the Indians in Those Provinces*. London: House of Commons, 1839.

———. *Copies or Extracts of Recent Correspondence Respecting Alterations in the Organization of the Indian Department in Canada*. London: House of Commons, 1856.

Hansard's Parliamentary Debates. 3rd series. London: 1830-1891.

Head, Sir Francis Bond. *The Emigrant*. New York: Harper and Brothers, 1847.

———. *A Narrative*. London: John Murray, 1839.

Howison, John. *Sketches of Upper Canada*. Edinburgh: Oliver and Boyd, 1821.

Jackson, John Mills. *A View of the Political Situation of the Province of Upper Canada*. London: W. Earle, 1809.

Jameson, Anna Brownell. *Winter Studies and Summer Rambles in Canada*. 3 vols. London: Saunders and Otley, 1838.

Jones, Peter. *History of the Ojebway Indians*. London: A.W. Bennett, 1861.

———. *Life and Journals of Kah-ke-wa-quo-na-by (Rev. Peter Jones)*. Toronto: Anson Green, 1860.

Johnston, Charles M., ed. *The Valley of the Six Nations: A Collection of Documents on the Indian Lands on the Grand River*. Toronto: Champlain Society, 1964.

Kane, Paul. *Wanderings of an Artist among the Indians of North America, from Canada to Vancouver Island and Oregon through the Hudson's Bay Company's Territory and Back Again*. London: Longman, Brown and Green, 1859.

Kent and Essex Genealogical Society. *Register of St. John's Church of England at Sandwich in the Western District of the Province of Upper Canada, 1802-1827*. Kent and Essex Genealogical Society, 1990.

Lajeunesse, Ernest J. ed. *The Windsor Border Region: Canada's Southernmost Frontier*. Toronto: The Champlain Society, 1960.

Lamb, W. Kaye, ed. *Journals and Letters of Alexander McKenzie*. London: Cambridge University Press, 1970.

Liancourt, Duke de La Rochefoucault. *Travels Through the United States of North America, the Country of the Iroquois, and Upper Canada in the Years 1795, 1796, and 1797*. London: R. Philips, 1799.

Mackenzie's Gazette.

Moodie, Susanna. *Roughing It in the Bush, or Forest Life in Canada*. Canadian Edition. Toronto: Maclear and Co., 1871.

O'Callaghan, E.B., and Berthold Fernow. *Documents Relative to the Colonial History of the State of New York*. 15 vols. Albany: Weed, Parsons, and Company, 1853-1887.

Read, Colin, and Ronald J. Stagg, eds. *The Rebellion of 1837 in Upper Canada*. Toronto: The Champlain Society, 1985.

Sabathy-Judd, Linda, ed. *Moravians in Upper Canada: The Diary of the Indian Mission of Fairfield on the Thames, 1792-1813*. Toronto: Champlain Society, 1999.

Sanderson, Charles Rupert, ed. *The Arthur Papers*. 3 vols. Toronto: Toronto Public Libraries, 1943-1959.

Simcoe, Elizabeth. *The Diary of Mrs. John Graves Simcoe, Wife of the First Lieutenant-Governor of the Province of Upper Canada, 1792-1796*, edited by Robertson, J. Ross. Toronto: William Briggs.

Simcoe, John Graves. *Simcoe's Military Journal*. Reprint. New York: Bartlett and Welford, 1844.

Shirreff, Patrick. *A Tour Through North America, Together with a Comprehensive View of the Canadas and United States as Adapted for Agricultural Emigration*. Edinburgh: Ballantyne and Company, 1835.

Society for the Converting and Civilizing the Indians and Propagating the Gospel among Destitute Settlers in Upper Canada. *First Annual Report*. York: Robert Stanton, 1832.

Strickland, Samuel. *Twenty-Seven Years in Canada West, or the Experience of An Early Settler*, edited by Agnes Strickland. London: Richard Bentley, 1853.

Sullivan, James, Andrew C. Flick, Albert B. Corey, and Milton W. Hamilton, eds. *The Papers of Sir William Johnson*. 14 vols. Albany: The University of the State of New York, 1921-65.

Trail, Catherine Parr. *The Backwoods of Canada, Being Letters from the Wife of an Emigrant Officer*. 4th edition. London: Charles Knight and Co., 1939.

The Caroline Almanack and American Freeman's Chronicle for 1840.

Theller, E.A. *Canada in 1837-38*. 2 vols. Philadelphia: Henry F. Annors, 1841.

United Province of Canada, House of Assembly. *Journals and Appendices*.

Upper Canada, House of Assembly. *Journals and Appendices*.

———. *The Seventh Report from the Select Committee of the House of Assembly of Upper Canada on Grievances*. Toronto: M. Reynolds, 1835.

Upper Canada. *Statutes*.

William, Wood, ed. *Select British Documents of the Canadian War of 1812*. 3 vols. Toronto: Champlain Society, 1920-1928.

Secondary Sources

Allen, Robert S. *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815*. Toronto: Dundurn Press, 1992.

———. "The British Indian Department and the Frontier in North America, 1755-1830." *Canadian Historic Sites: Occasional Papers in Archaeology and History* 14 (1975): 5-126.

Anderson, Fred. *Crucible of War: The Seven Years' War and the Fate of Empire in North America, 1754-1766*. New York: Vintage Books, 2001.

Armour, David A. "David and Elizabeth: The Mitchell Family of the Straits of Mackinac." *Michigan History* 64, no. 4, (1980): 17-29.

Armstrong, Frederick H. *Handbook of Upper Canadian Chronology and Territorial Legislation*. London: University of Western Ontario, 1967.

Arsenault, Mathieu. "Maintenant nous te parlons, ne dédaigne pas nous écouter: Pétitions et Relation Spéciale entre les Premières Nations et la Couronne au Canada, 1840-1860." PhD dissertation, York University, 2019.

Barr, Daniel P. *The Boundaries between Us: Natives and Newcomers along the Frontier of the Old Northwest Territory, 1750-1850*. Kent: the Kent State university Press, 2006.

- Bayly, Christopher. *Imperial Meridian: The British Empire and the World, 1780-1830*. New York: Longman, 1989.
- Beaulieu, Alain. "'Under His Majesty's Protection': The Meaning of the Conquest of New France for the Aboriginal Peoples of Canada." In *The Culture of the Seven Years' War: Empire, Identity, and the Arts in the Eighteenth-Century Atlantic World*, edited by Frans De Bruyn and Shaun Regan, 91-115. Toronto: University of Toronto Press, 2014.
- . "Les pièges de la judiciarisation de l'histoire autochtone." *Revue d'histoire de l'Amérique française* 53, no. 4 (2000): 541-51.
- Benn, Carl. *The Iroquois in the War of 1812*. Toronto: University of Toronto Press, 1998.
- Binnema, Theodore, and Kevin Hutchings. "The Emigrant and the Noble Savage: Sir Francis Bond Head's Romantic Approach to Aboriginal Policy in Upper Canada, 1836-1836." *Journal of Canadian Studies* 39, no. 1 (2005): 115-138.
- Binnema, Ted. "Protecting Indian Lands by Defining *Indian*, 1850-76." *Journal of Canadian Studies* 48, no. 2 (2014): 5-39.
- Bohaker, Heidi. *Doodem and Council Fire: Anishinaabe Governance through Alliance*. Toronto: University of Toronto Press, 2020.
- . "Reading Anishinaabe Identities: Meaning and Metaphor in *Nindoodem* Pictographs." *Ethnohistory* 57, no. 1 (2010): 11-33.
- . "'Nindoodemag': The Significance of Algonquian Kinship Networks in the Eastern Great Lakes Region, 1600-1701." *William and Mary Quarterly* 63, no. 1 (2006): 23-52.
- Borrows, John. "Wampum at Niagara: The Royal Proclamation, Canadian Legal History, and Self-Government." In *Aboriginal and Treaty Rights in Canada*, edited by Michael Asch, 155-172. Vancouver: University of British Columbia Press, 1997.
- Bowes, John P. "The Gnadenhutten Effect: Moravian Converts and the Search for Safety in the Canadian Borderland." *Michigan Historical Review* 34, no. 1 (2008): 101-117.
- Bradley, A.G. *Sir Guy Carleton (Lord Dorchester)*. 1966 Re-issue. Toronto: University of Toronto Press, 1966.
- Brown, Jennifer S. *Strangers in the Blood: Fur Trade Company Families in Indian Country*. Vancouver: University of British Columbia Press, 1980.

- Calloway, Colin. *The Indian World of George Washington: The First President, the First Americans, and the Birth of the Nation*. Oxford: Oxford University Press, 2018.
- . *The American Revolution in Indian Country: Crisis and Diversity in Native American Communities*. Cambridge: Cambridge University Press, 1995.
- . “Simon Girty: Interpreter and Intermediary.” In *Being and Becoming Indian: Biographical Studies of North American Frontier*, edited James A. Clifton, 33-68. Chicago: The Dorsey Press, 1989.
- . *Crown and Calumet: British-Indian Relations, 1783-1815*. Norman: University of Oklahoma Press, 1987.
- . “The End of an Era: British-Indian Relations in the Great Lakes Region after the War of 1812.” *Michigan Historical Review* 12, no. 2 (1986): 1-20.
- Carey, Jane, and Jane Lydon. “Indigenous Networks: Historical Trajectories.” In *Indigenous Networks: Mobility, Connections and Exchange*, edited by Jane Carey and Jane Lydon, 1-26. New York and London: Routledge, 2014.
- Carpenter, Daniel P. *Democracy by Petition: Popular Politics in Transformation, 1790-1870*. Cambridge, Massachusetts: Harvard University Press, 2021.
- Carroll, Francis M. “The Search for the Canadian-American Boundary along the Michigan Frontier, 1819-1827: The Boundary Commissions under Articles Six and Seven of the Treaty of Ghent.” *Michigan Historical Review* 30, no. 2 (2004): 77-104.
- Catherine A. Sims, “Algonkian-British Relations in the Upper Great Lakes Region: Gathering to Give and to Receive Presents, 1815-1843.” PhD dissertation, University of Western Ontario, 1992.
- Chaput, Donald. “The Family of Drouet de Richerville: Merchants, Soldiers, and Chiefs of Indiana.” *Indiana Magazine of History*, 74, no. 2 (1978): 103-116.
- Charles Ritcheson, *British Politics and the American Revolution*. Norman: University of Oklahoma Press, 1954.
- Christie, Ian. *Crisis of Empire: Great Britain and the American Colonies, 1754-1783* (London: Edward Arnold, 1966.
- Chute, Janet E. *The Legacy of Shingwaukonse: A Century of Native Leadership*. Toronto: University of Toronto Press, 1998.

- Clarke, John. *Land, Power and Economics on the Frontier of Upper Canada*. Montreal: McGill-Queen's University Press, 2001.
- Clifton, James A. "Personal and Ethnic Identity on the Great Lakes Frontier: The Case of Billy Caldwell, Anglo-Canadian." *Ethnohistory* 25, no. 1 (1978): 69-94.
- . *A Place of Refuge for All Time: Migration of the American Potawatomi into Upper Canada, 1830-1850*. Ottawa: National Museums of Canada, 1975.
- Corbiere, Alan Ojiig. "Anishinaabe Treaty-Making in the 18th- and 19th-Century Northern Great Lakes: From Shared Meanings to Epistemological Chasms." PhD dissertation, York University, 2019.
- . "Jean Baptiste Assiginack: The Starling aka Blackbird." *Active History*, accessed August 21, 2019, <http://activehistory.ca/2014/11/jean-baptiste-assiginack-the-starling-aka-blackbird/>.
- Cowan, Mairi "Education, Francisation, and Shifting Colonial Priorities at the Ursuline Convent in Seventeenth-Century Québec." *The Canadian Historical Review* 99, no. 1 (2018): 1-29.
- Craig, Gerald M. *Upper Canada: The Formative Years, 1784-1841*. Toronto: McClelland and Stewart, 1963.
- Davidson, Gordon Charles. *The North West Company*. Berkley: University of California Press.
- Desbarats, Catherine M. "The Cost of Early Canada's Native Alliances: Reality and Scarcity's Rhetoric." *The William and Mary Quarterly* 52, no. 4 (1995): 609-630.
- DuLong, John. "Jean Baptiste Cadotte's Second Family: Genealogical Summary Part 2." *Michigan's Habitant Heritage* 37, no. 1 (2016): 31-37.
- . "Jean Baptiste Cadotte's Second Family: Genealogical Summary, Part 1." *Michigan's Habitant Heritage* 36, no. 4 (2015): 181-187.
- Elbourne, Elizabeth. "Broken Alliance: Debating Six Nations' Land Claims in 1822." *Cultural and Social History* 9, no. 4 (2012): 497-525.
- . "Family Politics and Anglo-Mohawk Diplomacy: The Brant Family in Imperial Context." *Journal of Colonialism and Colonial History*, no. 3 (2005): online.
- Fehr, Rick, Janet Macbeth, and Summer Sands Macbeth. "Chief of this River: Zhaawni-binesi and the Chenail Ecarté lands." *Ontario History* 111, no. 1 (2019): 19-35.

- Fryer, Mary Beacock, and Christopher Dracott. *John Graves Simcoe, 1752-1806: A Biography*. Toronto: Dundurn Press, 1998.
- Fur, Gunlög Maria. *A Nation of Women: Gender and Colonial Encounters among the Delaware Indians*. Philadelphia: University of Pennsylvania Press, 2009.
- Gettler, Brian. *Colonialism's Currency: Money, State, and First Nations in Canada, 1820-1950*. Montreal: McGill-Queen's University Press, 2020.
- Girard, Philip, Jim Phillips, and R. Blake Brown. *A History of Law in Canada*. Toronto: University of Toronto Press, 2018.
- Goddard, Ives. "Delaware." In *Handbook of North American Indians: Northeast*, edited by Bruce Trigger. Washington: Smithsonian Institute, 1978.
- Gohier, Maxime. "La Pratique Pétitionnaire des Amérindiens de la Vallée du Saint-Laurent sous le Régime Britannique: Pouvoir, Représentation et Légitimité (1760-1860)." PhD dissertation, Université du Québec à Montréal, 2014.
- Gosse, Van. "'As a Nation, the English Are Our Friends': The Emergence of African American Politics in the British Atlantic World, 1772–1861." *American Historical Review* 113, no. 4 (2008): 1003-1028.
- Grabowski, Jan. "Les Amérindiens domiciliés et la 'contrebande' des fourrures en Nouvelle-France." *Recherches amérindiennes au Québec* 25 (1994): 45-52.
- Green, Gretchen. "Molly Brant, Catharine Brant, and their Daughters: A Study in Colonial Acculturation." *Ontario History* 81 (1989): 235-250.
- Greenhous, Brereton. "A Note on Western Logistics in the War of 1812." *Military Affairs* 34, no. 2 (1970): 41-44.
- Greer, Allan. *Property and Dispossession: Natives, Empires and Land in Early Modern North America*. Cambridge: Cambridge University Press, 2018.
- . "1837–38: Rebellion Reconsidered." *The Canadian Historical Review* 76, no. 1 (1995): 1-18.
- . "The Birth of the Police in Canada." In *Colonial Leviathan: State-Formation in Mid-Nineteenth-Century Canada*, edited by Allan Green and Ian Radforth, 17-49. Toronto: University of Toronto press, 1992.

- Greer, Allan, and Ian Walter Radforth, editors. *Colonial Leviathan: State Formation in Mid-nineteenth-century Canada*. Toronto: University of Toronto Press, 1992.
- Hall, Catherine. *Macaulay and Son: Architects of Imperial Britain*. New Haven: Yale University Press, 2012.
- Hall, Catherine, and Leonore Davidoff. *Family Fortunes: Men and Women of the English Middle Class, 1780-1850*. London: Routledge, 2002.
- Hamilton, Milton W. *Sir William Johnson, Colonial American, 1715-1763*. Port Washington: Kennikat Press, 1976.
- Hancock, David. *Citizens of the World: London Merchants and the Integration of the British Atlantic Community, 1735-1785*. Cambridge: Cambridge University Press, 1995.
- Handy, James Ralph. "The Ojibwa: 1640–1840. Two Centuries of Change from Sault Ste. Marie to Coldwater/Narrows." MA dissertation, University of Waterloo, 1978.
- Harring, Sidney L. *White Man's Law: Native People in Nineteenth-Century Canadian Jurisprudence*. Toronto: University of Toronto Press, 1998.
- Hart, William B. "Black 'Go-Betweens' and the Mutability of 'Race,' Status, and Identity on New York's Pre-Revolutionary Frontier." In *Contact Points: American Frontiers from the Mohawk Valley to the Mississippi, 1750-1830*, edited by Andrew R.L. Cayton and Fredrika J. Teute, 88-113. Chapel Hill: University of North Carolina Press, 1998.
- Hatter, Lawrence B.A. *Citizens of Convenience: The Imperial Origins of American Nationhood on the U.S.-Canadian Border*. Charlottesville: University of Virginia Press, 2017.
- Havard, Gilles. *Empire et Métissages: Indiens et Français dans le Pays d'en Haut, 1660-1715*. 2nd edition. Québec: Septentrion, 2017.
- . *The Great Peace of Montreal of 1701: French-Native Diplomacy in the Seventeenth Century*. Montreal: McGill-Queen's University Press, 2001.
- Hazelbower, Joshua. "Allies or Subjects?: Shifting Canada-Indigenous Political Relations from Treaty Six to the Electoral Franchise Act." MA dissertation, University of Victoria, 2017.
- Heaman, E.A. *A Short History of the State in Canada*. Toronto: University of Toronto Press, 2015.
- . "Space, Race, and Violence: The Beginnings of 'Civilization' in Canada." In *Violence, Order, and Unrest: A History of British North America, 1749–1876*, edited by

- Elizabeth Mancke, Jerry Bannister, Denis McKim, and Scott W. See, 137-158. Toronto: University of Toronto Press, 2019.
- Heartfield, James. *The Aborigines' Protection Society: Humanitarian Imperialism in Australia, New Zealand, Fiji, Canada, South Africa, and the Congo, 1836–1909*. New York: Columbia University Press, 2011.
- Hill, B. E. “The Grand River Navigation Company and the Six Nations Indians.” *Ontario History* 63 (1971): 31-40.
- Hill, Susan M. *The Clay We Are Made Of: Haudenosaunee Land Tenure on the Grand River*. Winnipeg: University of Manitoba Press, 2017.
- Hodgetts, J.E. *Pioneer Public Service: An Administrative History of the United Canadas, 1841-1867*. Toronto: University of Toronto Press, 1955.
- Horne, Gerald. *Negro Comrades of the Crown: African Americans and the British Empire Fight the U.S. before Emancipation*. New York: New York University Press, 2012.
- Horsman, Reginald. *Matthew Elliott: British Indian Agent*. Detroit: Wayne State University Press, 1964.
- Huey, Lois M., and Bonnie Pulis. *Molly Brant: A Legacy of Her Own*. Youngstown, NY: Old Fort Niagara Association, 1997.
- Ince, Nathan. “‘As Long as that fire Burned’: Indigenous Warriors and Political Order in Upper Canada, 1837-1842,” *Canadian Historical Review* (2022): forthcoming.
- Irving, L. Homfray. *Officers of the British Forces in Canada During the War of 1812-1815*. Welland: Welland Tribune Print, 1908.
- Johnson, J. K. *In Duty Bound: Men, Women, and the State in Upper Canada, 1783–1841*. Montreal: McGill-Queen’s University Press, 2014.
- . *Becoming Prominent: Regional Leadership in Upper Canada, 1791-1841*. Montreal: McGill-Queen’s University Press, 1989.
- Johnson, Ian V.B. *Pre-Confederation Crown Responsibilities: A Preliminary Historical Overview*. Ottawa: Treaties and Historical Research Centre, 1984.
- Johnston, Jean. “Ancestry and Descendants of Molly Brant.” *Ontario History*, vol. 63 (1971): 86-92.

- Kelsay, Isabel. *Joseph Brant, 1743-1807: Man of Two Worlds*. Syracuse: Syracuse University Press, 1984.
- King, Cecil. *Balancing Two Worlds: Jean-Baptiste Assiginack and the Odawa Nation, 1768-1866*. Saskatoon: Self-published, 2013.
- Knight, Alan, and Janet E. Chute. "In the Shadow of the Thumping Drum: The Sault Métis- The People In-Between." In *Lines Drawn upon the Water: First Nations and the Great Lakes Borders and Borderlands*, edited by Karl Hele, 85-114. Waterloo: Wilfred University Press, 2008.
- Labelle, Kathryn Magee. *Dispersed But Not Destroyed: A History of the Seventeenth-Century Wendat People*. Vancouver; University of British Columbia Press, 2013.
- LeClaire, Laurie. "The Huron-Wyandottes of Anderson Township: A Case Study in Native Adaption, 1701-1914." MA dissertation, University of Windsor, 1988.
- Lee, Robert C. *The Canada Company and the Huron Tract, 1826-1853: Personalities, Profits, and Politics*. Toronto: Natural Heritage Books, 2004.
- Lee, Wayne E. "Subjects, Clients or Allies or Mercenaries?: The British Use of Irish and Amerindian Military Power, 1500-1800." In *Britain's Oceanic Empire: Atlantic and Indian Ocean Worlds, c. 1550-1850*, edited by H.V. Bowen, Elizabeth Mancke, and John G. Reid, 179-217. Cambridge: Cambridge University Press, 2012.
- Leighton, James D. "The Compact Tory as Bureaucrat: Samuel Peters Jarvis and the Indian Department, 1837–1845." *Ontario History* 73 (1981): 40-53.
- LeMaster, Michelle. *Brothers Born of One Mother: British–Native American Relations in the Colonial Southeast*. Charlottesville: University of Virginia Press, 2012.
- Leslie, John F. *Commissions of Inquiry into Indian Affairs in the Canadas, 1828-1858: Evolving a Corporate Memory for the Indian Department*. Ottawa: Treaties and Historical Research Centre, 1985.
- Leslie, John F., and Ron Maguire, eds. *The Historical Development of the Indian Act*. 2nd edition. Ottawa: Treaties and Historical Research Centre, 1978.
- Lester, Alan. "Imperial Circuits and Networks: Geographies of the British Empire." *History Compass* 4, no. 1 (2006): 124-141.
- Livesay, David. *Children of Uncertain Fortune: Mixed-Race Jamaicans in Britain and the Atlantic Family, 1733-1833*. Chapel Hill: University of North Carolina Press, 2018.

- Lozier, Jean-François. *Flesh Reborn: The Saint Lawrence Valley Mission Settlements through the Seventeenth Century*. Montreal: McGill-Queen's University Press, 2018.
- MacLeod, D. Peter. *The Canadian Iroquois and the Seven Years' War*. Toronto: Dundurn Press, 2012.
- Mancke, Elizabeth, Jerry Bannister, Denis McKim, and Scott W. See, editors. *Violence, Order, and Unrest: A History of British North America, 1749–1876*. Toronto: University of Toronto Press, 2019.
- Martin, Ged. *Britain and the Origins of Canadian Confederation 1837-67*. Vancouver: UBC Press 1995.
- McCalla, Douglas. *Planting the Province: The Economic History of Upper Canada, 1784-1870*. Toronto: University of Toronto Press, 1993.
- McKay, Ian. "The Liberal Order Framework: A Prospectus for a Reconnaissance of Canadian History." *The Canadian Historical Review* 81, no. 4 (2000): 616-678.
- Miller, Cary. *Ogimaag: Anishinaabeg Leadership, 1760-1845*. Lincoln: University of Nebraska Press, 2010.
- . "Gifts as Treaties: The Political Use of Received Gifts in Anishinaabeg Communities, 1820-1832." *American Indian Quarterly* 26, no. 2 (2002): 221-245.
- Miller, J.R. *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada*. Toronto: University of Toronto Press, 2009.
- . *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*. Toronto: University of Toronto Press, 2000.
- . "Owen Glendower, Hotspur, and Canadian Indian Policy." *Ethnohistory* 37, no. 4 (1990), 386-415.
- Muller, Hannah Weiss. *Subjects and Sovereign: Bonds of Belonging in the Eighteenth-century British Empire*. Oxford: Oxford University Press, 2017.
- Mumford, Jeremy. "Mixed-Race Identity in a Nineteenth-Century Family: The Schoolcrafts of Sault Ste. Marie, 1824-1827." *Michigan Historical Review* 25, no. 1 (1999): 1-23.
- Nelson, Larry L. *A Man of Distinction Among Them: Alexander McKee and the Ohio Country Frontier, 1754-1799*. Kent: Kent State University Press, 1999.

- O'Toole, Fintan, *White Savage: William Johnson and the Invention of America*. New York: Farrar, Straus and Giroux, 2005.
- Olshan, Judd David. "Butlers of the Mohawk Valley: Family Traditions and the Establishment of the British Empire in Colonial New York." PhD dissertation, Syracuse University, 2015.
- Osborne, A.C. "The Migration of Voyageurs from Drummond Island to Penetanguishene in 1828." *Ontario Historical Society Papers and Records* 3 (1901): 123-166.
- Parmenter, Jon. "'Onenwahatirighsi Sa Genthō Skaghnughtudigh': Reassessing Haudenosaunee Relations with the Albany Commissioners of Indian Affairs, 1723–1751." In *English Atlantics Revisited: Essays Honouring Ian K. Steele*, edited by Nancy L. Rhoden, 235-283. Montreal: McGill-Queen's University Press, 2007.
- . "After the Mourning Wars: The Iroquois as Allies in Colonial North American Campaigns, 1676-1760." *The William and Mary Quarterly* 64, no. 1 (2007): 39-76.
- . "Pontiac's War: Forging New Links in the Anglo-Iroquois Covenant Chain, 1758-1766." *Ethnohistory* 44, no. 4 (1997): 617-654.
- Paxton, James. *Joseph Brant and His World: Eighteenth-century Warrior and Statesman*. Toronto: James Lorimer & Company, 2008.
- Peers, Laura Lynn, and Carolyn Podruchny, editors. *Gathering Place: Aboriginal and Fur Trade Histories*. Vancouver: UBC Press, 2010.
- Perry, Adele. *Colonial Relations: The Douglas-Connolly Family and the Nineteenth-Century Colonial World*. Cambridge: Cambridge University Press, 2015.
- Potter, Simon, and Jonathan Saha. "Global History, Imperial History and Connected Histories of Empire." *Journal of Colonialism and Colonial History* 16, no. 1 (2015): online.
- Radforth, Ian. "Sydenham and Utilitarian Reform." In *Colonial Leviathan: State-Formation in Mid-Nineteenth-Century Canada*, edited by Allan Green and Ian Radforth, 64-101. Toronto: University of Toronto press, 1992.
- Read, Colin F. *The Rising in Western Upper Canada, 1837–38: The Duncombe Revolt and After*. Toronto: University of Toronto Press, 1982.
- Reid, John G. "Empire, Settler Colonialism, and the Role of Violence in Indigenous Dispossession." In *Violence, Order, and Unrest: A History of British North America*,

- 1749–1876, edited by Elizabeth Mancke, Jerry Bannister, Denis McKim, and Scott W. See, 117-134. Toronto: University of Toronto Press, 2019.
- Reid, W.D. “Johan Herkimer U.E. and His Family.” *Ontario Historical Society Papers and Records* 31 (1936): 215-227.
- Richards Jr., Thomas. “The Lure of a Canadian Republic: Americans, the Patriot War, and Upper Canada as a Political, Social, and Economic Alternative, 1837-1840.” In *Revolutions across Borders: Jacksonian America and the Canadian Rebellion*, edited by Dagenais and Mauduit, 91-136. Montreal: McGill-Queen’s University Press, 2019.
- Richter, Daniel. *Trade, Land, Power: The Struggle for Eastern North America*. University of Pennsylvania Press, 2013.
- . *The Ordeal of the Long House: The Peoples of the Iroquois League in the Era of European Colonization*. Chapel Hill: University of North Carolina Press, 1992.
- Rogers, Edward S. “The Algonquian Farmers of Southern Ontario, 1830-1945.” In *Aboriginal Ontario: Historical Perspectives on the First Nations*, edited by Edward S. Rogers and Donald B. Smith 122-166. Toronto: Dundurn Press, 1994.
- Rubin, Julius H. *Tears of Repentance: Christian Indian Identity and Community in Colonial Southern New England*. Lincoln: University of Nebraska Press, 2013.
- Rushforth, Brett. *Bonds of Alliance: Indigenous and Atlantic Slavery in New France*. Chapel Hill: University of North Carolina Press, 2012.
- Salisbury, Neal. “Red Puritans: The ‘Praying Indians’ of Massachusetts Bay and John Eliot.” *The William and Mary Quarterly* 31, no. 1 (1974): 27-54.
- Schenck, Theresa M. *William W. Warren: The Life, Letters, and Times of an Ojibwe Leader*. Lincoln: University of Nebraska Press, 2007.
- Shannon, Timothy J. *Indians and Colonists at the Crossroads of Empire: The Albany Congress of 1754*. New York: Cornell University Press, 2000.
- Silver, Peter. *Our Savage Neighbors: How Indian War Transformed Early America*. New York: W.W. Norton and Company, 2008.
- Slattery, Brian “The Royal Proclamation of 1763 and the Aboriginal Constitution.” In *Keeping Promises: The Royal Proclamation of 1763, Aboriginal Rights, and Treaties in Canada*, edited by Terry Fenge and Jim Aldridge, 14-32. Montreal: McGill-Queen’s University Press, 2015.

- Sleeper-Smith, Susan. *Indigenous Prosperity and American Conquest: Indian Women of the Ohio River Valley, 1690-1792*. Williamsburg: Omohundro Institute of Early American History and Culture, 2019.
- . “[A]n Unpleasant Transaction on This Frontier’: Challenging Female Autonomy and Authority at Michilimackinac.” *Journal of the Early Republic* 25, no. 3 (2005): 417-443.
- . *Indian Women and French Men: Rethinking Cultural Encounter in the Western Great Lakes*. Amherst: University of Massachusetts Press, 2001.
- . “Women, Kin, and Catholicism: New Perspectives on the Fur Trade.” *Ethnohistory* 47, no. 2 (2000): 423-452.
- Simpson, Audra. *Mohawk Interruptus: Political Life Across the Borders of Settler States*. Durham: Duke University Press, 2014.
- Smith, Donald B. *Sacred Feathers: The Reverend Peter Jones (Kahkewaquonaby) and the Mississauga Indians*. 2nd edition. Toronto: University of Toronto Press, 2013.
- . *Mississauga Portraits: Ojibwe Voices from Nineteenth-Century Canada*. Toronto, University of Toronto Press, 2013.
- Smith, Gordon J. “Capt. Joseph Brant’s Status as a Chief, and Some of His Descendants.” *Ontario Historical Society Papers and Records* 12 (1914): 89-101.
- Smith, Keith D. *Liberalism, Surveillance, and Resistance: Indigenous Communities in Western Canada, 1877-1927*. Edmonton: University of Athabasca Press, 2009.
- Smith, S.D. *Slavery, Family, and Gentry Capitalism in the British Atlantic: The World of the Lascelles, 1648-1834*. New Haven: Yale University Press, 2006.
- Sossoyan, Matthieu. “The Kahnawake Iroquois and the Lower-Canadian Rebellions, 1837–38.” MA dissertation, McGill University, 1999.
- Steele, John C. “Reminiscences of a Pioneer.” *Simcoe County Pioneer Papers* 4 (1911): 53-54.
- Sugden, John. *Blue Jacket: Warrior of the Shawnees*. Lincoln: University of Nebraska Press, 2000.
- Surtees, Robert J. *Indian Land Surrenders in Ontario, 1763-1867*. Ottawa: Treaties and Historical Research Centre, 1984.

- . *Canadian Indian Policy: A Critical Bibliography*. Bloomington: Indiana University Press, 1982.
- Svenson, Sally E. *Blacks in the Adirondacks: A History*. Syracuse: Syracuse University Press, 2017.
- Tanner, Helen Hornbeck, Adele Hast, Jaqueline Peterson, Robert J. Surtees, editors. *Atlas of Great Lakes Indian History*. Norman: University of Oklahoma Press, 1987.
- Taylor, Alan. *The Divided Ground: Indians, Settlers, and the Northern Borderland of the American Revolution*. New York: Alfred A. Knopf, 2006.
- . *The Civil War of 1812: American Citizens, British Subjects, Irish Rebels, and Indian Allies*. New York: Vintage Books, 2011.
- Telford, Rhonda. "The Central Ontario Anishinabe and the Rebellion, 1830-1840." In *Papers of the Thirty-Second Algonquian Conference*, edited by John D. Nichols, 442-570. Winnipeg: University of Manitoba Press, 2001.
- . "How the West Was Won: Land Transactions Between the Anishinabe, the Huron and the Crown in Southwestern Ontario." In *Papers of the Twenty-Ninth Algonquian Conference*, edited by David H. Pentland, 352-367. Winnipeg: University of Manitoba, 1998.
- . "The Nefarious and Far-Ranging Interests of Indian Agent and Surveyor John William Keating, 1837-1869." In *Papers of the Twenty-Eighth Algonquian Conference*, edited by David H. Pentland, 372-402. Winnipeg: University of Winnipeg, 1997.
- Tobias, John L. "Protection, Civilization, Assimilation: An Outline of Canada's Indian Policy." In *As Long as the Sun Shines and Water Flows*, edited by Ian Getty and A.S. Lussier, 39-55. Vancouver: University of British Columbia Press, 1983.
- Travers, Karen Jean. "Seeing with Two Eyes: Colonial Policy, the Huron Tract Treaty and Changes in the Land in Lambton County, 1780-1867." PhD dissertation, York University, 2015.
- Van Kirk, Sylvia. *Many Tender Ties: Women in Fur Trade Society, 1670-1870*. Norman, University of Oklahoma Press, 1980.
- Walters, Mark D. "The Extension of Colonial Criminal Jurisdiction over the Aboriginal Peoples of Upper Canada: Reconsidering the Shawanakiskie Case (1822-26)." *The University of Toronto Law Journal* 46, no. 2 (1996): 273-310.

- . “The Continuity of Aboriginal Customs and Government under British Imperial Constitutional Law as Applied in Colonial Canada, 1760-1860.” PhD dissertation, University of Oxford, 1995.
- White, Richard. *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815*. Cambridge: Cambridge University Press, 1991.
- Williams, Kayanesenh Paul. *Kayanerenkó:wa: The Great Law of Peace*. Winnipeg: University of Manitoba Press, 2018.
- Willig, Timothy D. *Restoring the Chain of Friendship: British Policy and the Indians of the Great Lakes, 1783-1815*. Lincoln: University of Nebraska Press, 2008.
- Widder, Keith. *Battle for the Soul: Métis Children Encounter Evangelical Protestants at Mackinaw Mission, 1823-1837*. East Lansing: Michigan State University Press, 1999.
- Witgen, Michael J. *An Infinity of Nations: How the Native New World Shaped Early North America*. Philadelphia: University of Pennsylvania Press, 2012.