

Paternalism, Capitalism, and Political Suppression:
Case Studies of Settler-Colonialism on the Grand River
by
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Abstract

The Haudenosaunee of the Grand River have received immense attention as objects of study by academics, but agents and systems of colonialism have been overlooked. As such, this thesis applies a settler colonial framework to the Grand River to examine how the interplay between individual settlers, corporations, and the colonial government unfolded. Because the end point of settler colonialism is acquiring Indigenous land, there are often similarities in the process across geographic and temporal boundaries. However, the goal of this thesis is to identify unaccounted structures and processes in order to demonstrate the distinct ways that settler colonialism developed on the Grand River. This is done through two case studies that take place during two different centuries in order to identify the through lines of how settler colonialism operated as both a structure and a process on the Grand River. This thesis focusses on the Grand River Navigation Company of the 1830s, the 1924 coup d'état at the Ohsweken Council House, and the conclusion briefly discusses the 2006 Kanonhstaton land dispute in order to thematically unite the cases. Over the course of three centuries settlers, corporations, and governments used paternalism, capitalism, and political suppression as tools to dispossess the Haudenosaunee.

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Chapter One
A Historiography of Settler Colonialism and the Grand River

Introduction to the Grand River

The Grand River in Southern Ontario has long been a site of complex and nuanced political, cultural, and historical interest. From the origins of anthropology up until present, the Grand River has drawn the focus of academics, activists, politicians, resource extractors, and the average Canadian due to its geographic location and importance as a site of settler-Indigenous interaction. Christie Blatchford, a long-time journalist, was one such interested Canadian who examined the 2006 Kanonhstaton land dispute in her 2010 book *Helpless: Caledonia's Nightmare of Fear and Anarchy, and How Law Failed All of Us*. The conflict in question arose after peaceful protestors from the Six Nations occupied disputed land near the town of Caledonia, Ontario to prevent the construction of a subdivision. Despite promises of non-violence from law enforcement officers, Ontario Provincial Police raided the protestors in the early morning of April 20, 2006. Blatchford's work examined the dispute, as it was the most current and relevant conflict between Six Nations and non-Indigenous Canadians of her time and location.¹ The underlying power dynamics and the inclusion of Indigenous voices and perspectives must be discussed when examining the historical relationships of settler and Indigenous groups. However, as with many similar works, in *Helpless* there was a lack of both Indigenous sources and historical context.

The history of the Grand River as it relates to European settlers began with French travelers, such as Samuel de Champlain, who encountered Indigenous nations like those of the Haudenosaunee with knowledge of the river. The Grand River, or Ó:se Kenhionhata:tie in Kanien'kéha (Mohawk), was formerly called the River Ouse among many other names by European settlers before the current name became most commonly used. The head waters of the

¹ Christie Blatchford, *Helpless: Caledonia's Nightmare of Fear and Anarchy, and How Law Failed All of Us* (Toronto: Anchor Canada, 2010).

river begin northwest of Toronto and travel 280km south into Lake Erie. Today, large population centers along the waterway include Kitchener-Waterloo, Cambridge, Brantford, and Caledonia. Additionally, the largest reserve by population in Canada is the Six Nations of the Grand River (Six Nations Indian Reserve No. 40), and it lies along the river. The reserve was formally established in 1784 with the signing of the Haldimand Proclamation. The majority of Haudenosaunee nations continued their allegiance with the British Crown throughout the war that resulted in American independence in 1783. Thus, England was bound as their ally to provide Haudenosaunee nations with a land base as they were forced out of their traditional territory in the south by the Americans. Sir Frederick Haldimand, the Governor of Quebec, agreed to designate 10km on both sides of the Grand River (about three million acres' total) to the Haudenosaunee as their possession which "them and their prosperity are to enjoy forever."²

Almost immediately an influx of European settlers migrated onto the Haldimand Tract and due to their illegal settlement, between 1784 and 1850, Haudenosaunee Grand River territory was reduced by over 95%. Though the Tract was established prior to the Province of Upper Canada in 1791, it continued to exist while the Province became Canada West in 1841, and finally Ontario with confederation in 1867. The period of Upper Canada saw the white population of the Province grow from 10,000 in 1790 to 951,000 in 1851.³ Meanwhile, many of the First Nations of the region had been dispersed, displaced, or simply disappeared. The Attawandaron, or Neutral Nation, had inhabited the territory that would become the Haldimand Tract from perhaps the 15th century. The city of Brantford, Ontario now sits on the former capital city of the Neutral Nation, Kandoucho. There are competing theories as to why the Neutral

² Charles M. Johnston, *The Valley of the Six Nations: A Collection of Documents on the Indian Lands of the Grand River* (Toronto: University of Toronto Press, 1964), 50-51.

³ Sidney Haring, *White Man's Law: Native People in Nineteenth-Century Canadian Jurisprudence* (Toronto: University of Toronto Press, 1998), 41.

Confederacy, a union of Iroquoian nations, left their land in southern Ontario. Possible causes include decimation from European diseases, warfare-induced dwindling populations, and adoption into other nations.⁴

After the Neutral Nation disappeared from Euro-settler accounts around 1653, the land that they occupied that would later become the Haldimand Tract was shared between the Mississaugas, Anishinaabe, and the Haudenosaunee. There were a number of political agreements that involved and influenced this land and the people that lived on it between the disappearance of the Neutral Nation and the Haldimand Treaty of 1784. These include the Covenant Chain that developed throughout the 17th century, the Great Peace of Montreal in 1701, and the Albany Deed of 1701. All of these agreements involved either the French or British and the Haudenosaunee, and they had varying levels of influence on the migration of peoples and their material realities. Due to the geopolitical and historical complexities of the region, in order to establish Haudenosaunee possession of the Grand River, Governor Frederick Haldimand signed an accord in 1784 with Mississauga chiefs to cede 385,000 hectares of land. The Six Nations have clear historic ties to the territory and few other nations had claims as strong as they did to the land that would become the Haldimand Tract.⁵

It is apparent that there is a long, complicated, and nuanced history of occupation and land possession on the Grand River. As such, it is necessary to outline and understand this aspect when examining contemporary issues related to the area. Such needed historical context often goes overlooked by modern portrayals and discussions related to the land, the people, and the history. Blatchford's book *Helpless* did not include any such history, but it was also not her only

⁴ William C. Noble, "The Neutral Confederacy," *The Canadian Encyclopedia*, November 20, 2015.

⁵ Susan M. Hill, *The Clay We Are Made of: Haudenosaunee Land Tenure on the Grand River* (Winnipeg: University of Manitoba Press, 2017), 137-139.

work focussing on the dispute within the Haldimand tract near Caledonia in 2006. Her career as a journalist included multiple newspaper articles regarding the Kanonhstaton dispute. These pieces display anti-Indigenous biases, perhaps most easily seen in her exclusive focus on non-Indigenous Canadians and their perceived plight against Indigenous people. Her articles also encourage escalation, fear-inducing language, mischaracterizations of Indigenous people, and they ignore historical context.⁶ Articles published by other authors around the same time often employed similar tactics and almost always exclude the history of Indigenous-settler relations on the Grand River.⁷

The Grand River has experienced waves of attention from different academic disciplines, beginning with anthropological perspectives that continue to influence perceptions of the land, people, and politics of the Grand River. Anthropology and archeology largely gave way to ethnohistory, legal history, and most recently, works produced by those from the Six Nations of the Grand River community. The people of the Six Nations on the Haldimand Tract have perhaps been the most studied groups of people in the world.⁸ Despite this attention, the writings produced regarding the Haudenosaunee of the Grand River are often within assumed political, geographic, and historical vacuums.⁹ Though academics would come to address such gaps, Annemarie Anrod Shimony is a good example of where an awareness of external factors may

⁶ Christie Blatchford, "With a shotgun and his dog, he tried to defend his Caledonia home." *The Globe and Mail*, November 17, 2009. Blatchford, "Justice at last for Caledonia man arrested for carrying a Canadian flag." *The National Post*, 2019. Blatchford, "Caledonia natives still calling the shots in land dispute." *National Post*, 2014.

⁷ Jeffrey W. Lem, and David G. Reiner, "Building with a Chance of Law," *Canadian Building; Toronto*, 60, no. 1 (2009/2010): 11-12.; Jeffrey W. Lem, and David G. Reiner, "The Last Chapter?" *Canadian Building; Toronto*, 61, no. 4 (2011): 10-11.

⁸ Alison Norman, "Race, Gender and Colonialism: Public Life among the Six Nations of Grand River, 1899-1939," (PhD diss. University of Toronto, 2010), 9.

⁹ Annemarie Anrod Shimony. *Conservatism Among the Iroquois at the Six Nations Reserve*. Syracuse University Press, 1961.; Sally Weaver, *Medicine and Politics Among the Grand River Iroquois: a study of the non-conservatives* (Ottawa: National Museums of Canada, 1972).; Sally Weaver, "The Iroquois: The Consolidation of the Grand River Reserve by the Mid-Nineteenth Century, 1847-1875", in Rogers, Edward S. and Smith, Donald B. eds. *Aboriginal Ontario, Historical Perspectives on the First Nations* (Toronto, 1994).

have improved her work at time of publication, as well as how she is perceived amongst modern audiences. Heavily influenced by mid-20th century ethnohistorian William N. Fenton, one of the first anthropologists with academic training, Shimony was concerned with political institutions and traditions among the Haudenosaunee society specifically at the Grand River.¹⁰ Shimony was instrumental in establishing a political dichotomy of conservative/non-conservative Haudenosaunee people that was then imposed on them. This inaccurate and unhelpful binary later became the traditional/authentic and modern/inauthentic binary that is more common today.¹¹ Shimony's work also examines the supposed factionalism amongst the Six Nations of the Grand River, and as with many other "Iroquoianist" productions, it has resulted in direct harm against Haudenosaunee communities, especially those at the Grand River.¹²

Canadian and other western academics have often created works that look inwards on Haudenosaunee communities as objects of study. I attempt to look outwards from the Grand River with critical eyes towards the actions that perpetuate settler colonialism as a structure. This is done to identify the agenda of proto-Canadians, Canadians, and the Canadian nation-state towards Haudenosaunee people on their Grand River land. These relationships will be examined through a settler-colonial framework using the following case studies to deepen the understanding of the historical relationship between Canada and the part of the Haudenosaunee Confederation that resides on their Grand River territory. The following two chapters will examine the Grand River Navigation Company of the 1830s and the attempted coup d'état by the Department of Indian Affairs against the Six Nations Hereditary Council in 1924. The themes

¹⁰ Theresa McCarthy, *In Divided Unity: Haudenosaunee Reclamation at the Grand River* (Tucson: The University of Arizona Press, 2016).

¹¹ William N. Fenton, *The Great Law and the Longhouse: A Political History of the Iroquois Confederacy* (Norman: University of Oklahoma Press, 1998).

¹² McCarthy, *In Divided Unity*, 72-74.

developed in those chapters will be unified through a brief examination of the Kanonhstaton/Douglas Creek Estates Land dispute of 2006 in the conclusion. This thesis will demonstrate how settler colonialism functions not as an event, but as an ongoing structure in southern Ontario. This will be achieved by identifying particular settler-colonial tactics imposed on the Haudenosaunee of the Grand River, which will help develop a better understanding of historical processes and current events.

Writings on the Haudenosaunee of the Grand River

Haudenosaunee people that live on the Grand River have likely been the most studied Indigenous group by academics, going as far back to the origins of anthropology. Historian Rick Monture, a member of the Turtle Clan of the Mohawk Nation, claims that it is widely accepted that anthropology as an academic field of study originated with Lewis Henry Morgan's 1851 *League of the Ho-De-No-Sau-Nee, or Iroquois*.¹³ The Grand River has remained a relatively popular site of anthropological and archeological study into the 21st century.¹⁴ Interestingly, one of the earliest archeologists to study the Six Nations of the Grand River was a Seneca-British man named Arthur C. Parker, whose father was friends with Morgan. The younger Parker's career began at the turn of the 20th century, and he was elected to be the first president of the Society for American Archaeology in 1935. Born the same year as Parker in 1881, Frank Speck was another prominent anthropologist that specialized in studying Haudenosaunee people and he

¹³ Lewis H. Morgan, *League of the Ho-dé-no-sau-nee or Iroquois* (Rochester: Sage and Brothers, 1851).; Rick Monture, *We Share Our Matters: Two Centuries of Writing and Resistance at Six Nations of the Grand River* (Winnipeg: University of Manitoba Press, 2014).

¹⁴ Scott W.J. Martin, "Languages Past and Present: Archeological Approaches to the Appearance of Northern Iroquoian Speakers in the Lower Great Lakes Region of North America," *American Antiquity*, Vol. 73, No. 3 (2008): 441-463.; Neal Ferris, *The Archeology of Native-Lived Colonialism* (Tucson: University of Arizona Press, 2011).

developed a closeness with the Seneca Nation.¹⁵ Speck's immense influence on anthropology and the study of the Haudenosaunee is reflected in the 1991 work *The Life and Times of Frank G. Speck*.¹⁶ The collection contains contributions from many prominent researchers, including William N. Fenton, who was referred to by his contemporaries as the "Dean of Iroquois Studies."¹⁷

Though certain academics including Fenton, Shimony, Parker, and Speck lived with the Six Nations of the Grand River for extended periods of time, Haudenosaunee people became increasingly more suspicious of field researchers in the 1950s.¹⁸ At this point ethnohistory became the prominent lens through which western academics chose to examine the Haudenosaunee of the Grand River. Anthropology was the foundation on which the ethnohistory of the Grand River was constructed before the latter was developed in the last decades of the twentieth century.¹⁹ The school that emerged at this time was spearheaded by Fenton and it was produced by well-known historians that labelled themselves "Iroquoianists", though this term has mostly been abandoned for decades. Prominent historians of this stream, referred to at the time as the "Indian school," include Shimony, Thomas S. Abler, Barbara Graymont, Laurence M. Hauptman, Dean Snow, Elisabeth Tooker, and Sally M. Weaver. Their specific areas of thematic focus regarding Haudenosaunee history vary, but these academics were all instrumental in creating a popular understanding of the history of the Haudenosaunee. Most of them contributed chapters to the influential work *Extending the Rafters: Interdisciplinary Approaches to*

¹⁵ Frank Speck, "The Family Hunting Band as the basis of Algonkian Social Organization," in *Cultural Ecology: Readings on the Canadian Indians and Eskimos*, ed. Bruce Cox (Toronto: McClelland and Stewart Ltd., 1973), 58-60.

¹⁶ William N. Fenton, "Frank G. Speck's Anthropology" In *The Life and Times of Frank G. Speck, 1881-1950*, ed. Roy Blankenship (Philadelphia: University of Pennsylvania, 1991).

¹⁷ Regna Darnell, "William N. Fenton (1908-2005)" *Journal of American Folklore*, Vol. 120, No. 475 (2007): 73.

¹⁸ Darnell, "William N. Fenton," 73-75.

¹⁹ Fredrik Barth, *Ethnic Groups and Boundaries: The Social Organization of Culture Difference* (Brown and Company, 1969).

Iroquoian Studies, published in 1984. Though the collection focusses on Fenton and hints at hagiography at times, it provides an excellent overview of western academics' historical approach to studying Haudenosaunee people.

The “Indian school” remained productive well into the 2000s with the most recent work being Hauptman’s *Seven Generations of Iroquois Leadership* in 2008. What is perhaps most notable about *Seven Generations* compared to monographs by others who contributed to *Extending the Rafters* is how it was received. Hauptman acknowledges that his fieldwork did not overly rely on oral history, as he viewed it as “fraught with inherent dangers.”²⁰ Choosing instead to make extensive use of archival documents and interviews, Hauptman focusses on individual actors and specific locations, rather than overarching themes and movements. Furthermore, by dismissing oral history and solely relying on colonial texts, Hauptman creates a work that feels as if it is stuck in time, as it portrays Haudenosaunee people as being of the past. Theresa McCarthy, an Onondaga professor of Indigenous Studies, wrote a similar criticism of Fenton, noting that he truly believed in the eventual extinction of Haudenosaunee people and their traditions.²¹

Criticisms aimed towards Hauptman and Fenton have become more common. We begin to see more critical perceptions from western academics regarding historical works arising from the “Indian school”. Their work generally came to be seen as old-fashioned and paternalistic; amongst modern Haudenosaunee people they are controversial and often disliked.²² John Mohawk of the Seneca nation was a historian, writer, and activist who wrote in 1978 that most of

²⁰ Laurence Hauptman, *Seven Generations of Iroquois Leadership: The Six Nations since 1800* (Syracuse: Syracuse University Press, 2008), xiii.

²¹ McCarthy, *In Divided Unity*, 64.

²² Donald Grinde, review of *Seven Generations of Iroquois Leadership: The Six Nations since 1800*, by Laurence M. Hauptman. *The Journal of American History* vol. 97, no. 2 (2010): 497.

what was considered Iroquois history was created by the English and French as an attempt to discredit the Haudenosaunee and “to justify the destruction of the confederacy and theft of confederacy lands.”²³ Perhaps most importantly, it has been pointed out that anthropologists and historians who often present as experts and to be objective, are actually agents of ongoing colonization. This is seen in the approach of the previously mentioned researchers, as of the hundreds of works related to Six Nations peoples that have been produced by ethnologists and historians, Theresa McCarthy claims that “a vast majority of these works are highly problematic.”

Works relating to the Haudenosaunee are seen as problematic because they privilege non-Indigenous sources, rely on Eurocentric frames of analysis, and according to McCarthy they refuse to “situate the research within the larger context of the dispossession of Haudenosaunee lands, resources, languages, and cultures.”²⁴ An example of researchers perpetuating settler-colonialism on an individual level is how Fenton worked with and received a salary from the Bureau of Indian Affairs. He provided information about the Tonawanda Seneca on a monthly basis to the BIA while also performing research with the nation without their knowledge. For this reason, McCarthy argues that Fenton worked to “impose a settler governance structure on the Tonawanda Seneca.”²⁵ Such contributions to modern settler-colonialism by academics was rarely considered amongst previous generations of historians, such as those of the “Indian school”, and only more recently has it become common practice to examine such interconnected dynamics.

Colonial actions as they impacted Indigenous peoples were rarely the focal point for earlier historians. A shift to examine the relationship between settler and Indigenous groups was

²³ McCarthy, *In Divided Unity*, 110.

²⁴ *Ibid.*, 26-27.

²⁵ *Ibid.*, 61-62, 64.

largely performed through the emergence of a different approach. Legal histories of the Grand River Six Nations became increasingly popular in the 1990s, but the first legal history of the Grand River may have been Charles M. Johnston's 1964 collection of colonial texts and documents related to land ownership. The work, *The Valley of the Six Nations: A Collection of Documents on the Indian Lands of the Grand River*, purported to demonstrate how the Six Nations legally lost their Haldimand Tract land.²⁶ Approaching the history of the Grand River by relying primarily on legal documents was an uncommon practice until the 1990s.²⁷ The emergence of scholars that have focussed on the legal history of the Haudenosaunee at the Grand River may have been sparked by the Oka Crisis in 1990 or the Six Nations requesting an accounting of all land and monetary transactions held in trust by the Crown in 1995.²⁸ Since the late 1990s, there has been a steady stream of articles focussing on the history of colonial laws as they relate to the Grand River. Interestingly, the focus on the outlined legal history looks quite a bit different when Haudenosaunee legal history is the subject of examination. While works like Johnston's is often seen as definitive in terms of land ownership and a legal history of the territory, such legitimacy is rarely extended to the history or tradition of Haudenosaunee law.²⁹ It is important to note that the writers of these histories that focus on the Indigenous legal tradition of the land are almost always from outside said legal tradition.

²⁶ Johnston, *The Valley of the Six Nations*.

²⁷ Francis Jennings, *The History and Culture of Iroquois Diplomacy: An Interdisciplinary Guide to the Treaties of the Six Nations and Their League* (Syracuse: Syracuse University Press, 1985).

²⁸ Harring, *White Man's Law*.; Elizabeth Elbourne, "Broken Alliance: Debating Six Nations' Land Claims in 1822," *Cultural and Social History* 9, no. 4 (2012): 497-525.; Thomas Graeme Simpson, *Finding the Dis/Honour of the Crown: Study of the Federal Government's Response to the Six Nations' Specific Land Claim and Occupation of the Douglas Creek Estates* (Ottawa: Carleton University, 2012).; Christopher Vecsey and William A. Starna, *Iroquois Land Claims* (Syracuse: Syracuse University Press, 1988).; Laura Devries, *Conflicts of Caledonia: Aboriginal Land Rights and the Rule of Law* (Vancouver: UBC Press, 2011).; Reginald E. Good, "Lost Inheritance: Alienation of Six Nations' Lands in Upper Canada, 1784-1805," *Journal of Menonite Studies* 19, (2001).

²⁹ Tim Mercer, "The Two-Row Wampum: Has this metaphor for co-existence run its course?" *Canadian Parliamentary Review*, 21 (2019): 21-28.

Despite the lack of Indigenous authors that have historically contributed to this history, Indigenous academics in western institutions are becoming increasingly more involved in contributing to histories involving their nations. The reasons for the absence of Indigenous voices are outside the scope of this paper, but Susan M. Hill, a Mohawk historian, largely attributes this to the tensions regarding the impact that the Western education system has had on Indigenous people, their identity, and societies.³⁰ It is emphasized that other than Arthur C. Parker and Eli S. Parker, there were virtually no Indigenous academics that contributed to the history of the Grand River until the 21st century. Despite this, the past decade has seen prominent individuals contribute influential works. Historians such as Theresa McCarthy, Rick Monture, and Susan M. Hill have published monographs that respectively examine how the 2006 Caledonia dispute perpetuated false beliefs in factionalism, the history of literature and media produced from the Reserve, and the history of perceptions of land ownership.

Alison Norman notes that though many scholars from outside of the Six Nations have researched and written about their history (including myself with this thesis), few from within the community have done so.³¹ Reasons for this include educational oppression and differences between knowledge systems that have led many Haudenosaunee people to refuse Western education and those associated with it.³² While writing and researching this work, I recognized the necessity to constantly be aware of my positionality as a white uninvited settler who was born and raised on land possessed by the Haudenosaunee confederacy according to the Haldimand Treaty of 1784. This has not only impacted the countless privileges I enjoy, but has

³⁰ Susan M. Hill, "Conducting Haudenosaunee Historical Research from Home in the Shadow of the Six Nations-Caledonia Reclamation," *American Indian Quarterly* 33, no. 4 (Fall 2009): 489.

³¹ Alison Norman, review of *We Share Our Matters: Two Centuries of Writing and Resistance at Six Nations of the Grand River* by Rick Monture, 2016. *Ontario History* 107, no. 2 (2015): 274-275.

³² Hill, "Conducting Haudenosaunee Historical Research from Home," 490.

also influenced my perceived responsibility to contribute an accurate portrayal of our shared history and the actions performed by those that share my nationality.

It is important to state that I am not writing “Indigenous history”, as this thesis examines the actions of settlers and how settler-colonialism has historically operated as a structure and a process. As discussed, there is a long and deep history of Canadians writing about Indigenous people, and recently some Indigenous scholars have penetrated western academia and contributed works of Indigenous history on the Grand River. We have also seen disciplines used to examine the Grand River and Indigenous people living on the Haldimand Tract grow from anthropology and archeology to ethnohistory, legal history, and history produced and published by those from the Six Nations of the Grand River community. Despite the amount of attention that researchers have given the Six Nations, few works have turned a settler-colonial lens toward the Grand River.

Settler Colonialism on the Grand River

Settler colonialism is the process of acquiring Indigenous land and it is produced and upheld by governments, corporations, and individuals.³³ Canada has been and continues to be dependent on the land, resources, and knowledge of Indigenous nations, and these actions have been legitimized internally through created narratives and policies.³⁴ This thesis examines specific events and actions related to the Haldimand Tract, but these occurred within wider systems of dispossession, such as the 1857 Gradual Civilization Act and the 1876 Indian Act.

³³ Mary-Ellen Kelm and Keith D. Smith, *Talking Back to the Indian Act: Critical Readings in Settler Colonial Histories* (Toronto: University of Toronto Press, 2018), 18.; Emma Battel Lowman and Adam J. Barker, *Settler: Identity and Colonialism in 21st Century Canada* (Halifax: Fernwood Publishing, 2015), 39.

³⁴ Lowman and Barker, *Settler*, 3.

Such settler colonial policies and attitudes were targeted at the Grand River Haudenosaunee and resulted in eroding land rights, traditions, and sovereignty.³⁵ Though the Haudenosaunee were given “remuneration for the property they had left in the United States,” their land base was reduced by over 95% from 1784 to 1850. The only remaining Grand River territory is a 45,000-acre reserve near the city of Brantford, which the Six Nations have continued to occupy to this day.³⁶ Once the majority of Haudenosaunee Grand River land was collected by Canada, the Euro-settler nation-state refocused on eliminating Haudenosaunee people by destroying their finances, political systems, and ways of being. The land loss of the Six Nations is relatively well-known, but I seek to demonstrate the through-line of settler colonial actions intended to extinguish Haudenosaunee people by examining distinct instances of financial and political destruction.

The earliest works of settler colonial history are often attributed to Patrick Wolfe with his 1998 and 2006 works respectively titled *Settler Colonialism and the Transformation of Anthropology: The Politics and Poetics of an Ethnographic Event*, and *Settler Colonialism and the Elimination of the Native*. Lorenzo Veracini helped distinguish settler colonialism studies as an academic field with his 2010 and 2011 works *Settler Colonialism: A Theoretical Overview* and *Introducing Settler Colonial Studies*. While Wolfe articulates the organizing “logic of elimination” that settler colonialism is structured around, Veracini addresses the global and transnational nature of settler colonialism.³⁷ Implementing a wide temporal lens for this thesis is essential because it allows us to understand the extensive impacts of specific events, as well as how they are interconnected. Additionally, a *longue durée* approach better enables us to more

³⁵ McCarthy, *In Divided Unity*, 4.

³⁶ Good, “Lost Inheritance,” 92.

³⁷ Lorenzo Veracini, *Settler Colonialism: A Theoretical Overview* (London: Palgrave Macmillan, 2010), 2-4.

clearly see the end goal of settler-colonialism imposed on the Six Nations of the Grand River that may otherwise be overlooked.

This thesis works with an understanding that settler colonialism is a global process that began centuries ago, but is an ongoing process that develops uniquely in different spaces. John C. Weaver demonstrates how the scope of settler colonialism is global in his 2003 monograph *The Great Land Rush and the Making of the Modern World, 1650-1900*. Weaver examines the dispossession of Indigenous land within global and multi-century scopes, and argues that the modern world was shaped by a distinct tradition regarding land, property rights, and ideas of ‘improvement’.³⁸ The 2015 work “Settler: Identity and Colonialism in 21st Century Canada” by Emma Battell Lowman and Adam J. Barker discusses how such traditions and ideas regarding land and property that Weaver addresses have developed into contemporary settler colonialism in Canada. Lowman and Barker argue that capitalist exploitation, racial oppression, and settler colonialism are impossible to separate from each other, and because Canada is a settler-colonial state, such realities are innate to Canada.³⁹

Weaver and Battell Lowman and Barker respectively apply global and national scopes, while Alan Taylor focusses specifically on the dispossession of the Haudenosaunee in *The Divided Ground: Indians, Settlers, and the Northern Borderland of the American Revolution*. Published in 2006, *The Divided Ground* highlights the autonomy demonstrated by Indigenous people in their efforts to manage “an invasion of settlers, coming in great and growing numbers to divide the land.”⁴⁰ Taylor’s work also makes it clear that the inexhaustible desire for land by

³⁸ John C. Weaver, *The Great Land Rush and the Making of the Modern World* (Montreal: McGill-Queen’s University Press, 2003), 30.

³⁹ Lowman and Barker, *Settler*, 3, 48, 37.

⁴⁰ Alan Taylor, *The Divided Ground: Indians, Settlers, and the Northern Borderland of the American Revolution* (Toronto: Random House, 2006), 11.

Settlers was the root of their disputes with Indigenous people, as well as the land loss of the Six Nations.⁴¹ Similar to the intention of this thesis, *The Divided Ground* examines both the efforts of Indigenous people to cope with the invasion of settlers, and the actions of the invaders. Taylor observes that the state power of Canada was constructed from “a web of private properties that systematically consumed native land.”⁴² Throughout this thesis I seek to demonstrate how this process of dispossession unfolded specifically on the Grand River, which I do by critically analyzing the perspectives and actions of the dispossessors. Taylor argues that we have inherited a limiting view of Indigenous people that was created by those that actively dispossessed them, and focussing on the actions and beliefs of these settlers allows me to challenge such persisting views.⁴³

Conclusion

This thesis attempts to contribute to the broader settler-colonial framework and provide an accurate account of specific key Settler-Indigenous interactions within the larger relationship of Canada and the Haudenosaunee Confederacy. To accomplish this, two different events within the bounds of the Haldimand Tract that occurred in two different centuries will be examined in the two following chapters. First the Grand River Navigation Company of the 1830s to 1860s will be looked at before focussing on the 1924 dissolution of the traditional governance system of the Haudenosaunee by the Department of Indian Affairs. Finally, the conclusion will briefly outline the 2006 Kanonhstaton dispute in order to demonstrate the continuity of settler-

⁴¹ Peter C. Mancall, review of *The Divided Ground: Indians, Settlers, and the Northern Borderland of the American Revolution*, by Alan Taylor, *Journal of American History* 93, no. 4 (2007): 1213.

⁴² Taylor, *The Divided Ground*, 11, 407.

⁴³ *Ibid.*, 403.

colonialism on the Grand River since the Haldimand Treaty of 1784.⁴⁴ This will be done by establishing specific tactics in each case used by Canadians, the British Crown, and Canada to dispossess the Six Nations of the Grand River of their land, money, and autonomy. The focus on the actions of both individual settlers and the Canadian nation-state is important, because while the structures established by Canada allow for injustice to occur, it is often individuals that execute such mistreatment. In this way, this thesis also examines how the interplay between structure and individual autonomy created circumstances that allowed for the perpetuation of settler-colonialism.

The following chapter explores the Grand River Navigation Company (GRNC) and how throughout its independent existence from 1832 to 1861 it relied on stealing funds held in trust for the Grand River Six Nations without their consent or initial knowledge. The theft of the entirety of Six Nations funds was abetted by the dominion government and continued after Haudenosaunee representatives demonstrated consistent opposition to their money being used to support the project. When the GRNC foreclosed in 1861 the Six Nations were unable to seek redress despite an 1887 internal document of the Department of Indian Affairs estimating that the Six Nations were owed at least \$460,000 at the time. To demonstrate the motivations and actions of settlers and the settler state, I relied primarily on colonial texts. However, secondary sources examining the GRNC are scarce, as there has only been one major work; a 1994 monograph by Bruce E. Hill *The Grand River Navigation Company*. While this presents a challenge, I also have

⁴⁴ The most common way to refer to the 1784 agreement between the governor of Quebec Frederick Haldimand and the Six Nations is the Haldimand Proclamation, however at times I choose to call it the Haldimand Treaty. While it meets every criterion of a treaty, I refer to it as such also as a refusal of the assumption that the British Crown had the authority to grant land to Indigenous Nations whose sovereignty of said land long preceded the arrival of Europeans. It also serves as a reminder of the historic importance of the agreement and the agency, autonomy, and sovereignty of the Haudenosaunee.

the opportunity to contribute meaningfully to the topic by demonstrating how the GRNC served the underlying goal of replacing Indigenous populations with those of the settler state.

After examining the GRNC, the next chapter focusses on the dissolution of the traditional Haudenosaunee government at the Grand River Council House in 1924. The Department of Indian Affairs ordered armed RCMP officers to enter the Grand River territory without consent from the Six Nations to confiscate legal documents, wampum, land sale records, and investment accounts owed to Six Nations, among other items.⁴⁵ Removing the traditional council by force of arms demonstrates how settler-colonialism works to extinguish existing cultures and their political autonomy, especially when it threatens the perceived legitimacy of the colonial state. This chapter outlines how this tactic of settler-colonialism unfolded on the Grand River and primarily relies on colonial texts, newspaper articles, Indian Affairs correspondence, as well as writings by Deskaheh, a Cayuga hereditary chief also known as Levi General. When academics have examined the 1924 dissolution of the Confederacy Council, it is portrayed as an aberration and the focus is often on the actions of the Deskaheh, as he advocated for their sovereignty. This approach omits wider systems and dynamics that both the Haudenosaunee and representatives of Canada were operating within, as well as the motivations and reasoning of the colonial actors. I aim to critically analyze the efforts of Canadians to overthrow the traditional Haudenosaunee government at the Grand River and to contextualize the event within a larger system intent on eliminating Indigenous democracies, cultures, and ultimately peoples.

In the conclusion I examine the Kanonhstaton/Douglas Creek Estates land dispute of 2006, where people peacefully protesting against the construction of a housing development on the Haldimand Tract without proof of title were violently removed from disputed land by

⁴⁵ McCarthy, *In Divided Unity*, 22.

Canadian law enforcement. When the developers refused or were unable to provide the deed, those opposed to the development occupied the land in question but were eventually removed by Ontario Provincial Police Officers by an early morning raid. The previous chapters examine how settler colonialism seeks to capture the finances and resources of Indigenous peoples while extinguishing their political power and cultures. The final chapter demonstrates how these events are connected and the motivations behind them are ongoing. It may appear that the monetary theft of the GRNC, the dissolution of the traditional government system in 1924, and the 2006 land dispute are unrelated. However, once these events are viewed through a lens of settler colonialism it becomes apparent that they all weaken the autonomy and sovereignty of Indigenous Nations for the benefit of Canadians.

Chapter Two
Very Injudicious and Highly Prejudicial:
The Grand River Navigation Company and Settler-Colonialism on the Haldimand Tract

An Overview of the Grand River Navigation Company

The Grand River Navigation Company operated on the Haldimand Tract in a time of great turmoil. The Company existed independently on the land around the Grand River from 1832 to 1861 in present-day southern Ontario. During this period the Grand River was the site of a land-rush from settlers and the large-scale theft of land, money, and resources from the Six Nations. Such actions by settlers resulted in increased instability and mistrust within the relationships that the Six Nations held with settlers and the dominion government. These chaotic circumstances may be seen as the primary reason that the Grand River Navigation Company (GRNC) was able to steal the entirety of the Six Nations trust funds along with hundreds of acres of their land without their knowledge or consent. However, a more accurate and clearer understanding of the GRNC's dispossession of the Grand River Six Nations comes into focus when a broader theoretical lens is applied that can identify and connect the desires and actions of individual settlers, the GRNC, and the colonial state. This chapter will demonstrate how the GRNC exacerbated the earliest forms of extraction on the Haldimand Tract. These were based on the capitalist principles inherent within settler-colonialism, and they reinforced the growing power imbalance between the Haudenosaunee of the Grand River and the Crown. By examining the motives and conduct of settler-colonial actors, this chapter demonstrates how the GRNC contributed to and perpetuated the structure of settler-colonialism on the Grand River.

The Grand River Navigation Company obtained its charter in 1832, but the earliest known meeting of the Company took place five years earlier in 1827 at an inn located in the recently established riverside town of Brantford. The two most prominent and experienced founding members were David Thompson and William Hamilton Merritt. They had already accumulated significant personal wealth as a result of their involvement with the Welland Canal project, but

they sought to increase their riches with the GRNC. The construction of the Welland Canal lasted from 1824 to 1829, and the founders and promoters of the GRNC envisioned a similar experience with constructing locks on the Grand River.⁴⁶ The source of the River is north-west of Toronto and it travels south for 280 kilometres through the only zone of Carolinian forest in Canada to Lake Erie. The Grand River is also located amongst some of the most fertile agricultural land in Ontario, making it a desirable location for settlement by capitalists such as Thompson and Merritt. However, securing the initial funding that was needed to establish the Company proved difficult. This was primarily due to a reluctance among local entrepreneurs to invest in such a costly project and strong opposition from the Six Nations who owned the lands that were needed by the GRNC.⁴⁷ Additionally, the settlers on the Haldimand Tract generally possessed little capital and were unable to contribute to the funding of the project. These factors likely contributed to the founders of the GRNC unable to initially obtain the financial backing of corporations or the Upper Canadian government. However, the Company was largely able to overcome these challenges through taking funds from the Six Nations trust without their consent or knowledge.

Funding for the GRNC was acquired by taking the needed money from the Six Nations trust, which had been established by selling land and timber to the Crown in 1798. Once obtained, the GRNC used the Six Nation's money to begin constructing the first of eight locks in 1833.⁴⁸ The locks on the Grand River were built on rock foundations, consisted of local stone and timber, and were each 116 feet long by 32 feet tall. While the first five locks were all completed by 1836, it took another twelve years to finish the final three upstream locks. Once all of the necessary dams

⁴⁶ Laura Kathleen Quirk, "The Thompsons' Town: Family, Industry, Material Culture in Indiana, Ontario, 1830-1900," (PhD diss., Wilfrid Laurier University, 2010), 52.

⁴⁷ Quirk, "The Thompsons' Town," 54-55, 59.

⁴⁸ Bruce E. Hill, "The Grand River Navigation Company," MA diss., (University of Western Ontario, 1964), 34-35.

were finally completed in 1848, the GRNC enjoyed a short five years as the only transportation option for the substantial amounts of goods produced by the region before a railroad reached Brantford in 1853. The unanticipated amount of time that construction took coupled with alternative transportation options contributed to the GRNC needing to consistently borrow funds throughout its entire history in an attempt to remain solvent. However, the meagre earnings from the tolls were insufficient to cover the operating costs, and in 1859 the Directors of the GRNC acknowledged that the financial situation was “hopeless.” This recognition was followed by the Directors requesting the Brantford town council to essentially “take the work.” Once the council reluctantly accepted the request of the GRNC Directors, it foreclosed on the loans that had been granted to the Company.⁴⁹ At this time the Six Nations’ trust had been completely depleted by the GRNC, and foreclosure confirmed that the money and land taken from the Six Nations was lost.

As established in the previous chapter, Lowman and Barker argue that settler colonialism is inseparable from capitalism. Additionally, Leanne Betasamosake Simpson’s observation that colonization is always about extraction applies to the Haldimand Tract from the very beginning of the GRNC.⁵⁰ The 1826 Report of the Commissioners of Internal Navigation described the Grand River as running through extensive thinly settled fertile territory, and the region was viewed by early settlers as an excellent potential site of resource extraction.⁵¹ The area was said to have an “inexhaustible supply of timber” with quarries along the river banks that were notably

⁴⁹ Quirk, “The Thompsons’ Town,” 57, 60.

⁵⁰ Adam J. Barker, Toby Rollo, and Emma Battell Lowman, “Settler Colonialism and the Consolidation of Canada in the Twentieth Century,” in *The Routledge Handbook of the History of Settler Colonialism*, ed. Edward Cavanagh and Lorenzo Veracini (London: Routledge, 2016), 39, 159.

⁵¹ Hill, “The Grand River Navigation Company,” 8.

rich in pure-white gypsum plaster. These factors made the Grand River attractive to those with capitalist aims, such as David Thompson, a founder of the GRNC.

In her 2010 dissertation, Laura Kathleen Quirk argues that Thompson “can easily be classified as a paternalistic early capitalist.”⁵² Thompson purchased the most promising sites along the Grand River a year before the GRNC was founded with knowledge and information that was unavailable to others. Additionally, Thompson was able to accumulate great personal wealth during his involvement with the GRNC, despite the financial failings of the Company. Thompson’s great wealth is evidenced by the construction of what his grandson called “a stately mansion” sitting on a plot of 1,188 acres. This was in sharp contrast with the housing, or lack thereof, available to labourers on the project. Those that were hired by Thompson often had to travel vast distances to find work and once they arrived to the Grand River, they were not provided housing. This led the workers of the GRNC having to construct shelter for themselves which resulted in shanty towns near the work sites along the Grand River.⁵³ Just as capitalism cannot be separated from settler colonialism, it also cannot be erased from the history of the Haldimand Tract or the GRNC.

Capitalist pursuits, particularly large-scale resource extraction on Indigenous lands, has historically been justified by manufacturing and weaponizing certain conceptions of nature, wilderness, progress, and improvement. Particular land is portrayed as worthless waste that can be improved by alteration or destruction to create profit. In addition to the direct relationship to monetary wealth, the use of terms like betterment, advancement, and improvement have been intrinsic to the justification of taking the land of Indigenous Nations and maintaining settler

⁵² Quirk, “The Thompsons’ Town,” 54, 66-67.

⁵³ *Ibid.*, 52-54, 113-114.

states.⁵⁴ The Grand River was also viewed through this specific understanding of the material world by many, including those mentioned above. A visitor described the Grand River as being “nearly a wilderness” in 1793, but after returning in the 1830s, he praised the new infrastructure as “progress,” and asserted that the construction of “splendid works” had resulted in the “improvement” of the area.⁵⁵ Ideas of progress are also seen in the first annual report of the GRNC, which contains multiple instances of referring to the locks on the Grand River as an “improvement” that had increased the wealth of those associated with it.⁵⁶ Through a capitalist lens, land becomes viewed as either unused wilderness to be capitalized on, or it has been improved and is capable of producing wealth.

During the tumultuous 19th century, such changing perceptions of the land were combined with the notion that entitlement to said land depended on having improved it. This idea regarding land ownership greatly impacted how settlers regarded and treated Indigenous people and their lands.⁵⁷ A pivotal event in shaping how settlers viewed Indigenous people was the end of the War of 1812, which is commonly thought to be the last instance that the British Crown considered Indigenous Peoples to be militarily useful. Subsequently, the signifying moment of a fundamental change in the relationship between the Crown and Indigenous Nations was the transfer of the Indian Department from military to civilian control in 1830.⁵⁸ Historian J.R. Miller argues in *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, that profound change also occurred in Indigenous-settler relations in the period between the

⁵⁴ John Weaver, *The Great Land Rush and the Making of the Modern World* (Montreal: McGill-Queen’s University Press, 2003), 5.

⁵⁵ Hiram Leavenworth, “Improvement at Niagara” *British American Journal* 1, no. 36 (St. Catharines: Upper Canada) Dec. 11, 1834.

⁵⁶ Hiram Leavenworth, “First Report of the Grand River Navigation Company” *British American Journal* 1, no. 42 (St. Catharines: Upper Canada) Feb. 5, 1835.

⁵⁷ Weaver, *The Great Land Rush*, 27.

⁵⁸ Brian E. Titley, *Narrow Vision: Duncan Campbell Scott and the Administration of Indian Affairs in Canada* (Vancouver: University of British Columbia Press, 1986), 2.

1790s and 1830s. This was the period where the now dominant settler population “sought the removal of the Native from the path of agricultural settlement.” To both colonial officials and individual settlers, Indigenous Peoples had become viewed as an obstacle to settlement and progress.⁵⁹

Such ideas and language related to legitimate ownership of land were also used by the GRNC in the first annual report to advance its goals. It was argued that those who opposed the construction of the locks in 1834 were “obstacles,” so they had been “removed” by the Company.⁶⁰ Similarly, the 1841 Report of the GRNC justified the dispossession of Haudenosaunee territory by stating that the Six Nations Chiefs were “reaping no advantage whatever from these lands.” The report went on to say that the Directors of the Navigation Company looked forward to a “speedy settlement” of the unused land even though some of it “suffered to remain a wilderness.”⁶¹ The capitalism inherent in settler colonialism resulted in certain lands being viewed by settlers as wilderness to be exploited, and Indigenous Peoples became an obstacle to this goal. This can be seen in early arguments that those associated with the GRNC used to dispossess the Haudenosaunee of their land.

To justify the removal of Indigenous people that were viewed as obstacles to capitalistic goals, settlers also implemented an approach of paternalism. Europeans perceived themselves as ‘civilized’ and contrasted this with the ‘wildness’ of Indigenous individuals. The establishment of a racial hierarchy was then used as justification to legally define Indigenous people as dependents of the colonial state.⁶² While protecting Indigenous people was the first principle of

⁵⁹ J.R. Miller, *Skyscrapers Hide the Heavens: A History of Native-Newcomer Relations in Canada* (Toronto: University of Toronto Press, 1989), 87-88, 99.

⁶⁰ Leavenworth, “First Report.”

⁶¹ *The Sixth Annual Report of the Board of Directors of the Grand River Navigation Company* (St. Catharines: Hiram Leavenworth, 1841), 6.

⁶² Barker, Rollo, Lowman, “Settler Colonialism and the Consolidation of Canada”, 156.

the imperial Indian policy going back to the 1700s, it was only after 1815 that the British Crown formally integrated an approach of civilization into their relationship with Indigenous peoples.⁶³ The official civilization policy came from the Superintendent of the Indian Department in 1828 who, when faced with the possibility of his Department being scaled down until its eventual abolition, advocated a new function for the Department. In 1830, a subsequent Colonial Secretary affirmed that Britain was responsible for reclaiming Indigenous peoples “from a state of barbarism and of introducing amongst them the industrious and peaceful habits of civilized life.” The dominion government accepted and developed policy based on the racist belief that settlers should force Indigenous people to assimilate to the dominant settler society. This resulted in Canada’s policy towards Indigenous peoples being that of “civilization.”⁶⁴

The justification of upholding settler colonialism by imposing paternalism onto Indigenous people was widespread throughout overseas territories claimed by the British Crown. Paternalism expressed as a policy of “civilizing” Indigenous peoples became official Canadian policy in the 1830s. This policy was also applied to the Grand River Six Nations with increasing rigorousness throughout the 1800s. One example of paternalism is the 1844 plan by Samuel P. Jarvis, the Chief Superintendent of Indian Affairs, to reserve just enough land for a “compact settlement” for the Haudenosaunee. However, this proposed plan was also intended to make the rest of the Haldimand Tract available for settlers to extract resources and create capital. Paternalism was the justification for the proposed relocation of the Six Nations without their consent or knowledge, as it was presented by Jarvis as “helping” them.⁶⁵

⁶³ John L. Tobias, “Protection, Civilization, Assimilation: An Outline History of Canada’s Indian Policy,” in *As Long As the Sun Shines and Water Flows: a Reader in Canadian Native Studies*, ed. Ian A. Getty (Vancouver: University of British Columbia Press, 1983), 40.

⁶⁴ L.F.S. Upton, “The origins of Canadian Indian policy.” *Journal of Canadian Studies/Revue d’études canadiennes*, 8, no. 4 (1973): 56-57.

⁶⁵ Samuel P. Jarvis, “Report on Six Nations Indians Memorial,” Kingston, 22 January, 1844, LAC, RG10, vol. 796, p. 461.

Individual settlers were also agents of paternalism, as demonstrated by a writer who travelled to the Haldimand Tract in the 1850s. The writer put forward the racist view of labelling Indigenous people as unintelligent and uncivilized by writing that “the Indian yet prowled” while looking upon the “homes of an intelligent people, and the triumphs of civilization.”⁶⁶ Such racism and paternalism was so prevalent that it would even become obvious to ordinary Canadians. J.B. Mackenzie noticed it in his attempt to trace the history of the Haudenosaunee of the Grand River beginning with their relocation to the Haldimand Tract. While visiting the reserve in the late 1800s, Mackenzie observed that the Government of Canada had established a clearly paternalistic relationship with the Grand River Six Nations.⁶⁷ While paternalism was widespread within British colonialism, as well as the primary justification for the injustices experienced by Indigenous peoples at the hands of Indian Affairs, it was also localized within the Grand River lands in the 19th century.

There was an abundance of activity and development by settlers on the Haldimand Tract during the early-to-mid 1800s. However, the existing records contain some gaps, particularly as they relate to the migrations and developments of settlers. I have attempted to address such inconsistencies by supplementing the history with contemporary regional histories produced by locals of the Haldimand Tract. These accounts have been approached with an understanding of their usefulness to contextualize contemporary ideas and attitudes, but also with the knowledge that such records are not without unstated biases, motives, or blind spots. As such, these sources were critically examined and then they were located within the established structures and processes discussed above. These local histories have been used to augment or increase the

⁶⁶ Hiram Capron, *Paris in 1857. Prepared for the Information of Visitors. To the Provincial Agricultural Exhibition Held at Brantford, in the County of Brant, C. W.* (Paris, ON: The Paris Star, 1857), 6.

⁶⁷ J.B. Mackenzie, *The Six-nation Indians in Canada* (Toronto: The Hunter, Rose Company, Ltd., 1896), 134.

subtlety of stronger sources, and are not considered to be unquestionably accurate historical accounts. Similarly, with a focus on the actions of settlers and the Canadian Nation-State, textual documents foregrounding the perspectives of colonial actors are the dominant historical sources used in this chapter. These too have been interpreted with an understanding that in addition to promoting often unstated individual interests, such sources were operating within a capitalist and racist framework that directly supported settler colonialism.

While settler colonialism is global in scope, it is reactive as a process to local circumstances resulting in distinct developments within regional material and cultural realities.⁶⁸ Historically, the capitalist ideologies and pursuits of settler colonialism the Six Nations confronted were comparable to other regional variations with parallel chronologies. Similarly, the imposition of certain financially beneficial conceptions of progress were common in settler-colonial states, and this is also true of those that sought to dominate the Haudenosaunee on the Haldimand Tract. Additionally, paternalism used as the justification to dispossess Indigenous peoples of their land has been widely observed in settler societies including the ones with which the Six Nations in southern Ontario interacted.⁶⁹ However, a unique development of settler colonialism on the Haldimand Tract is that a private company was aided by the Upper Canadian government to directly dispossess an Indigenous Confederacy of their money; the GRNC was the only major work in Upper Canada that was financed by funds held in trust for Indigenous communities.⁷⁰ This chapter demonstrates how analyzing settler colonialism supported by capitalism and paternalism deepens an understanding of how despite constant and firm objection,

⁶⁸ Weaver, *The Great Land Rush*, 21.

⁶⁹ Upton, "The origins of Canadian Indian policy", 59.

⁷⁰ Hill, "The Grand River Navigation Company," iii.

the dominion government aided the Grand River Navigation Company in stealing all of the Grand River Six Nations money without consequence.

Human Activity on the Haldimand Tract

The Grand River region experienced rapid change following the 1784 Treaty between the British Crown and the Six Nations of the Haudenosaunee Confederacy. The Haldimand Tract was established in part as recognition for the Confederacy's allegiance to the Crown during the American Revolutionary War. The Tract was also created in order to uphold the Crown's responsibility of replacing the territory that the Six Nations lost because of the War. The Haldimand Tract was first purchased by the British Crown from the Mississaugas of the Credit with the Between the Lakes Treaty (No. 3), which was negotiated in 1783 and finalized in 1792. The Tract is located within the Six Nations traditional seasonal hunting grounds that were encompassed by the Province of Quebec before becoming Upper Canada.

Due to a familiarity with their traditional hunting grounds, there was some continuity for the Six Nations when the Haldimand Treaty was established as the sole possession of the Haudenosaunee "to enjoy forever." Consisting of about 950,000 acres, the Tract ran six miles on both sides of the Grand River and extended hundreds of kilometres from its headwaters to Lake Erie.⁷¹ Shortly after the establishment of the Haldimand Tract in 1784, certain settlers were invited by the Six Nations to join them on their territory, while other eager settlers arrived anxious to acquire land. The influx of settlers led to towns being built, including Brantford after a land survey in 1824 and a town plan in 1829. The initial 807 acres of the town were ceded by the Six Nations to the Crown the following year, and even though Brantford was established

⁷¹ *Land Rights: A Global Solution for the Six Nations of the Grand River* (Ohsweken: Six Nations Lands & Resources Department, 2019), 5.

town at this point, the first plot was sold by public auction in 1831.⁷² In less than 50 years, the Haldimand Tract was transformed from being a defined territory for the exclusive use of the Six Nations to a bustling region supporting several developing and predominantly white towns.

The Grand River Navigation Company received its charter in 1832, a year after the town of Brantford obtained its land title, and the Company began transforming the Haldimand Tract in 1833. The region became a large market for wheat, iron working, machine shops, and it was the most dominant site of water power in the province.⁷³ However the water transportation system built by the GRNC became obsolete as a consequence of the recently developed local roads and railways.⁷⁴ Due to unexpected obstacles mentioned previously leading to the financial struggles of the GRNC, the company foreclosed in 1861. Despite its relatively short lifespan and eventual bankruptcy, in 1889 *The Globe* credited the GRNC for taking the first step in creating contemporary Brantford.⁷⁵ The GRNC was seen as initiating the improvement of the Haldimand Tract, which was realized through resource extraction, agricultural development, the production of goods, and permanent white settlements.

The early settlement of the Haldimand Tract by non-Indigenous people involved non-state actors working together with the state. As is common for settler colonization, non-state actors prefigured the policy of the state by pre-emptively claiming Indigenous land without consequence or correction from the settler state.⁷⁶ A complex situation after the American Revolution involving established and changing relationships between settlers and Indigenous

⁷² Douglas Frederick Reville, *History of the County of Brant*, (Brantford: The Hurley Printing Company Ltd., 1920), 85-91.

⁷³ *The Canada (monthly) general railway and steam navigation guide, After the Plan of the English "Bradshaw" 2*, June. (Toronto: MacLear & Co., 1856).

⁷⁴ William Watt, *The City of Brantford, Province of Ontario, Canada: the Sheffield of the West; Birthplace of the Telephone* (Brantford: Watt and Shenston, 1886), 16.

⁷⁵ "Busy Brantford: A Historic City of Central Ontario" *The Globe*. Toronto, June 8, 1889.

⁷⁶ Barker, Rollo, Lowman, "Settler Colonialism and the Consolidation of Canada", 153.

people resulted in some loyalists settling alongside the Haudenosaunee on the Haldimand Tract early on.⁷⁷ However, once uninvited settlers arrived, relations drastically changed as chaotic and uncertain land ownership made it impossible to secure a title or warrant which resulted in the prevalence of unknown land ownership.⁷⁸ An example of such are the Lovejoys, who suddenly appeared to own land in the 1830s, despite no records existing of a surrender or transfer.⁷⁹ Later, in 1842, Indian Affairs awarded lots near the Grand River to the GRNC, but in 1869 it was discovered that the copy of this agreement had “gone astray,” as neither the department of Indian Affairs nor the GRNC had copies.⁸⁰ Furthermore, in 2008 a joint team of researchers from the Six Nations and the Canadian federal government found that many Brantford and Caledonia town plots were illegally handed out to “speculator friends and political cronies.” They were looking to profit from the GRNC, and the plots were neither paid for nor distributed according to the legal protocol of the Crown.⁸¹

Such occupation of the Haldimand Tract by settlers was explicitly and energetically encouraged by the Upper Canadian government from early on, with every effort made to “hurry the settlement of the Country.”⁸² In 1795, the dominion administration sanctioned the colonization of the Grand River lands without the knowledge or consent of the Haudenosaunee. This was in part justified by paternalism, as it was believed that doing so would “advance the prosperity of the province and civilize the Six Nations.”⁸³ The lieutenant governor of Upper

⁷⁷ James W. Paxton, “Merrymaking and Militia Musters: Mohawks, Loyalist, and the (Re)Construction of Community and Identity in Upper Canada,” *Ontario History* 192, no. 2 (Fall 2010), 223.

⁷⁸ Robert Cuthbertson Muir, *The Early Political and Military History of Burford* (Quebec: La Cie D’Imprimeire Commerciale, 1913), 26.

⁷⁹ Jim Windle, “Mohawk Lake controversy,” *Two Row Times*. December 10, 2014.

⁸⁰ Asst. Secretary of the Dep. of the Registrar, “Ackg. letter of 22 April affecting Grants to Grand River Navigation Co. on Grand River,” Ottawa, 27 April, 1869, LAC, RG10, vol. 796, p. 991.

⁸¹ “Brantford was settlers’ reserve.” *Brantford Expositor*. June 2, 2008.

⁸² Muir, *The Early History of Burford*, 22-25.

⁸³ E.A. Cruikshank ed., *The Correspondence of Lieut. Governor John Graves Simcoe*, 5 Vols. (Toronto: Ontario Historical Society, 1923), 2:3-5.

Canada at this time also believed that it was in the best interest of the state to surround the Six Nations with European colonists. Finally, it was common for individual settlers to pre-emptively claim and alter land belonging to Indigenous peoples. However, the Crown also began building infrastructure such as roads and bridges on the Tract prior to 1810, which was before land had been surrendered to the Crown.⁸⁴ From the beginning of the Haldimand Treaty, the Upper Canadian government enabled and encouraged individual settlers to colonize the Grand River.

The dominion government was not the only actor that endorsed the settlement of the Haldimand Tract early on, as the Grand River Navigation Company also encouraged settlers to occupy the region. An advertisement in the *Montreal Gazette* in 1834 notified the readership that 1,000 workers were being sought for immediate employment on the Grand River, with an additional 200 labourers needed for the Welland Canal.⁸⁵ That same year there were also multiple advertisements in the short-running *British American Journal* based in St. Catharines that requested 200-300 labourers for the GRNC. There was another posting in the journal in June for 1,500 masons, carpenters, and general labourers that were needed immediately.⁸⁶ Though usually transient and performing seasonal or sporadic labor, these workers also constructed shanty towns and were drawn to the region without consideration of their potential permanency.⁸⁷ Not all of these laborers permanently settled on the Haldimand Tract, but in 1843 it was noted by the Legislative Assembly of the Province of Canada that the GRNC had “village sites at every lock and dam on the river, in the most eligible situations.”⁸⁸ While individual settlers and private companies colonized the Haldimand Tract, they worked together with the

⁸⁴ Muir, *The Early History of Burford*, 75.

⁸⁵ William E. Chambers and Robert Chambers ed., “The Canadian Press” in *Chambers’s Edinburgh Journal* 3, no. 136 (September 6, 1834): 254-255.

⁸⁶ *British American Journal*. St. Catharines, Upper Canada, (June 24-Nov. 6, 1834), vol. 1, no. 15-33.

⁸⁷ Quirk, “The Thompsons’ Town,” 113.

⁸⁸ *Appendix to the third volume of the Journal of the Legislative Assembly of the Province of Canada* (Kingston: Edward John Barker, 1844), M.M.-24.

Crown to dispossess the Grand River Six Nations of their land by encouraging and legitimizing illegal settlement.

The Founding and Financial Struggles of the GRNC

When the Grand River Navigation Company was established in 1832, the Haldimand Tract was portrayed by those associated with the Company as a wilderness.⁸⁹ This view conflicted with other accounts that observed that the “whole line of the Grand River was settled by Indians.” Furthermore, the area already contained extensive transportation networks that had been constructed prior to the arrival of settlers, which would become the basis of present road networks used throughout the Haldimand Tract.⁹⁰ In addition to these human-made routes, the lakes and rivers of the area also served as natural highways for centuries prior to the arrival of settlers.⁹¹ While these established transportation systems were efficient, numerous, and far reaching, they were deemed by settlers as only suitable for the “rude commerce” that was carried out by “the savages.”⁹² William H. Merritt, perhaps the most influential person involved with the GRNC, sought to “improve the country,” and to “make it an object for individuals to invest money” by allowing them to participate “in the commercial wealth of the country.”⁹³ Despite the existence of established transportation networks, those of the Grand River Navigation Company sought to build their own and relied on capitalist notions of improvement as justification.

⁸⁹ *The Sixth Annual Report of the Board of Directors*, 6.

⁹⁰ Reville, *History of the County of Brant*, 263, 177.

⁹¹ Muir, *The Early History of Burford*, 23.

⁹² James H. Coyne, *The Country of the Neutrals: (As Far as Comprised in the County of Elgin) From Champlain to Talbot* (St. Thomas: Times Print, 1895), 21.

⁹³ J.P. Merritt, *Biography of the Hon. W. H. Merritt, M.P., of Lincoln, District of Niagara* (St. Catharines: E. S. Leavenworth Book and Job Printing Establishment, 1875), 97-98.

Though not presented as such to the public, the Grand River Navigation Company was intended, at least in part, to create profit for its founders. The initial promoters of the GRNC included David Thompson and William Hamilton Merritt who sought to transform the Grand River into being a waterway more easily navigable by larger vessels. This would allow more goods to be more easily transported throughout the Haldimand Tract and it would also connect the Grand River to larger markets located along the route from Lake Erie to Lake Ontario and eventually to the Atlantic Ocean. The idea for the GRNC likely came from Merritt, an experienced businessman and proprietor, who envisioned extending the Welland Canal to the Haldimand Tract. Merritt probed Grand River locals in 1827 about trade, production, and other topics related to the future GRNC.⁹⁴ As previously mentioned, Thompson has been described as a capitalist, and a biography of Merritt written by his eldest son displays a similar outlook. The younger Merritt stated that his father had not let pass “opportunities for private advancement,” which was seen as an accurate reflection of his motives.⁹⁵ Finally, the second annual report of the GRNC discussed how the work of the Company would increase the circulation of money and “cause an accumulation of capitalists, and other encouragement of a like nature.” The capitalist intentions of the founders of the GRNC were to create adequate infrastructure that would allow them to commodify the Grand River. This would allow commerce to be more easily facilitated, and as a result the GRNC would be an “improvement” to a “wilderness.”⁹⁶

The founders of the GRNC had been involved with the Welland Canal, which proved to be financially successful and only took the five years to complete (1824-1829). However, the progress of the GRNC project was much slower than anticipated and the Grand River was never

⁹⁴ Merritt, *Biography of the Hon. W. H. Merritt*, 87.

⁹⁵ *Ibid.*, 146.

⁹⁶ *Second Annual Report of the Grand River Navigation Company* (Brantford: Sentinel Press, 1836), 10, 1-2.

made completely navigable. Within the first two years of its existence the GRNC needed to be restructured because those in charge “had failed to accomplish anything of real benefit.”⁹⁷ About a decade later, the Directors Report of 1843 noted that the Board was pleased with the progress and the project was nearly complete, but a dividend payable to the shareholders was unable to be declared.⁹⁸ Furthermore, in 1846, after more than a decade of work, it was reported that revenue had increased over the past year, but the project had yet to be completed and more work was needed to reach the terminus. Additionally, the annual report acknowledged that due to being incomplete, the project as a whole had remained “unproductive of any good” for those deeply interested in its success, which likely refers to the shareholders.⁹⁹

Even once the GRNC completed the project as intended, the works that it constructed were found to have been in poor condition. In 1849, the Brantford Cut had finally been completed after 12 years of work, but the annual report stated that even more work was needed to make the project fully operational.¹⁰⁰ It was then found in 1852 by Public Works that the infrastructure completed by the GRNC had significantly depreciated. Even though the Public Works official had recommended connecting the work of the GRNC to the Welland Canal, he no longer thought that it would be financially beneficial.¹⁰¹ Finally, in 1855, after being operational for nearly two decades, the local Indian Agent found that without swift action the work of the GRNC would be neither permanent nor useful.¹⁰² Four years later the Directors of the GRNC

⁹⁷ Merritt, *Biography of the Hon. W.H. Merritt*, 150.

⁹⁸ *Report of the Board of Directors of the Grand River Navigation Company. December 1843* (Kingston: Watson, 1844), 3-6.

⁹⁹ *Report of the Board of Directors of the Grand River Navigation Company for the year ending December 1845*. (Brantford: Lemmon & Son, 1846), 3.

¹⁰⁰ *Annual report of the Board of Directors of the Grand River Navigation Company for the year ending May 4th 1849*. (Brantford: B.C. Gearle, 1849), 2.

¹⁰¹ Hamilton H. Killaly to the Governor General in Council, 10 July, 1852, LAC, RG10, vol. 624, p. 274.

¹⁰² David Thorburn to the Superintendent General of Indian Affairs, Cayuga, 5 March, 1855, LAC, RG10, vol. 796, p. 812.

acknowledged that financial situation was beyond repair and requested that the Brantford Town Council take over the works.¹⁰³

The inability of the GRNC to become profitable is particularly remarkable, given the economic prosperity of the Haldimand Tract and its reliance on transporting goods. Brantford, the final market to be reached by the GRNC, was reported to be flourishing in the early 1830s. The second annual report of the GRNC noticed that Brantford had “increased in a more rapid rate, than any other town in the upper Province.”¹⁰⁴ Such economic good fortune for Brantford would continue throughout the existence of the GRNC. *The Globe* reported in 1849 that Brantford was a “busy, bustling and rapidly advancing town,” and that it was “progressing rapidly in prosperity and importance.” It was also noted that the surrounding area was drawing even more workers and settlers and it was “becoming thickly settled by industrious and skilful [sic] farmers.”¹⁰⁵ As Brantford and the surrounding area was becoming an important site of industries such as commerce and agriculture, the waterways had become the main channel for both freight and passenger transportation.¹⁰⁶ However, despite being amidst bustling economic activity that relied on the transportation of locally produced goods, the GRNC was unable to capitalize on the surrounding economic growth.¹⁰⁷

Due to the inability to achieve any financial success after three decades in operation and hundreds of thousands of dollars of investments, the town of Brantford foreclosed on the mortgage in 1861 and became sole possessors of the GRNC. The property, works, and income of the GRNC were formally transferred to the Town of Brantford in an 1862 Bill that gave the town

¹⁰³ Quirk, “The Thompsons’ Town,” 57.

¹⁰⁴ *Second Annual Report*, 8.

¹⁰⁵ “The Town of Brantford: From the Brantford Herald,” *The Globe* (Toronto, Sep. 15, 1849).

¹⁰⁶ *The Canada (monthly) general railway and steam navigation guide*, 11.

¹⁰⁷ Reville, *History of the County of Brant*, 179.

the power and authority to “manage, maintain, keep up and carry on the said Navigation.”¹⁰⁸ Later, in 1871, David Thompson’s son, also named David Thompson, became the President of a new enterprise called the Haldimand Navigation Company. This Company was created with the purpose of improving the works on the Grand River “for the Navigation of scows and Hydraulic purposes.” The Haldimand Navigation Company purchased the rights and property of the old GRNC, but the works once again were eventually abandoned and in 1880 the Company ceased to exist.¹⁰⁹ Prior to the dissolution of the Haldimand Navigation Company, an individual purchased the works of the GRNC in 1875. The works that had cost hundreds of thousands of dollars and had given the region “its first commercial impetus” were sold to him for one dollar.¹¹⁰

The necessity of the GRNC may be questioned given the financial cost, length of construction, and lack of profits. The aims of the Company appear to have been worthwhile though, as the Indian Agent for the Six Nations reported in 1855 that the ability to navigate boats to and from Brantford was required for the region and the goods it produced.¹¹¹ This reflects the reasons that the founders of the GRNC gave as to why the project was necessary. Additionally, there appeared to be continued interest in the GRNC and a belief in its usefulness by some. In 1854, Absalom Shade, a businessman that helped establish the GRNC, asked Merritt if the canal system could be extended approximately 25 kilometers to Galt, where he lived. Shade claimed that the “hydraulic power created at each dam would more than pay” to have the canal system extended. Shade’s confidence in the potential productivity of the GRNC works demonstrates a belief amongst local contemporaries that the Company was capable of generating a profit.¹¹²

¹⁰⁸ *Bill: An Act to confirm the navigation property and income of the Grand River Navigation Company... No. 136. 1st Session, 7th Parliament, 25 Victoria, 1862* (Quebec: Hunter, Rose & Lemieux, 1862).

¹⁰⁹ Quirk, “The Thompsons’ Town,” 77-78.

¹¹⁰ Reville, *History of the County of Brant*, 182.

¹¹¹ David Thorburn to the Superintendent General of Indian Affairs, Cayuga, 5 March, 1855, LAC, RG10, vol. 796, p. 812.

¹¹² Absalom Shade to William H. Merritt, Galt, 27 March, 1854, LAC, RG10, vol. 796, p. 783.

Additional evidence for the potential financial viability of the GRNC is that Brantford's Board of Trade considered renewing the navigation of the Grand River after acquiring the company in 1861. It was reasoned that repairing the infrastructure of the GRNC would be inexpensive and it would benefit the agricultural, commercial, and manufacturing interests of the region. Furthermore, the infrastructure built by the GRNC had generated significant water power that was used by a local power and lighting company even after the foreclosure of the GRNC.¹¹³ Finally, in the *County of Brant Gazetteer and Directory for 1869-79*, James Sutherland, the compiler of the work and a local politician, argued that the GRNC had significantly contributed to the material wealth of the town of Brantford and the surrounding area.¹¹⁴ As previously mentioned, the Town of Brantford and the surrounding area of the Haldimand Tract experienced economic prosperity, which was seen to be a result of the GRNC project by locals.¹¹⁵ The infrastructure and investments were deemed valuable and useful by locals, and the next chapter will explore why the GRNC was unable to turn a profit.

Obstacles to Profitability

Three initial obstacles were identified by those of the Grand River Navigation Company that would be necessary to overcome: a lack of funds, a lack of public support, and a lack of land. The first challenge of the GRNC to be examined is the inability to raise funds, or the “principal obstacle,” as it was referred to in the first Directors Report.¹¹⁶ In an 1828 petition by

¹¹³ *Report on Grand River Navigation: By the Board of Trade of Brantford* (Brantford: The Courier, 1867), 13.

¹¹⁴ Sutherland, *County of Brant Gazetteer & Directory for 1869-70*, 66.

¹¹⁵ William Watt, *The City of Brantford, Province of Ontario, Canada: the Sheffield of the West; Birthplace of the Telephone* (Brantford: Watt and Shenston, 1886), 16.

¹¹⁶ *First Report of the Grand River Navigation Company, December 24, 1834* (Brantford: D.W. Keeler–Athenum Press, 1835), 1-2.

the promoters of the GRNC, it was claimed that £10,000 could be raised from private investors, but this amount would never be invested by private individuals in the entirety of the Company's existence. Once the GRNC was incorporated in 1832, it was discovered that funds that had been raised up to that point were insufficient to commence with the construction of the project. It was also at this time that the GRNC was informed that one of their largest potential sources for financial support, the Canada Company, had reversed its decision to support the project. Officials of the Canada Company that were in correspondence with the Directors of the GRNC actively supported the project and their superiors in England also believed in it. However, the Canada Company decided that it was unable to allocate any funds to purchase stock resulting in the GRNC losing a significant amount of monetary backing.¹¹⁷ The GRNC also consistently found it difficult to secure funding from the Crown, despite promises that it would financially back the work of the Company. The GRNC pursued multiple venues of potential funding but secured little external financial support, which made it difficult to start the project.

To overcome the lack of money, the Directors chose to target the funds of the Six Nations without their knowledge or consent. This was done despite firm and consistent opposition by the Six Nations to the work of the GRNC since before its creation. Individual investors had pulled their funding and locals had little if any money to invest. However, the Directors of the GRNC knew that a trust for the Haudenosaunee had been established after they sold land and timber to the Crown in 1798. Those involved with the GRNC also had reason to believe that the trustees of the Six Nations funds might recommend investing in the project. They were correct and by early 1834 the Company was able to overcome its initial lack of finances with two quarters of the shares purchased by two individuals, one quarter by the Six Nations, and the final quarter

¹¹⁷ Hill, "The Grand River Navigation Company," 20-23.

belonging to private shareholders. While this arrangement allowed the construction of the project to commence, it was also made without the knowledge or consent of the Haudenosaunee. The initial funds that the GRNC accessed to begin work were quickly found to be insufficient, so in early 1835 Sir John Colborne, the Lieutenant-Governor, again used Haudenosaunee funds to purchase an additional 4,000 shares. Within three years of incorporation, the Six Nations had already unknowingly come to possess three-quarters of the stock in the GRNC.¹¹⁸ This was still not enough though, and a year later in 1836 the Six Nations were in possession of 80% of the outstanding stock, which totalled over £40,000 that was taken without their knowledge or consent.¹¹⁹

Getting the GRNC off the ground resulted in the depletion of the Six Nations' funds, but it was seen as preferable by Company officials to continue to use up the Haudenosaunee money rather than "sacrifice the property of the GRNC." Based on this thinking, the Directors "respectfully but urgently" contacted the Governor General in 1845 to inquire about loaning "aid from Indian funds" that had yet to be invested. This attempt to steal even more money from the Six Nations was unsuccessful because the GRNC had been unable to meet their financial obligations up to that point.¹²⁰ While the exact amount of Six Nations funds invested in the company will never be known, at least 19 installments were paid out of SN funds.¹²¹ In 1887 a letter from an Indian Affairs worker reported that at least \$160,000 of Six Nations funds were used to purchase the GRNC stock. It was estimated by that worker that with interest the Six Nations would be owed at least \$460,000 at that time.¹²² The GRNC was able to obtain the

¹¹⁸ Hill, "The Grand River Navigation Company," 24-29.

¹¹⁹ *Ibid.*, iii.

¹²⁰ *Report... for the year ending December 1845*, 4-5.

¹²¹ Hill, "The Grand River Navigation Company," 42-43.

¹²² William Scott, "A Statement Respecting the Corporation Formerly Known as 'The Grand River Navigation Company'," Ottawa, 1 September, 1887, LAC, RG10, vol. 2178, p. 1-12.

funding that it needed to operate by stealing from the Six Nations fund until it was eventually completely depleted.

In addition to financial difficulties, another obstacle mentioned in the first report from the Directors in 1834 was a lack of support from locals as they found that the nearby inhabitants were “generally opposing the work.”¹²³ The first recorded instance of a public plan to increase the navigability of the Grand River was in 1827 at a meeting held at a Brantford. This gathering involved an assembly of local inhabitants as well as some from neighboring districts that were informed of the proposal to incorporate the GRNC and what the project would look like and cost. A survey of the River had already been performed before the 1827 meeting and the surveyor informed the attendees that he estimated the cost of construction for the entire project to be £17,294. A major reason that the initial plans of the GRNC found little support amongst locals was that the proposed cost of the project was too high, but the estimate presented by the surveyor at the gathering ended up being less than half of what would eventually be taken from the Six Nations funds. At the first 1827 meeting at the inn in Brantford, there was vocal opposition to the establishment and plans of the GRNC from the local assembly, but the promoters of the GRNC continued moving ahead with their project.¹²⁴

A year after the plans of the GRNC had been made known to the public, the GRNC promoters once again presented them to an assembly of the local population. At the second meeting in 1828, the project was again adamantly voted down by the local populace. Opposition to the GRNC would continue to grow and by 1831 resistance had developed into two groups of over 100 people each that were outwardly against the creation of the GRNC. An individual from

¹²³ *First Report of the Grand River Navigation Company, December 24, 1834*, (Brantford: D.W. Keeler–Athenum Press, 1835), 2.

¹²⁴ Hill, “The Grand River Navigation Company,” 9-10.

one of these groups reached out to the Six Nations, as they were another group opposed to the GRNC. The anonymous individual warned them that they would be “swindled out of their land,” if the GRNC project commenced.¹²⁵ In the face of such strong resistance, the promoters of the Company ignored the desires of the local population and simply continued to press forward with their cause. While the GRNC would eventually get off the ground, one may wonder if the GRNC could have increased their chances of reaching profitability if the promoters had been able to garner the support of the local inhabitants. Instead, the solution for the founders of the GRNC to the second obstacle, a lack of public support, was to disregard the public opinion and significant resistance from those that their project would directly support. This included the Six Nations, even though they had been targeted as involuntary investors and possessed the land needed by the GRNC.

To overcome the obstacles of funding and public support, the GRNC dispossessed the Six Nations of their finances and ignored their opposition, and to address a lack of land the GRNC also looked to dispossess the Six Nations of their territory. Sir John Colborne, the Lieutenant Governor of the Province of Upper Canada at the time, promised the GRNC that if the stock could get taken up and if the Grand River started to be improved, he would get the Six Nations to surrender their lands.¹²⁶ Additionally, when the Act that incorporated the GRNC passed in the eleventh provincial Parliament of Upper Canada in 1832, it also granted the GRNC a large amount of authority within the Haldimand Tract. The second section of the Act states:

And be it further enacted by the authority aforesaid, That the Directors of the Grand River Navigation Company shall have full power and authority to explore and Survey the Country above the Dam erected by the Welland Canal Company upon the Grand River... and for the said Company to take, appropriate, have and hold, to and for the use of them and their successors, such Land and Land covered with water as may be necessary for the

¹²⁵ Hill, “The Grand River Navigation Company,” 14.

¹²⁶ *Appendix to the third volume of the Journal of the Legislative Assembly*, M.M.-25.

said Company to occupy for the purposes of the said Navigation.¹²⁷

While this Act permitted the alteration of land anywhere deemed “necessary, expedient, or proper so to do,” it also stipulated that nothing, including land and buildings, could be possessed by the GRNC until paid for fully. This seemingly standard stipulation is something that the GRNC would neglect, especially when the condition regarded the Six Nations.

The Grand River Haudenosaunee and their land were briefly considered in the 1832 Act that incorporated the GRNC, as the requirement of paying for property prior to the exchange of its ownership included the property of Indigenous people. The Act states that regarding the possessions of Indigenous people claimed by the GRNC, they were to be compensated “in the same manner as is provided with respect to the Property, Possession or Rights of other individuals.”¹²⁸ The GRNC selected 551 acres of Haldimand Tract land at this time, and over 368 acres of that belonged to the Six Nations, including some of their prime forest and plaster beds.¹²⁹ These lands that belonged to the Haudenosaunee were issued to the GRNC as free Crown Grants, despite the 1832 Act requiring the GRNC to pay fully for any lands they came to possess prior to owning or using them.¹³⁰ The Provincial Parliament empowered the GRNC to enter and irreversibly alter Six Nations lands with the Act of 1832, and then disregarded its own requirement by gifting the GRNC nearly 370 acres of Haudenosaunee land for free.

The Directors of the GRNC were able to overcome their identified obstacles largely by ignoring opposition from local settlers and the Six Nations and then dispossessing them of their land and money without their knowledge or consent. Though these actions directly harmed the

¹²⁷ *Statutes of His Majesty's province of Upper Canada passed in the second session of the eleventh provincial Parliament of Upper Canada* (York: Robert Stanton, Printer to the King's Most Excellent Majesty, 1832), 37.

¹²⁸ *Statutes... passed in the second session of the eleventh provincial Parliament of Upper Canada*, 41.

¹²⁹ Hill, “The Grand River Navigation Company,” 18.

¹³⁰ *Land Rights: A Global Solution for the Six Nations*, 5; Lawrence Vankoughnet, “Memorandum,” Ottawa, 25 October, 1889, LAC, RG10, vol. 2178, p. 29-30.

Six Nations and their independence, the Directors of the GRNC presented such abuse as being beneficial to the Haudenosaunee. This can be seen when the Directors stated their reasoning to the Canadian government for pursuing the remainder of the Six Nations Grand River territory in 1841. The Directors submitted an application to the Canadian government that year seeking a grant to possess all the territory between “the canal and Grand river, below Brantford.” This was a vast amount of the Haldimand Tract that included the remaining reserved land of the Six Nations. However, in the annual report the dispossession of the entire territory of the Six Nations of the Grand River was portrayed as being in their interest. The 1841 annual report based this argument on the Six Nations owning three-quarters of GRNC, and the land would be used by the Company. It was therefore reasoned that three-quarters of the proceeds would be returned to the Six Nations, so dispossessing them of their remaining land would “materially promote their interests,” and it would result in “a boon.”¹³¹ While the GRNC faced a lack of funds, support, and land, these obstacles were overcome largely by stealing from the Six Nations, who opposed the project and never received any compensation.

Incompetence and Corruption

This chapter has examined the lack of funds, land, and public support that contributed to the its lack of financial success, but now it will be demonstrated that the incompetence of the GRNC was likely the largest reason that it failed. Disorganization in the bookkeeping of the GRNC was common and throughout the history of the Company various inspectors commented on the muddled state of accounts. One such example is the bookkeeper of the GRNC who reported in 1835 that there were large amounts of confusion regarding the amount of money paid

¹³¹ *The Sixth Annual Report of the Board of Directors*, 6.

to the Treasurer.¹³² Furthermore, in 1842, a letter from Governor General's office stated that the financial management was so poor that the necessary steps to investigate the monetary state and matters of the GRNC had been established.¹³³ This investigation appears to have occurred, as it appears to be an 1842 report by the Superintendent of Indians Affairs on the Conduct of the Grand River Navigation Company. This report regarding the interest of the Six Nations resulted in the Governor General seeking the input of Samuel P. Jarvis and the Executive Council "on the proper means for putting a stop to the abuses pointed out... in the conduct of the Company's Affairs."¹³⁴ While the Canadian government allowed the theft of Six Nations land and money by the GRNC, it also acknowledged that the Company had abused the Haudenosaunee.

The GRNC experienced a poor state of affairs over its entire existence, and the year after the Superintendent of Indian Affairs discovered abuses in its conduct, it was found in 1843 that there were no Company books or records that could account for the finances of the GRNC.¹³⁵ Over a decade later in 1855, after being in operation for two decades, there seems to have been little improvement. The annual report stated that the Board was unable to report an increase in the revenue over the previous year and that their "financial affairs are and have been unexpectedly embarrassing."¹³⁶ More evidence for the mismanagement of the GRNC is found in the 1862 Bill that formalized the transfer of ownership of the Company to the Town of Brantford. The Bill stated that the GRNC had "misapplied the said debentures" and had

¹³² Hill, "The Grand River Navigation Company," 44.

¹³³ Samuel P. Jarvis, "Mode of paying two Instalments on behalf of Six Nations Indians to Grand River Company," 22 February, 1842, LAC, RG10, vol. 6, p. 3021-3022.

¹³⁴ T.W.C. Murdoch, "Transmitting a Report from the Superintendent of Indian Affairs on the Conduct of the Grand River Navigation Company," 5 April, 1842, LAC, RG10, vol. 796, pg. 408.

¹³⁵ Hill, "The Grand River Navigation Company," 43-47.

¹³⁶ *Annual report of the Board of Directors of the Grand River Navigation Company. For the Year, Ending 1st May, 1855*, (Brantford: The Expositor, 1855), 3-5.

“neglected to pay the interest thereon as it became due according to the terms thereof.”¹³⁷ While money, support, and land were the initial obstacles the GRNC faced, it was the disorganization and financial incompetence that prevented profitability.

In addition to the disarray the GRNC’s books and finances, there was also significant objectionable behavior conducted by those associated with the Company. Before the GRNC was even established, William H. Merritt, the most prominent founder, was accused of using the company for substantial personal gain. It was also claimed that he had presented incorrect estimates regarding the future costs and obstacles of the GRNC, in addition to accusations of misrepresentation, greed, and incapability.¹³⁸ Furthermore, in 1834 Merritt and David Thompson knowingly dumped worthless stock on the Six Nations by secretly using the Six Nations funds to purchase said stock before repurchasing it for themselves at a depressed value for substantial personal gains. That same year, when Thompson recognized that the GRNC would provide him with less personal gain than anticipated, he wrote to Merritt that he was “extremely anxious to get out of it,” and that he intended to abandon the GRNC. Finally, there were instances in 1839 and 1840 in which payments were credited as being paid by the Six Nations to the GRNC for stock, but it was later discovered that the money had actually been paid to the private account of Thompson.¹³⁹ From wanting to desert the GRNC, to accusations of self-interest and misrepresentation, the two most prominent founders demonstrated ethically questionable actions very early on in the Company’s history.

The founders of the GRNC demonstrated questionable behavior and motives, but others with the GRNC also displayed objectionable actions. One such instance came to light in a report

¹³⁷ *Bill: An Act to confirm the navigation property and income of the Grand River Navigation Company... No. 136. 1st Session, 7th Parliament, 25 Victoria, 1862* (Quebec: Hunter, Rose & Lemieux, 1862).

¹³⁸ Hill, “The Grand River Navigation Company,” 14.

¹³⁹ *Ibid.*, 29-31, 44.

regarding the GRNC's condition and management that was prepared for the Governor General between 1837-1842. The findings of the report were that some of the Directors had acted illegally, resulting in them being charged with defrauding the Company.¹⁴⁰ Furthermore, in 1853 the *Conservative Expositor* in Brantford published an article that reported on a controversy in which a Director made derogatory statements about the character of the members of the Board. An anonymous representative of the Board of Directors wrote to the Superintendent General of Indian Affairs shortly thereafter denying the truth of the statements that the Director made about the Board. This letter also noted that the Board had passed a resolution that a special committee would be appointed at the next annual meeting in order to investigate the affairs of the GRNC; however, the outcome of this committee is unclear.¹⁴¹ Finally, it may have been mere coincidence that the following year multiple individuals that were previously nominated to positions in the GRNC refused to continue working for the GRNC.¹⁴² Regardless of their reasons, those of the GRNC demonstrated ethically dubious behavior throughout the Company's existence that likely harmed its standing with the Canadian government and the local population.

While the founders and Directors of the GRNC exhibited behavior that inhibited the success of the Company, the trustees for the Six Nations fund were seemingly either incapable or disinclined to perform what was requested of them by the Six Nations. Despite a strong desire from the Haudenosaunee to sever their ties with the GRNC from the start, the trustees were unable to stop Indian Affairs agents from continuing to funnel more of their funds into the project. This lasted from the beginning of the GRNC up until 1839, when Indian Affairs was

¹⁴⁰ William Scott to Lawrence Vankoughnet, Ottawa, 1 September, 1887, LAC, RG10, vol. 2178, p. 15-16.

¹⁴¹ JNO Cameron to Robert Bruce, Brantford, 9 March, 1853, LAC, RG10, vol. 796, p. 742-744.

¹⁴² Agnew Prunell to Robert Bruce, Cayuga, 8 May, 1854, LAC, RG10, vol. 796, p. 792-793.

restructured and Samuel P. Jarvis took over the role of the trustees.¹⁴³ The effectiveness of the trustees is questionable, as even when they were able to uphold the wishes of the Six Nations and delay the GRNC promoters' attempts to extract funds, the Directors would simply go around them by petitioning higher authorities in order to still receive the Six Nations money that they desired. Further demonstrating a lack of basic knowledge required to adequately perform the role, one of the three trustees in 1840 stated that he was unaware of the circumstances that had resulted in the Six Nations becoming proprietors of the stock.¹⁴⁴ Finally, one of the trustees was a friend and business associate of Merritt, while another was appointed in 1834 by Sir John Colborne, who strongly pushed for using the Six Nations money to establish the GRNC.¹⁴⁵ The Six Nations were represented by trustees that were close to or appointed by men who sought to steal their money, and also lacked the knowledge and ability to effectively oversee their funds.

The disorganization and unethical actions displayed by those of the GRNC and the trustees of the Six Nations funds was compounded by the neglect demonstrated by representatives of the Crown. An 1828 report requested by the Governor General of British North America regarding the state of the Indian department found that Indigenous people were incapable of managing their own affairs until they were assimilated. Thus, officers would be appointed to manage Indigenous people and their finances.¹⁴⁶ Despite this control, in 1835 the Superintendent of Indian Affairs was unaware that Six Nations funds were used to purchase shares of the GRNC in 1834 and 1835, while they also ignored the protests of the

¹⁴³ Susan M. Hill, *The Clay We Are Made of: Haudenosaunee Land Tenure on the Grand River*, (Winnipeg: University of Manitoba Press, 2017), 180.

¹⁴⁴ Hill, "The Grand River Navigation Company," 36.

¹⁴⁵ *Ibid.*, 25; *Appendix to the sixth volume of the journals of the Legislative Assembly of the Province of Canada* (Montreal: R. Campbell, 1847), T-43.

¹⁴⁶ John F. Leslie, *Commissions of Inquiry into Indian affairs in the Canadas, 1828-1858: Evolving a corporate memory for the Indian department* (Ottawa: Indian Affairs and North Development, 1985), 21-22.

Haudenosaunee.¹⁴⁷ Disregarding the issues that the Six Nations faced as a result of settler actions was common as the Confederacy had put forward several land claims against the GRNC and other projects that were all ignored by the dominion government.¹⁴⁸

The Canadian government was made aware of the Six Nations desire to sever their ties with the GRNC by others as well. The Treasurer of the New England Company, which was founded in 1649 to spread Christianity in North America, wrote to the Colonial Office in 1838 discussing “how things actually were among the Indians.” The letter pointed out that despite numerous petitions from the Six Nations to the Lieutenant Governor, parts of the Haldimand Tract that “the Indians used to frequent have been disturbed and intruded on by White Settlers improperly and illegally introduced, but whom no prosecutions in the Courts of Upper Canada have yet been able to dislodge.” The petitions by the Six Nations mentioned in this letter would be ignored, despite the Lieutenant Governor acknowledging that he had received them.¹⁴⁹ Even when the Upper Canadian government was encouraged to assist the Six Nations by a representative of the New England Company, it was decided to neglect the Haudenosaunee.

Political turmoil also appears to have created an environment in which little oversight was applied to the GRNC. The 1830s is the decade that a responsible government appeared in Upper Canada and this new governance system would continue to develop and gain support throughout the time of the GRNC. Frustrations arising from a lack of political reform resulted in the Rebellions of 1837-1838, which likely drew the attention of government officials away from other matters such as the GRNC and Indigenous funds. An 1839 inquiry revealing that despite common perception, Indian Affairs was not in control of Indian funds. Even though the trustees

¹⁴⁷ Hill, “The Grand River Navigation Company,” 40.

¹⁴⁸ S. Hill, *The Clay We are Made of*, 209.

¹⁴⁹ Charles Johnston, *The Valley of the Six Nations: A Collection of Documents on the Indian Lands of the Grand River* (Toronto: University of Toronto Press, 1964), 300-301.

of the Six Nations funds were appointed by Indian Affairs, there was “little or no information respecting the Indian property or the funds,” and the department was unaware that the accounts of the GRNC were not being kept in a regular or systemic fashion.¹⁵⁰ While Upper Canada was moving towards a responsible government, during the time of the GRNC there appears to have been a lack of political oversight regarding Indian Affairs.

Attention to matters related to the GRNC by Upper Canada officials appears to be most lacking under the tenure of Samuel P. Jarvis. As Chief Superintendent of the Department from 1837 to 1845, the financial accounts of Indian Affairs under Jarvis were in chaos and there were accounts of bribery, fraud, discrimination, and a lack of interest in the wellbeing of Indigenous people.¹⁵¹ Jarvis was also unable to account for funds taken from the Six Nations, and he had even combined his own personal accounts with Indian funds, but was never prosecuted. Finally, once it was apparent that the GRNC was floundering, Sir John Colborne, the Lieutenant Governor of Upper Canada from 1828 to 1836, convinced Jarvis to buy out white investors (who also happened to be personal friends of Colborne) using Six Nations’ money.¹⁵² While the GRNC was poorly operated, individuals in the Upper Canadian government compounded those issues by demonstrating corruption and a lack of oversight.

Finally, it is important to note that the significant political divisions of Upper Canada at this time were overlooked when it came to transferring Indigenous land and money to the hands of white settler. The Family Compact was a small but powerful group of conservative men that lasted from around the 1810s to the 1840s. They held great influence over political, economic, and judicial affairs in Upper Canada and they opposed democracy. While Samuel P. Jarvis was

¹⁵⁰ Hill, “The Grand River Navigation Company,” 35.

¹⁵¹ S. Hill, *The Clay We are Made of*, 279.

¹⁵² *Ibid.*, 180.

closely aligned with the Family Compact, he still worked alongside Thompson and Merritt, who had liberal reform leanings. The ability for these individuals to overlook political differences demonstrates the unspoken understanding that moving Indigenous resources, money, and land into white hands was the most important objective for settlers. This is also the primary function and goal of settler colonialism, and individual settlers sometimes unknowingly work with the settler state to achieve it. The actions by those of the GRNC that contributed to its failure were often abetted or disregarded by the Canadian government. Ultimately, it was the state of disarray and corruption of both the GRNC and Upper Canada that resulted in the failure of the Grand River Navigation Company.

Impacts to the Six Nations and Their Resistance

The actions discussed above by those of the Grand River Navigation Company combined with those of representatives of the Crown resulted in the Haudenosaunee experiencing a significant decrease in quality of life. The first instance of this is the destruction of Six Nations land by flooding. Prior to the establishment of the GRNC, in 1829 and 1830, the Welland Canal project flooded around 2,500 acres of Haudenosaunee Grand River land, for which they were never compensated. Another instance of flooding occurred in the 1830s when the GRNC demonstrated either a lack of foresight or a lack of care towards the Six Nations by digging a lake to use as a turnaround area for barges that flooded the Mohawk Village that was established in 1784.¹⁵³ Multiple floods on the Haldimand Tract destroyed Six Nations crops and their

¹⁵³ Jim Windle, "Mohawk Lake controversy," *Two Row Times* (Six Nations of the Grand River: Two Row Times), 10 Dec., 2014.

original village, and their inability to sustain themselves was further diminished by their inability to access funds stolen by the GRNC.

In addition to flooding, in 1837 it was reported by the Chief Clerk in the Receiver-General's office that a lack of assistance would render the Six Nations "destitute of the means of subsistence." This appears to have been an accurate assessment, as a local Baptist minister wrote to the Secretary of the Colonies that many Six Nations people had "perished from want of food owing to the non-receipt of funds expended by the government on the Grand River Navigation Company."¹⁵⁴ That same year, the letter written by the Treasurer of the New England Company mentioned above noted that in 1838 the flooding caused by the GRNC "introduced agues and fevers into situations formerly healthy," which likely refers to malaria. According to the Treasurer, this contributed to the number of Six Nations living on the lower part of the Grand River to "lately considerably decrease."¹⁵⁵ Such conditions would continue, as in 1843 locals observed an "extreme unhealthiness," with every summer bringing "a return of epidemic fever, and fever and ague, by the wasting influences of which their health, energies and means have been seriously impaired."¹⁵⁶ The Six Nations suffered flooding, damage to their crops, starvation, and disease as a result of the actions of the GRNC permitted by the Canadian government.

In addition to the harm discussed above and the theft of Six Nations funds by the GRNC, the Grand River Haudenosaunee endured further financial loss. The funds of the Six Nations had been completely depleted by 1843, at which point they were £9,000 in debt to the Receiver-General's office. In addition to the debt acquired as a result of the GRNC theft, the annual annuities that every individual of the Grand River Six Nations was to receive as a result of prior

¹⁵⁴ Hill, "The Grand River Navigation Company," 48.

¹⁵⁵ Johnston, *The Valley of the Six Nations*, " 301.

¹⁵⁶ *Appendix to the third volume of the Journal of the Legislative*, M.M.-26.

land sales had stopped being paid by Indian Affairs without reason for seven years beginning in 1837.¹⁵⁷ Furthermore, the GRNC came to possess the lands for the Brantford cut through two arbitration awards, one of which was with the Six Nations in 1842. Three decades later the last surviving Director claimed that the GRNC had paid the Six Nations \$5 per acre for this land, but upon investigation Indian Affairs found that the Six Nations had never been paid, and this land had also been stolen by the GRNC. Finally, while unverified, the Six Nations claimed after construction was complete that the locally sourced materials used to build the GRNC dams had been taken from their lands and they had never been paid for those extracted materials.¹⁵⁸ The GRNC would continue to harm the Six Nations after the initial theft of land and funds, through flooding, crop destruction, disease, and additional losses of territory and money.

The harm that the GRNC inflicted upon the Six Nations appears even more unjust when it is recalled that the Six Nations strongly and consistently opposed the existence of the GRNC from the beginning. Efforts were initially led by John Brant, who outlined three major anticipated issues in numerous letters that he sent to multiple Members of Parliament in 1829. These concerns included flooding, the destruction of fishable waters, and land theft; all of which would happen. Brant died shortly thereafter in 1832, but the Six Nations remained consistent in their opposition to the GRNC. This is evidenced by an 1833 Council meeting in which chief Thomas Echo Hill (Skanawati) stated firmly that they did not want the River to be navigated at all through their land.¹⁵⁹

The Six Nations became increasingly concerned and less convinced of assurances of the safety of their money when the GRNC began claiming plots and natural resources on the

¹⁵⁷ Hill, "The Grand River Navigation Company," 47-48.

¹⁵⁸ *Ibid.*, 96-97, 63.

¹⁵⁹ *Ibid.*, 37-40.

Haldimand Tract. Minutes from a Council meeting in 1834 reflect that the Six Nations requested a precise description of the lands that had been claimed by the GRNC, which indicates basic information was not shared with the Haudenosaunee. The Six Nations disliked being involved in the GRNC so much that by 1839 they were prepared to sell 40,000 acres, one-sixth of their remaining lands, if it would allow them to be rid of their stock in the GRNC.¹⁶⁰ As mentioned above, many of those associated with the GRNC chose to step away from it for various reasons, yet those that were strongest in opposition and had lost the most were refused the ability to do the same.

In addition to the resistance outlined, the Six Nations also petitioned the dominion government numerous times without effect. Even prior to the 1832 Bill that incorporated the GRNC, the Six Nations protested against the unchecked incursion of squatters on their land. The unauthorized settlers were reducing their territory so the Six Nations formally petitioned the Colonial Office in 1821 with regards to continued land sales and unrestrained settlement.¹⁶¹ After the establishment of the GRNC, the Haudenosaunee contacted Upper Canadian officials and asked how and why their money was invested without their knowledge or consent. When they repeatedly asked for their funds to be withdrawn from the GRNC, they were consistently and completely ignored by Upper Canadian officials.¹⁶² Additionally, in 1841 representatives of the Six Nations travelled to Kingston to raise the issues of their lands being appropriated by the Canadian Provincial government, their forced investment in the GRNC stock, and thousands of squatters on their land. The Six Nations also claimed that they had been deceived and intimidated

¹⁶⁰ S. Hill, *The Clay We Are Made of*, 178-180.

¹⁶¹ Elizabeth Elbourne, "Broken Alliance: Debating Six Nations' Land Claims in 1822." *Cultural and Social History* 9, no. 4 (2012): 505-506.

¹⁶² Representative of the Governor General to William Henry Draper, "Stock of 6 Nations," 7 August, 1841, LAC, RG10, vol. 624, p. 146.

into consenting to a recent land surrender to the Crown, and that the provisions of the surrender had not been properly explained.¹⁶³

The Grand River Haudenosaunee continued to inform the Canadian government of the injustices committed against them to no avail. In 1842, over 80 Six Nations citizens petitioned the Governor General regarding their forced relocation, but once again received no response from the Canadian Provincial government regarding their grievances.¹⁶⁴ Finally, in 1846 the Grand River Six Nations again petitioned the Canadian Provincial government regarding a land surrender in 1841, their reserve land being insufficient, and their monetary affairs, especially those related to the GRNC investments. Even though the Assembly recognized the legitimacy of these grievances and recommended actions to address them, the issues went unresolved.¹⁶⁵ The Six Nations of the Grand River consistently petitioned the dominion government and inquired into their own affairs. However, the governing body that claimed to have the Six Nations best interests in mind ignored them.

While the reasons that the petitions of the Six Nations were dismissed are unknown, there are some instances of a colonial government representative sharing the thinking behind ignoring the Haudenosaunee. One of these is when the Six Nations notified the Canadian Provincial government in 1843 that the Haldimand Tract had fallen into the hands of speculators, and their concerns were dismissed by Jarvis as “absurd.” Additionally, the Legislative Assembly speculated that the Six Nations likely expected that Jarvis to “have been aware of the impracticality of advancing the Indian interests” by their proposed methods.¹⁶⁶ Furthermore, a

¹⁶³ Representative of Indian Affairs, “Memorandum on Grand River Land,” Kingston, 31 July, 1841, LAC, RG10, vol. 626, p. 182,717-182,723, 182,730.

¹⁶⁴ Moses Walker to Samuel Bealey Harrison, Grand River, 22 March, 1842, LAC, RG10, vol. 6, p. 3049.

¹⁶⁵ *Appendix to the sixth volume of the journals of the Legislative Assembly of the Province of Canada* (Montreal: R. Campbell, 1847), T-42.

¹⁶⁶ Samuel P. Jarvis, “Report on Petition of Grand River Indians,” Kingston, 18 June, 1843, LAC, RG10, vol. 624, p. 215; *Appendix to the third volume of the Journal of the Legislative*, M.M.-24.

letter from an Indian Affairs agent discussed Six Nations representatives who travelled to Kingston in 1841 with the intention of advancing their cause to the Upper Canadian government in person. The Indian Affairs representative stated that the desires of the Six Nations would be respected “so long as they retain their stock” in the GRNC. Additionally, the Upper Canadian government viewed the Six Nations as being opposed to a “reasonable arrangement,” so it was proposed by Indian Affairs to introduce a bill into the legislature to “compel their compliance.”¹⁶⁷ The Six Nations petitions appear to have been of little concern to the Upper Canadian government and the reasoning for dismissing them appears to have received little consideration.

Perhaps the clearest example of the dominion governments approach to the grievances of the Grand River Six Nations is how their petition in June of 1852 was handled. This petition requested that the Governor General recommend to the Legislature that the money taken from the Six Nations to invest in the GRNC was paid back, as this had been done for the private stockholders of the Welland Canal. Despite the precedent, the petition was refused because the Council to the Governor General was of the opinion that “the Indian lands have been much improved in value by the works of the Grand River Navigation Company.”¹⁶⁸ However, this assessment contradicts the findings of the Legislative Assembly five years prior. Parliament had been informed in 1847 that “the opening of this navigation does not appear to have increased the value of their remaining lands, while it has flooded and rendered unfit for use a large portion of the valuable flats... which the Indians formerly cultivated and for the loss of which they have

¹⁶⁷ Representative of Indian Affairs, “Memorandum on Grand River Land,” Kingston, 31 July, 1841, LAC, RG10, vol. 626, p. 182,717-182,723.

¹⁶⁸ J.R. Ockleshaw-Johnson, *Tragic Plight of the Six Nations (Iroquois) Indians. Petition for Intervention of the League of Nations and Non-Member States* (Isle of Wight, 1933), 25-26.

received no compensation.”¹⁶⁹ Despite multiple petitions, being informed that their lands were being illegally occupied, their agricultural lands were destroyed, and that they were facing starvation and disease, the Canadian government consistently and repeatedly chose to ignore the Six Nations.

Justification and Paternalism

The injustices imposed upon the Six Nations by settlers and the Crown, such as ignoring the destruction and theft of land, the depletion of funds, and starvation and disease, were often justified by paternalism. Actions that harmed Indigenous Peoples and upheld settler-colonialism were framed through the racist notion that those of European descent were more civilized and knowledgeable than Indigenous Peoples. Thus, it was argued by dominion officials that the harmful actions of settlers toward the Six Nations were actually in the best interest of the latter.¹⁷⁰ The paternalism of this time and place cannot be overstated, and in the Canadian context it was framed as a policy of civilization and advancement. An 1985 inquiry into Indian Affairs from 1828-1858 highlighted the prevalence of “philanthropic liberalism” and the concept of the “white man’s burden” in the 1830s. These ideas were characterized in part by a new attitude towards Indigenous peoples in territories claimed by the British Crown. Herman Merivale, the permanent Under-Secretary of State for the Colonies beginning in 1847, believed that the Imperial government should protect Indigenous peoples and allow them to realize their need for material progress.¹⁷¹ Paternalism was at the core of policies towards Indigenous Peoples

¹⁶⁹ *Appendix to the sixth volume of the journals of the Legislative Assembly of the Province of Canada* (Montreal: R. Campbell, 1847), T-43.

¹⁷⁰ Barker, Rollo, and Lowman, *Settler Colonialism and the Consolidation of Canada*, 160.

¹⁷¹ Leslie, *Commissions of Inquiry into Indian affairs in the Canadas*, iii, 39-40.

in Canada, as seen with terminology like civilization, advancement, and protection, and this approach became official Canadian policy around 1830.

Such views materially impacted the Grand River Six Nations who had begun participating in a monetary economy early on by leasing Haldimand Tract land to settlers. However, in 1800, all aspects of land sales and the proceeds of land sales involving the Six Nations were taken control of by the Deputy Superintendent General of Indian Affairs and was justified as a step in protecting the Six Nations and their property.¹⁷² The colonial state also refused to fully recognize their participation in a monetary economy in the name of paternalism, trustees were imposed on the Grand River Six Nations to oversee their investments in the 1820s. Furthermore, an accurate account of their money and the earnings from investments that were promised to them were inaccessible to the Six Nations despite numerous requests.¹⁷³ Finally, the 1832 Bill that incorporated the GRNC prevented the Six Nations from selecting their own arbitrator if they sought compensation for damaged lands or property; their arbitrator would be selected on their behalf by the Chief Officer of Indian Affairs.¹⁷⁴ Even before the establishment of the GRNC, the Grand River Six Nations were impacted by the imposition of paternalism, undermining their autonomy and their ability to resist further dispossession.

The Upper Canadian government justified the appropriation of Haudenosaunee land by framing it as something that would benefit them without investigating the accuracy of this belief or consulting with the Six Nations. Sir John Colborne, the Lieutenant-Governor from 1828-1836, also held a paternal philosophy and aimed to civilize and acculturate Indigenous Peoples in Upper Canada. Colborne planned to completely restructure their lifestyle in order to increase

¹⁷² Good, "Lost Inheritance," 96.

¹⁷³ Elbourne, "Broken Alliance," 513-516.

¹⁷⁴ *Statutes... passed in the second session of the eleventh provincial Parliament of Upper Canada*, 41.

their level of civilization without any support from Indigenous people.¹⁷⁵ Perhaps it was this belief that Indigenous people were unaware of what was best for them that led Colborne to lie to the Six Nations prior to the commencement of the GRNC. As discussed above, the Six Nations strongly opposed the GRNC project and Colborne appeared to promise that it would not begin, while at the same time promising the Directors of the GRNC the opposite.¹⁷⁶ Furthermore, when Colborne took his position as Lieutenant-Governor, he converted leases between the Six Nations and settlers into fee simple. This resulted in a large portion of Haudenosaunee Grand River territory being alienated with no “known advantage to the Indian funds.”¹⁷⁷ While the Upper Canadian government claimed to be acting in the best interests of the Six Nations, it actively undermined and harmed them.

Samuel P. Jarvis, the Chief Superintendent for the Indian Department, also acted against the interests of the Six Nations while justifying such actions as beneficial to them. In 1841 the Canadian Provincial government was of the opinion that “it would greatly conduce to the happiness, comfort, and wealth of the Six Nations, if all their land, with the exception of what is necessary for their own cultivation and for their firewood should be disposed of.” However, when Jarvis initially communicated this plan to them, he believed that he was “altogether misinterpreted” by the Six Nations and found it necessary to write to the Chiefs of the Six Nations with an explanation of the Upper Canadian government’s intention to “protect the true interest of the Indians.” Later in that same letter, Jarvis recommended to the Six Nations “that they approve of the Government disposing for their exclusive benefit and advantage... of all

¹⁷⁵ Mark Francis, *Governors and Settlers: Images of Authority in the British Colonies, 1820-60* (London: Macmillan Press Ltd., 1992), 126-127; Leslie, *Commissions of Inquiry into Indian affairs*, 40.

¹⁷⁶ Hill, “The Grand River Navigation Company,” 28.

¹⁷⁷ “Extract from – Report of the Committee of Council on the petition of the Six Nations Indians relative to their lands, funds, etc.” 10 October, 1843, LAC, RG10, vol. 796, p. 432-433.

their lands which can be made available.” Jarvis argued that it was “most calculated to promote the interests of the Six Nations” by the Upper Canadian government and himself. Jarvis framed this as beneficial for the Six Nations, as it would “prevent the public property of the Six Nations from being sacrificed to the avarice and rapacity of individuals.” However, earlier in the same letter, when informed of the wishes of the Six Nations regarding the removal of illegal squatters, Jarvis said that it would not “in any manner tend to the interest of the Indians.”¹⁷⁸

Furthermore, Jarvis claimed in 1842 that it would “relieve the present embarrassed state of their affairs,” if the Six Nations surrendered even more of their money in order to further support the GRNC. This was in a letter to the Colonial Office in London, in which Jarvis outlined a plan to have the Six Nations purchase the remaining stock of the GRNC. Jarvis wrote that the Canadian Provincial government could neatly purchase the entire Company from the Six Nations without having consulted them. Jarvis argued that this scheme would “effectually relieve the Indians from their present state of embarrassment which it will be recollected was entailed upon them by an act of the Government against which at the time they formally protested.” He also noted that the Six Nations had repeatedly urged the imperial government to impart justice because they had never “derived one shilling advantage.”¹⁷⁹ This 1842 letter again demonstrates the paternalism used to condone the further dispossession of the Grand River Haudenosaunee.

While the Crown justified the appropriation of Six Nations land and money through a paternalistic policy of civilization, those of the GRNC also used paternalism to justify their theft. In 1841, the annual report demonstrated previously unseen concern for the Six Nations, as it would be “neither prudent or just to the Six Nations Indians... to call in any more than was

¹⁷⁸ Samuel P. Jarvis, “To the Chiefs of the Six Nations Indians,” Toronto, 15 January, 1841, LAC, RG10, vol. 796, p. 472, 475-478.

¹⁷⁹ Samuel P. Jarvis, “Proposes appropriation of the Indian Monies now in the English Funds towards the completion of the Grand River Navigation,” 12 February, 1842, LAC, RG10, vol. 6, p. 3015-3018.

absolutely necessary to finish the Work.”¹⁸⁰ The annual report of the GRNC also reasoned in 1845 that more of the Six Nations should be misappropriated as they would benefit more from the project’s completion than its failure, especially as the Haudenosaunee had the most at stake. Though the plan ultimately failed, the report stated that the Six Nations “were by far the most concerned in the matter... and that they would consequently be much more benefited” than those associated with them if the entire project was completed. It had occurred to the Directors that once again taking Six Nations funds without their knowledge or consent would “prevent their, and the general interests connected with the undertaking, from suffering to the extent they would do by a sale of the Company’s property.”¹⁸¹ Paternalism was not employed solely by the Canadian government, as the GRNC is demonstrated to have implemented the racist notion to justify additional theft of Haudenosaunee money.

While paternalism and racist views of Indigenous Peoples were common in the 19th century, particularly in territories claimed by the British Crown, there are also specific examples employed against the Grand River Six Nations. Those that represented the Upper Canadian government and the Directors of the GRNC both portrayed actions that would benefit them but harm the Haudenosaunee as actually being helpful towards a group of people incapable of knowing what was best for themselves. This justification also concealed the incompetence and corruption demonstrated by those of the GRNC and the Upper Canadian government by the racist and widespread belief that Indigenous people were inferior to white people and needed the help of white settlers to advance as a People. As such, despite consistent and firm opposition, the total depletion of their funds, the flooding of thousands of their acres, the theft of hundreds of other acres, and disease and starvation were actually beneficial to the Six Nations. This veil of

¹⁸⁰ *The Sixth Annual Report of the Board of Directors, 4.*

¹⁸¹ *Report... for the year ending December 1845, 4.*

paternalism provided concealment for the actions and true intentions of settlers and the Upper Canadian government and obscured the injustice inflicted on the Grand River Six Nations, for which they have never been compensated.

Conclusion

In his 2009 article “Colonialism and State Dependency,” Taiiaki Alfred argues that the most important aspect of the colonial experience for Indigenous Peoples has been the forced and rapid reshaping of their existence during the process of “colonial-capitalist expansion and consolidation,” as every aspect of life is reshaped in the interest of capitalism.¹⁸² Though rarely thought of as such, the extractive capitalism as seen in areas such as the Grand River can be viewed as a ‘slow genocide’ in which Indigenous Peoples and their cultures are gradually eliminated.¹⁸³ This chapter has outlined the process by which individual settlers, the Upper Canadian government, and the GRNC worked together to further establish and uphold settler colonialism on the Haldimand Tract in the mid-1800’s. The Upper Canadian government and the GRNC encouraged and allowed individual settlers to illegally settle on Haudenosaunee land, which was combined with a lack of legitimate record keeping and obscured lawful property ownership. The stolen land was then legitimated by the Upper Canadian government by its lack of desire to address the issue when petitioned by the Six Nations on multiple occasions.

The Six Nations were overcrowded on their own land by these settlers, and when combined with the destruction of their crops from flooding, the theft of their land, and the depletion of their money by the GRNC, they were unable to subsist without relying on financial

¹⁸² Alfred, “Colonialism and State Dependency,” 46.

¹⁸³ Barker, Rollo, and Lowman, “Settler Colonialism and the Consolidation of Canada,” 161.

aid from the Upper Canadian government.¹⁸⁴ Such a dependency on the colonial state often results from the cultural disruption experienced by Indigenous groups, especially when the disruption experienced is to the extent imposed on the Grand River Haudenosaunee.¹⁸⁵ The dominion government further sanctioned and encouraged this ‘slow genocide’ by allowing the Grand River Navigation Company to steal the entirety of Six Nations funds and hundreds of acres of their land. As historian Susan M. Hill says in her 2017 work *The Clay We are Made of: Haudenosaunee Land Tenure on the Grand River*, “the Six Nations were actually paying for their lands to be flooded, their health to be compromised, and their natural resources to be taken.”¹⁸⁶ A significant moment of the cultural disruption experienced by the Grand River Six Nations was their relocation to the Haldimand Tract in 1784. However, that disruption was further exacerbated by individual settlers, the Upper Canadian government, and the GRNC. By stealing the Six Nations land, money, and resources, it increased the necessity of the Grand River Haudenosaunee to rely on the Upper Canadian government, which allowed an easier application of paternalism as justification.

The harm imposed on the Six Nations was not endured without protest or resistance, as numerous petitions by the Six Nations made the Crown aware of the flooding, starvation, disease, forced relocation, and monetary and land theft of the GRNC. The Six Nations consistently opposed and protested the influx of illegal settlers, the theft of their land, and their forced involvement with the GRNC from the beginning, but these were dismissed by the those of the GRNC and of the Upper Canadian government. The Crown and the GRNC justified the dispossession of land and money belonging to the Six Nations through paternalism and argued

¹⁸⁴ Good, “Lost Inheritance,” 93.

¹⁸⁵ Taiaiake, “Colonialism and State Dependency,” 42.

¹⁸⁶ S. Hill, *The Clay We Are Made of*, 179.

that their actions were in the best interest of the Six Nations despite their protests. Such paternalism was common in territories claimed by the British Crown, but a distinct articulation of settler-colonialism developed on the Haldimand Tract. This process demonstrates how the capitalism and paternalism inherent in settler-colonialism functioned as a catalyst for the ‘slow genocide’ of the Grand River Six Nations in the mid-1800s.

Perhaps one of the most insidious aspects of genocide is the refusal of the perpetrators to acknowledge their role or to meaningfully engage with the responsibility of reparations. The Six Nations have not been compensated for their stolen land or funds, even though as early as 1847 it was recognized by the Legislative Assembly of the Province of Canada that the GRNC investment was injudicious. It was also acknowledged that the “greatly embarrassed state of their funds” was “attributable to engaging them in this hazardous speculation.” Despite this admission, the Assembly was of the opinion that “there appears to be no effectual method of relief for some considerable period of time.”¹⁸⁷ Relatively shortly thereafter, a representative of Public Works reported to the Governor General in 1852 that a very serious amount of Six Nations funds had been invested in the GRNC “not only without their consent, but in opposition to their repeated remonstrances.” This correspondence with the Governor General argued that the petition of the Six Nations “should incline the Government to favorable action in the matter,” due to the investments of the Six Nations in the GRNC being “wholly unproductive.”¹⁸⁸

While Indian Affairs civilization efforts intensified after confederation, in 1889 the Deputy Superintendent General of Indian Affairs examined the relevant documents on file and was of the opinion that the Grand River Six Nations had a claim against the imperial government

¹⁸⁷ *Appendix to the sixth volume of the journals of the Legislative Assembly of the Province of Canada* (Montreal: R. Campbell, 1847), T-43.

¹⁸⁸ Representative of Public Works, “Report upon documents connected with Grand River Navigation,” 10 July, 1852, LAC, RG10, vol. 624, p. 273-276.

“both as regards the money investment and the land appropriated without their consent.”¹⁸⁹

Furthermore, a federal commissioner investigated the conditions of the Grand River Reserve in 1923, and found that the impacts of the GRNC were frequently brought to his attention as a legitimate and substantial injustice. The commissioner concluded the report by stating that it “undoubtedly constitutes a real grievance and should finally be dealt with in some way.”¹⁹⁰ Despite employees of the Canadian Government recognizing the validity of the Six Nations claim regarding their stolen land and money since at least 1847, there has yet to be any compensation.

Up until 1983 the Crown argued that the management of Haudenosaunee lands and the proceeds from land sales was a political trust that it did not need to account for. However, in 1984 the Supreme Court changed its stance and ruled that the Crown actually is legally accountable for how it manages the assets of Indigenous Nations. Given this ruling, the Six Nations launched a court action seeking an accounting of their land sales proceeds in 1995, but Canada and Ontario have failed to provide the requested accounting.¹⁹¹ The lack of reparations is particularly noteworthy, as the Act of 1832 incorporating the GRNC required compensation for any property used or damaged by the GRNC. The Act also states that Grand River land was “not to be taken possession of by the Company until paid for.”¹⁹² There has been a lack of care or knowledge amongst Canadians that our predecessors undeniably broke self-imposed treaties and laws. When combined with the infliction of a variety of significant harms to the Six Nations that have gone uncompensated, it is clear there are widespread systemic issues that need to be

¹⁸⁹ Lawrence Vankoughnet, “Memorandum,” Ottawa, 25 October, 1889, LAC, RG10, vol. 2178, p. 29-30.

¹⁹⁰ Andrew T. Thompson, *Report by Col. Andrew T. Thompson, B.A., LL.B. Commissioner to investigate and enquire into the affairs of the Six Nations Indians, 1923* (Ottawa: F.A. Acland, Printer to the King’s Most Excellent Majesty, 1924), 18-19.

¹⁹¹ Good, “Lost Inheritance: Alienation of Six Nations’ Lands,” 99.

¹⁹² *Statutes... passed in the second session of the eleventh provincial Parliament of Upper Canada*, 41.

addressed. Susan M. Hill states that the road forward between Six Nations and Canada must address how Canadian prosperity was achieved at a cost to the Six Nations.¹⁹³ This chapter has outlined a deeply historic anti-Indigenous racism inherent to Canada, and we can move forward only once this is honestly addressed.

¹⁹³ S. Hill, *The Clay We Are Made of*, 240.

Chapter Three
“But a travesty of justice”:
Canada’s Attempted 1924 Coup d’état at the Grand River Six Nations Council House

An Overview of the 1924 Coup

In 1924, the Canadian government ordered armed Royal Canadian Mounted Police officers to steal Haudenosaunee legal documents, overthrow their government, and to install its preferred governance structure on a sovereign confederacy. This event has received significant attention from academics, but focussed almost exclusively on the actions of actors from the Six Nations, particularly Deskaheh (Levi General). This chapter aims to understand the motivations of the Canadian settlers that attempted to force the Grand River Six Nations to submit to the imposition of a new and foreign governance structure. This chapter extends its analysis of the inherent racism within Canada as a settler-state that was established in the previous chapter, but here the focus is shifted away from the capitalism that shaped early settler-colonialism on the Grand River. Instead, this chapter examines the necessity of settler-states maintaining the appearance of legitimate sovereignty through any means, including violence. Writings on the attempted 1924 coup d'état often frame it as a singular event, but as established in the previous chapter, settler-colonialism is a structure. As such, the actions of individual and organized groups of settlers outlined in the prior chapter laid the groundwork for the coup by reducing the ability of the Six Nations to resist the coup through the theft of their land and money.

Settler-colonialism and the ways it was expressed evolved from the decline of the Grand River Navigation Company in the mid-1800s to the 1924 attempted coup d'état by Canada at the Ohsweken Council House. The Crown did not pursue a policy of extermination in the 19th century, but opted for an approach of assimilation towards Indigenous people that became extremely coercive by the early 20th century.¹⁹⁴ Despite this change in tactics, the goal of settler colonialism of eliminating Indigenous nationhood, sovereignty, and competing claims to land

¹⁹⁴ J.R. Miller, *Skyscrapers Hide the Heavens: A History of Native-Newcomer Relations in Canada* (Toronto: University of Toronto Press, 1989), 101.

remained.¹⁹⁵ This was seen through the implementation of the 1857 Gradual Civilization Act, the 1876 Indian Act, and the multiple amendments of the latter aimed at assimilating and subjugating Indigenous peoples. The traditional British approach allowed the Haudenosaunee of the Grand River some amount of autonomy, but the authoritarian approach of the Department of Indian Affairs' intensified with Duncan Campbell Scott's appointment as Deputy Superintendent in 1913 and the erosion of Six Nations autonomy was further accelerated.¹⁹⁶

The Grand River Six Nations consistently asserted their sovereignty throughout the 19th and early 20th centuries, but doing so clashed with the goals of Canada. Haudenosaunee sovereignty was seen first as illegitimate and then intolerable by the Department of Indian Affairs, and thus Canada. Alicia Elliot, a Tuscarora writer from Six Nations of the Grand River, has pointed out that numerous treaties and agreements were ignored by the government of Canada in refusing to stop non-Indigenous squatters from eroding the land base of the Haudenosaunee and by making funds inaccessible. This resulted in the Confederacy Council losing patience with the government of Canada, so they sent Deskaheh (Levi General) to London, Washington, Geneva, and Zurich throughout the early 1920s as an attempt to gain international recognition for their sovereignty.¹⁹⁷

Deskaheh eventually escalated his efforts at gaining recognition for Six Nations sovereignty after attempts with Indian Affairs, Prime Minister Mackenzie King, and the British Crown were all unsuccessful. These failed attempts pushed Deskaheh to embark on a four-year effort in the 1920s and to petition the League of Nations in 1923. This European endeavor focussed on the

¹⁹⁵ Emma Battell Lowman and Adam J. Barker. *Settler: Identity and Colonialism in 21st Century Canada* (Winnipeg: Fernwood Publishing, 2015), 74.

¹⁹⁶ Grace Li Xiu Woo, "Canadas Forgotten Founders: The Modern Significance of the Haudenosaunee (Iroquois) Application for Membership in the League of Nations." *Law, Social Justice & Global Development Journal*, 19, no. 1 (2003): 6.

¹⁹⁷ Alicia Elliot, "The Meaning of Elections for Six Nations." *Briarpatch*. Regina, May 21, 2015.

sovereignty of the Six Nations and the obligations of the British Crown as treaty signatories. Audra Simpson, a political anthropologist and a citizen of Kahnawà:ke Mohawk Nation, identifies the aggressive assimilation policy of Canada as the reason that Deskaheh and Haudenosaunee people were pushed to this point and needed to demand recognition.¹⁹⁸ However, his efforts were fruitless as he realized early on that the colonial forces working against him were “but a travesty of justice”, so he shifted his focus to spreading “the real facts.”¹⁹⁹

Angered by Deskaheh’s portrayal of Canada while abroad, Scott responded to the assertion of Haudenosaunee sovereignty by ordering an investigation into the Six Nations. Scott was seeking anything that could discredit Deskaheh and give Canada cause to install its own government.²⁰⁰ Indian Affairs, under the administration of Scott, ordered the Royal Canadian Mounted Police (RCMP) to invade and occupy the Six Nations Grand River lands. Armed police officers sent by Indian Affairs stole legal documents, wampum, land sale records, and investment accounts owed to Six Nations, and locked chiefs out of their council hall. The theft of wampum belts is particularly significant as they are considered to be sacred objects and a vital part of Haudenosaunee culture.²⁰¹ Traditionally consisting of beads created from the shells of clams, the design of wampum can hold significant historical and legal meanings. An example is the Two Row Wampum Treaty of 1613 (Teioháte Kaswenta in Mohawk) that confirmed Haudenosaunee sovereignty with the Dutch and served as a model for subsequent treaties with the British.²⁰²

¹⁹⁸ Audra Simpson, “The ruse of consent and the anatomy of ‘refusal’: cases from indigenous North America and Australia,” *Postcolonial Studies* 20, vol. 1 (2017): 26.

¹⁹⁹ Margaret Franz, “Usurping the contract: the Geneva campaign (1923-1924) and the refusal of settler sovereignty,” *Communication and Critical/Cultural Studies* 16, no. 4 (2019): 297.

²⁰⁰ Elliot, “The Meaning of Elections for Six Nations.”

²⁰¹ Theresa McCarthy, *In Divided Unity: Haudenosaunee Reclamation at the Grand River* (Tucson: University of Arizona Press, 2016), 76.

²⁰² Rick Hill, *Talking Points on History and Meaning of the Two Row Wampum*, Ohswéken: Deyohahá:ge: Indigenous Knowledge Centre (March 2013), 1-2.; Tim Mercer, “The Two-Row Wampum: Has this metaphor for co-existence run its course?” *Canadian Parliamentary Review* 42, no. 2 (Summer 2019), 21-28.

After the raid, the traditional government of the Haudenosaunee had been abolished according to Canadian officials, despite the hereditary council pre-dating Canada by hundreds of years. The coup was thought to be finalized a month after the invasion and seizure of wampum by the RCMP when an election for the newly imposed band council was held on October 21, 1924.

Canada only recognized the government it installed, but the success of the imposed Indian Act elective band council is dubious. The traditional government continues to function despite an inability to access funds, and very low voter turnout throughout its entire history is indicative of a lack of support for the elective band council from those it is said to represent. After the coup, eight hundred adults quickly signed a resolution that opposed Canada's deposition of the traditional government and the imposition of a new government. Additionally, it was found that even though the election was only for 12 councillors, there were not 12 Six Nations men willing to serve who were also not employed by the Canadian government. Finally, only 56 ballots were cast in the first election, and Chief David Hill Sr. claimed that it was a result of 26 people voting multiple times.²⁰³

The Grand River Haudenosaunee made their agreements with the British Crown and had never made an agreement with Canada by 1924. Despite this lack of a relationship, Canada attempted to depose the traditional Haudenosaunee government through the theft of wampums and the threat of armed RCMP officers. This was done to legitimize Canadian sovereignty at a time when the former settler-colonial tactics of forced removal and eliminating Indigenous people was becoming less favorably viewed. Canada used the creation of laws as a way to dispossess, and as Audra Simpson argues, law made theft legal. The subjugation of Indigenous

²⁰³ Elliot, "The Meaning of Elections for Six Nations."

people was legalized by Canada but the Grand River Six Nations never consented to the imposition of a foreign governance system or the attempted extermination of their sovereignty.²⁰⁴

Canada's attempted coup d'état of the Haudenosaunee in 1924 is often omitted from historical accounts of the 20th century.²⁰⁵ This is especially noteworthy as Haudenosaunee individuals and the Confederacy have received significant academic focus throughout the 20th and 21st centuries. Individuals of the Grand River Six Nations have been of particular historical interest, as the examination of famous and powerful individuals from the community has constituted a significant element of the historiography.²⁰⁶ Those who have received a large amount of attention from historians include Thayendanegea (Joseph Brant) as the prime example. Other individuals are his son Ahyonwaeghs (John Brant), and John Norton, Handsome Lake, Pauline Johnson, and Deskaheh (Levi General).

Deskaheh became the focus of much scholarly attention after his attempts to solidify international recognition of Haudenosaunee sovereignty through political activism primarily in Europe during the early 1920s. The role that Deskaheh played within the international campaign and his motivations have been the usual points of examination among academics. Deskaheh's personal politics and tactics have also been explored, as well as the political aims and implemented strategies of the Confederacy Council. Such questions include whether the elected band council was asked for by the Six Nation of the Grand River or whether it was imposed by Canada, and the reasons for the change in government.²⁰⁷

²⁰⁴ Simpson, "The ruse of consent," 11.

²⁰⁵ Woo, "Canadas Forgotten Founders," 3

²⁰⁶ Alison Elizabeth Norman, "Race, Gender and Colonialism: Public Life among the Six Nations of Grand River, 1899-1939," PhD diss. (University of Toronto, 2010), 24.

²⁰⁷ Norman, "Race, Gender and Colonialism," 21-22.

When academics engage with the 1924 coup, it is typically done so with an underlying acceptance of legitimacy to Canada's claims of jurisdiction over the lands included in the 1784 Haldimand Treaty. A significant example comes from John Hagopian, a legal historian, who argued that English common law was unable to accommodate parallel sovereignties on the same territory and that Frederick Haldimand only granted the Six Nations occupation rights in 1784. This interpretation both denies the sovereignty of the Haudenosaunee without explanation and does not address why they are obligated to adhere to English common law. The Six Nations never conceded to British common law, nor have the Haudenosaunee ever accepted the Canadian government's refusal of parallel sovereignties.²⁰⁸

Historians have not always allowed Indigenous historical actors as much agency as warranted, which often happens when historians fail to recognize the capacity for individuals to act outside narratives of settler perpetrators and Indigenous victims. However, this binary has not been applied to Deskaheh, as his agency has been of interest to academics as they examine his motivations and political tactics.²⁰⁹ He is often granted autonomy within the historiography perhaps because he can be portrayed as a single independent person who did not speak for the entirety of the Six Nations. A focus on Deskaheh in the narrative of the 1924 coup leaves others that are involved in this history unexamined. Most significantly, compared to Deskaheh there has been less attention given to those that were actively working against him by trying to suppress and eradicate an Indigenous governance system. This has resulted in the 1924 coup being seen

²⁰⁸ Elizabeth Elbourne, "Broken Alliance: Debating Six Nations' Land Claims in 1822." *Cultural and Social History* 9, no. 4 (2012): 500-501.

²⁰⁹ Darren Reid, "'Compound Dispossession' in Southern Ontario: Converging Trajectories of Colonial Dispossession and Inter-Indigenous Conflict, 1886-1900," *Journal of Canadian Studies/revue d'études canadiennes* 57, no. 1 (Winter 2023): 84-85.

not as a significant even within the process of settler colonialism, but as the actions of a single radical Indigenous activist.

While Deskaheh has a significant role in the historical narrative of the 1924 coup, he was not on a solo mission as he was acting as a spokesperson for the traditional council. Every nation of the Haudenosaunee is represented at the Grand River and their traditional government still operates. The Haudenosaunee have three levels of government comprised of village chiefs, national chiefs, and the Six Nations Confederacy Council.²¹⁰ While each nation has their own set of chiefs that represent and govern their nations but they all follow a single shared law. While the chiefs have historically been men, Clan Mothers have the power to replace and remove the leaders. When Indigenous historical actors are granted significant agency, they are often portrayed as individuals pursuing personal causes. However, people work within political systems and interact with external factors that are important to acknowledge.

Noting a lack of agency afforded to Indigenous historical actors within the historiography is important in this thesis because it focusses on the actions and motivations of settlers within narratives that effect and involve Indigenous individuals. The intention is not to ignore the agency of Indigenous peoples, but rather to focus on the ambitions and reasoning of individual settlers that have largely gone unquestioned and unexamined. By directing attention to Deskaheh and his political work in the 1920s, we lose sight of what he and the Confederacy Council resisted. By bringing settlers to the fore in the history of the 1924 coup, we can see how it was not a single event detached from prior or subsequent colonial aims. Rather, the coup was one

²¹⁰ I refer to the governing body at Grand River that is not the elected band council as the hereditary council, the traditional council, and the Confederacy Council. These terms are used interchangeably because this is how Haudenosaunee sources have approached the name.

noteworthy moment within an ongoing structure that has the ultimate goal of eradicating Indigenous people.

Canadian Legislation Related to Indigenous Sovereignty

The Haldimand Tract land possessed by the Six Nations was reduced to less than five percent between 1784 and 1850, resulting in Haudenosaunee individuals forced to relocated from their lands. This approach to eliminating Indigenous people, in addition to warfare and genocide, has been a common practice within settler colonial states. However, these states have also evolved a concentration on eliminating Indigenous identity and peoplehood.²¹¹ Throughout the 19th century, North American settler colonialism changed from forced relocations and wars to imposing newly established colonial law and international diplomacy to achieve the same goal of land acquisition. These new tactics leveraged violence, criminalization, citizenship, and property law in order to subjugate Indigenous peoples and erase their pre-existing sovereignties.²¹²

Canadian settler colonialism began to be characterized by the strategy of cultural genocide in the mid-1800s, around the time of operation for the Grand River Navigation Company. Canada began focussing on an ongoing consolidation of state sovereignty based on the assertion of title to Indigenous lands, which conflicted with the pre-existing sovereignty of Indigenous nations but was legitimized through law.²¹³ The laws of settler-colonial states enforced Indigenous dispossession and then through citizenship were granted “enfranchisement.”

²¹¹ Lowman, Barker, *Settler: Identity and Colonialism in 21st Century Canada* (Winnipeg: Fernwood Publishing, 2015), 79.

²¹² Franz, “Usurping the contract,” 287.

²¹³ Barker, Rollo, Lowman, “Settler Colonialism and the Consolidation of Canada in the Twentieth Century,” in *The Routledge Handbook of the History of Settler Colonialism*, ed. Edward Cavanagh and Lorenzo Veracini (London: Routledge, 2016), 153.

Audra Simpson, a political anthropologist and Mohawk from Kahnawà:ke, argues that the freedom offered through this “ruse of consent” is actually theft.²¹⁴ The Canadian citizenship gained during the process of assimilation was a tool used by Indian Affairs to further eradicate Indigeneity and ultimately Indigenous people in order to legitimize Canada’s claim of sovereignty.

The goal of assimilation was to extinguish the rights and sovereignties of Indigenous nations, and it was the goal of Indigenous policy from the formal beginning of the British civilization program in 1830 to the mid-1900s. Specifically after confederation in 1867, the focus of policies towards Indigenous people by the Canadian government shifted from protection to enfranchisement.²¹⁵ The civilization goal of 19th century policy-makers was intended to be achieved through paternalism, hegemony, and wardship. This process of assimilation continued into the 20th century, but due to resistance from Indigenous people it began to intensify in the early 1900s.²¹⁶ Asserting the right to control the lives of Indigenous people by making them wards of the state and attempting to “civilize” them is one of the ways that the legitimacy of Canada as a nation-state has been fabricated.²¹⁷ Canadian sovereignty and self-determination has been achieved at the direct expense of the sovereignty and autonomy of Indigenous nations such as the Haudenosaunee.²¹⁸

The Canadian government attempted to subjugate Indigenous peoples in the latter half of the 19th century through a series of Acts and amendments that explicitly focussed on civilizing them. The opening line of the Gradual Civilization Act of 1857 states that “it is desirable to

²¹⁴ Simpson, “The ruse of consent,” 3.

²¹⁵ John F. Leslie, “Assimilation, Integration or Termination? The Development of Canadian Indian Policy, 1943-1963,” PhD diss. (Carleton University, 1999), 73, 49.

²¹⁶ Leslie, “Assimilation, Integration or Termination?,” 74.

²¹⁷ Lowman, Barker, *Settler: Identity and Colonialism*, 6.

²¹⁸ Woo, “Canada’s Forgotten Founders,” 4.

encourage the progress of Civilization among the Indian Tribes in this Province, and the gradual removal of all legal distinction between them and Her Majesty's other Canadian Subjects."²¹⁹

This 1857 legislation reflected a growing impatience of the Canadian Provincial government with the rate at which Indigenous peoples were becoming assimilated, and it laid out the criteria and procedures for compulsory enfranchisement. Then in 1869 the federal government created the Gradual Enfranchisement Act, which gave the superintendent general the power to intervene in band matters. These included the election of chiefs and councils, expenditure of band funds, and the disposition of the estates of deceased Indigenous individuals.²²⁰

Then in 1876, what is commonly known as the Indian Act passed, which increasingly subjected Indigenous people to bureaucratic regulation with the intention of pressuring them to adhere to the evolving and imposed concept of civilization.²²¹ An amendment to the Indian Act in 1880 allowed the superintendent general to depose hereditary chiefs and force the elective band system, which was seen as a major instrument for destroying traditional political systems. Finally, the 1884 Indian Advancement Act empowered Indian Agents to call elections and band meetings, to preside over them, and for all decisions and communications to be sanctioned by them.²²² In 1920 Duncan Campbell Scott summarized the objective of the Indian Act when he said that the goal was to "continue until there is not a single Indian in Canada that has not been absorbed into the body politic and there is no Indian question, and no Indian Department, that is the object of this Bill."²²³

²¹⁹ *An Act to encourage the gradual Civilization of the Indian Tribes in this Province, and to amend the Laws respecting Indians*, 1857, c. 26, Preamble.

²²⁰ Leslie, "Assimilation, Integration or Termination?", 39-40, 45.

²²¹ Brian E. Titley, *A Narrow Vision: Duncan Campbell Scott and the Administration of Indian Affairs in Canada* (Vancouver: University of British Columbia Press, 1986), 13.

²²² Leslie, "Assimilation, Integration or Termination?", 53-54.

²²³ John F. Leslie, "The Indian Act: An Historical Perspective," *Canadian Parliamentary Review* 25, no. 2 (Summer, 2002): 25.

Indigenous groups vigorously opposed and resisted Canada's imposition of policies such as the Gradual Civilization Act of 1857 from the very beginning.²²⁴ The Grand River Six Nations were one such group that strongly protested the 1857 Act, as they understood it to be an assault on their existing governance structures and a breach to the Crown's promise of protection in the 1763 Royal Proclamation.²²⁵ With Canadian confederation in 1867 came increased and intensified attempts to legally change the status of the Six Nations from sovereign allies to wards of the state. The Six Nations continued to consistently oppose such attempts of assimilation and erasing Indigeneity.²²⁶ Despite clear and consistent resistance from Indigenous people, Canada would continue to pursue assimilating them and claimed sovereignty over Indigenous people to do so.

The Canadian government claimed sovereignty over the Grand River Haudenosaunee through the home rights that were granted by the British North America Act of 1867. However, the 1867 Act only authorized Canada to legislate for itself in respect to its relations with Indigenous nations. This is because the British Crown never claimed to possess the sovereign right to legislate over the Haudenosaunee. When the Indian Affairs Department realized this, a meeting was called with various Indigenous communities in 1871 where the Canadian government sought formal compliance from the Indigenous communities that attended. Once the delegates for the Grand River Six Nations were made aware of the proposed legislation, they withdrew from the meeting immediately.²²⁷ This is consistent with the views expressed a year prior by the Grand General Council of the Six Nations, when it gathered with delegates from

²²⁴ Titley, "A Narrow Vision," 4.

²²⁵ Leslie, "Assimilation, Integration or Termination?," 39.

²²⁶ McCarthy, *In Divided Unity*, 218.

²²⁷ "The Redman's Appeal for Justice: The Position of the Six Nations that they Constitute an Independent State" (Hagersville: Arthur Anderson, 1924), 15.

other nations to discuss the *Gradual Enfranchisement Act* of 1869. When brought into discussion, the 1869 Act was met with hostility by the Council as it rejected several sections of the Act due to it breaking ancient and acknowledged customs. The Grand General Council also found that it was unacceptable because it was inconsistent with the 1868 Act, and it was unjust toward women.²²⁸

Another instance of resisting legislation intended to subjugate is a letter that was sent to Sir John A. Macdonald in 1879 from about 300 Six Nations Chiefs and Warriors outlining their opposition to the 1876 Indian Act. They found that the Act would not promote their welfare, as it allowed the Superintendent General of Indian Affairs to “manage, govern, and control” their land, finances, and properties.²²⁹ Their desire to be exempt from the 1876 Act was centred around the refusal to surrender their sovereignty or forgo the agreements and treaties that they held with Great Britain. After a lack of action by the federal government, the leaders of the Hereditary Council petitioned the Governor General of Canada in 1890 regarding the Indian Act. They argued that the Act not only violated past treaties and political relationships, but the policy ignored their sovereignty and the nation-to-nation relationship that had previously existed.²³⁰ However, the federal government repealed their exemption from the Act in 1890 despite consistent and firm opposition from the Six Nations.²³¹

²²⁸ Ted Binnema, “Protecting Indian Lands by Defining Indian: 1850-76,” *Journal of Canadian Studies* 48, no. 2 (2014), 26.

²²⁹ “Petition from Several Indians Protesting the Indian Act of 1876.” Six Nations Reserve, January, 1879. LAC, RG10, vol. 2077: 11432. Reprinted in Mary-Ellen Kelm and Keith D. Smith, *Talking Back to the Indian Act: Critical Readings in Settler Colonial Histories*. University of Toronto Press: Toronto, 2018.

²³⁰ Yale D. Belanger, “The Six Nations of Grand River Territory’s Attempts at Renewing International Political Relationships, 1921-1924,” *Canadian Foreign Policy* 13, no. 3 (2007), 34.

²³¹ Mary-Ellen Kelm, and Keith D. Smith, *Talking Back to the Indian Act: Critical Readings in Settler Colonial Histories* (Toronto: University of Toronto Press, 2018), 37.; Franz, “Usurping the Contract,” 290.

Paternalism as Canadian Policy Towards Indigenous Peoples

Policy regarding Indigenous people was framed by a small group of policy-makers from the founding of the British Indian Department in 1755. These policy makers formed a “policy community” with a structure, membership, and program that remained cohesive from the 1830s to the 1960s. For most of this period, policy was based on the three principles of protection, amelioration, and civilization.²³² However, the definitions of these three principals were constantly evolving to better serve Canada and other settler states. Around the mid-1800s and increasingly in the late-1800s, civilization meant improvement, and was seen as what distinguished nations from groups of “savages” or “barbarians.” This differentiating factor between civilized and barbaric peoples was based on the prominence of material goods.²³³

This developing understanding of “civilization” was applied to Indigenous peoples by Euro-settlers and it served as justification for assimilating and subjugating Indigenous people. Being a civilized person required possessing certain values of civility, but none of these values were seen as compatible with being Indigenous.²³⁴ Canada’s policy toward Indigenous people was to civilize them, which depended upon eliminating any characteristic or value that was perceived as Indigenous. Canada aimed to civilize Indigenous people which required erasing Indigeneity making Canadian policy towards Indigenous people cultural genocide. This was justified by the belief among many white settlers of their superiority over Indigenous people and it was enacted through paternalism.

The racist view that Indigenous people, including the Six Nations, are inferior to white people was prevalent leading up to the 20th century. Francis Parkman, a 19th century historian,

²³² Leslie, “Assimilation, Integration or Termination?”, 4-7.

²³³ Mark Francis, “The “Civilizing” of Indigenous People in Nineteenth-Century Canada,” *Journal of World History* 9, no. 1 (Spring, 1998): 59.

²³⁴ Francis, “The “Civilizing” of Indigenous People,” 66.

was quoted as saying that the Haudenosaunee were “a thorough, yet a finished and developed savage,” and that they are “perhaps an example of the highest elevation man can reach without emerging from his primitive condition of the hunter.”²³⁵ Specifically in the 1860s, Grand River was the showpiece for Indian Affairs because the Haudenosaunee there were seen as having successfully assimilated to Canadian society.²³⁶ In 1884 the Six Nations were still seen as “more advanced” than other Indigenous nations, and more likely to fully assimilate. This is why the Indian Advancement Act was “designed to promote municipal-style government for the more advanced Indian groups, such as the Six Nations at Brantford.”²³⁷ Finally, historian J. B. Mackenzie wrote in 1896 that “no race, it is well to recollect, that has been reclaimed from primitive barbarism, so closely resembles the Six Nations.”²³⁸

The Six Nations resisted the imposition of policies intended to subjugate them, as evidenced by specific efforts to have their traditional governance structures understood as legitimate by Canada beginning in the 1880s. This was done through writing down knowledge and political practices that had only been maintained through oral tradition in order to create a constitution. Seth Newhouse, a leading figure for the Six Nations fight for autonomy, drafted a version in 1880 but it was rejected by chiefs even though their political aims aligned. However, in 1899 the chiefs sought to create their own document that was called a constitution in order to make it look like a political document.²³⁹ The committee of chiefs that was appointed to record the constitution stated that their document was to be presented to the Canadian government to

²³⁵ Francis, “The “Civilizing” of Indigenous People,” 65.

²³⁶ Norman, “Race, Gender and Colonialism,” 47.

²³⁷ Leslie, “The Indian Act,” 25.

²³⁸ J.B. Mackenzie, *The Six-nations Indians in Canada*. Toronto: The Hunter, Rose Company, Ltd. (1896), 143.

²³⁹ Dean Snow, *The Iroquois*, Blackwell Publishers Ltd.: Oxford, 1996, 183-184.

prevent the arrival of officials who would impose the elected band system of the Indian Act.²⁴⁰ These efforts were continued by Anthony C. Parker, an archeologist and historian of Seneca, Scottish, and English ancestry, who published heavily edited versions of the Newhouse and chiefs' versions in 1916. Parkers efforts produced a constitution that was closer in conformity with a Euro-American political constitution.²⁴¹ However, such assertions of sovereignty conflicted with the aims and policies of the Canadian government to assimilate Indigenous people and were ultimately unsuccessful.

The Canadian civilization policy continued into the 20th century and views of Indigenous people as needing to be protected and civilized for their own good are apparent in the case of the 1924 coup. Scott viewed Indigenous people as primitive and child-like creatures that were constantly in need of paternal care from the Canadian government.²⁴² Deskaheh was aware of this in 1923 and wrote regarding Canadian officials that they “wished to treat us as children.”²⁴³ Additionally, the Thompson Commission of 1923 stated that “The Six Nations Indians have progressed notably in civilization. They are amongst the most advanced, if not the most advanced, of the Indian tribes.”²⁴⁴ Finally, Ockleshaw-Johnson wrote in 1933 that the Grand River Six Nations declared independence from the British Crown in 1928 partly due to the “paternalistic policy,” of the Canadian government.²⁴⁵ These paternalistic attitudes towards

²⁴⁰ John D. Nichols and H. C. Wolfhart, eds. *Concerning the League: The Iroquois League Tradition as Dictated in Onondaga by John Arthur Gibson* (Winnipeg: Algonquin and Iroquoian Linguistics, 1992), xix.; Darren Bonaparte, *Creation & Confederation: The Living History of the Iroquois* (Ahkwesáhsne, NY: Wampum Chronicles, 2008), 88.

²⁴¹ Snow, *The Iroquois*, 189-190.

²⁴² Titley, “A Narrow Vision,” 36.

²⁴³ Deskaheh, *Chief Deskaheh Tells Why He is Over Here Again* (London: Kealeys Ltd., 1923), 3.

²⁴⁴ Andrew T. Thompson, *Report by Col. Andrew T. Thompson, B.A., LL.B. Commissioner to investigate and enquire into the affairs of the Six Nations Indians, 1923* (Ottawa: F.A. Acland, Printer to the King's Most Excellent Majesty, 1924), 13.

²⁴⁵ J.R. Ockleshaw-Johnson, *Tragic Plight of the Six Nations (Iroquois) Indians. Petition for Intervention of the League of Nations and Non-Member States* (Isle of Wight, 1933), 18.

Indigenous people by settlers resemble similar ideas discussed in the previous chapter, demonstrating a persistence of widespread racism

Ockleshaw-Johnson was appointed the arbiter of the Grand River Six Nations in November 1924 by Deskaheh and collected correspondence with the Canadian government relating to the grievances and claims of the Six Nations. This collection demonstrates the inherent paternalism of Canadian policy towards Indigenous people as the desires of the Six Nations were consistently ignored and prevented. In April 1922 Deskaheh wrote a letter to the Governor General stating that the Indian Affairs was encroaching on their rights after armed RCMP entered and raided Haudenosaunee lands without consent. Charles Stewart, Superintendent General of Indian Affairs, dismissed Deskaheh by writing that Indian Affairs had “no other object than to conserve and promote your interests.” Stewart went on to say that action was being taken that would result “in promoting your interests and in ensuring the progress of your people.”²⁴⁶ The Superintendent General of Indian Affairs was made aware of the desires of the Six Nations but explicitly acted against them because he reasoned that he knew what was best for them.

In 1922 the Confederacy Council decided to accept the offer of the federal government to submit their disputed matters to a board of arbitrators after a petition to the Prime Minister was ignored. However, Duncan Campbell Scott informed A.G. Chisolm, the lawyer of the Six Nations, that because the Confederacy Council had previously rejected the offer, Indian Affairs understood them to be unserious about their claims. Instead, to “ascertain more fully the conditions prevailing among the Six Nations Indians,” a one-man commission had been

²⁴⁶ Charles Stewart, “To the Chiefs and Warriors of the Six Nations Indians.” Ottawa, 13 June, 1922. Reprinted in Ockleshaw-Johnson, J.R. *Tragic Plight of the Six Nations (Iroquois) Indians. Petition for Intervention of the League of Nations and Non-Member States* (Isle of Wight, 1933), 6-7.

appointed.²⁴⁷ The Confederacy Council had never requested such action, but the policy of the Department of Indian Affairs was that by whatever means possible, Indigenous people were to be led to “civilization,” and the report aided this goal.²⁴⁸ While unstated, such means included the occupation of their sovereign territory by the RCMP and the threat of violence.

Duncan Campbell Scott and Genocide

The consistent assertion of sovereignty by the Haudenosaunee became a more acutely discernable issue for Canada in the 1920s as it conflicted with Canada’s own claims of sovereignty. In the period of the 20th century leading up to the coup at the Grand River, Canada found it advantageous to emphasize its state-like qualities. This had serious consequences for Indigenous people as their existence conflicted with Canada’s assertion of authority over Indigenous people and their land, and they refused to be erased through assimilation.²⁴⁹ The Indian Act was amended in 1918 as a response to a report of the same year that found only 102 Indigenous people had been enfranchised from 1867 until that point. Thus, the amendment permitted the superintendent general to forcibly enfranchise any Indigenous person, provided that he accepted a share of the band’s funds and gave up future title to reserve land.²⁵⁰

Duncan Campbell Scott, the deputy superintendent of the Department of Indian Affairs from 1913 to 1932, was perhaps the Canadian figure most adamant on assimilating Indigenous peoples into the dominant Canadian culture. Five years prior to Indian Affairs being granted to

²⁴⁷ Duncan C. Scott to A.G. Chisolm. Ottawa, 19 April, 1923. Reprinted in Ockleshaw-Johnson, J.R. *Tragic Plight of the Six Nations (Iroquois) Indians. Petition for Intervention of the League of Nations and Non-Member States* (Isle of Wight, 1933), 13-14.

²⁴⁸ Titley, “A Narrow Vision,” 201.

²⁴⁹ Woo, “Canada’s Forgotten Founders,” 4.

²⁵⁰ Leslie, “Assimilation, Integration or Termination?,” 62.

the ability to enfranchise any Indigenous man it desired, Scott said that “the happiest future for the Indian race is absorption into the general population.”²⁵¹ Additionally, he argued that in the interest of good administration, the Department of Indian Affairs should have been enabled to “enfranchise individual Indians or a band of Indians without the necessity of obtaining their consent.” Finally, Scott believed that intermarriage and education would “finally overcome the lingering traces of native custom and tradition.”²⁵²

Duncan Campbell Scott was appointed to the most powerful position in Indian Affairs, yet he displayed deep racism against Indigenous people. Scott never had any close Indigenous friends as he disliked them as a people and he kept a distance from his ‘wards’. Scott was influenced by the racist theory of social Darwinism as he believed in a hierarchical ranking of race, with the “civilized” being ranked above the “primitive.” In one of his poems, Scott described an Onondaga woman as being of “a weird and waning race,” and he used the phrase “superior race” in regards to whiteness multiple times in his writing.²⁵³ Additionally, Scott believed that if neglected and without education, Indigenous people “would produce an undesirable and often a dangerous element in society.” Finally, in describing the Six Nations after their settlement in Upper Canada, he said that “The savage nature was hardly hidden under the first, thinnest film of European customs. Scalps were hung up in their log huts, and arms that had brained children upon their parents’ door-stones were yet nervous with power.”²⁵⁴

The Haudenosaunee posed a significant obstacle to Scott’s goal of cultural genocide through assimilation. By 1920 he acknowledged that it was unlikely that they would assimilate

²⁵¹ Donald Smith, *Seen but Not Seen: Influential Canadians and the First Nations from 1840s to Today*. University of Toronto Press: Toronto (2020), 117.

²⁵² Titley, *A Narrow Vision*, 48, 34.

²⁵³ Smith, *Seen but Not Seen*, 122-124.

²⁵⁴ Titley, *A Narrow Vision*, 32-33.

and he did “not believe it would be possible to enfranchise the Six Nations.”²⁵⁵ This was said shortly after a renewed effort by the Six Nations to assert their sovereignty, led by Deskaheh who had been appointed as the deputy speaker of the Confederacy Council in 1918. Once appointed, Deskaheh immediately addressed several issues that were threatening the sovereignty of the Haudenosaunee, such as the 1911 and 1919 revisions to the Indian Act. These amendments respectively allowed the federal government to relocate reserves next to growing municipalities and to alienate reserve lands to be distributed amongst returning non-Indigenous war veterans.²⁵⁶

Scott likely noticed Deskaheh when he confronted the issues posed by the amendments to the Indian Act, and he definitely saw a letter shortly thereafter publicly advocating for Haudenosaunee sovereignty. In March 1920 *The London Free Press* published a letter from the Six Nations lawyer stating that the Haudenosaunee continued to operate as “a perfectly independent people under the protection of the British crown.” The letter, signed by the lawyer A.G. Chisolm, also stated that the agreement that the Six Nations had with the British Crown included the territory on which they resided and their continued self-government. The letter concludes by drawing attention to the protests of the Six Nations “against the attacks made on their rights as a separate people by the Indian Act.”²⁵⁷ The Grand River Six Nations were publicly advocating for their independence at a time that Duncan Campbell Scott was intent on eradicating Indigeneity.

²⁵⁵ “Evidence of D.C. Scott to the Special Committee of the House of Commons Examining the Indian Act Amendments of 1920.” Ottawa, 1920. LAC RG10, vol. 6810: 470. Reprinted in Mary-Ellen Kelm and Keith D. Smith, *Talking Back to the Indian Act: Critical Readings in Settler Colonial Histories* Toronto: University of Toronto Press, 2018).

²⁵⁶ Belanger, “The Six Nations of Grand River,” 35.

²⁵⁷ “The Case of the Six Nations,” *London Free Press*, March 20, 1920.

A political leader who advocated for Indigenous sovereignty would have been seen as a great threat by Scott, and he had a history of retaliation. Scott was a leading proponent of the idea that Indigenous people were politically dangerous, and he saw forced enfranchisement as a politically beneficial tool. Scott viewed forced enfranchisement as something that could reduce the political clout of Indigenous activists such as Deskaheh and F.O. Loft, a Six Nations veteran of the Great War.²⁵⁸ Loft sought to establish a national Indigenous organization that aimed to provide better education for Indigenous children.²⁵⁹ Loft was quoted by the *Toronto Weekly* in 1921 saying “If anything is responsible for the backwardness of the Indians to-day, it is the domineering, dictating, vetoing method of the Indian Department. The position and treatment of the Indian to-day is as if he were an imbecile.” In response to the publication of this quote, Scott ordered his agents to avoid all contact with Loft before placing him under surveillance and working to enfranchise him without consent.²⁶⁰

Scott also seemed to have little regard for the actual desires of Indigenous people going beyond seeking the ability to enfranchise them without their consent. Evidence of Scott’s disregard for Indigenous peoples is his response to the bill introduced into parliament in March 1920 that allowed for such enfranchisement of Indigenous people against their will. The Canadian government thought that it would be advisable to consider a special parliamentary committee due to the controversy of the measure. However, Scott was concerned that Indigenous people would be allowed a voice when they were invited to make submissions. Scott advised that it would be pointless to send out notices to all Indian bands regarding the hearings because the

²⁵⁸ Karen Bridget Murray, “The Violence Within: Canadian Modern Statehood and the Pan-territorial Residential School System Ideal.” *Canadian Journal of Political Science/Revue canadienne de science politique* 50, no. 3 (September 2017), 754.

²⁵⁹ Leslie, “Assimilation, Integration or Termination?”, 65.

²⁶⁰ Smith, *Seen but Not Seen*, 136-142.

city would be “flooded with Indians,” and “their evidence is really not needed, because we know that those who would come would be opposed to the Bill.”²⁶¹ It appears that Scott was aware that a significant number of Indigenous people would be opposed to the bill but rather than engage with them he sought to minimize their voices.

While Duncan Campbell Scott was at the forefront of advancing policies of cultural genocide, his individual attitudes and approaches toward Indigenous people were emblematic of wider beliefs and goals among settler Canadians. Scott was supported by six different ministers and Parliament throughout the two decades that he was in charge of Indian Affairs from 1913-1932.²⁶² Additionally, the previous chapter discussed the common belief amongst settlers of a superiority over Indigenous people that accepted the paternalistic policies that Scott pushed for. Parliament had little interest in Indigenous people and the successive interior ministers and superintendents general regarded Indian Affairs as a minor part of their responsibilities. This lack of concern from those in the Canadian government responsible for the oversight of Scott allowed him considerable freedom in deciding Canada’s policy towards Indigenous people.²⁶³

In addition to a general disregard for Indigenous people among members of Parliament, the Department of Indian Affairs was able to control the information that those outside the department received. This resulted in Canadian decision-makers never being fully aware of certain circumstances under the purview of the Department. This included the grievances outlined by the Haudenosaunee regarding their sovereignty and the land and money that was stolen in part by the Grand River Navigation Company. Scott orchestrated a rejection of a 1923 petition from the Haudenosaunee that asserted their autonomy and he singlehandedly declared

²⁶¹ Titley, *A Narrow Vision*, 48-49.

²⁶² Smith, *Seen but Not Seen*, 117.

²⁶³ Titley, *A Narrow Vision*, 24.

them as British subjects. This was done with no evidence that any elected representative or Canadian official other than himself had given any attention to the matter. Though Scott never held elected office, due to a lack of oversight and concern for Indigenous people from elected officials, he felt confident in acting on behalf of Canada.²⁶⁴

Little oversight allowed Scott to retaliate against Indigenous political leaders through threats of enfranchisement if they did not cooperate with his pursuit of cultural genocide. Scott likely justified such a goal through his deeply racist world-view that was widely shared by other settlers. However, the genocidal aims of Scott were pushed back against by many Indigenous groups, including the Grand River Six Nations. They continued to claim a sovereignty that predated the arrival of Europeans, and the Haudenosaunee increased their assertions to sovereignty in response to Canada intensifying attempts of assimilation. Duncan Campbell Scott chose to disregard the evidence provided by the Six Nations of their independence and orchestrated an armed coup d'état in an attempt to force them into submission.

The 1923 Thompson Report

In the 1920s Indian Affairs unsuccessfully attempted to force the Grand River Six Nations to present their grievances regarding the mishandling of their funds and lands to an arbitration panel composed exclusively of Canadian judges, and to accept the ruling of the panel.²⁶⁵ Indian Affairs refused to address the concerns of the Haudenosaunee that prevented them from accepting such an arbitration process, resulting in the Canadian government receiving consistent and firm resistance from the Six Nations. Canada eventually took the advice of Indian

²⁶⁴ Woo, "Canada's Forgotten Founders," 4, 7.

²⁶⁵ J.R. Ockleshaw-Johnson, *Tragic Plight of the Six Nations (Iroquois) Indians. Petition for Intervention of the League of Nations and Non-Member States* (Isle of Wight, 1933), 9-14.

Affairs in March 1923 and intensified their pressure on the Grand River Six Nations by unilaterally appointing a one-man commission to investigate their complaints. The hearings for the one-man report were boycotted by most of those from the Six Nations of the Grand River, including the Chiefs. Even so, the report was released to the Canadian public in August 1924 and the RCMP were then asked to provide reinforcements to police the Grand River Six Nations without their knowledge.²⁶⁶

Col. Andrew T. Thompson was selected by the deputy superintendent general to lead the commission, but he received little support from the Grand River community despite having connections to it. Thompson was born on the Haldimand Treaty lands and served as a lieutenant colonel during World War I in a battalion that was advertised as the “Indian Unit.” The battalion recruited from the Grand River reserve and consisted of white and Indigenous soldiers from the Haldimand County area, with other Indigenous soldiers transferred to it. In addition to these links, fliers were posted around the reserve advertising the open meetings held by Thompson that continued until everyone who wanted to had spoken. Despite his connections with the region and his desire to hear from as many Haudenosaunee as possible, Thompsons open hearings were boycotted by most individuals of the Six Nations. A probable reason for this lack of engagement is that Andrew was the grandson of David Thompson, one of the founders of the Grand River Navigation Company. This likely contributed to the distrust of the younger Thompson by the Six Nations, as his grandfather had worked to dispossess them of all their funds held in trust. While Andrew T. Thompson had some positive connections to the Six Nations of the Grand River, the Haudenosaunee had reasonable doubts that his project would benefit them.

²⁶⁶ Woo, “Canada’s Forgotten Founders,” 8-9.

The Haudenosaunee were seeking for their grievances to be addressed, but Thompson was instructed to investigate matters that were never identified by the Confederacy Council as issues. While the majority of the Haudenosaunee were concerned about their sovereignty and the theft of land and money by the Grand River Navigation Company, Thompson was told to investigate and inquire into their political affairs. These included the election of chiefs, powers assumed by the Confederacy Council, administration of justice, and the “life and progress of said Indians.”²⁶⁷ Thompson attempted to hear from as many Haudenosaunee as possible, but few gave their testimony. Of those that did, only one person openly stated that they had “personal knowledge there was corruption in Council”. Additionally, while “a number of others” believed that there was corruption by the Confederacy Council, none of them could positively swear to it.²⁶⁸

A single attestation within a community of thousands regarding alleged corruption within the Confederacy Council provided meager evidence for overthrowing a centuries-old government. As such, Thompson gave additional reasons for his recommendation, though he never cited any Haudenosaunee person as desiring their traditional government to be replaced. Thompson gave four reasons as to why he believed that “an elective system should be inaugurated at the earliest possible date” and why all Haudenosaunee men should be enfranchised. Thompson argued that the entirety of the Grand River Haudenosaunee population had “no voice” in selecting their representatives, the Council was “unwieldly” with about 60 Chiefs many of whom Thompson considered to be “ignorant men,” and that the Council was “unnecessarily expensive.”²⁶⁹

²⁶⁷ Thompson, *Report by Col. Andrew T. Thompson*, 3.

²⁶⁸ *Ibid.*, 16.

²⁶⁹ *Ibid.*, 12.

Thompson did not receive input from the majority of the Grand River Six Nations population, nor did he investigate or consider the historical or legal roots of Haudenosaunee political structures or the relationship of the Grand River Six Nations and the Canadian Government. Thompson was also unable to incorporate information from the hereditary Chiefs because they refused to appear before the commission due to their continued refusal to recognize Canada and the authority it claimed over them.²⁷⁰ Thompson ignored the treaties and historical relationships despite one interviewee reminding Thompson that the Haudenosaunee Confederacy was “the oldest form of government on the American continent.”²⁷¹ It appears that most of the Grand River Six Nations wanted nothing to do with the report and that Thompson was unbothered by this.

Col. Andrew T. Thompson was sent by the Department of Indian Affairs to investigate the affairs of the Grand River Six Nations, even though it was not requested or wanted by the Haudenosaunee. Thompson's recommendation that the Confederacy Council be abolished was based on very little support from the community that the Council represented, along with four unsupported reasons of his own. Thompson found enough reason to recommend the abolition of a centuries old government, and his report served as enough justification for the Canadian government to proceed with a coup d'état against the Haudenosaunee. Prime Minister MacKenzie King and Governor-General Lord Byng of Vimy quietly signed an Order in Council dated 17 September 1924 mandating the replacement of the Haudenosaunee Confederacy Council with a band council elected under Canada's Indian Act.²⁷²

²⁷⁰ Darlene M. Johnston, “The Quest of the Six Nations Confederacy for Self-Determination.” *University of Toronto Faculty of Law Review* 44, no. 1, (Spring 1986), 19.

²⁷¹ Thompson, *Report by Col. Andrew T. Thompson*, 12.

²⁷² Woo, “Canada's Forgotten Founders,” 9.

The 1924 Coup d'état at The Grand River Council House

The Grand River Six Nations were unable to prepare for the coup as they were intentionally left unaware of the impending political invasion. Prior signs include the boycotted Thompson Report, the unauthorized presence of RCMP, and the raid searching for illegal alcohol-related activity may have been indicative of forthcoming political action against the Confederacy Council. However, despite their consistent and indignant protests regarding the unsanctioned occupation of the RCMP, there is no indication that the Six Nations knew that a coup was forthcoming. A significant factor in the lack of awareness regarding the upcoming coup was that the local Indian Agent hid this knowledge of it and it was only when the Council learned of the coup that the agent cabled Deskaheh in Geneva.²⁷³

Thompson's 1923 report was used to justify invading the Grand River and overthrowing the traditional Haudenosaunee government, but there were other factors. As discussed previously, Duncan Campbell Scott held racist views of Indigenous people and believed that they should be civilized and politically assimilated into Canada regardless of their desires. Additionally, Fred Loft is an example of Scott's history of retaliating against those that he viewed had wronged him, which would include Deskaheh's overseas efforts that drew attention to unjust actions of Indian Affairs. Scott would have also likely seen the hereditary council as having wronged him by not accepting the imposition of a band system and by hiring a lawyer to resist their extinguishment. Finally, Scott was intent on enfranchising as many Indigenous people as possible, and the Six Nations of the Grand River were known as being particularly opposed to such measures. As such, it was decided in the Department of Indian Affairs to attempt a coup in

²⁷³ Woo, "Canada's Forgotten Founders," 9.

order to wrest local political control from the hereditary Council before Deskaheh garnered significant international support.²⁷⁴

While it is not known who specifically ordered the RCMP to overthrow the hereditary council, given the reasons outlined above and his power within Indian Affairs, it is likely that Scott orchestrated the coup. Canadian law enforcement officers had been permanently stationed on Six Nations land in early 1923 without the consent of the Haudenosaunee, perhaps in preparation for the coup. On October 7 1924, multiple armed RCMP officers accompanied the local Indian Agent to the hereditary council meeting being held. The Indian Agent walked up to the council house, read the order-in-council that purported to abolish their government, and announced the details for the first imposed band election.²⁷⁵ There was no conflict even as the Indian Agent confiscated several wampum records and prevented the hereditary council from entering the council house. After the Indian Agent and the RCMP left, the hereditary council continued their meeting as usual.

Earlier it was argued that Scott's attitudes toward Indigenous people were reflective of wider perceptions amongst settlers, but some Canadians disagreed with the coup and supported the Haudenosaunee. Evidence for this comes from a 1925 *Toronto Star Weekly* article that stated some would "mourn the official passing of the oldest continued parliamentary body on the American continent."²⁷⁶ Among the Grand River Haudenosaunee, particularly the hereditary council, there was even less support for the imposed governance structure. The Confederacy Council claimed that they had been robbed and misgoverned by Indian Affairs, and that those of the Six Nations who signed the petition to overthrow the Hereditary Government had been

²⁷⁴ Scott R. Trevithick, "Conflicting Outlooks: The Background to the 1924 Deposing of the Six Nations Hereditary Council," MA thesis (University of Calgary, 1998), 105-106.

²⁷⁵ Titley, *A Narrow Vision*, 126.

²⁷⁶ *Ibid.*, 126.

bribed and were a small minority. The Council also claimed that the investigation by Thompson that served as the justification for the coup had been “fixed.”²⁷⁷

The Haudenosaunee viewed their relationship as being with the British Crown, as up until the point of the coup, they had never made an agreement with Canada. The Grand River Six Nations widely rejected the idea that the parliament of Canada could abolish the Confederacy and substitute elected councillors. The majority of the Grand River Six Nations residents on the electoral list boycotted the band election just as they had the Thompson Commission, and only 26 total ballots were cast. The traditional council continued to meet but they were unable to conduct community business and upkeep due to Canada controlling their trust funds.²⁷⁸ However, the Confederacy Council continued to receive overwhelming support, while the first band council election, which took place in October 1924, was unsuccessful as the “New Council” was seen as illegitimate.²⁷⁹

Haudenosaunee Sovereignty and Canada

The Six Nations always considered the Haldimand Treaty of 1784 as tantamount to full recognition of their status as an independent national community.²⁸⁰ Even prior to the 1784 Treaty, Britain recognized the Six Nations as sovereign states under previous treaties going back to 1664.²⁸¹ A year prior to Frederick Haldimand constructing the 1784 Treaty, he was informed by another British General that “The Six Nations are a free people subject to no power on earth.”

²⁷⁷ Clarke Ashworth, “Hereditary Government is Banished on Reserve: Historic Council of Chiefs of Six Nations Indians is Dissolved by Order of Ottawa, and Democracy will Rule Where Right of Birth Was Recognized as Only Claim to Share in Municipal Administration,” *The Globe and Mail* (Toronto, 8 Oct. 1924), 26.

²⁷⁸ Woo, “Canada’s Forgotten Founders,” 4, 9.

²⁷⁹ Johnston, “The Quest of the Six Nations Confederacy,” 20.

²⁸⁰ *Ibid.*, 14.

²⁸¹ “The Redman’s Appeal for Justice,” 4.

Finally, regarding the Grand River Six Nations, the Attorney General of the Canadian Council stated in 1796 that “The British Government could not wish to enforce its laws on a separate people.”²⁸² The Six Nations held multiple unaltered historic agreements with the British Crown acknowledging their independence and sovereignty, yet they still found themselves having to fight to have their sovereignty recognized.

The Six Nation’s efforts to obtain recognition for their sovereignty were hindered by how Canada and the British Crown understood the legal status of the Haudenosaunee. It has been argued in Canadian court that the sovereignty of the Six Nations of the Grand River depends on the legal status of the Haldimand Tract. The British Crown and subsequently Canada argued that exclusive use of the land was granted, while the Six Nations argue that their Grand River land is held in fee simple.²⁸³ This difference regarding the legal status of the Grand River lands is directly related to status of the Six Nation’s sovereignty, as seen in a 1957 lawsuit. In the decision of the case, a Canadian judge stated that the Haudenosaunee had willingly relinquished their sovereignty and become subjects of the Crown upon agreeing to the Haldimand Proclamation.²⁸⁴ However, the Six Nation’s maintain that their sovereignty has never been ceded as the Haldimand Treaty was an agreement between two autonomous and allied nations.²⁸⁵ The Six Nations found themselves trying to receive recognition of their sovereignty from Canada, whose existence depends on the extinguishment of Indigenous sovereignty.

Despite treaties and records of British officials acknowledging their sovereignty, the Haudenosaunee found it necessary to remind the Canadian government numerous times of their

²⁸² Ockleshaw-Johnson, *Tragic Plight of the Six Nations (Iroquois) Indians*, 39-40.

²⁸³ Sidney Haring, *White Man’s Law: Native People in Nineteenth-Century Canadian Jurisprudence* (Toronto: University of Toronto Press, 1998), 36-40.

²⁸⁴ Johnston, “The Quest of the Six Nations Confederacy,” 20-21.

²⁸⁵ *Ibid.*, 1-2

autonomy. Petitions were presented to the British and Canadian governments by the Chiefs of the Six Nations in 1839, 1890, 1920, and 1921, which demanded the right to govern their own laws and customs.²⁸⁶ In 1920, a proposed amendment to the Indian Act would allow Indigenous people to be enfranchised without their consent, but those at the Grand River opposed the measure. They did not want to be enfranchised and given the right to vote for Canadian elections because they did not believe that they were part of Canada.²⁸⁷ The Six Nations demonstrated a clear desire to remain politically separate and autonomous for at least a century, yet all of their assertions were disregarded by Canadian officials.

As Canada was increasing its efforts to subjugate Indigenous people into the 20th century, there were still instances of dominion officials recognizing Haudenosaunee sovereignty. In 1909 it was acknowledged by the Minister of the Interior that the policy of the Canadian Government was that “the system of tribal government which prevailed among the Six Nations... was satisfactory to the Government at the time.” Furthermore, as long as the Six Nations at Grand River were content with their governance structure then “it will remain satisfactory to the Government of Canada.”²⁸⁸ Finally, in 1919 an official report from the Education Department stated that the Grand River Six Nations “govern themselves and preserve their tribal and national independence,” and that “their sovereignty and identity were two things that were conserved.”²⁸⁹ In the two decades leading up to the coup, Canadian officials acknowledged that the Six Nations had maintained their sovereignty.

²⁸⁶ Constance Backhouse, *Colour-Coded: A Legal History of Racism in Canada, 1900-195* (Toronto: University of Toronto Press, 1999), 117.

²⁸⁷ Woo, “Canada’s Forgotten Founders,” 6.

²⁸⁸ *Ibid.*, 6.

²⁸⁹ “The Redman’s Appeal for Justice,” 12-13.

Even though it was over a decade prior to ordering an invasion of the Grand River, Duncan Campbell Scott once also viewed the Haudenosaunee as allies of Britain with respect for their treaties. In a 1905 biography of John Graves Simcoe that he wrote, Scott acknowledged the Six Nations as allies of the British while giving an overview of their historical relationship. In the biography Scott wrote that there was “at the heart of this alliance a principle that has been carried out without cessation... to the present day.” Scott goes on to say that “The principle of sacredness of treaty promises... signed by the King and chief both will be bound by so long as the sun shines and the water runs.”²⁹⁰ Additionally, in 1912 Scott became the first person to publish the constitution of the Haudenosaunee that the chiefs had constructed. This was shortly before Scott became the deputy superintendent of the Department of Indian Affairs in 1913.²⁹¹ Prior to his time as head of Indian Affairs Scott understood the Six Nations to be allies of Britain through treaty, and knew that they had a constitution resembling that of Euro-American nations. However, Scott still dismissed the sovereignty of the Six Nations as their autonomy conflicted with Canada’s claims of sovereignty.

The Canadian settler state changed and refined tactics in the 1900s from erasing Indigenous peoples to erasing Indigeneity.²⁹² Sir John A. Macdonald served as the Superintendent General of Indian Affairs during his second stint as Prime Minister from 1878-1891. As Superintendent General, Macdonald dismissed the claim of the Six Nations that they had an exceptional status regarding the Indian Act of 1876. This is particularly important because one of the most significant aspects of the 1876 Act is that it denied Indigenous people their sovereignty and control over their lands and resources. However, the Grand River Six

²⁹⁰ “The Redman’s Appeal for Justice,” 24.

²⁹¹ Snow, *The Iroquois*, 189.

²⁹² Barker, Rollo, Lowman, “Settler Colonialism and the Consolidation of Canada,” 165.

Nations were originally exempt from this aspect of the Indian Act. The Grand River Six Nations protested the 1876 Indian Act as well as the repealing of their exceptional status to it, but under the leadership of Macdonald, it was nevertheless repealed in 1890.²⁹³

Though preceding Thompson and Scott, the basis of the Prime Minister's denial of the Confederacy's sovereignty similarly ignored the legal and historical merits of their claim. Macdonald dismissed their claims by saying that "It is extremely inexpedient to deal with Indian Bands in the Dominion [as] being in any way separate nations."²⁹⁴ Likewise, in 1920 Duncan Campbell Scott denied the sovereignty of the Grand River Haudenosaunee and claimed that they could not be trusted to govern themselves. Scott simply ignored their claims of independence that would have made the Six Nations exempt from the Indian Act by stating that "they are under the Indian Act, they are just as all the other Indians are in every other respect, there is no difference whatever."²⁹⁵ Macdonald, Scott, and Thompson were all made aware of the desires, claims, and history of the Six Nations, but these were all dismissed under the guise of paternalism.

The question of Haudenosaunee independence made it to the Canadian courts twice, where it was also denied by Canadian authorities. In both instances the decisions of the judges regarding the sovereignty of the Six Nations appear to be based in racism instead of law, treaties, or fact. The 1852 lawsuit *Sheldon v Ramsay* involved a dispute over lands seized by the Crown from a white man convicted of treason, but the chief justice overseeing the case made a judgement against the Haudenosaunee. In a lawsuit that involved only white litigants, the chief

²⁹³ Kelm and Smith, *Talking Back to the Indian Act*, 37.; Franz, "Usurping the Contract," 290.

²⁹⁴ Johnston, "The Quest of the Six Nations Confederacy," 17-18.; Belanger, "The Six Nations of Grand River," 34.

²⁹⁵ "Evidence of D.C. Scott to the Special Committee of the House of Commons Examining the Indian Act Amendments of 1920." Ottawa, 1920. LAC RG10, vol. 6810: 470. Reprinted in Mary-Ellen Kelm and Keith D. Smith, *Talking Back to the Indian Act: Critical Readings in Settler Colonial Histories* (University of Toronto Press: Toronto, 2018).

justice said regarding the legal rights of the Six Nations over their Grand River land that “common law is not part savage and part civilized.”²⁹⁶ Thus, a Canadian authority denied the autonomy of the Six Nations due to his racism and viewing them as “savage.” Again in 1921 Haudenosaunee sovereignty made it to the courts in the case of *Sero v Gault*, which involved Eliza Sero, a Mohawk woman from Tyendinaga. The presiding judge did not rule in her favor, and his racism is also likely to have played a significant role in his decision. Eight years after the judge ruled against Haudenosaunee sovereignty, he described Indigenous people as having “savage appetites,” whereas white people were a “higher race.” The same judge also referred to the Haldimand Proclamation of 1784 as a “so-called treaty”, which is also significant due to his personal correspondence with Duncan Campbell Scott.²⁹⁷

Haudenosaunee sovereignty was once again denied by a representative of Canada in 1922 when a letter from the Indian Affairs Department stated that “the Indians of the Six Nations are subject to the laws of Canada.” This reply was sent to the Haudenosaunee after they appealed to Indian Affairs, the Governor General, the Prime Minister, and Britain. Britain had recently renewed their promises to uphold the 1784 Treaty when the Six Nations appealed to the Crown, but their claims were once again dismissed without serious consideration. Winston Churchill was the secretary for the colonies at the time, so their request for a meeting was directed to him. Churchill denied their meeting request because he viewed the issue as “domestic,” which indicated that Britain recognized the legitimacy of Canada and its authority over the Six Nations.²⁹⁸ The 1922 Indian Affairs letter claimed that the question of Haudenosaunee independence had definitely been decided because of Churchill’s decision. Thus, despite treaties

²⁹⁶ Backhouse, “Colour-Coded,” 119.

²⁹⁷ *Ibid.*, 123-130.

²⁹⁸ Franz, “Usurping the Contract,” 8.

and numerous petitions, Canada officially did not recognize the sovereignty of the Haudenosaunee Confederacy.²⁹⁹

Shortly after the 1922 letter from Indian Affairs that refused to recognize Six Nations sovereignty, Andrew Thompson was dispatched to the Grand River in order to carry out his report. Thompson does not deny Six Nations sovereignty outright as he acknowledges that engaging with the legitimacy of the claim was not one of his assigned duties. However, Thompson casts doubt on Haudenosaunee independence by writing that “For some considerable time past there has been a strong agitation to have the Six Nations constituted as a separate and sovereign people.” Thompson also labels the efforts of the Hereditary Council and Deskaheh as a “separatist campaign.”³⁰⁰ Thompson portrays supporters of autonomy as agitators and separatists and then recommends that a new governance system be installed after acknowledging that Haudenosaunee sovereignty was not a subject that he was assigned to investigate.

Though Thompson refuses to explicitly engage with Haudenosaunee independence, he indicates what his unstated beliefs are regarding their claims. Thompson wrote that he was fully convinced the Confederacy Council had “undoubtedly been of a serious usurpation of power, with regard to the Government of Canada on the one hand, and the people of the Six Nations Indians on the other, and that for a considerable time they have been acting very much as a law unto themselves.”³⁰¹ It is unclear who Thompson believed the traditional council was usurping, but the Confederacy Council had been operating for hundreds of years, so they were continuing to govern as they always had. Thompson also fails to mention that the Confederacy Council

²⁹⁹ Gordan J. Smith to Chief Levi General. Brantford Indian Office, 15 April, 1922. Reprinted in Ockleshaw-Johnson, J.R. *Tragic Plight of the Six Nations (Iroquois) Indians. Petition for Intervention of the League of Nations and Non-Member States* (Isle of Wight, 1933), 6.

³⁰⁰ Thompson, *Report by Col. Andrew T. Thompson*, 13.

³⁰¹ *Ibid.*, 14.

preceded the existence of Canada by centuries and that it was never anchored in Western legal systems.³⁰²

The Six Nations sent multiple petitions regarding their sovereignty and had the support of legal and historical documentation. There were also concrete instances of Canadian officials recognizing their sovereignty, but the Indian Affairs Department still worked to subjugate all Indigenous people that found themselves within the borders claimed by Canada. The Grand River Haudenosaunee petitioned the Canadian government multiple times throughout the latter half of the 1800s and into the 1900s. These attempts at a mutual recognition of their independence were often dismissed by Canadian authorities who ignored their evidence. Similarly, though all of their treaties and agreements were made with Britain, when the Six Nations petitioned Britain, they were also dismissed and directed to take their grievances to Canadian authorities. When Haudenosaunee sovereignty was brought to Canadian courts, it was denied without any apparent serious consideration and justified by the racist policy of paternalism.

Violence of the Canadian State Against the Grand River Six Nations

The RCMP had played a prominent role in the colonization of Indigenous peoples as they were one of the most visible and powerful manifestations of the dominant Euro-Canadian society, its institutions, and its laws.³⁰³ Despite this, at the time of the 1924 attempted coup, the future and survival of the RCMP was uncertain. The RCMP had recently survived serious

³⁰² Jolene Rickard, "Visualizing Sovereignty in the Time of Biometric Sensors," *The South Atlantic Quarterly* 110, no. 2 (Spring 2011), 469.

³⁰³ R.C. Macleod, and David Schneiderman, *Police Powers in Canada: The Evolution and Practice of Authority* (Toronto: University of Toronto Press, 1994), 123.

abolishment attempts in 1922 and 1923, shortly after being created in 1920 through merging the Dominion Police and the Royal North West Mounted Police. Different ideas for how the RCMP could be used were debated by Canadian politicians, including Robert Borden, the Prime Minister from 1911-1920. Borden viewed the future of the Mounted Police as an anti-subversive force that would act as a mobile reserve and keep suspect organizations under surveillance. This proposed role was further refined by Lomer Gouin while he was acting as the Liberal minister of justice from 1921 to 1924. Gouin proposed that the RCMP could carry out three vital duties, one of which was policing Indigenous people on their reserves.³⁰⁴

Canada had been attempting to police Indigenous people for a long time before Gouin suggested that the RCMP could be used to further subjugate them. The RCMP were used as a threat of violence during the 1924 coup, which occurred at the same time as the violence of the Indian Residential School system (IRS). It is important to discuss the IRS because of how demonstrative it is of the violence inherent in Canada's treatment of Indigenous people. The IRS of Canada was a state-sanctioned force implemented to extinguish the resistance that Indigenous people had towards assimilation. Canada's sovereignty relies on erasing Indigeneity and Indigenous sovereignty, which means the IRS was simultaneously a feature of systemic racism and of Canadian modern statehood.³⁰⁵ The IRS is widely regarded as a genocide as it complies with the definition of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide 1948. One such residential school was the Mohawk Institute, which operated near the Grand River from 1831-1970 and showed the Six Nations the violence that Canada was willing to inflict on Indigenous people. Those that operated the Mohawk Institute inflicted physical cruelty upon Haudenosaunee children that they were supposed to be caring for. Such

³⁰⁴ Macleod and Schneiderman, *Police Power in Canada*, 45, 48.

³⁰⁵ Murray, "The Violence Within," 749.

violence included strapping, piercing the tongue with a needle, or shoving a kerosene soaked rag in the mouth of a child that spoke any Indigenous language.³⁰⁶ The Grand River Haudenosaunee would have been well aware by 1924 of the physical torture that Canadian institutions inflicted and deemed acceptable.

Furthermore, Canadian law enforcement had already murdered a Haudenosaunee person over his support of the traditional governance system. This history has been told by Darren Bonaparte, a well-known historian from Akwesasne, a Mohawk community with territory in Ontario, Quebec, and New York State. In 1899 Jake Ice (Saiowisakeron), a Mohawk man from Akwesasne, publicly supported the hereditary council and opposed the planned imposition of the elected band council system.³⁰⁷ Two chiefs had been taken prisoner and a third was actively being physically subdued by two Canadian Dominion Police in the office of the Indian agent. When Jake Ice saw the attempted imprisonment of three chiefs, he rushed to aid them. In response, the Canadian police officers used their guns as billy clubs against the Indigenous people present before one officer killed Jake Ice by shooting him twice. Ice's body was left where he was murdered as the Dominion Police arrested the hereditary chiefs. The detainment of Confederacy Council Chiefs and the murder of one of their supporters by Canadian law enforcement served as a big blow to the movement for Akwesasne sovereignty.³⁰⁸

Despite the Indian Residential School system and the murder of Jake Ice, the Six Nations had little reason to believe that Canada would use the threat of violence to usurp their government. The Upper Canadian and Canadian governments had used other coercive but

³⁰⁶ Cody Groat, "Commemoration and reconciliation: The Mohawk Institute as a World Heritage Site." *British Journal of Canadian Studies* 31, no. 2 (2018), 195-197.

³⁰⁷ Darren Bonaparte, "A "Jake Ice" for the American Side of Akwesasne," *The Wampum Chronicles*. May 13, 2005.

³⁰⁸ Darren Bonaparte, "Saiowisakeron: The Jake Ice Story," *The Wampum Chronicles*.

nonviolent tactics to subjugate the Haudenosaunee. In the mid-1800's, around the time of the Grand River Navigation Company, the Upper Canadian government dismissed the petitions of the Haudenosaunee and allowed Euro-settlers to displace them and steal their land money. Between then and 1924 the dominion government systematically eroded the rights and sovereignty of Indigenous nations despite awareness of the strong opposition to such policies. However, before the 1920s the Canadian government had not used the threat of violence to further subjugate the Six Nations of the Grand River. As such, in a 1922 letter to Prime Minister MacKenzie-King, Deskaheh discussed his concern about the 18 North West Mounted Police that were sent on a raid to find any illegal alcohol-related activity amongst the Haudenosaunee. Deskaheh wrote that "The Six Nations would be more than surprised and pained to think that your Government is an advocate of 'Might is Right.'"³⁰⁹ It appears that Deskaheh demonstrates a belief that Canada would refrain from using violent means against them.

While the RCMP were surprised to be called in for the coup d'état due to their reports indicating that everything was 'quiet and orderly' as usual, there were prior indications that Indian Affairs may act in violence.³¹⁰ By ordering a bewildered RCMP to overthrow the traditional Haudenosaunee government, Duncan Campbell Scott appeared to be acting on a veiled threat of violence that he had made to Deskaheh the year prior. In 1923 Scott had received further resistance to subjugation from the Six Nations so he wrote to Deskaheh. Scott informed Deskaheh that he "would be well advised in accepting the offers that have been made, and that you will have to assume the responsibility for their rejection."³¹¹ Furthermore, Col. C.E. Morgan was appointed as Indian superintendent at Brantford in 1923 and in addition to being a Boer War

³⁰⁹ Ockleshaw-Johnson, *Tragic Plight of the Six Nations (Iroquois) Indians*, 10-11.

³¹⁰ Woo, "Canada's Forgotten Founders," 9.

³¹¹ Ockleshaw-Johnson, *Tragic Plight of the Six Nations (Iroquois) Indians*, 13.

veteran, he maintained a military manner, frequently wore a pistol, and believed that trouble could only be avoided by constant police vigilance.³¹² It seems as if the Six Nations were implicitly being told that violence may be used against them.

The RCMP were also used by Indian Affairs to demonstrate an ability and willingness to apply forceful measures on the Grand River lands leading up to the Thompson Commission. 18 RCMP officers raided the Haudenosaunee in 1922 and claimed to be searching for illegal stills and moonshine. The RCMP claimed that they selected houses to raid at random, but it was likely an attempt to diminish Deskaheh's standing within the Six Nations of the Grand River. Deskaheh was in Europe advocating for Haudenosaunee sovereignty when the RCMP broke into the teetotalers' home and purported to find alcohol. The only other contraband found on the whole reserve were a crude still and a bottle of moonshine in the yard of another Haudenosaunee person, and those may have been planted. Despite discovering little alcohol and the arresting the owner of the still without any resistance, the RCMP still found it necessary to fire multiple shots while conducting the raid.³¹³ Furthermore, in early 1923 the dominion government quartered an RCMP force amongst the Grand River Six Nations that continued to reside there until at least the coup in 1924. The constant presence of Canadian law enforcement was seen by representatives of the Six Nations as a further attempt to subjugate the Grand River Six Nations and as a threat of violence.³¹⁴

The Six Nations of the Grand River never consented to RCMP on their land, and their strong dislike of the RCMP was known within Indian Affairs. Duncan Campbell Scott and Charles Stewart were made aware of the stance of the Haudenosaunee through correspondence

³¹² Titley, *A Narrow Vision*, 125.

³¹³ Woo, "Canada's Forgotten Founders," 7-8.

³¹⁴ "The Redman's Appeal for Justice," 13.

and the Thompson Commission of 1923 also acknowledged that the presence of the RCMP was “deplored” even by “law-abiding Indians.” However, Thompson believed that it was necessary for the RCMP force to be stationed there “until matters have once more become normal upon the reserve,” which would only happen in the “very distant future.”³¹⁵ Though Thompson advocated for the continued presence of enforcement officers, he neglected to mention which matters needed to return to normal for the RCMP to leave or how their occupancy had benefitted the Grand River Six Nations. Though Scott, Stewart, and Thompson were all aware that the Six Nations disliked the RCMP, they were permanently stationed amongst the Grand River Haudenosaunee.

The threat of violence present while Canada sought to overthrow the traditional government at the Grand River is often overlooked in historical narratives, but it is an important aspect to the power dynamic. The IRS had been well-established by 1924 and the Mohawk Institute was the site of physical abuse against Haudenosaunee children. RCMP was known as a tool of colonization and policing Indigenous people, and had been permanently stationed at Grand River without the consent of the Six Nations. Additionally, within living memory Jake Ice had been murdered by Canadian Dominion Police for similarly resisting the imposition of the band system. Furthermore, the Indian Agent installed at Brantford in 1923 had a military background and frequently wore a firearm. Finally, Duncan Campbell Scott used threatening language in a letter to Deskaheh that was sent a year prior to the coup. The national and political objectives of Canadians are important to examine, and it is also important to consider the tools chosen to achieve such goals. The methods that Canadian officials selected to subjugate the Six Nations included the threat of violence.

³¹⁵ Thompson, *Report by Col. Andrew T. Thompson*, 16.

Sustained Claims of Sovereignty After the 1924 Coup

Despite the aggression of the Canadian state, the Six Nations continued to press their claim of sovereignty. Deskaheh left Geneva in early January 1925, but threats of arrest and prosecution prevented him from entering Canada. He remained across the border in political exile at the Tuscarora Reservation in New York State until he succumbed to pneumonia in June 1925.³¹⁶ Deskaheh still managed to make a speech over the radio in which he reaffirmed Six Nations autonomy by saying that they did not want any laws they “have not willingly adopted for ourselves.” He went on to say that the Canadian government was punishing them for trying to preserve their rights by pretending to abolish their government and pretending to establish a Canadian-made government over them. Finally, Deskaheh stated that the Haudenosaunee would continue to defend their rights “to live under their own laws in their own little countries now left to them.”³¹⁷

As Deskaheh stated, the Haudenosaunee continued to fight for their sovereignty, which included trips to England, San Francisco, and Geneva by Six Nations delegates in 1930, 1945, and 1977, respectively. Though unsuccessful, these international efforts sought to assert sovereignty and to address the management of band funds by the Department of Indian Affairs.³¹⁸ An additional legal effort was made in 1957 when the competence of the Canadian government and the elected band council to manage the Grand River lands was challenged. The claim to independence was once again dismissed in a Canadian court based on minimal historical

³¹⁶ Ockleshaw-Johnson, *Tragic Plight of the Six Nations (Iroquois) Indians*, 16.

³¹⁷ Deskaheh. “The Last Speech of Deskaheh.” Rochester, 10 March 1925. Reprinted in *Basic Call to Consciousness* (Summertown: Native Voices, 1978), 48-54.

³¹⁸ Norman, “Race, Gender and Colonialism,” 1-2.; McCarthy, *In Divided Unity*, 7.

evidence. Just as before, the long history of the relationship between the Haudenosaunee and the British Crown was ignored, and the presiding judge argued that in accepting the 1784 Treaty, the Haudenosaunee had become subjects of the Crown.³¹⁹

More direct action was taken in 1959 when the hereditary chiefs attempted to reinstate their traditional government by occupying the Council House at Grand River, but the RCMP once again quashed their attempt.³²⁰ About 100 Haudenosaunee entered the council house and posted a proclamation to the door, just as the RCMP had done in 1924, while hundreds of onlookers cheered.³²¹ About 1,000 Six Nations people were involved with the attempt to reinstate the traditional hereditary government that had, according to some, served the Haudenosaunee people for 2000 years.³²² They shut down the Indian Act imposed government for over a week, until the RCMP once again raided the council house. This time the raid was executed at three o'clock in the morning with 15 cars and 50 police officers which resulted in a scuffle and some Haudenosaunee requiring treatment for their injuries such as head bandages.³²³

Similarly, in 1970 supporters of the Confederacy padlocked the council house in Ohsweken on multiple occasions during the summer, which prevented the elected council from using it for meetings. In response, the band council initiated an action for an injunction, but the presiding judge of the case found that “the council of Hereditary Chiefs have by far the better claim to the management of the premises.” When the decision was appealed, the Ontario Court of Appeal found that “the elected Council were found “properly entitled to use the Council House, the property of the band for Council purposes.” However, the issue of Haudenosaunee

³¹⁹ Johnston, “The Quest of the Six Nations Confederacy,” 20-21.

³²⁰ “Conflict in Caledonia: A timeline of the Grand River land dispute,” *APTN National News*, October 15, 2020.

³²¹ “Indians Seize Control of Tribes; Set up Own Regime in Canada,” *The New York Times*, March 6, 1959, 8.

³²² “Six Nations Revolution 50th Anniversary,” *Tekawennake News*, March 11, 2009, 9-10.

³²³ “Indian Parley Raided,” *Hamilton Spectator*, March 13, 1959.

sovereignty was not in question during this process, as the presiding Justice said that their claim to be a sovereign people was withdrawn from his consideration.³²⁴

Finally, from 1980 until 1995, the Six Nations launched 29 land claims against the Crown, but all of them were closed by the Crown after the Six Nations began the process of suing Canada and Ontario. The Six Nations of the Grand River sought an accounting of all outstanding cash, lands, and assets owed to them as a result of the alleged misdealing's within the Grand River territory.³²⁵ Such mishandling of Six Nations money and land, as usual, included the actions of the Grand River Navigation Company that contributed to the erosion of their ability to assert sovereignty. In a presentation to the Special Committee on Indian Self-Government in May 1983, a delegation from the Confederacy stated that they were not part of Canada, never had any desire to be part of Canada, nor did they have any plans to be part of Canada.³²⁶

Haudenosaunee claims of sovereignty preceded the Haldimand Treaty of 1784 and they continue uninterrupted today. The Six Nations of the Grand River continue to protest and assert their claims regarding the unresolved disputes with Canada, and a majority of them continue to boycott both the band council and Canadian elections.³²⁷ A relatively recent example is the 2013 band council election, which saw a five per cent voter turnout with only 1,057 votes cast from 20,520 eligible voters. While the band leaders are technically democratically elected, the voter turnout from the 2013 band election is typical. Alicia Elliot, a Tuscarora writer from Six Nations

³²⁴ Johnston, "The Quest of the Six Nations Confederacy," 21-22.

³²⁵ "Conflict in Caledonia: A timeline of the Grand River land dispute." *APTN National News*, October 15, 2020.

³²⁶ Johnston, "The Quest of the Six Nations Confederacy," 1-2.

³²⁷ Woo, "Canada's Forgotten Founders," 9.

of the Grand River, argues that calling a government that is “based on such a small turnout “representative” is more than a stretch – it’s a lie.”³²⁸

Conclusion

A positive legal definition for a ‘state’ was not established by international law until 1933, which was nearly a decade after the Grand River Council House coup. However, Canada did not meet the legal definition of a ‘state’ in 1924 while the Grand River Haudenosaunee did. A ‘state’ has to have a defined territory with a permanent population and a government that has the capacity to enter into relations with other states. While the Haudenosaunee of the Grand River met these criteria, Canada could not enter into relations with other states because its international relations were controlled by Britain.³²⁹ Furthermore, the Grand River Six Nations have argued that as early as 1720, over a hundred years prior to the confederation of Canada, the Confederacy has possessed the three needed elements that constitute a state.³³⁰ Thus, while it was claimed that the Haudenosaunee usurped the Canadian government, it is actually Canada that usurped the Six Nations.

At the same time that the Six Nations were petitioning for sovereignty internationally, Canada was also petitioning for autonomy by asking Britain to interpret their status as a nation-state into existence.³³¹ Ratifications of the Halibut Treaty were exchanged on October 21 1924, and were an important step in establishing Canada’s right to separate diplomatic action and sovereignty. Once achieved, the 1933 criteria of statehood amongst the international community

³²⁸ Elliot, “The Meaning of Elections for Six Nations.”

³²⁹ Woo, “Canada’s Forgotten Founders,” 5.

³³⁰ “The Redman’s Appeal for Justice,” 3.

³³¹ Franz, “Usurping the Contract,” 12.

was fulfilled as Canada demonstrated a capacity to enter into relations with other states. However, it was only in 1931 which the Statute of Westminster being passed as British law that Canada was formally recognized as an independent nation equal in status to Britain. European settlers, including British representatives of the Crown acknowledged Haudenosaunee sovereignty hundreds of years before Canada achieved independence. Despite this, the same day that the Halibut Treaty was ratified in October 1924, Indian Affairs held elections on the territory of the Grand River Six Nations for the government that it claimed to abolish.³³²

In a 1923 edition of *Canadian Review*, a Canadian official wrote that if the demands of the Confederacy as communicated by Deskaheh and his Geneva campaign were recognized, it would “unsettle Canadian sovereign authority.”³³³ Correspondence documenting the attempt to sabotage Deskaheh’s Geneva efforts demonstrate that Canada and the British Crown were frightened by the campaign and its potential to challenge Canadian sovereignty.³³⁴ This is in part why from 1927 to 1951, the Indian Act was amended to prohibit unauthorized individuals from soliciting funds from Indigenous people or their bands for the prosecution of claims without the approval of Indian Affairs.³³⁵ The refusal to accept an imposed subjugation demonstrated that settler sovereignty was incomplete, despite Canada’s monopoly on violence rendering its legal judgment the most authoritative.³³⁶

While Canada claims to have legitimate and total authority, treaties act as constant reminders of the incompleteness of settler sovereignty with respect to Indigenous peoples. And just as Indigenous peoples are bound to those agreements that recognize their sovereignty, so too

³³² Woo, “Canada’s Forgotten Founders,” 9.

³³³ Franz, “Usurping the Contract,” 6.

³³⁴ *Ibid.*, 15.

³³⁵ Leslie, “Assimilation, Integration or Termination?”, 67.

³³⁶ Franz, “Usurping the Contract,” 15.

is the settler state bound to them. Treaties were used by the Geneva campaign as evidence for prior sovereignty, as their mere existence proves that agreements between early settlers and Indigenous nations adhered to international law.³³⁷ The archival evidence and legal authorities used by the Six Nations of the Grand River to support their argument in Geneva were impeccable, and legal historian Grace Li Xiu Woo has speculated that had the Six Nations been allowed equal access to British imperial courts, the Six Nations could have won their claim to sovereignty.³³⁸ Rudy Longboat, a Warrior involved with the 1959 attempt to oust the band system government, stated in 2007 that “unless you’re pretty stupid, it’s obvious that international laws say we are a Nation of people.”³³⁹

In 1981 the Foreign Affairs Committee of the British House of Commons declared that the treaty obligations of the British Crown had been transferred to Canada. However, historian J.R. Miller claims that “no one seemed entirely certain when and how that had occurred.”³⁴⁰ There is a widespread perception of the legitimacy of Canadian sovereignty over Indigenous nations, including the Haudenosaunee Confederacy. However, the argument for Six Nations sovereignty has appeared at times to have substantial support. Such an instance occurred on an international stage when Deskaheh represented the Confederacy Council in the early 1920s, and Canada found it necessary to respond nations supporting Haudenosaunee autonomy. Canadian officials decided against seeking a resolution through legal structures as requested by the Six Nations multiple times. Instead, armed RCMP officers invaded the Grand River land of the Haudenosaunee and implemented a coup using the threat of violence. Canada’s claim to

³³⁷ Franz, “Usurping the Contract,” 7, 12.

³³⁸ Woo, “Canada’s Forgotten Founders,” 10.

³³⁹ Jim Windle, “Rudy remembers 1959,” *Tekawennake News*, 11 March 2009, 16.

³⁴⁰ J.R. Miller, *Reflections on Native-Newcomer Relations: Selected Essays*. University of Toronto Press: Toronto (2004), 234.

sovereignty depends on erasing Indigenous sovereignty and it relies on the continued threat of violence against Indigenous people.

Chapter Four
“By nature we are children of wrath”:
Settler Colonialism on the Grand River and Kanonhstaton

Structures of Invasion

Extinguishment of Indigenous rights and sovereignty through treaty and the rejection of their tenure through the doctrine of terra nullius are widely accepted to be the primary methods of dispossession used by Euro-settlers against Indigenous peoples. However, on the ground and throughout time such generalizations have not always held true as the impacts of dispossession by the Canadian government compound over time in unique ways. Jodi Byrd, a professor of Literatures in English, argues that this process creates a “cacophony” inherent to settler colonialism with no single experience of dispossession but rather clusters of competing interpretations.³⁴¹ Settler colonialism is portable but not monolithic, making it important to explore how it evolved and functioned in specific locations. This is because the ways that settler colonialism have been perpetuated range from sources of exceptional power to the banal everyday acts of average settlers.

This thesis has sought to demonstrate that while settler colonialism is produced and upheld by governments and corporations, it is also important to examine and acknowledge the role of individual settlers in the perpetuation of colonialism.³⁴² Anti-Indigenous structures are able to be sustained in part due to the continued widespread lack of awareness or understanding amongst settler Canadians of the history and present realities of colonialism. Additionally, when the atrocities of colonization are acknowledged at all by the colonial government, mainstream media, or educational institutions, it tends to be portrayed as a legacy to be forgotten rather than an ongoing reality.³⁴³ This chapter seeks to challenge such a narrative by connecting the events

³⁴¹ Darren Reid, ““Compound Dispossession” in Southern Ontario: Converging Trajectories of Dispossession and Inter-Indigenous Conflict, 1886-1900,” *Journal of Canadian Studies* 57, no. 1 (Winter 2023): 84-85, 87.

³⁴² Emma Battell Lowman and Adam J. Barker, *Settler: Identity and Colonialism in 21st Century Canada* (Halifax: Fernwood Publishing, 2015): 53, 116, 39.

³⁴³ Pamela Palmater, “Decolonization is Taking Back Our Power” in *Whose Land is it Anyway?: A Manual for Decolonization*. Eds. Peter McFarlane and Nicole Schabus (Vancouver, 2017): 74.

of the Grand River Navigation Company (GRNC) era and the 1924 coup d'état at the Ohsweken Council House with a conflict from the 21st century. In doing so, we can see how the specific injustices of the 1830s and 1920s that were inflicted upon the Six Nations of the Grand River by Canada and individual settlers remain unresolved.

Drawing through-lines of how settler colonialism has functioned on the Grand River allows us to clearly see it as firmly entrenched yet malleable structure, rather than a series of unconnected aberrations. In their 2015 work *Settler*, Lowman and Barker state that “Canadian structures of invasion come in three types: spaces, systems, and stories.”³⁴⁴ We can see such typology of structures reflected on the Grand River almost immediately after the Haldimand Tract was established. The Haudenosaunee space was first invaded through illegal settlers, the imposition of transportation networks that disadvantaged the Six Nations, and the dispossession of Haudenosaunee land. The invasion of systems includes the theft of Six Nation’s money, capitalist exploitation of Indigenous land, and the imposition of the elected band council. Finally, the invasion of stories on the Grand River has been developed through narratives of paternalism, racial superiority, and Canadian authority as legitimate. The Canadian government in tandem with the actions of individual Settler Canadians have invaded the Grand River through spaces, systems, and stories.

Kanonhstaton/Douglas Creek Estates

In the early 2000s, Henco Industries Ltd. planned to construct a residential subdivision near both the Six Nations of the Grand River territory and the largely white town of Caledonia in southern Ontario. The elected Band Council that was imposed by Indian Affairs in 1924 wrote to

³⁴⁴ Lowman and Barker, *Settler*, 31.

Henco Industries highlighting concerns over building a subdivision on disputed lands. The Six Nations also tried several times to see the proof of title, but when no proof of title was produced by the developers of the proposed subdivision, a handful of protestors halted construction.³⁴⁵ Similar to Deskaheh's efforts in Europe during the 1920s, Haudenosaunee individuals made numerous efforts to explain the historical and political significance of defending their rights to average settlers. Attempts to inform settlers of our shared history included handing out 1,500 flyers along a highway and hosting and hosting federal and provincial negotiators in order to educate them. Six Nations representatives also lobbied Canadian officials to continue discussions with them and to return to the negotiating table in order to resolve the dispute. However, similarly to the commencement of the GRNC's project and the dissolving of the traditional government, the petitions and desires of the Six Nations were ignored by individual settlers as well as the Canadian government.³⁴⁶

In order to physically subjugate the Six Nations, Canadian law enforcement was deployed to the Grand River in 1924 and 1959, and they were once again sent in 2006. Shortly after a handful of protestors occupied the disputed land in April 2006, police raided the protestors in the middle of the night with an aim to expel them from the site. Hundreds of police officers descended upon the peaceful protesters, who were beaten and arrested in the ambush. The violence by the Ontario Provincial Police was initiated at 4:30am and included pepper-spray, tasers, kicking, choking, and forcibly restraining and throwing protesters to the ground. This violence was directed at the peaceful occupiers, which included women, children, and elderly

³⁴⁵ Jim Windle, "Eleven Years Since Reclaiming Kanonhstato." *The Two Row Times*, March 1, 2017.

³⁴⁶ Theresa McCarthy, *In Divided Unity: Haudenosaunee Reclamation at the Grand River* (Tucson: University of Arizona Press, 2016): 13, 140, 148.; Allison Dunfield and Karen Howlett, "Native Standoff Continues after Police Raid," *The Globe and Mail*, April 20, 2006.

that were protesting.³⁴⁷ The threat of physical violence against the Six Nations of the Grand River by colonial powers began shortly after their arrival to the Haldimand Tract as Upper Canadian officials encouraged surrounding them with military personnel. This threat of violence against the Six Nations has continued with explicit examples from 1924, 1959, and 2006.

Settlers in a position to benefit from the dispossession of the Six Nations have often used political connections to achieve their aims. In the 2006 instance, the provincial judge that helped set the raid into motion owned a parcel of contested land in the Grand River territory that would have greatly increased in value if developed.³⁴⁸ Similarly, the founders of the GRNC had personal connections to Upper Canadian officials who abetted them in stealing Six Nations funds held in trust as well as their land. Finally, Duncan Campbell Scott had been embarrassed by the international assertion of Haudenosaunee sovereignty, which likely contributed to the decision of sending RCMP officers to overthrow the Haudenosaunee traditional government. In all three instances, including the 2006 land dispute, colonial authorities used their power to dispossess the Six Nations of their land, money, and/or political autonomy out of self-interest.

As articulated by Max Weber, the state is the association that successfully claims the monopoly on the legitimate use of violence, and the events of 1924, 1959, and 2006 demonstrate that Canada has a monopoly on violence.³⁴⁹ As such, Canada also authorizes who may engage in acts of violence, such as individual settlers that violently uphold and further the objectives of settler colonialism. After the 2006 police raid, more protestors came to the disputed site out of solidarity and to assert their right to the land, which motivated some local townspeople to attempt to increase the disruption at the disputed area. Settlers attempted to discredit and disrupt

³⁴⁷ McCarthy, *In Divided Unity*, 23-38.

³⁴⁸ *Ibid.*, 227-229.

³⁴⁹ H.H. Gerth and C. Wright Mills (eds.), *From Max Weber: Essays in Sociology* (New York: Routledge, 2009), 334.

the peace by shooting a protester in the face with a flare, taunting the protesters while dressed in camouflage and riding four wheelers, throwing rocks at the protesters, setting a barn on fire that the protesters put out, vandalizing Caledonia, and setting off firecrackers attempting to “incite the war.”³⁵⁰ While Canadian law enforcement officers used violence or threatened to inflict it in 1924 and 1959, by not administering consequences to Canadian civilians that engaged in violence, it appears that Canada condones such action.

The desire by settlers to start a war should be taken seriously, as some Caledonia residents went so far as to attempt to organize a “militia” so that they could enforce the laws that they said that the Ontario Provincial Police failed to uphold. These townspeople wanted to “take matters into their own hands,” which contrasts how the leaders of the protesters continually encouraged their supporters to refuse any retaliation to the constant provocation of the townspeople.³⁵¹ When the barricades of the protesters were set to be removed, a large crowd of Caledonia residents had gathered to watch and some approached the Haudenosaunee protesters. What initially looked like a gesture of goodwill by the townspeople turned into skirmishes and fights as a vehicle was rocked and vandalized, and Six Nations spokespeople were swarmed by angry town residents.³⁵² In this thesis I have discussed how the Canadian government and individual settlers have worked together within structures to further settler colonialism, and both forces acting violently towards the Six Nations is another example.

Many Canadians feel that settler colonialism is a thing of the past, but Canadians have continued to actively participate and perpetuate it through racism and race-based violence, as

³⁵⁰ McCarthy, *In Divided Unity*, 263.

³⁵¹ Jorge Barrera, “Caledonia Residents Organizing ‘Militia’”, *The National Post*, June 16, 2009.; McCarthy, *In Divided Unity*, 264.

³⁵² McCarthy, *In Divided Unity*, 264.

seen at Kanonhstaton/Douglas Creek Estates.³⁵³ Anti-Indigenous racism preceded the Haldimand Treaty of 1784, as Barbara Graymont says in her 1972 work *The Iroquois in the American Revolution*: “Many of the colonial leaders and border settlers considered the Indian... a creature to be appeased only when absolutely necessary, to be exploited always, and to be divested of his land whenever feasible.”³⁵⁴ As discussed previously, a racist and hierarchical understanding of ‘civilization’ was used to justify settler actions that dispossessed and marginalized Indigenous groups.³⁵⁵ This was also seen throughout the 2006 dispute, with an example coming from Theresa McCarthy, a citizen of the Six Nations Onondaga and a professor of Indigenous Studies. She was told by a senior non-Native colleague at McMaster University that they wished the protestors presented themselves as “dignified,” rather than “masked thugs.” This thesis has discussed conceptions of “civilized” as they were used in prior centuries to be weaponized against Indigenous people, and they have persisted into the 21st century.³⁵⁶

In the 1830s and 1920s widespread racism towards Indigenous peoples at all levels of settler life provided the foundation for the paternalism and neglect previously discussed. Likewise, in 2006 racism towards the Six Nations appeared in the media and in Canadian life. Numerous dissertations and academic journal articles examined the anti-Indigenous backlash that arose from settlers in response to the reclamation and two books that received strong sales discussed the perceived injustices that Caledonia residents had to endure during the peaceful protest.³⁵⁷ Furthermore, newspapers often downplayed Six Nations concerns and highlighted the

³⁵³ Lowman and Barker, *Settler*, 42.

³⁵⁴ Barbara Graymont, *The Iroquois in the American Revolution* (Syracuse: Syracuse University Press, 1972), 89.

³⁵⁵ Adam J. Barker, Toby Rollo, and Emma Battell Lowman, “Settler Colonialism and the Consolidation of Canada in the Twentieth Century”, in *The Routledge Handbook of the History of Settler Colonialism*. Eds. Edward Cavanagh and Lorenzo Veracini (London: Routledge, 2016), 155.

³⁵⁶ McCarthy, *In Divided Unity*, 39.

³⁵⁷ McCarthy, *In Divided Unity*, 25.; Christie Blatchford, *Helpless: Caledonia's Nightmare of Fear and Anarchy, and How the Law Failed All of Us* (Toronto: Anchor Canada, 2011); Laura DeVries, *Conflict in Caledonia: Aboriginal Land Rights and the Rule of Law* (Vancouver: University of British Columbia Press, 2012).

interests of developers, such as an article by Jeffrey W. Lem and David G. Reiner that concentrated on how many homes the proposed subdivision would have provided. The piece goes on to lament that the decrease in the value of the property due to the “rampant lawlessness” of Indigenous people. The authors also state that it was “bizarre” that the Ontario police forces were unwilling “to do anything whatsoever,” and “stood idly by observing the lawlessness.”³⁵⁸ Certain conceptions of civilization used as justification to subjugate Indigenous people resonate in the 2006 conflict, as Theresa McCarthy argues that there was a need by Canadians to cast the Six Nations as “deficient, degenerate, and unworthy.”³⁵⁹ The anti-Indigenous racism present when the GRNC operated in the 1830s may have evolved, but it is still used to justify the dispossession of Indigenous people.

Similar to the 1924 coup, the 2006 raid was justified by purported disturbances by Indigenous people even though there were no actual reports of such. The Deputy Police Commissioner said in a press conference that the Kanonhstaton raid was “a result of the behavior of some of the protestors.” However, there were no reported disturbances at or before 4:30am when the police officers assaulted the peaceful protestors, nor were there any reported physical confrontations before the police raid.³⁶⁰ The Deputy Commissioner of the OPP claimed that the main concern of the police was to ensure that a “peaceful and lasting resolution can be achieved,” and that “violence is certainly not the answer.”³⁶¹ Additionally, government officials had promised Haudenosaunee representatives that a raid and physical force would not occur while official talks were under way.³⁶² This is similar to the 1959 incident where individuals of

³⁵⁸ Jeffrey W. Lem and David G. Reiner, “Building with a Chance of Law.” *Canadian Building; Toronto*, 60, no. 1 (2009/2010): 11.

³⁵⁹ McCarthy, *In Divided Unity*, 25.

³⁶⁰ Dunfield and Howlett, “Native Standoff”.

³⁶¹ *Ibid.*

³⁶² McCarthy, *In Divided Unity*, 229.

the Six Nations had been promised by an RCMP Staff Sergeant that no violence would occur before around 50 RCMP officers invaded the council house and used physical violence to disperse and arrest protestors.³⁶³

Aftermath

Capitalism within settler colonialism reinforces the power imbalance between Indigenous groups and settler groups. The Six Nations never received compensation for their funds stolen by the GRNC, and they have similarly yet to receive compensation for Kanonhstaton. While the Six Nations have never received any monetary settlements from the Canadian federal or provincial governments, Caledonia residents received funding for trauma counseling, compensation for lost business revenue, support for town beautification to promote tourism, and a twenty-million-dollar class action settlement for businesses, property owners, and the contractors and sub-contractor associates of Henco Industries. Multimillion dollar settlements were also awarded for distress experienced by homeowners residing near the reclamation site, and Henco Industries developers made a 75 percent profit on their investment through the province's buyout. "Land claims victims" were quick to see reparations, and the cumulative total of these payouts has exceeded any of the monetary settlement offers that the governments have offered Six Nations.³⁶⁴ While the developers did not achieve their initial financial goals by building a subdivision, they were still able to make a substantial profit. Capitalism is inherent to settler colonialism, and it favors and rewards those that exploit Indigenous land for capital gain.

³⁶³ Jim Windle, "Pre-dawn raid of 1959 reminiscent of April 20," *Tekawennake News* (Ohsweken, 11 March 2009), 15.

³⁶⁴ McCarthy, *In Divided Unity*, 152-153.

More recent events occurred in 2015 and 2021 involving another land dispute near the town of Cayuga and after Elections Canada attempted to locate a polling station on Six Nations territory. The conflict regarding disputed land arose when the construction of a bridge project near the town of Cayuga was halted by Six Nations protestors as they claimed it would take place on lands that were never surrendered. The Grand River Haudenosaunee once again relied on historic agreements to make their case by referencing treaties agreed upon in 1701 and 1768. As in the 1830s, 1920s, and 2000s, the provincial government refused mediation but politicians placed the blame on the Six Nations protest, which was called “intimidation.”³⁶⁵ Again we see the Canadian government refuse to engage in discussions with Six Nations while allowing the latter to be seen as the instigator when an attempt is made to assert their rights and autonomy.

Haudenosaunee sovereignty was at the core of the 2021 issue as Elections Canada attempted to locate a polling station on the territory of the Grand River Six Nations. In response, the chiefs and grandmothers of the traditional Haudenosaunee Confederacy wrote a letter to the staff of the polling station. After the letter was delivered reporters and police arrived before the polling station was eventually moved off Six Nations territory. This was the first time that a polling station was forced to relocate, and the reasoning for this was the same as 1924 and 2006. Establishing a polling station for a Canadian election on Haudenosaunee land was seen by those of the Six Nations as a violation of their treaty rights and allowing it to proceed would demonstrate a relinquishment of their sovereignty.³⁶⁶

While the GRNC, the 1924 dissolution of the traditional government, and Kanonhstaton/DCE may initially appear to be three independent incidents, they are all connected

³⁶⁵ Lynda Powless, “Ontario cabinet stalls Cayuga bridge project, says no to HCCC,” *Turtle Island News*, (October 7, 2015), 3, 7.

³⁶⁶ “Elections Canada polling station on Six Nations territory forced to move to nearby town.” *APTN National News*. September 20, 2021.

through the necessity of the destruction of Indigenous sovereignty in order for Canada to claim legitimacy. Indigenous assertions of sovereignty and rights to land are interpreted as a threat to Canadian identity, unity, and legitimacy.³⁶⁷ The pursuit of this aim may include land theft, monetary theft, racism, or violence as all have been used against the Haudenosaunee of the Grand River by individual settlers and colonial powers. The history of Indigenous/settler relations on the Grand River demonstrates how settler colonialism is not an event, but an ongoing structure upheld by individuals, corporations, and governments. There are currently 29 outstanding land claims to more than 900,000 acres of the Haldimand Tract that the Canadian government closed in 1995 without assessment or settlement. The Six Nations continue to pursue the land claims through the courts.³⁶⁸

The Responsibility of Canadians

When we discuss “Indigenous issues,” which are actually problems created by settlers that impact Indigenous peoples, the causes for such issues are often omitted. Throughout this thesis I have sought to demonstrate the origins of some of the main difficulties experienced by the Grand River Six Nations. The reduction in land, money, and autonomy can all be traced back to settler colonial ideas and practices of eliminating Indigenous people and their sovereignty in order to claim their land. When we identify the origins of the problems that the Six Nations face as attempts to steal their land, it becomes clear why it is the responsibility of settlers to address such injustices.

³⁶⁷ Chris Hiller, “Tracing the spiral of unsettlement: Euro-Canadian narratives of coming to grips with Indigenous sovereignty, title, and rights,” *Settler Colonial Studies* 7, no. 4 (2017), 418-419.

³⁶⁸ Reid, “Compound Dispossession,” 24.

Despite centuries of efforts by Indigenous people to educate newcomers to their territories of the treaty relationships that they were entering, treaty ignorance and denial has remained rampant in Canada.³⁶⁹ A survey completed in 2016 by the Environics Institute for Survey Research found that among non-Indigenous Canadians there was a continuity of entrenched colonizing assumptions.³⁷⁰ In 2015, Hazel Hill, then Director of the Haudenosaunee Development Institute, said of the Canadian government that “they don’t care about the treaties,” and that “they don’t look at how their system relates to our system and the impact it’s had.”³⁷¹ When asked what Canada could do to repair its relationship with Six Nations, Hill said “That’s the one question Canada has to ask itself.” It is clear that the responsibility to correct the relationship is on settlers and their government.

Perhaps the best place to start in addressing wrongs created and perpetuated by Canada and settlers is with the treaties. The inheritance of treaty comes with obligations such as an acknowledgment of one’s position as a beneficiary of agreements made through deceit, fraud, enforced starvation, and violence. Additionally, an understanding of one’s position to treaties involves practices of remembering, reclaiming, and carrying forward the principles, promises, and responsibilities of the treaty into the future.³⁷² Though our governments and educational system have separated us from our obligations, Canadians still have treaty obligations that are binding contracts upheld by the Constitution.³⁷³ Canadian officials have refused to recognize the treaties that their predecessors made with the Six Nations, but it is the responsibility of Canadians to individually and collectively acknowledge and uphold treaties.

³⁶⁹ Chris Hiller, ““No, do you know what *your* treaty rights are?” Treaty consciousness in a decolonizing frame,” *The Review of Education, Pedagogy, and Cultural Studies* 38, no. 4 (2016): 381.

³⁷⁰ Hiller, “Tracing the spiral of unsettlement,” 417.

³⁷¹ Alicia Elliot, “The Meaning of Elections for Six Nations,” *Briarpatch*: Regina, 21 May, 2015.

³⁷² Hiller, “No, do you know what *your* treaty rights are?”, 400.

³⁷³ *Ibid.*, 389.

The first step in repairing any relationship is to educate oneself and learn the history. In 2016 Chris Hiller, a professor of Social Development Studies, interviewed a Euro-Canadian solidarity activist who recounted how his perception changed as he examined historical documents. Through interacting with historical and legal material, the activist came to see Indigenous-European treaties not as irrelevant “quaint Indian relics” as many Canadians do today. The activist came to see treaties as binding international agreements that were entered into by sovereign nations with formal recognition in the Canadian Constitution that continue to have weight and purchase. Throughout this thesis I have sought to demonstrate not only the origins of certain injustices committed against the Grand River Six Nations by settlers and Canada, but also their continued relevance and the necessity of addressing them. In that same 2016 interview with Hiller, the activist discussed how he sought to inform non-Indigenous people of the specifics of treaty history to bring them to a point where they have to decide to either ignore history or live up to it.³⁷⁴ I hope that the pattern of injustices highlighted in this thesis serves as further proof of the necessity for settlers to uphold the agreements that their previous governments entered into and the importance of living up to our obligations.

³⁷⁴ Hiller, “No, do you know what *your* treaty rights are?”, 389.

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