

The Bi-Centennial of Pre-Confederate Treaty #18

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In the fall of 1818 British Government authorities of Upper Canada had descended their messengers to the Chippewas of Lakes Huron and Simcoe, The Mississaugas of the Credit River and the Mississaugas of Rice Lake for future councils and present distribution. For the Chiefs of those Nations, separated only by land, river and lake systems, would make three separate treaties within 20 days of each other that would succeed 4,191,000 million acres of land to King George the 3rd and his successors of the Crown.

Although there were different military officers at each of these meetings, one constant was that William Claus, Deputy Superintendent General of Indian Affairs, Joshua Givins, Superintendent of Indian Affairs, and William Gruet, Indian Interpreter were present at each of these meetings.

These agents of Upper Canada had travelled to the Holland River to meet up with Chief Musquakie and the Chippewas of Lakes Huron and Simcoe. When William Claus had arrived at the Holland River with his party on October 16, he had found Musquakie and his band in such a state that he declined meeting with him until the next day.

The following day, on October 17, 1818, William Claus had met with Chief Musquakie in King Township at the house of Nathaniel Gamble to discuss terms of the treaty in which the British Crown had interest. The other head men that had accompanied Musquakie to this meeting were Kaqueticum (Cat Fish Clan), Muskigonce (Otter Clan), Manitonobe (Pike Clan) and Mantobinince (Pike Clan). It is interesting to note that Chief Assance was not named at this treaty meeting, seeing how it was Chief Assance, Chief Snake and Chief Musquakie who had signed Pre-confederate Treaty #16, three years prior.

At this meeting Claus had laid out the plan in which he exclaimed that the King had desired to purchase from this band of Chippewas. In regard to the land, in Claus' proposal to Musquakie and the headmen he stated *that "it will be many years after both of us and most of your people will have left the area before any settlement will come near to your villages, therefore it need not cause any uneasiness in your mind on the subject."*¹ This couldn't be any further from the truth as Claus knew of the need for land to help reconcile with the King's soldiers and militia from their military service in the War of 1812, as well as the need to control of the Nottawasaga River for transportation reasons, and the increased numbers of immigration through colonization, which was evident in the years after the signing of this treaty.

Claus also said to Musquakie that ***"Your land lays idle, you receive no benefit from, it would be***

1 NAC, Claus Papers, Vol. 11 (M.G. 19, F1), pp. 102, Clause/Misquakie Council Meeting Minutes, October 17, 1818

better for you and your children that you should receive some advantage from it."² This was the same terminology that Claus used 10 days later at a meeting with Chief Adjutance at the River Credit where he said ***"You have a large country laying dead, you receive no benefit whatever from it, but your Great Fathers usual kindness for his Indian children induce him to purchase of those lands and to give you goods yearly to cover your women and children."***³ The difference in length between these two meetings was that Musquakie's meeting was one day and the meeting at the Credit went on for three straight days.

What Chief Musquakie had negotiated in this meeting was that he wished to have a doctor to live near them and help assist when the children of the band were sick. Although this was negotiated, it wasn't written in the treaty.

Chief Musquakie also stated that ***"It would be folly in me to say that the land is mine, for the land belongs to god who bestowed it on all for our subsistence."***⁴ The interpretation of this quote could be read as metaphor for the equal share of the land and the resources it offers to survive, especially hunting, fishing and harvesting.

At the end of the meeting William Claus exclaimed that ***"You will never be deceived by him,"***⁵ in which he refers to King George the 3rd, and in closing says ***"The words which have said between us I trust will be sacred. It is done in the presence of the Supreme Being, who sees and hears everything."***⁶

From this meeting Pre-confederate Treaty #18 was signed by both parties. The main condition of this treaty was that 1,200 pounds worth of goods at Montreal prices were to be given to the Chippewa's of Lakes Huron and Simcoe every year forever for the surrender of 1,592,000 acres. Throughout the years goods were given, as well as currency distribution. This yearly annuity would cease to exist under clause three of the Williams Treaty which was signed by the Beausoleil Band on November 3, 1923. Up until the extinguishment of this annuity Treaty #18 was held honoured on paper, and gained interest each and every year since Captain Anderson's Superintendency which started in the year 1829 when the book keeping started to be well documented within the Indian Department.

The presence of a doctor or medical attention in times of sickness and need for the Chippewas of Lakes Huron and Simcoe was documented at Coldwater in the 1830's where a surgeon had been hired for their wants and needs. When the Assance Band relocated to Beausoleil Island and the Snake Band relocated to Snake Island, it was very difficult for these two bands to access medical attention when

2 Ibid

3 NAC, Claus Papers, Vol. 11 (M.G. 19, F1), pp. 109, Clause/Adjutance Council Meeting Minutes, October 27, 1818

4 NAC, Claus Papers, Vol. 11 (M.G. 19, F1), pp. 103, Clause/Misquakie Council Meeting Minutes, October 17, 1818

5 NAC, Claus Papers, Vol. 11 (M.G. 19, F1), pp. 104, Clause/Misquakie Council Meeting Minutes, October 17, 1818

6 Ibid

needed. The doctor assigned to the Assance Band would make monthly trips from Penetanguishene, but it was never consistent over the bands twenty-year occupation on Beausoleil Island.

Eleven days after Treaty #18 was signed William Claus, Joshua Givens and William Gruet were able to convince the Mississauga of the Credit River to sign Pre-confederate Treaty #19, which terms were for the surrender of 648,000 acres of land for 522 pounds and ten shillings worth of goods annually. On November 5 these agents of the British Crown were able to induce the Mississaugas of Rice Lake and area to sign Pre-confederate Treaty #20 which had created the surrender of 1,951,000 acres for 740 pounds worth of goods at Montreal prices every year as well. Just like Treaty #18, Treaty #20 had ceased to exist within clause three of the Williams Treaty in which the four Mississauga Nations had signed individually on four separate occasions in November, 1923.

With the signing of the Williams Treaty in 1923, it is still unknown as to how much interest was still in the Bank of Canada from Treaty #18 and #20, and if any of it was given back to the Chippewa and Mississauga First Nations after the Williams Treaty signing. It is highly unlikely that it was ever given back, as the 7 First Nations of the Williams Treaty have been waiting 95 years to be compensated under the provisions of the 1923 Treaty.

Pre-Confederate Treaty #18

"Articles of a Provisional Agreement entered into on Saturday, the Seventeenth Day of October 1818 between the Honorable William Claus Deputy Superintendent General of Indian Affairs in behalf of His Majesty, of the part, and Musquakie or Yellow Head Chief of the Rein Deer Tribe, Kaqueticum, Chief of the Cat Fish Tribe, Maskigonce of the Otter Tribe, Maniwoboe of the Pike Tribe, Principal Men of the Chippewa Nation of Indians, inhabiting the northern parts of the unpurchased Lands within the Home District, of the other part, witnesseth that land in consideration of the yearly sum of Twelve Hundred Pounds Province Currency, in goods at the Montreal price to be well + truly paid yearly + in every year by His said Majesty to the said Chippewa Nation, inhabiting + claiming the said tract which may be otherwise known as follows: Bounded by the District of London on the West, by Lake Huron on the North, by the Penetanguishene purchase (made in 1815) on the East, by the south shore of Kempenfelt Bay, the Western Shore of Lake Simcoe, + Cooks Bay, + the Holland River to the North-West Angle of the Township of King, containing by computation, one million, five hundred and ninety two thousand acres; and the said Musquakie, Kaqueticum, Maskigonce + Manitonobie, as well for themselves as for the Chippewa Nation inhabiting + claiming the said Tract of Land as above described do freely, fully + voluntarily, Surrender + convey the same to His Majesty, without reservation or limitation in perpetuity __ And the said William Claus, in behalf of His Majesty, does hereby promise and agree, to pay to the said Nation of Indians inhabiting as above mentioned, yearly and every year forever, the said Sum of Twelve Hundred Pounds Province Currency in Goods at the Montreal Price _____, which the said Chiefs and Principal, People parties hereunto acknowledge as full consideration for the Lands hereby sold and conveyed to His Majesty.

In Witness Where of the Parties have herunto set their hands and seals, on the day first above mentioned in the Township of King.

Signed, sealed and delivered in the presence
of

J. GIVINS, Supt. Indian Affairs.

ALEX. MCDONELL, Asst. Sec'y Indian Affairs.

JOHN CLAUS.

W. CLAUS, Dep. Supt. Gen., on behalf of the Crown

MUSQUAKIE, OR YELLOW HEAD, (Rein Deer)

KAQUETICUM, OR SNAKE, (Cat Fish)

MUSKIGONCE, SWAMP, (Otter)

MANITONOBÉ, OR MALE DEVIL, (Pike)

MANITOBINENCE, OR DEVIL'S BIRD, (Pike)"⁷