CHIEFS AND PRINCIPAL MEN: A QUESTION OF LEADERSHIP IN TREATY NEGOTIATIONS [1]

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Abstract: During the 19th century, treaties were negotiated with Indian people in Canada to extinguish their interests in vast areas of land prior to settlement by non-natives. Government representatives assumed that chiefs and principal men who signed these treaties represented all bands living in treaty areas, and that signers had the authority to negotiate on behalf of their bands. However, ethnohistorical analysis suggests that this assumption was not necessarily valid, and that the concept of leadership in the context of treaty negotiations needs to be re-examined. Circumstances surrounding the Robinson Superior Treaty of 1850 are used to explore this issue.

Résumé: Au cours du XIX[e] siècle, les traités étaient négociés avec les amérindiens du Canada dans le but d'éliminer leurs intérêts dans de vastes territoires avant les règlements avec les non-autochtones. Les représentants du gouvernement assumaient que les chefs et les principaux personnages qui avaient signé ces traités représentaient toutes les bandes habitant la région concernée et assumaient aussi que les signataires avaient l'autorité de négocier pour leurs bandes. Quoiqu'il en soit, l'analyse ethnohistorique suggère que cette présupposition n'était pas nécessairement justifiée et que le concept de leadership dans le contexte des négociations d'un traité demande à être réexaminé. C'est en tout cas ce que laisse entendre les circonstances entourant le « Robinson Superior Treaty » de 1850.

Introduction

The treaties that were signed during the 19th century by the native people living in what is now Canada were negotiated by a named representative, or representatives, of the British Crown and certain individuals who are referred to in the treaty documents as "principal men," "principal chiefs, warriors and people" or "chiefs and principal men" of a particular group. The wording of these treaties, the circumstances surrounding their negotiation and, in general, the subsequent relationships between government and the respective Indian groups indicate that the government representatives dealt with the chiefs and

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principal men who participated in the treaty negotiations as if they represented all the Indian people living in the treaty areas and had the authority to negotiate on their behalf in much the same way that the government representatives negotiated on behalf of the British Crown. However, the following ethnohistorical analysis of treaty negotiations suggests that those assumptions were based on an incomplete understanding of the sociopolitical organization of Indian groups at the time of these negotiations.

Anthropological research has shown that leadership in band societies is not formalized and, in fact, different kinds of leaders are afforded recognition by group consensus as circumstances warrant. Traditional roles are affected by prolonged contact with European society, either resulting in changes in existing leadership roles or acting as a catalyst for the appearance of new roles that are contemporaneous to, but distinct from, the traditional ones. Lee refers to this phenomenon as the contradiction between "inside" leaders and "outside" leaders (1982:50).

"Inside" and "outside" leaders are discernible among Ojibwa bands living on the north shore of Lake Superior in the mid-19th century. The traditional forms of leadership – hunting group leader and band chief – were still present and the fur trade had provided an opportunity for a new leadership role to appear, that of trading post band chief. He was, as his title suggests, attached to a trading post and was credited by the trader with having considerable authority over the members of the trading post band (Rogers 1965). As an "outside" leader, the trading post band chief was noted for his ability to deal with non-natives and was highly regarded by them, but the status thus afforded him was not necessarily recognized by all the members of the trading post band, nor did his authority extend to activities outside the trading post.

The events surrounding one 19th-century treaty, the Robinson Superior Treaty of 1850, indicate that trading post band chiefs were heavily represented among the "chiefs and principal men" who participated in the treaty negotiations. While this suggests that they were selected to represent the Indians precisely because they were "outside" leaders, the related issues – by whom they were selected, what the extent of their authority was, and which groups they represented – remain to be dealt with.

To address these issues, information concerning leadership among the Lake Superior Ojibwa during the early to mid-19th century has been extracted from the observations and records left by fur traders, explorers and government representatives. These sources are frequently ethnocentric but they provide a means, when combined with general anthropological theory concerning band societies, whereby anthropologists and ethnohistorians can attempt to reconstruct the nature of leadership among these people. In addition, I have relied upon the research done by Rogers (1965, 1978, 1983),

Rogers and Black (1976), Rogers and Taylor (1981), Dunning (1974), Bishop (1974), and Ritzenthaler (1978). Although these authors did not deal specifically with the Lake Superior Ojibwa, I believe that their observations are applicable when the general features of leadership that they identified are supplemented here with the ethnographic information contained in the writings of Hudson's Bay Company (HBC) employees in the Lake Superior District. The traders' observations are drawn from the period ten to thirty years prior to the treaty in 1850, since the journals from the Lake Superior posts – Fort William, Pic, Michipicoten, Nipigon and Long Lake – for the period immediately prior and subsequent to the treaty have been misplaced or contain very little ethnographic material.

Socioeconomic Conditions in the Mid-19th Century

The Lake Superior Ojibwa were hunters, fishermen and gatherers organized on the principles of band society. A band was composed of hunting groups (usually extended families) that were scattered throughout the band's territory for most of the year. These hunting groups joined together, usually only during the spring and fall months, when resources were sufficient to support a larger number of people in one location, such as a productive fishery. These gatherings, which often occurred at or near a trading post, were occasions for visiting, ceremonial events and arranging marriages, because the hunting groups that formed a band were widely scattered and did not have regular contact with each other throughout most of the year.

When the Robinson Superior Treaty was negotiated, the Lake Superior Ojibwa were in what Rogers and Black (1976) refer to as the fish and hare period, although they may have been dependent upon small game for many years prior to the mid-19th century. Alexander Henry spent the winter of 1767 at Michipicoten and noted, perhaps with some exaggeration, that:

> such is the inhospitality of the country over which they [the Indian people] wander that only a single family can live together in the winter season, and this sometimes seeks subsistence in vain on an area of five hundred square miles. They can stay in one place only till they have destroyed all its hares, and when these fail they have no resource but in the leaves and shoots of trees, or in defect of these in cannibalism. (Quaife 1931:206)

The large game animals – moose and caribou – had all but disappeared, and fish and small game animals, particularly rabbits, were relied on for subsistence to a much greater extent than had been the case when large game animals were abundant. The effects of this change in subsistence strategy are richly documented in the Hudson's Bay Company's post journals and traders' correspondence. The traders were concerned about the Indians' welfare, not only for humanitarian reasons, but also because the scarcity of game

animals affected the economics of the fur trade.

Chief Factor John Haldane stated in his 1824 report for the Fort William District that:

> formerly there were Moose & Deer – at this time not one is to be seen being literally extinct. Caribou was also at a former period, and not a great many years since, very numerous. Few now are seen – the scarcity of these Animals is greatly felt by the Indians. In Winter their sole dependence for Subsistence is on Rabbits [illegible] & Partridges of various kinds. In the Summer and Fall, the Indians are furnished with Nets & in the Fall they are supplied with a good Stock of Ammunition and notwithstanding these supplies they are often necessitated to have recourse to the establishment where we give them fish, potatoes & indian corn. Humanity and interest compel us to be kind to them, & they are generally grateful to us. (Hudson's Bay Company Archives B.231/e/1)

Conditions were so precarious in January and February (the coldest months) that, according to Chief Trader Roderick McKenzie's 1828-1829 report for Fort William, "two thirds of the poor Indians must abandon their lands and resort to this establishment [Fort William] for subsistence" (Hudson's Bay Company Archives b.231/e/6).

Chief Trader Donald McIntosh described the socioeconomic conditions of the Pic and Long Lake Indians in his 1828 Pic District Report. He wrote that:

> they are divided into Bands [i.e., hunting groups] of one or two families at most during the winter, they cannot form into large Bands [i.e., bands proper] because it would be impossible to find subsistence. Altho their lands abounds in Rabbits on which they depend for food during the winter season, yet they require a large extent of ground to support a small number of people, as they destroy these animals in one spot they have to remove to another spot, in consequence of which they go over a vast extent of ground in one season. Those who have families are occupied chiefly during that season in snarring those animals [rabbits] in order to supply themselves & family with food, hence it is only Fall and Spring that they can attend to the hunting of those animals with whose skins they pay their debts. (Hudson's Bay Company Archives B.162/e/1)

In 1834, Thomas McMurray, who was in charge of Pic Post, stated that the Pic and Long Lake Indians "are hard pushed sometimes to procure a livelihood [because] their hunting grounds are so circumscribed, and utterly destitute of Large Animals" with the exception of bears. Consequently, they depended on rabbits in the winter and were often forced to leave "a good Martin country to go where Rabbit are plenty," since the two species prefer different habitats. This was, according to McMurray, often "the cause of a failure in their [fur] hunts, as best part of their Time is taken up to procure a Subsistence" (Hudson's Bay Company Archives B.162/e/4).

The Indians who frequented the Nipigon post may have fared somewhat better than those in the adjacent areas. Although there were "reindeer [caribou]" in the area to the west of Lake Nipigon, they were so few in number that they contributed little to the Indians' subsistence. However, fish was abundant and generally available throughout the year unlike other areas such as Long Lake, where the fishery was not productive during the winter. Rabbit was also a mainstay during the winter, as at other posts. The Nipigon Post Journals contain very few references to "starving Indians"[2] in comparison to other Lake Superior post journals. In January, 1838, when an Indian came to the Nipigon post to "beg" some fish, claiming that he and his family were starving, the trader noted in his journal that this was "almost unheard of in this quarter" (Hudson's Bay Company Archives B.149/e/2, B.149/a/20).

Defined hunting territories were well developed at this time although incidents of trespass in pursuit of beaver pelts were recorded by the traders. In 1829, George Keith, Chief Factor at Michipicoten, noted that "altho family territorial divisions seem to be long established and cherished they are very prone to poach upon anothers hunting grounds and the Beaver . . . often falls a prey to such depredation which sometimes occasions dangerous feuds between families" (Hudson's Bay Company Archives B.129/e/6). Ten years later in 1839, Keith recorded in his journal that one of the Michipicoten Indians arrived with his fall hunt and complained about a Pic Indian who "poached upon his hunting grounds and killed some Beaver" (Hudson's Bay Company Archives B.129/a/20). Government commissioners Vial and Anderson, relying on the information provided by Hudson's Bay Company traders, reported in 1849 that by "long established custom," the north shore of Lake Superior was divided "among several bands [trading post bands] each independent of the others, having its own chief or chiefs and possessing an exclusive right to and control over its own hunting grounds – the limits of these grounds especially the frontages on the Lake are generally well known and acknowledged by neighboring bands" (Public Archives of Canada RG10, Volume 266:163116-55).

In 1828, Donald McIntosh made the following observations about the condition of the beaver population in the vicinity of Pic Post and the Lake Superior District in general:

> It is evident from the small proportion of Beaver that the District produces that these animals are nearly destroyed and from the circumstance of having encouraged the natives . . . to hunt the country on the frontiers as much as possible, it is not likely that they will increase; for near the Borders of the Lake [Superior] and for a considerable distance inland, there is not a Beaver to be seen. (Hudson's Bay Company Archives B.162/e/1)

Beaver returns remained low for the Lake Superior District, throughout the

mid-19th century. Since beaver was the most valuable fur, the economics of the fur trade precipitated these numerous incidents of trespassing to hunt beaver.

Although there were a small number of people, mainly older men and widowed women, who remained at or in the immediate vicinity of a post year round, for most of the year the Indians did not appear at the posts in large numbers or in any grouping remotely resembling a band. Instead, individual hunters, frequently accompanied by one or more sons or sons-in-law, occasionally by a wife (wives) and dependents, made periodic visits to the posts during the year to trade their furs or to pick up supplies on credit. The number of times that these representatives of individual hunting groups appeared at a post was a function of the distance they had to travel to and from their hunting grounds or fishing stations. It was usually only during the spring or fall when hunting groups, referred to as so-and-so's "band" or "family," collected at the posts in any numbers, having come from their winter hunting grounds or fall fishing stations to trade their furs or to provision themselves for the winter. However, it was not uncommon for these groups to come to the post in January and February, the coldest months of the year, when their hunting returns were poor and "beg" food from the trader to alleviate their "starving" condition. Spring and fall gatherings at the trading post brought together the hunting groups of the several bands that frequented the area and formed the collectivity known as a trading post band. These gatherings would have been social occasions for feasting, visiting and arranging marriages, and would have served to enhance the cohesiveness of the trading post band. Those who stayed at the post year-round or who appeared on a fairly regular basis were often employed planting or harvesting potato gardens, cutting hay to feed the post's livestock during the winter, fishing and hunting to provision the post, manufacturing snowshoes, canoes, and boats, and freighting the mail and supplies to other posts (Hudson's Bay Company Archives B.129/a/1-22, B.117/a/1-12, B.162/a/1-11, B149/a/1-23).

The Nature of Leadership

The seasonal aggregation and dispersion of a band and the periodic meeting of a trading post band provided opportunities for a new leadership role to develop while the traditional roles were still operative. The trading post chief was, because of his association with the trading post, more visible to the traders than the traditional leaders – hunting group headman and band chief – whose influence was felt away from the post. The trading post chief's sphere of influence was probably restricted to the activities of the post and it seems unlikely that his authority would have been recognized away from the

post, when the trading post band split up into hunting groups, by a group much larger than his own hunting group.

Within a hunting group, the senior male member was most often recognized as headman of the group. His leadership was based on his age, knowledge and skills as a hunter, perhaps also on his reputation as a shaman, and he fulfilled his role as leader through his ingenuity, personality and his enjoyment of the group's approval. On those occasions when the band's hunting groups collected, its members recognized the leadership of a single individual headman, a chief whose role as leader was weaker than that of a hunting group headman and who was recognized only until the band dispersed once again. A chief's authority was based on his age, his oratorical skills and his ability to act as an arbitrator among band members and, following contact, between them and Europeans. Since the Lake Superior Ojibwa spent most of the year scattered in hunting groups, headmen would have had more influence over their daily activities than did chiefs.

During the period of competition between the Hudson's Bay Company and the Northwest Company, both companies gave deferential treatment to certain individuals to gain their allegiance and the furs hunted by their groups. These individuals appear to have functioned, or at least were referred to, as "trading chiefs." They were non-traditional leaders, products of the relationship between Indian and trader. Their authority was limited and probably only recognized by their own group.

Duncan Cameron, a Northwest Company trader in the area north of Lake Nipigon and at Osnaburgh at the end of the 18th century, observed that trading chiefs were "proud of being reckoned great men, but still they have little or no influence over the others, for, after making the father a chief, you are sometimes obliged to do the same with his son in order to secure his hunt, for the former has not power enough over him to secure it for you." He noted further that "the chiefs . . . are the greatest rogues among them, for if an Indian is a good hunter, and has the usual large stock of impudence which they generally have, with a little cunning, you must make a chief of him to secure his hunt, otherwise your opponents will debauch him from you, and you are sure to lose him" (Mason 1960:278).

After the amalgamation of the Northwest Company with the Hudson's Bay Company in 1821, Hudson's Bay Company policy was to discontinue deferential treatment of headmen. Each hunter was to be dealt with individually according to his efforts and productivity as a trapper. However, the effects of the old practice persisted for many years. The title of trading chief was still used by the trader and, in some instances, the trading chief still received deferential treatment, as was the case with Shonshon and Louison at Pic Post who were still receiving their "chief's clothing" in the 1930s. In the 1820s and 1830s, two other individuals, L'Illinois and Mishemuckqua, were

still referred to as trading chiefs in the Lake Superior District. Along with Shonshon and Louison, they were represented by the Hudson's Bay Company traders at Fort William, Nipigon, and Pic Posts as individuals (i.e., chiefs) with whom negotiations would have to be conducted for the surrender of their respective territories. This suggests that, with time, trading chiefs were elevated to the position of trading post band chiefs.

The Hudson's Bay Company trader George Keith, who was appointed to a number of different posts in the Lake Superior District during the early to mid-19th century, claimed in the 1830s that "Chieftainship has in a manner totally disappeared" and that there were no chiefs "properly speaking" among the Lake Superior Ojibwa, although there were individuals who enjoyed some "ascendancy" because of family connections, superior intellect, daring and reckless disposition, or because of their expertise and success as a hunter. Keith noted that such individuals "do however arrogate a superiority and during occasional meetings make themselves respected and obeyed." They were able to "usurp and enforce temporary respect and authority; but this subjection, to any extent, at least does not hold good much longer than interest or personal safety prescribe" (Hudson's Bay Company Archives B.129/b/4, B.129/e/6,7,9). These individuals were probably the traditional leaders: hunting group headmen and band chiefs. Keith's observation that there were no chiefs "properly speaking" suggests that the process whereby traditional leaders were to be replaced by trading post band chiefs as *persons of authority* was in operation in the 1830s, but was not yet fully developed. Although traders tended to single out prominent persons as chiefs, trading post bands were not political entities with a single chief with political authority over all of the hunting groups associated with the post. Only after trading post bands became treaty bands were single individuals or chiefs recognized as having political authority over an entire band. It is likely that leadership did not become formalized until the later part of the 19th century, when band elections were institutionalized under the Indian Act.

On the one hand, an ideal candidate for a trading chief appeared to be someone who was both a skilled hunter and a spokesperson. Trading chiefs may have been hunting group headmen in their own right. They would produce successful fur hunts and would be in a position to persuade others to bring in their furs. Traders rewarded good fur hunters by giving them extras such as clothing, liquor, and tobacco. Although hunters were bound by cultural conventions to distribute these gifts among their groups, the gifts could be used to enhance their positions among their followers. A trading chief may have been appointed by a trader because he appeared to be cooperative or receptive to the presence of the trader, or because he could deal with the trader on terms that the trader understood. Extras given to trading chiefs elevated their status regardless of whether or not they were recognized as

leaders. However, it is unlikely that their influence would have extended much beyond either their hunting groups or the bands with whom they were associated. Frequently, a trading post might have more than one trading chief, a fact that reflects the limited sphere of influence of these trading chiefs.

Which individuals were identified as chiefs of the Lake Superior Ojibwa? L'Illinois, also known as John Ininway, was a "principal Hunter" at Fort William during the 1820s and 1830s, and was about 70 years old when the treaty was negotiated. Although the Hudson's Bay Company recognized L'Illinois as the "principal chief" at Fort William, the Jesuit priest described him as a "Fur Trading Chieftain" who did not have "the main authority" to act on behalf of the Indian people, although they "were willing to consider [him] as Chief" (Hudson's Bay Company Archives B.231/e/6; Public Archives of Canada, RG10, Volume 266:163156-59; Fremiot 1973:593-594). L'Illinois status as an elder no doubt afforded him considerable respect. After his death in 1868, he was succeeded as the Hudson's Bay Company chief by his son Maugadina. Apparently, L'Illinois had his own group of followers, as did Peau de Chat, the other chief at Fort William (Public Archives of Canada RG10, Volume 2115, f.21900). The split between these two groups appears to have been based on the distinction between "inside" and "outside" leaders, and on religious differences between Catholics and Methodists.

Joseph Peau de Chat was about 40 years old when the treaty was negotiated, and he died the following year. He was described as being "big and handsome, with a vibrant and sonorous voice." According to the Jesuit missionary, Peau de Chat was chosen by the Indian people as chief because of "his eloquent spirit [and] his vehement impetuosity" (Fremiot 1973:593-594). According to John Baptiste Penassie, the first band chief of Fort William elected under the *Indian Act* in 1880, Peau de Chat "was the only chief appointed by the government for some time before that [i.e., before Penassie's election]" (Public Archives of Canada RG10, Volume 2115, f.21900).

When Peau de Chat attempted to declare himself spokesman for all Lake Superior Ojibwa, the Hudson's Bay Company traders at Fort William and at Nipigon claimed that the Indian people frequenting the posts in the Lake Superior District did not recognize his authority to act on their behalf. In 1848, Peau de Chat told the Nipigon Indians that the government had made him chief over the entire Lake Superior area from the Pigeon River to Michipicoten. Nevertheless, the Nipigon Indians did not acknowledge this claim because, according to James Anderson, the Hudson's Bay Company trader at Lake Nipigon, Peau de Chat "was too well known to the Indians to be believed." Although Peau de Chat prided himself on his abilities as a public speaker and wanted to be "the Great Man," the traders warned the government's representatives against accepting his pretensions, describing

him as a cunning rogue with a dreadful tongue who was also under the influence of the Jesuit missionary (Public Archives of Canada RG10, Volume 266:163156-59). The traders' animosity towards Peau de Chat and their denial of his claims to be a spokesman for all Lake Superior Ojibwa may have been prompted by his association with the Jesuit missionary. After his death in 1851, Peau de Chat was succeeded by Jacob Wassaba or Waiassabe, who was appointed by the Fort William Indians (Public Archives of Canada RG10, Volume2115, f.21900).

At the Nipigon post, the trader recognized Mishemuckqua as chief as early as the mid-1830s, and he was still identified as such when the treaty was negotiated. His totem was reported to be the eagle, and his mother was said to be a "halfbreed" (Hudson's Bay Company Archives B.149/a/19; Public Archives of Canada RG10, Volume 266:163156-59). Another Nipigon Indian named Manitoushainse, whose totem was the kingfisher (Public Archives of Canada RG10, Volume 9501), signed the treaty as a principal man. He was a relative of Peau de Chat, and, according to the Nipigon trader, Peau de Chat wanted to oust Mishemuckqua and replace him with Manitoushainse (Public Archives of Canada RG10, Volume 266:163156-59). This suggests that, as at Fort William, there may have been rivalry between the two kinds of leaders.

Little is known about the Pic chiefs, Shonshon and Louison. Even less is known about the Long Lake chief, Tabasash, other than that he had three wives and four adult sons in 1850, and may have hunted south of the height of land which represents the natural boundary between the Lake Superior and Arctic watersheds. He died in 1853 or 1854 (Public Archives of Canada RG10, Volume 9497; Hudson's Bay Company Archives B.129/d/7). As early as the late 1820s, Louison was "considered the Chief" by the trader at the Pic Post, and was given "chief's clothing" in recognition of his position (Hudson's Bay Company Archives B.162/a/1). Shonshon was also referred to as a chief in the post journals, was given "a set of chief's clothing" by the trader, and was identified as a chief on the treaty annuity pay lists (Hudson's Bay Company Archives B.162/a/8,11; Public Archives of Canada RG10, Volume 9497). Both Louison and Shonshon were considered to be good hunters because they usually paid their winter debts each spring, and may also have been hunting group headmen (or possibly band chiefs) in their own right. It was Hudson's Bay Company policy to give clothing to hunters who paid their winter debts in the spring (Hudson's Bay Company Archives B.129/a/20), and Shonshon and Louison's positions were further enhanced by these gifts of "chief's clothing." Both Louison and Shonshon died in 1858 or 1859.

The Michipicoten chiefs, Michel Totominai and Chiginans, were brothers, Totominai being the elder. Their totem was the pike (Archives of Ontario MU1125). They, along with Peau de Chat, L'Illinois, Mishemuckqua

and the Pic and Long Lake chiefs, were identified as the individuals who would have to be consulted concerning the surrender of their lands.

Events Leading up to the Treaty

During the 1840s, a mining boom in northern Michigan generated a corresponding interest in copper deposits on the north shores of Lakes Superior and Huron, particularly in the vicinity of Sault Ste. Marie, and on the north shore of Lake Huron and the northeast shore of Lake Superior. The Ojibwa had not ceded their hunting grounds to the Crown and objected to the exploration and mining activities. In 1847, the Ojibwa claiming the territory in which the most intensive mining activity was occurring petitioned Lord Elgin, Governor General of British North America, to appoint someone to meet them in council and negotiate a treaty. Shinguakonce from Garden River and Nebenagoching from Sault Ste. Marie were among the principal activists in this initial effort to negotiate a treaty (Public Archives of Canada RG10, Volume 123:6190-98).

The following year (1848), a larger than usual number of Ojibwa from the shores of Lake Superior and Lake Huron gathered in August at Manitowaning on Manitoulin Island in Lake Huron for the annual present distribution by the Indian Department in anticipation of negotiating a treaty as a result of the 1847 petition. Among them were "nearly all" of the Ojibwa who regularly traded at Fort William, including the "young chief" Peau de Chat and the "old chief" L'Illinois. They had been urged to go to Manitowaning by Peau de Chat who told them that they would receive a large sum of money for their lands as well as the usual presents (Public Archives of Canada RG10, Volume 572; Hudson's Bay Company Archives D.5/22, fo.314-15).

While they were at Manitowaning, the Ojibwa from Lake Superior and Lake Huron met in council with Thomas G. Anderson, an Indian Superintendent from the Province of Canada West, who had been appointed by the Governor General "to investigate the claims of the Indian people and to consider the best method of compensating the Indians for any loss it [Anderson's investigation] may prove they have experienced." Shinguakonce, speaking on behalf of the Garden River Indians, told Anderson that the activities of the miners were destroying their hunting grounds, while Peau de Chat said that he was concerned about the conflicts that the different demands of the fur trader and the missionary were creating for the Ojibwa. Peau de Chat indicated that he was willing to sell his land and its minerals in order to enable the miners and traders to do as they pleased and so that the Ojibwa could live as they pleased on land that was reserved for them. Anderson subsequently recommended that the Government should extinguish the Ojibwa's claims by negotiating a treaty that would provide them with a perpetual annuity and

reserves "for them to cultivate hereafter" (Public Archives of Canada RG10, Volume 534:255-58).

However, the Government did not act on Anderson's recommendation until after a delegation of Ojibwa from the Sault Ste. Marie area, including Shinguakonce and Nebenagoching, went to Montreal in June 1849 and threatened to take the necessary steps to remove the miners from their lands if their claim was not settled (Illustrated London News 1849). Once again, in anticipation of negotiating a treaty but unaware of the delay, a group of Ojibwa from Fort William, as well as Nipigon and Pic Posts, had left for Sault Ste. Marie in June, where they apparently expected to meet a representative of the Government and to accompany him to Michipicoten to attend a council. However, rumors of a cholera epidemic frightened them into returning to their territories early in August 1849 before the delegation had returned from Montreal to await the arrival of "the gentlemen appointed to treat with the Indians for their Mineral Lands" (Hudson's Bay Company Archives D.5/25, fo.543-44; D.5/26, fo.76-77).

At about the same time that the Lake Superior Ojibwa were leaving Sault Ste. Marie, the Government appointed Indian Superintendent Anderson and Alexander Vidal, Deputy Provincial Surveyor, to meet with the Ojibwa and ascertain the basis for their claims to, and their expectations concerning the surrender of, their lands. Anderson and Vidal accordingly attempted to meet with as many Ojibwa as possible during September and early October by "calling at all the places to which the Indians usually resort," but the majority had already left the shores of Lakes Superior and Huron for their winter hunting grounds. Consequently, the commissioners were able to hold councils with the Lake Superior Ojibwa only at Fort William and Michipicoten, although they had also intended to hold councils with the Ojibwa at Nipigon and Pic posts. During their journey from Fort William to Michipicoten, they spoke briefly with a few Nipigon Indians who were fishing off the islands in Nipigon Bay and a group of unidentified Indians, accompanied by men from Pic Post, who were fishing at Pays Plat. As a result, they relied on the Hudson's Bay Company trader at Pic Post for information concerning the Indians who frequented that area. There were no Indian people at the post at that time to verify or expand on what he said. In addition, while at Pic Post, Anderson wrote to the Hudson's Bay Company trader at Nipigon Post and asked him to provide information concerning the Lake Nipigon Indians because the commissioners had been unable to contact them. The trader's reply came too late to be included in their final report (Public Archives of Canada RG10, Volume 266:163116-55).

At Fort William, Vidal and Anderson held a two-day council with a group of about twenty-five "Chiefs and Indians," including Peau de Chat and L'Illinois. The resident Jesuit priest, Father N. Fremiot, was also in

attendance. On the first day, Peau de Chat told the commissioners that he and the other (unidentified) chiefs intended to go to Montreal to see the Governor General because Vidal and Anderson did not have the authority to negotiate a treaty. However, by the end of the second day, Peau de Chat seemed disposed to surrender his land and demanded $30 each year in payment for every man, woman and child (ibid., Fremiot 1973:593-598).

When Vidal and Anderson asked the assembly to name the leader of the assembled chiefs, they indicated Peau de Chat. Even though Anderson had met with Peau de Chat the previous summer, Anderson replied that the Governor General had neither been aware of, nor had approved, their choice of Peau de Chat as leader. Nonetheless, both Peau de Chat and L'Illinois, who was recognized by the Hudson's Bay Company as chief, were allowed to speak on behalf of the Fort William Indians (Public Archives of Canada RG10, Volume 266:163116-55).

During their council at Michipicoten, those who were in attendance — the chief, presumably Totominai, and three others — told Vidal and Anderson that they would agree to any arrangement that was made between the commissioners and Shinguakonse, chief of the Garden River Band. They demanded $100.00 a year for every man, woman and child in payment for their land. Anderson told them that he expected to return the following spring with a treaty and asked them to have "8 or 10 Indians" from the several posts on Lake Superior at Michipicoten to sign the treaty (ibid., Hudson's Bay Company Archives D.5/26, fo.271, fo.289). The commissioners then proceeded on their journey to Sault Ste. Marie and Lake Huron.

Vidal and Anderson prepared a report for the government (Public Archives of Canada RG10, Volume 266:163116-55) in which they identified the bands, their chiefs, their territories and the "Reservations which the Indians wish[ed] to make." According to this report, there were five bands on the north shore of Lake Superior. These were identified as the Fort William, Nipigon, Pic, Long Lake, and Michipicoten Bands. The Long Lake Indians who hunted south of the height of land were associated through extensive marriage ties with the Pic Indians (Hudson's Bay Company Archives B.162/e/1). Because of their size and the extent of the territory reportedly claimed by each, these bands were no aboriginal bands, but rather trading post bands whose membership consisted of the remains of several aboriginal bands and associated hunting groups that occupied territories in the vicinity of each of the five Lake Superior trading posts.

The populations of each of these trading post bands remained relatively stable during the early to mid-19th century. The total population for the Lake Superior District in 1828-1830 was estimated by Hudson's Bay Company traders to be 700-800 people, divided into 154 families. According to the information given to Vidal and Anderson in 1849, the Lake Superior District

population had increased to between 900 and 1,000 people (Hudson's Bay Company Archives B.129/e/5-6; Public Archives of Canada RG10, Volume 266:163116-55). The number of people associated with each post suggests that from three to six aboriginal bands frequented each area (Hudson's Bay Company Archives B.129/e/1,5-6; B.231/e/1,6-7; B.149/e/1-2,4; B.162/e/1; B117/e/5; Public Archives of Canada RG10, Volume 9497:26-38).

During the 30 years prior to 1850, the Fort William trading post band numbered about 200 people. From 1820 to 1849, approximately 200 to 300 people were associated with the Nipigon Post. At Michipicoten, the trading post band numbered about 100 to 150 people prior to 1850. The Pic and Long Lake Indians, who hunted south of the height of land, were usually enumerated as a group and averaged about 200 to 250 people during the thirty years prior to 1850. The Pic trading post band was twice the size of the group from Long Lake which hunted south of the height of land.

In their report, Vidal and Anderson described the reserves that were to be set apart for the Fort William and Michipicoten Bands, but did not identify reserves for the other three bands of Lake Superior Ojibwa. This reflects the fact that they were able to hold councils with only the Fort William and Michipicoten Indians. They noted that Peau de Chat wanted the Nipigon and Pic Indians to reside on the Fort William Reserve, but added that those bands would probably prefer reserves "at their respective haunts."

Peau de Chat and L'Illinois were identified as the chiefs of the Fort William Indians, Mishemuckqua was named as the chief of the Nipigon Indians, Totominai and his brother Chiginans were identified as the chiefs of the Michipicoten Indians, and Shonshon and Louison were said to be the chiefs of the Pic Indians. The Long Lake chief was unknown to Vidal and Anderson at the time that they prepared their report, but a June 1850 census of the Indian population at Long Lake indicated that the Hudson's Bay Company considered Tabasash (Tabaishash) to be the chief, and that 80 of the 216 Long Lake Indians, possibly including Tabasash, hunted south of the height of land, and thus had an interest in the area that was to be surrendered by the treaty (Public Archives of Canada RG10, V9497).

For the most part, these chiefs were identified on the basis of information provided by the Hudson's Bay Company traders and, according to Vidal and Anderson, they were "vested . . . with a species of authority and control over its [a trading post band's] individual members and its property." However, they also noted that the authority and control of the chiefs was "neither well-defined nor regulated" but was "generally submitted to when circumstances require its exercise." The chiefs would have to be consulted with, either collectively or individually, for the surrender of their lands, and Vidal and Anderson cautioned against accepting the claims of any individual to be the spokesman for all the Indian people. They noted that occasionally an indi-

vidual chief would, because of his "superior information, intelligence or cunning," either assume or obtain the authority to act on behalf of the other Indian people. In Vidal's and Anderson's opinion, Peau de Chat was one such chief, but his "selfishness" and "utter disregard to the interests of the others" made it evident to them as well as to the Hudson's Bay Company traders that the terms he was attempting to negotiate "would not have satisfied those whose sentiments [he] professed to express" (Public Archives of Canada RG10, Volume 266:163116-55).

Although his information was too late to be included in their report, the Nipigon Post trader had cautioned Vidal and Anderson against accepting Peau de Chat's claim to be the spokesman for all the Lake Superior Ojibwa (Public Archives of Canada RG10, Volume 266:163156-59). The following year, the Fort William trader cautioned Robinson, the government's treaty negotiator, to take note of what the chief of each post had to say concerning the surrender of their respective territories (Public Archives of Canada RG10, Volume 266:163167-71).

Negotiating the Treaty

The Sault Ste. Marie Ojibwa had threatened to take steps to remove the miners from their lands if their claim was not settled. They had fully expected Vidal and Anderson to negotiate a treaty with them. When this did not transpire, they formed a party of approximately 100, including "Half breeds," Indians and three non-Indians, and seized the Québec Mining Company's operations at Mica Bay on Lake Superior in November, 1849. The Indian leaders were arrested and taken to Toronto (Public Archives of Canada RG10, Volume 612:393-421, 700-02).

William Benjamin Robinson (1797-1873), Minister of Provincial Parliament for Simcoe and Commissioner of Public Works, interceded on behalf of the arrested Indians and secured their release. He told the Superintendent of Indian Affairs that the Sault Ste. Marie Ojibwa, at least, were anxious to have their claim dealt with and was subsequently appointed to negotiate a treaty with the Ojibwa of Lake Superior and Lake Huron (Public Archives of Canada RG10, Volume 180, fo.4113, Volume 513:219-20).

Robinson accordingly made a trip to Sault Ste. Marie in the spring of 1850 to inform the Ojibwa about his appointment and to make arrangements with them for a meeting to negotiate a treaty. He met with the six leaders or chiefs from the north shore of Lake Huron and they agreed to meet again in August at Garden River (Archives of Ontario, Robinson Papers; Morris 1979:17-21). Robinson wrote to the Hudson's Bay Company traders at Fort William and Michipicoten asking them to convey the arrangements for the meeting to the Lake Superior Ojibwa. When he learned of the arrangements, Peau de Chat was displeased that the Sault Ste. Marie chiefs had not con-

sulted with the others. However, he and the other "influential Indians" at Fort William agreed to go after Chief Factor MacKenzie told them that it would be foolish to refuse since they had been lobbying for a settlement of their claim for a number of years. Some of the Michipicoten Indians had indicated to George Simpson, Governor of the Hudson's Bay Company, that they, too, were disinclined to go. However, they consented after the Hudson's Bay Company trader, John Swanston, agreed to accompany them (Public Archives of Canada RG10, Volume 266:163167-71; Hudson's Bay Company Archives B.231/a/20, D.5/28 fo.465-66, fo.597-98).

Robinson returned to Sault Ste. Marie in August 1850. Shortly thereafter, a delegation of about 15 of the "principal Indians" from Fort William arrived together with an unspecified number of "deputies" from Nipigon, six to eight "hunters" from Michipicoten, and the Hudson's Bay Company trader, John Swanston. The available documentation does not indicate whether any representatives of the Pic or Long Lake Indians accompanied this delegation. After learning that Peau de Chat was ill and unable to travel the extra distance, Robinson changed the location of the meeting from Garden River to Sault Ste. Marie (Hudson's Bay Company Archives B.231/a/20, D.5/28 fo.465-66, fo.597-98; Archives of Ontario, Robinson Papers).

Formal negotiations for the surrender of the Ojibwa's territory began on September 5, 1850. On September 6, 1850, the Lake Superior delegation held a council among themselves to discuss the terms offered by Robinson and told him that they had agreed to sign a treaty ceding their territory. On September 7, 1850, the Robinson Superior Treaty was signed by four "Chiefs" and five "principal men." To ensure that there was no misunderstanding, two interpreters "carefully read over and translated" the treaty for the Lake Superior Ojibwa.

Robinson kept a detailed diary of the negotiations (Archives of Ontario, Robinson Papers). He referred to "Peau de Chat and his chiefs and principal men" throughout his diary, indicating that he regarded Peau de Chat as the spokesman for the Lake Superior Ojibwa, despite the efforts of Hudson's Bay Company traders to discredit Peau de Chat. The only other Lake Superior Ojibwa identified by name in Robinson's diary is Totominai, the Michipicoten chief. Yet, the treaty was signed by two other chiefs named L'Illinois from Fort William and Mishemuckqua from Nipigon, and by five "principal men": Shebageshick, Wassaba (who succeeded Peau de Chat as chief in 1851), Ahmutchiwagabow from Fort William, Manitoushainse from Nipigon, and Chiginans from Michipicoten. Note that in 1849, Chiginans had been identified as a chief by Vidal and Anderson. Louison, Shonshon, and Tabasash, who had been identified the year before the treaty was negotiated as the chiefs of the Pic and Long Lake Indians, did not sign, i.e., did not put

their marks on the treaty. There is also no evidence to indicate whether they were present at the negotiations.

The Lake Superior Ojibwa were promised an initial cash payment, a perpetual annuity, hunting and fishing rights, and reserves (Public Archives of Canada RG10, Volume 1844). The initial cash payment was entrusted to the Hudson's Bay Company traders at Michipicoten and Fort William for distribution by Robinson and the Lake Superior delegation. Those considered to be entitled to a share of the initial cash payment received their money from the Hudson's Bay Company traders. However, because they had already obtained their winter supplies and gone inland, the Pic and Long Lake Indians and many of the Nipigon and Fort William Indians did not receive their treaty money until the following spring of 1851 (Archives of Ontario, Robinson Papers; Hudson's Bay Company Archives D.5/29 fo.5-6, fo.353-54, fo.412a-12b; B.134/c/67 fo.133; B.5/28 fo.645; D.4/43 fo.107d-108d; D.4/73; D.4/45).

The treaty also stipulated that the annuity would be distributed each summer at the Hudson's Bay Company posts at Fort William and Michipicoten. The Hudson's Bay Company undertook this responsibility until 1875 or 1876, when an Indian agent was stationed at Port Arthur (now part of Thunder Bay, Ontario), and took over the responsibility for the distribution. The annuity pay lists included the Pic and Long Lake Indians, as well as the Fort William, Nipigon, and Michipicoten Indians (Hudson's Bay Company Archives B.129/d/7; Public Archives of Canada RG10, Volume 9497, Volume 9501). Because the Pic and Long Lake Indians received treaty money and annuities equal to those distributed by Hudson's Bay Company traders to the Fort William, Nipigon, and Michipicoten Bands, it is clear that they were considered to be entitled to receive the financial benefits of the treaty.

Three reserves were identified and set apart from the area ceded by the Lake Superior Ojibwa. Two of these were first described in the Vidal-Anderson report: (a) near the mouth of the Kaministiquia River (Fort William Reserve Number 52) for "Peau de Chat and his tribe"; and (b) on Michipicoten Bay west of the Magpie River (Gros Cap Reserve 349) for "Totominai and Tribe." The third, for "Chief Mishemuckqua and Tribe," was identified during the treaty negotiations and was located at the mouth of the Gull River on Lake Nipigon (Gull River Reserve Number 55).

Thirty years after the treaty was negotiated, the Pic Band petitioned the government of Canada to give them a reserve on the banks of the Pic River. According to this petition, their "numbers were considered" when the treaty was negotiated, but "no reserve was secured to [them] by said Treaty owing to the conduct of [their] Chief who instead of going to Sault Ste. Marie, withdrew to the interior of the land being afraid of falling into a snare" (Public Archives of Canada RG10, Volume 2137, f.27806). Subsequently, several

other groups of Ojibwa were identified by the Department of Indian Affairs as being "reserveless," and reserves were surveyed for them during the 1880s at Long Lake, McIntyre Bay on Lake Nipigon, the mouth of the Nipigon River on Lake Helen, and at Pays Plat and the mouth of the Pic River on Lake Superior (Ontario Ministry of Natural Resources Indian Lands Files #175555, 327072, #185945, #185946, #175898).

Conclusions

The sociopolitical organization of the Lake Superior Ojibwa during the mid-19th century operated on three levels of inclusivity, the hunting group, the band, and the trading post band, and was characterized by the contradiction between "inside" and "outside" leaders. Leadership at the trading post band level was non-traditional and more formalized than at the hunting group and band levels, largely as a result of interaction with traders and their particular form of socioeconomic organization. Formalization of leadership roles continued with increasing involvement of government in the affairs of Indian bands, culminating in the present system of band elections for chief and band councillors.

At the hunting group and band levels, the consensus of the group and the skills and knowledge possessed by an individual and required in a particular situation were paramount for the recognition of that individual's authority to act as a leader. Since a hunting group operated on its own for most of the year, its headman had a greater degree of authority in the day-to-day activities of the group than did the band chief, whose leadership was limited to those occasions when the band assembled, or the trading post band chief.

At the trading post band level of sociopolitical organization, the individual(s) identified as chief had usually acquired the status of trading chief in the early 19th century. While he may have been a hunting group headman in his own right, his position as trading chief was created and enhanced by the Hudson's Bay Company, and was elevated to that of trading post band chief when it became necessary to identify a representative of the Indians associated with each post to negotiate the treaty. A trading post band chief's authority, as an "outside" leader, was limited to the activities at the trading post and other interactions with Europeans. Whether his authority was recognized by the Indians in other circumstances is open to debate.

Those who were identified in 1849 by Vidal and Anderson as the chiefs of the Lake Superior Ojibwa were so named with the assistance of the Hudson's Bay Company. Peau de Chat, L'Illinois, Mishemuckqua, Shonshon, Louison, Tabasash, Totominai and Chiginans, his brother, were said to be the persons with whom negotiations would have to be conducted, either individually or collectively, for the cession of the Lake Superior Ojibwa's territory. These individuals, with the exception of Peau de Chat,

had been referred to as trading chiefs prior to the treaty and were represented to Vidal and Anderson as the chiefs of the trading post bands. However, the limited authority of a trading post band chief was recognized by the traders as they emphasized the need to negotiate with the chiefs of all the Lake Superior posts. Vidal's and Anderson's comments on trading post band chiefs in general suggest that they also recognized that the authority of these individuals was circumscribed and did not extend to other trading post bands.

The available evidence suggests that the recognition afforded trading post band chiefs by the Hudson's Bay Company traders, as well as the Indians' apparent acceptance of their ability as "outside" leaders to interact with non-natives, ensured their position at the treaty negotiations. Consequently, although the Lake Superior delegation consisted of 25 to 30 individuals, trading post band chiefs were prevalent among the chiefs and principal men who negotiated the treaty. However, they were not the only type of leader present. Peau de Chat, who acted as spokesman for the delegation, was present and signed the treaty, as did at least one other, more traditional, type of leader (Manitoushainse). It is possible that the delegation included other "inside" leaders who did not participate directly in the negotiations or put their marks on the treaty document but were, nonetheless, consulted with by the more vocal "outside" leaders. The contradiction between "inside" and "outside" leaders would have been partially resolved by the presence of both at the treaty negotiations.

While there is no direct evidence to indicate that the chiefs and principal men, with the exception of Peau de Chat, were appointed by any of the trading post bands or that any councils were held among the Indians prior to the departure of the delegation to Sault Ste. Marie, it is unlikely, given the nature of Ojibwa sociopolitical organization, that an event of such obvious import could have taken place without considerable discussion and consultation. Furthermore, the authority of the delegation to negotiate the treaty does not appear to have been questioned by either the Indians or the government's representative.

Robinson conducted the negotiations in counsel with the Lake Superior delegation, who agreed after consulting among themselves, to the terms that were offered. For the most part, these terms were based on the recommendations that were outlined in the Vidal-Anderson report and were the result of the discussions held by Vidal and Anderson with the Indians in 1849. It is clear that many of the chiefs and principal men who negotiated the two Robinson Treaties did so after several years of lobbying government to settle their claims. They did not enter into those negotiations with only a naïve understanding of the immediate implications of the outcome.

An issue related to this discussion of leadership, although there is insufficient evidence to resolve it conclusively, is the apparent absence of the

Pic and Long Lake chiefs at the treaty negotiations. The available evidence indicates that the Pic Indians and, because of their association with them, the Long Lake Indians were aware that a treaty was to be negotiated for the surrender of their lands. The individuals with whom it was believed negotiations would have to be conducted were identified and the approximate extent of their territories was known at least one year prior to the negotiations, and yet the Pic and Long Lake chiefs did not sign the treaty, nor do they appear to have been present at the negotiations. They may have been represented by one of the chiefs and principal men or another member of the delegation. However, given the nature of Indian leadership and the fact that reserves were not set apart for them at that time, it is unlikely that any such extension of authority would have gone unmentioned, since the chiefs and principal men who were present would not have had unilateral authority to cede another band's (aboriginal or trading post) territory.

Although the Pic and Long Lake Indians do not appear to have participated directly in the treaty negotiations at Sault Ste. Marie, provisions were made for their indirect participation. They received their share of the treaty money as well as the annuity that was promised by government. The entitlement of the Pic and Long Lake Indians to the financial benefits of the treaty does not appear to have been questioned by the Indians, or by the Hudson's Bay Company traders who distributed the annuity and the government that provided the funds.

One speculative explanation for their apparent absence is a corollary of the circumstances that prompted the treaty, namely, the conflicts between the Indian people and miners. Since the area occupied by the Pic and Long Lake Indians was not subject to extensive mineral exploration or mining activities at the time, both the Indians and the treaty negotiator may have felt it unnecessary to make provisions for reserves or for their direct participation in the negotiations, and that it was sufficient that provisions were made for their indirect participation.

Another possible explanation may be tied in with the petition presented to government in 1880 by the Pic Indians when they requested a reserve. The petitioners claimed that they had intended to participate in the treaty but were not represented at the negotiations because their chief, fearing "a snare," withdrew to the interior. Any number of scenarios are suggested by the use of the term "snare," including witchcraft, imprisonment for a crime, even coercion to agree to the terms of the treaty, but the fact that they were petitioning for a reserve that was not originally provided for in the treaty suggests that the petitioners considered themselves to be entitled to one under the treaty.

It is hoped that further research on the issue of leadership and other, as yet undiscovered, historical documents will increase our understanding of the events surrounding this treaty and the dynamics of leadership in the context

of those negotiations. One area that needs to be investigated is the oral tradition of the bands in the treaty area. Another is genealogical research to reveal the relationships among the bands and to identify the hunting groups that were associated with each post and subsequently comprised the trading post band.

Notes

1. The views expressed here are those of the author alone, and do not represent the views of the Ontario Ministry of Natural Resources or the Government of Ontario.
2. See Black-Rogers (1986).

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