

UCLA

American Indian Culture and Research Journal

Title

The Seven Nations of Canada: An Alliance and a Treaty

Permalink

<https://escholarship.org/uc/item/34p069c9>

Journal

American Indian Culture and Research Journal , 7(2)

ISSN

0161-6463

Author

Blanchard, David

Publication Date

1983-03-01

DOI

10.17953

Copyright Information

This work is made available under the terms of a Creative Commons Attribution-NonCommercial License, available at <https://creativecommons.org/licenses/by-nc/4.0/>

Peer reviewed

The Seven Nations of Canada: An Alliance and a Treaty

DAVID BLANCHARD

On May 31, 1796 a deputation from the Seven Nations of Canada signed a treaty with the United States of America, ceding all Mohawk claims to lands within the State of New York, excepting a six square mile tract at Akwesasne, a square mile on the Salmon River, a square mile on the Grass River, and a meadow along the Grass River. The "Seven Nations" also received payment of £1,230 6s. 8d., plus an annuity of £213 6s. 8d. This payment and annuity were to be shared by the Akwesasne and Kahnawake settlements.

The Seven Nations Treaty continues to provide a source of conflict and misunderstanding within the Mohawk settlements of Kahnawake and Akwesasne and between the Mohawk Nation and the State of New York. The most dramatic manifestation of this conflict was the 1974 reoccupation of some Adirondak land by a group of Mohawk from Kahnawake, Akwesasne, Deseronto and Kanasatake. This occupation resulted in a confrontation between the Mohawk and authorities from New York State and eventually in the establishment of the Ganienkeh settlement near Plattsburgh, New York (Akwesasne Notes 1975: 17; 1976:32).

The issue that remains at the heart of these misunderstandings is the legality and applicability of the Seven Nations of

David Blanchard is in residence with the Order of Carmelites at Whitefriars Hall in Washington, D.C.

Canada Treaty to the Mohawk. In order to clarify the terms of this question, it is first necessary to identify the "Seven Nations of Canada" and to provide some cultural and historic context for understanding this alliance and the treaty of 1796. Such an understanding demands: (1) identifying the bounds of Mohawk territory; (2) locating the Mohawk settlements within this territory and defining their relationship to each other from the time of contact until the mid-nineteenth century; (3) examining the general Iroquois tendency towards expansion and alliance with "satellite nations," [sic] and (4) examining the details of the Seven Nations Treaty in light of these cultural and historic details.

THE TERRITORY OF KANIENKEH

The Mohawk refer to themselves as the *Kanienkehaka*, "The People of the Flint," and their national territory as *Kanienkeh*, "The Land of the Flint." The Mohawk share a western border with the Oneida, co-members in the Iroquois League. Kanienkeh is bounded by the Mohawk Valley on the south, on the east by the Hudson River, Lake Champlain and the Green Mountains, and on the north by the St. Lawrence River. The principal areas of settlement and occupation for the Mohawk were the St. Lawrence Valley in the north and the Mohawk Valley to the south. There is some evidence that the Mohawk made seasonal trips over the Berkshires to fish for salmon in the Connecticut River Valley, but it is doubtful that they ever occupied this land year round (Day 1965; Huden 1957). The central Adirondak region was called *Kaughsaratake* and identified on early maps as "the beaver hunting territory of the Confederate Indians." This interpretation is supported by other documentary evidence (Long 1791:6; Williams 1859:20, 37).

The Mohawk were surrounded on three sides by hostile neighbors. These included the Mahican to the southeast, the Abnaki to the northeast, the Montagnais to the north (all Algonquin-speakers) and the Iroquoian-speaking Huron to the northwest. Later, in historic times, the Mohawk had the French at Montreal and the Dutch and English at Albany for neighbors. According to Mohawk tradition when they were not at war with their tribal neighbors, the Mohawk traded at Ka-

wenote Tiontiakwe, the "Place Where the People Divide," the site of the Island of Montreal. At Kawenote Tiontiakwe the Mohawk exchanged corn for venison, furs and the superior, Algonquin birch bark canoes. At the time of Cartier's exploration of the St. Lawrence River the Mohawk were at peace with their neighbors. However, by the time of Champlain's incursions (1607-1609) the Mohawk were at war with their Algonquin neighbors. When Champlain lent support to the Algonquin in this conflict, he forced an extended retreat of the Mohawk into the Mohawk Valley. The territory of Kanienkeh, however, remained in control of the Mohawk who opposed White settlement either by the French or the English until the nineteenth century.

MOHAWK SETTLEMENTS IN THE HISTORIC PERIOD

For a detailed discussion of Mohawk settlement sites in the historic period see Thomas Grassman (1952) and William Fenton and Elizabeth Tooker (1978). After their retreat south at the opening of the seventeenth century the Mohawk occupied three principal village sites and several smaller ones (Fenton and Tooker 1978:466) located on the southern shore of the Mohawk River. The Mohawk often moved their village sites and at times gave the new village a new name. The first village of the early historic period (1607-1666) was called Onekagoncka (Jameson 1909:142), Asserue (*ibid.*:178), or Ossernenon (JR 29:51) by Jogues. By 1659 this village had moved and was called Kahnawake (NYCD 13:112). The second village was called Kanagaro and, according to Fenton and Tooker, remained unchanged (1978:467). The largest Mohawk village during this period was known as Tionnontoguen.

All three Mohawk villages were burned to the ground in 1666 by Marquis de Tracy's expedition against the Mohawk. When a tentative peace was established between the Mohawk and the French the following year, the Mohawk were able to resettle parts of their northern territory, settling first at Kentake (1667-1676) and later at Kahnawake. Some of the Kentake Mohawk moved from Kentake to Mount Royal, then to Sault au Recollet in 1696. This community moved yet again to Kanasatake, or the mission of Lake of Two Mountains, in 1721. The

process of northern expansion was continued with the formation of a village at the head of Lake St. Francis and its junction with the River Louis (NYCD 10:105). In 1755 this village moved further west to Akwesasne. This new village included Mohawk from Kahnawake and others from the south (NYCD 10:266-267, 301).

The northern Mohawk were in a tenuous position from 1667-1701. During these years the French were engaged in conflict with the Iroquois, particularly the Seneca and Onondaga. The northern Mohawk assumed the posture of allies of the French but were reluctant to become embroiled in these campaigns. The southern Mohawk, similarly, refused to join in Iroquois expeditions against their northern brethren (JR 62:255). Nevertheless, some instances of conflict between the north and the south developed.

By the time peace was made between the French and the Iroquois in 1701, two-thirds of the Mohawk were living in the northern part of Kanienkeh (NYCD 4:648). During the middle historic period (1701-1799) the Mohawk were settled at Tiononderoga and Canajoharie in the south and Kahnawake (1676), Kanesatake (1721) and Akwesasne (1755) in the north, in addition to smaller villages of under ten longhouses scattered in both the south and north (Lydekker 1938:37, 40).

It should be pointed out that this expansion of the Mohawk to their own national frontiers was duplicated by the two other "older brothers" of the league of the Five Nations, the Onondaga and the Seneca. A group of Onondaga with a number of Oneida and Cayuga settled at Oswegatchie in the 1750s (NYCD 7:90, 278; 6:856). By moving to Oswegatchie the Onondagas received the same advantages in trade enjoyed by the Mohawk. They were still aligned with the southern Onondaga and able to deal through them with the English. They gained access to the French fur trade with the western nations and to trade with Montreal. Similarly, the Seneca expanded west towards the French fort at Niagara and into the Ohio Valley after the Peace of 1701 (Abler and Tooker 1978:507). They joined with the French alliance, although the eastern Seneca remained pro-English. By the time of the Seven Years War, then, the three most powerful nations of the Iroquois League were aligned to both the French and English, with trade proceeding with both through the tribes' frontier settlements.

SIX NATIONS EXPANSION

The Great Law of Peace of the Iroquois people allows for the assumption of sovereign rights over non-Iroquois people by the Iroquois. Specifically, Wampums 74-78 of the Great Law deal with procedures for bringing nations "under the shade of the Tree of Great Peace" (see Parker 1916 and *Akwesasne Notes* 1973). Wampum 74 of the law states that when a nation is adopted by the League, the adoption shall be considered temporary and that "if the person or nation, create loss, do wrong, or cause suffering," then the offending party shall be expelled from the territory of the League. This law applies to cases such as the Tuscarora who were brought into the League and were allowed to settle on Oneida lands.

According to Wampum 75, adopted nations, or allies, were accorded full rights within the Confederacy, except those mentioned in Wampum 76. According to Wampum 76, alien nations were not given a voice in the councils of the League. This is because, not knowing the law, they "might go against the Great Peace [and] in this manner Great Peace would be endangered and perhaps destroyed."

The temporary nature of adoptions is reiterated in Wampum 77. Also in this law nations are further warned that, should they be accepted into the league, they must not disturb the Great Peace. Finally, the formula for expelling an adopted nation is spelled out. In Wampum 78 adopted nations agree to contribute to spreading the Great Law of Peace [and thereby Iroquois influence] and to "endeavor to persuade the other nations to accept the Great Peace."

Historical evidence of Iroquois expansion and their tendency to establish alliances with "satellite" neighbors is contained in numerous places. Perhaps the best references and summaries are Francis Jennings (1971), Frank Speck (1915) and Randolph Downes (1940). These alliances were viewed by the Iroquois as part of the process of consolidation originally begun by Deganawida in his efforts to bring all of the Iroquois under the Tree of the Great Peace. The extent of consolidation largely depended on the "other" group and its relationship to the nuclear Confederate Alliance. These "others" included Native as well as European nations. What is more, it was not always the Iroquois who initiated the process of alliance.

For example, the first nation outside of the Five Nation alliance to become aligned to the Confederacy was the Mahican in 1666. At this time the Mahican already existed in a confederacy with the Wappinger and Housatonic nations. The Mahican initially enjoyed "brother" status with both the English at New York (Jennings 1971:90) and the Mohawk. Later the Mahicans became "children" to the English and thereby also to the Iroquois who insisted on maintaining their status as equals with the Europeans (*ibid.*).

The Massachusetts Archives contains six references to an "Eight Nations" Confederacy in its manuscript collection. During the King William and Queen Anne's Wars when the Governor of Massachusetts Bay wanted to receive assurances of the support or at least neutrality of the Schaghticoke, Housatonics and Mohicans, he addressed himself to the "Eight Nations" (these three plus the Five Nations) through the governor of New York. Although all three of these Algonquin groups met with representatives from Massachusetts Bay, the colonials received their final assurances from the Mohawk.

Jennings traces the development of the Covenant Chain in the southern areas of Iroquois expansion, noting the 1700 submission to the Iroquois by the Abnaki and the 1711 submission of the Susquehanna River Shawnee. The Shawnee were forced to accept an Oneida chief to govern them, after the abdication of the sachem Opessa. The Lenape had an Iroquois "resident supervisor" in the late seventeenth century and by 1741 were reduced to the status of women in relation to the Iroquois.¹

The reduction of the Lenape also signaled the beginning of the end of the Covenant Chain. As Jennings notes:

The Indians . . . conceived the chain as an organization of peers, unequal in power and status, but equal in the right of each to govern itself (1971:95).

Some nations joined the alliance out of convenience in trade. Others were "invited" to join by the Iroquois, after suffering defeat at their hands. It created a mechanism for the Europeans to deal with the tribes and provided a forum for the tribes to consider a united course of action with respect to their dealings with the Europeans. As a political alliance it was useful to the English, the Iroquois and their allies.

Similar advances and political consolidations by the Iro-

quois can be seen in the Upper Ohio Valley.² The Iroquois drove the Shawnee from the Upper Ohio Valley long before White traders and trappers penetrated the area (Witthoft and Hunter 1955:53-54). The Iroquois were not initially interested in settling the Upper Ohio but only in hunting there (Hunter 1978:590). The Seneca settlement of the valley began in the late 1730s. The first settlements were family-sized villages or else Algonquin settlements with some Seneca in residence. In his book *Council Fires on the Upper Ohio* (1940) Randolph Downes notes that these Seneca "were looked upon merely as hunters by the grand Iroquois council at Onondaga. . . . They had not been sent out deliberately by the New York Iroquois to keep the rest of the tribes in submission" (1940:44). Nevertheless, it was quite apparent to the French Colonial Minister that the Ohio nations were under Seneca control. He wrote that the Ohio nations had formed "a sort of republic dominated by some of the Iroquois of the Five Nations who form part of it" (WHC 18:11-13). The Senecas in the Upper Ohio Valley were called "Mingos" (when allied to the French). The Seneca overlords were called "Half Kings."

The collapse of the Seneca's colonization of the Upper Ohio Valley was tied to the fur trade between the Iroquois and the English. The western Seneca were allied with the French in the Seven Years War. Unhappy with the English penetration of the Ohio Valley after the close of the war in 1760, the Seneca instigated and participated in Pontiac's uprising against the English. Following the suppression of this uprising by the English, the credit system that had formally been extended to the Seneca was abolished. In 1768 they were induced to sell their lands (and the lands of their dependents) west of the Allegheny and south of the Ohio rivers, a move that destroyed their influence and respect in the eyes of the Shawnee, Delaware and Wyandots.

The most durable of the Iroquois alliances was the Seven Nations of Canada, whose central council fire was located at Kahnawake. The Seven Nations Alliance allowed for disparate groups, traditionally in conflict with the Iroquois, to establish communication and alliance with the league through Kahnawake.

The Seven Nations Alliance traces its roots to the initial Iroquois southern migration in 1667. Twelve years after settling

Kentake this community was composed predominantly of Mohawk, with some Oneida, Onondaga and Huron as well. The first Huron exodus from the settlement occurred in 1673 (JR 63:101). When the village moved from Kentake to Kahnawake in 1676, some additional Huron and Mohawk left the group and settled at Mount Royal. The Huron eventually joined the Huron settlement at Lorette while the Mohawk settled at Kanesatake, "The Place of the Silvery Sands." The Kanesatake settlement is located at the junction of the Ottawa River and Lake St. Louis, a spot regarded as the frontier of Algonquin and Mohawk territories. Eventually the Kanesatake settlement was settled by Nipissing and Algonquin who maintained a separate council fire from that of the Mohawk. As already mentioned, the Akwesasne and Oswegatchie settlements were founded, respectively, in 1755 and in the early 1750s.

The last members of the Seven Nations Alliance were the St. Francis Abnaki, located today on the Odenak Reserve and in Swanton, Vermont. In his monograph on "The Identity of the Saint Francis Indians" (1965) Gordon Day shows that the St. Francis settlement was composed of various Abnaki and other New England Algonquin displaced by the English during two centuries of warfare. Because of its mosaic population, the St. Francis Indians had ties to most of the Algonquin remaining in New England and in the Maritimes.

On September 23, 1759 a force of Colonial rangers under Major Robert Rogers destroyed St. Francis. Several families from St. Francis sought and were given refuge at Akwesasne (SWJP 7:110). In 1767, after the St. Francis settlement was rebuilt, the Mohawk at Akwesasne asked the Abnaki to move back to their old home. The issue was arbitrated in council at Kahnawake on August 21, 1769 (SWJP 7:127). For a discussion of this incident see Jack Frisch (1971). After further negotiations with the Iroquois Grand Council, the Abnaki agreed to leave Akwesasne (DCNY 8:227-244). The incident not only demonstrates how the Kahnawake Council fire was used as a site of negotiations between the various St. Lawrence River settlements comprising the Seven Nations of Canada but that the Iroquois Grand Council was the final arbitrator and source of power behind "Seven Nations" decisions. As might be expected, the British supported these decisions (SWJP 12:843).

After working with a Penobscot informant, Mr. Newell Lyon,

Frank Speck described the workings of the Seven Nations Council from the point of view of its Eastern Algonquin constituents. According to Speck, after peace was formalized between the Iroquois and the Algonquin

. . . the confederacy [of Seven Nations] grew in importance; the four Wabanaki tribes [Penobscot, Mic Mac, Passamaquoddy and Malecite, as well as the St. Francis group] forming themselves into an eastern member with their convention headquarters at Oldtown among the Penobscot; and the whole confederated group, embracing the Wabanaki tribes, the Mohawk and the neighboring Algonquin associates with the Ottawa at their head, appointing Cauhnewaga as the confederacy capital. Here regular meetings were held among delegates from the allied tribes where their formal relationship was maintained by series of symbolical ceremonies. Incidentally, we can readily see what a profound effect this steady contact with the superior culture of the Iroquois must have had upon the simpler nomadic tribes of the Wabanaki group. The effect appears clearly in the wampum procedures, the condolence, and the election of chiefs, the sending of delegates, and functions in general which characterized the internal operations of the Wabanaki confederacy, the whole fabric of which was manifestly modeled after the pattern of the Iroquoian League. . . .

Hence, it becomes apparent that we are dealing with . . . an alliance among more or less Christianized tribes acting under the constructive political influence of the Mohawks who found themselves recasting in their own way under new conditions the old original principles of the Iroquois League (Speck 1915:493-494).

Speck tells us that this confederacy was called *Buduswagan* (Convention Council) by the Passamaquoddy, Malecite and Mic Mac and *Be'zegowak* (Those United Into One) or *Gizangowak* (Completely United) by the Penobscot. Kahnawake became known as *Ktci'skwudek*, "The Great Fireplace." Among the member nations of the Seven Nations the Ottawa were held

in the greatest esteem by the other Algonquin speakers. The Mohawk, however, were the force and inspiration behind the alliance. In his 1915 essay Speck describes some of the ceremonies and symbols of the Seven Nations Alliance, with evidence that clearly points to their Iroquois origins (1915: 496-497).

As already mentioned, one of the principal functions of the Seven Nations Alliance (as well as the Covenant Chain and Ohio Valley system of Iroquois domination) was to provide a forum for resolving conflict between the participating nations without taking recourse to war. An example is found in the Papers of Sir William Johnson where the council at Kahnawake arbitrated a request of the Abnaki to hunt on lands in the Ottawa Valley under the control of the Nipissing and Ottawa (SWJP 3:544-56; Day 1965:46). Similarly, when a band of Schaghticoke formerly aligned to the Mohawk Valley Mohawk wished to settle at Akwesasne, they made their route to Akwesasne via St. Francis, Kahnawake, Oswegatchie and eventually to Akwesasne (Day 1965:47).

After the cessation of hostilities between the English and the French in North America, the Seven Nations agreed with the Iroquois Confederacy to respect the peace. This peace was disturbed by the uprising led by Pontiac, an uprising that had significant support from the western Seneca. In an effort to encourage peace and force the Seneca out of the uprising, Daniel Claus³ sent a message with additional messages from the "Eight Nations" council⁴ at Kahnawake, advocating peace. The text of both messages follows. Its importance is indicated by the fact that it was sent by two routes, via the Great Lakes and the Ottawa River.

Brethren of Towaganha or Western Indians

We by this belt of Wampum acquaint you that there is an universal peace concluded among all the Christian powers in Europe, and consequently among the white people in America, by which peace, the King of France ceded to the King of England all his claim and right of all his dominions on this continent as far as the River Mississippi: wherefore you are to consider the King of England as the only sovereign over said territories, who we hear, intends to put the trade with you and us upon a very good footing.

Brethren you cannot have forgot the agreement jointly made between us and our Brethren the English, when this country was taken, of maintaining a firm peace and friendship with one another. We hereby acquaint you that we are resolved strictly to abide by our agreements, and expect you'll do the same.

A large white belt with black spots in Capt.
Claus' behalf

Brethren Towaganha

We are vastly supriised to hear such bad accounts from you, and that you have forgot the Engagement, and foolishly and rashly taken up the hatchet against your brethren. You know that you requested us to take you into our confederacy, and we have complied; but you have behaved as unworthy members and slipt your hold of the Covenant Chain; We by this belt entreat and desire you to recollect yourselves, what you are about, in disturbing the peace of the Confederacy, and immediately lay down the hatchet.

A large belt in behalf of the 8 Nations.

Brethren Towaganha

We desire you to let us know as soon as possible whether you will comply with our desire of laying down the hatchet, or not, that we may direct our selves accordingly, and let you know further what we think of your inconsiderate behaviors.

A belt from the 8 Nations.

Brethren Towaganha

We would have you always look upon us as keeping a strong hold of the Chain of friendship with our brethren the English; and are resolved to abide by our engagements of peace forever; and regard the King of England as our common Father who is willing to live in peace and friendship with all his children the Indians, and intends to establish a fair

and reasonable trade with all Indian Nations in his American dominions. He does not mean to claim your lands as his property and desires no more privileges than the King of France had, which is to carry on trade among you for your own good and welfare; but if you behave as you now have done, he certainly will deprive you of it; and has it in his power as you can't be supplied by any other nation, he having the entrance of the two rivers that lead from the sea to your country, and can prevent any other nation of white people to trade with you. Your present behavior, therefore, is enough to be our mutual destruction.

A belt which Captain Claus gave.

The first and last messages sent to the west were from Daniel Claus. It is important to note the difference in language and approach between the messages from the Kahnawake council and Claus. Claus's speeches assume an attitude of force and superiority. Claus also assumes sovereignty over the western tribes and Iroquois by the English. He refers to the king as "father" and to the Indians as the King's "children." The Seven Nations, on the other hand, refer to the English as "brethren."

On September 7, 1763 Johnson met with representatives of the various Iroquoian alliances. The Onondaga were present representing the Six Nations; also the Seneca with some of their dependents; as well as representatives from Kahnawake. In the course of his meeting with the Onondaga, Johnson heard them exclaim that "we the Five Nations, the Coghawagas, and many others in our alliance, will carefully preserve peace" (DCNY 7:554). In the course of this council the speaker from the Seven Nations (a Mohawk named Assaragoa) addressed the Seneca and bade them to "pay due regard to the old agreements, and speak the real sentiments of your hearts."

Brethren of the Seneca

What are you now about, or what do you think will be the consequence of letting slip the Covenant Chain?

We desire you will recollect yourselves, and we now shake you by the heads, to bring you to reason (ibid.:556).

After the Iroquois had met amongst themselves they agreed to attempt to dissuade the western Seneca from joining Pontiac. When the council came to a close the Onondaga, *Tiyerhasere*, addressed Johnson speaking for "all of the Confederacy, consisting of eighteen nations, including seven in Canada" (ibid.:557). Two days later, before the delegates left for their respective homes, Johnson met with the Kahnawake spokesmen and thanked them for the support of the Seven Nations.

The fact that the Seven Nations alliance was tied to the "mother" Six Nations is further attested to by the fact that in the early dealing of the Six Nations with the American Continental Congress in 1775 the Seven Nations "gave its mind" to the Iroquois Grand Council and allowed the Onondaga to negotiate for it (NYCD 8:612). This policy was followed throughout the Revolutionary War during which the members of the Seven Nations followed the official neutrality policy of the Grand Council.

After the cessation of hostilities between the British and the Americans the Seven Nations reappeared in the Upper Ohio Valley. There are three references to the alliance in the American State Papers (Indian Affairs, Serial No. 07) dealing with land surrenders. However, in no instance are representatives of the Seven Nations authorized to negotiate for the surrender of the land.⁵ In the first reference the Seven Nations were invited to attend a council of the Western Nations and Iroquois at the Miami where treaties of peace were to be discussed (American State Papers, Indian Affairs, Serial 07: pages 235, 238, 243). The following year the Seven Nations were again present in the Upper Ohio, and again they played a passive role, advising the nations but not actually participating in the negotiations. At first they advocated making peace with the United States (ibid.:354) but later modified this position insisting first that the United States agree to make the Ohio River the boundary line between the United States and the Western Indians (ibid.:357).

According to Speck the Seven Nations Alliance continued to remain active well into the nineteenth century. The Penobscot

travelled to Kahnawake for the councils of the Seven Nations until Attean Orson made his last trip in August of 1862 (Speck 1915:498). The Passamoquoddy maintained their relationship with the council until Joe Lola and Sapiel Selmore made their last visit to the council in 1870. The Mic Mac discontinued trips to the Kahnawake council in 1872 but kept the tradition of the Mohawk allegiance alive well into the twentieth century. One might argue that the old fires still burn, as evidenced by the close association and mutual support shown by the Kahnawake Mohawk to the Mic Mac in the spring of 1981 when members of the Kahnawake Longhouse and Band Council travelled to the Mic Mac reserve of Restigouche to support the Mic Mac in their struggle with Quebec fish and game authorities.

It is important, in discussing the origins, history and functions of the Seven Nations of Canada Alliance, not to over-emphasize the power of the alliance or its right to negotiate treaties. Like the ideal Covenant Chain, the Seven Nations Alliance was a voluntary association of Native nations, attempting to relate together to the European and to one another. The source of the alliance's model for organization was the Great Law of Peace. The member nations recognized this and yielded to the Grand Council in many negotiations dealing with the English. Under no circumstances was the Seven Nations or any other similar alliance expected to negotiate for the sale of lands. Such procedures would have remained vested in the sovereign control of member nations and be dealt with according to national law and custom.

THE SEVEN NATIONS TREATY

During the American Revolutionary War the State of New York found it necessary to use Indian lands as collateral for payment of its militia. Large sections of the Champlain Valley, Mohawk Valley and Adirondaks were promised on paper to New York regiments. Partially in order to protect this investment, the New York Constitution reserved to its legislature the right to purchase Indian lands (April 20, 1777, Laws of New York 1816 [I]:16). In this manner the State was assured that private investors of other states would not make purchases of lands from the Iroquois.

New York's judicial concern did not extend to the rights of the Iroquois. The Treaty Period abounds with cases of fraud, hostage-taking and other acts of coercion on the part of state and federal negotiators. Most of these cases are well documented, in some instances by the Iroquois themselves [see Turner (1850) for a history of the Holland Land Company; Wallace (1969):178-238 for a description of the effects of land-loss on the Iroquois; also Wallace's notes and reference (1969: 348-359); finally, of particular value, Blacksnake's account of the Treaty of Fort Stanwix (SHSWDC:16F; the most complete source of treaty documents and negotiations can be found in Hough (1861)].

In violation of its own laws the State of New York sold 3,840,000 acres of land in northern New York to Alexander Macomb in May 1791 (Hough 1853:254). The New York offer to sell made no mention of the Mohawk still residing in this area. It is possible that the state officials felt that their obligations were absolved by force of the 1787 Treaty with the Six Nations. The Mohawk did not participate in this treaty, however, and in their estimation their lands were still intact. Macomb was aware of Akwesasne and in a separate paper from his agreement with New York State he agreed to reserve some islands and a six-square-mile tract of land for use of the Indians (Hough 1853:254). In 1792, a year after Macomb's purchase was finalized, a deputation from the Seven Nations of Canada sent word to the Governor of New York that White settlers had settled on Lake Champlain and on the shores of the St. Lawrence. They requested a council to discuss this invasion of sovereign Mohawk land (Hough 1853:147).

Also in 1792 the Congress of the United States passed the Trade and Intercourse Act limiting the power of New York State to make any treaties with Native American nations. This law was necessary for a number of reasons: to offer some form of protection to the Iroquois against unscrupulous land speculators and to control the competition between New York, Massachusetts, Virginia, Pennsylvania and Connecticut, all competitors for Iroquois lands. This law was neither respected by New York State nor enforced by the federal government. As a result New York State commissioners continued in their efforts to gain title to Iroquois land well into the nineteenth century. Consequently, neither the Cayuga nor the Oneida now have access to their traditional lands in New York.

New York State was aware of the Mohawk claim to lands along the St. Lawrence River, Lake Champlain, Lake George and the Adirondaks. Ignoring the 1792 Trade and Intercourse Act, New York negotiated a treaty in 1795 for the surrender of Mohawk title to New York lands with Joseph Brant and John Deserontyon. It is questionable whether Brant and Deserontyon had the authority to negotiate for the southern Mohawk (Smith 1920). It is certain, however, that they did not have this authority from the northern Mohawk. By all accounts, the northern Mohawk and the Kahnawake council were not aware of these negotiations. They neither received any part of the sum paid to Brant nor approved of the sale.

One man who did know of the Brant sale was Louis Cook. Cook was the son of a Black father and Abnaki mother. Cook spent part of his life at Akwesasne and Kahnawake. During the American Revolutionary War Cook alienated himself from the Mohawk and was forced to leave Kahnawake. After the war Cook applied for and received in 1789 a patent of land outside of Akwesasne in the town of Massena (Hough 1853:126) for services rendered to the Americans in the Revolutionary War. After moving to Massena Cook decided to play "both sides of the fence" and to sue New York State as an Indian for illegally seizing Mohawk lands. Cook presented himself to New York as a representative of the Seven Nations of Canada along with two collaborators: William Gray, a White man, and Thomas Williams, like Cook an outcast from Kahnawake.

From May 23 until May 31, 1796 Cook, Gray and Williams entered into a series of negotiations with officials from New York State. Technically speaking, this negotiating did not violate the 1792 Trade and Intercourse Act because the New York State officials were acting for the federal government. Any agreement that they made with Cook, Gray and Williams would have to be approved by the United States Senate.⁶

Throughout these negotiations New York State denied the validity of the "Seven Nations" claim to lands in New York. At the same time, however, they made a modest quit-claim offer to Cook, Williams and Gray: New York agreed to reserve lands for the use of the Akwesasne Mohawk and offered a cash payment of £1,000 6s. 8p., a sum based upon their previous negotiations with the Oneida. Cook, Gray and Williams began by making exorbitant demands, gradually modifying them on every day of the negotiations.

On May 28, 1796 the New York officials offered what appears to be a bribe to the three "Seven Nations" negotiators:

The offer which we made you the day before yesterday, was upon mature consideration, and appeared to us to be as liberal as you could possibly expect, and it is now to be considered, as definite between you and us, so that it only remains for you to give us your final answer, whether you are willing to accept it or not, in order that the negotiations at the present treaty may be brought to a close. We would, however, explain to you, that a reasonable allowance to you as deputies, for your services and expenses in attending this treaty, and such presents as are usual on these occasions, will be made to you, exclusive of the compensations which we have proposed, should be for the nations or tribes you represent (Hough 1853:144).

On May 31, 1796 a treaty called the "Seven Nations of Canada Treaty" was signed by the alleged deputies from the Seven Nations, representatives of the State of New York and the federal government. The Mohawk council at Kahnawake condemned Cook when it learned of the Seven Nations Treaty from Joseph Brant. The fact that Kahnawake refused to recognize the Seven Nations Treaty is not surprising. Although Kahnawake was the "capital" of the Seven Nations alliance and most responsible for the affairs of the Seven Nations council, at no time were chiefs from Kahnawake involved in the negotiations with New York State. Both Williams and Cook were outcasts from Kahnawake, a fact that challenges both of their claims to be duly appointed representatives of the Seven Nations and of Kahnawake. In any event negotiations for the disposition of Mohawk land would not have been a concern of the Seven Nations, as has already been pointed out. The Seven Nations Alliance was simply a forum of communication and alliance between the Grand Council of the Iroquois at Onondaga and the tribal nations along the St. Lawrence and Ottawa rivers and the Algonkian of New England.

What is more, the New York State officials appeared aware that their negotiations with Cook, Gray and Williams were on shaky legal grounds. Throughout their negotiations they continually denied the right of the "Seven Nations" to negotiate the surrender of the Adirondaks yet made repeated offers to

finalize such a surrender. These negotiators had had dealings with Cook during the Oneida land surrenders. They knew of Cook's motivations and his interests. Once they discerned exactly what he required for his own purposes in the Seven Nations negotiations, they were able to close the surrender to both Cook's and New York State's mutual satisfaction. In effect a private deal between New York State and Louis Cook was presented to the United States Senate as a solemn treaty between the United States Government and the Mohawk representatives to the Seven Nations of Canada alliance.

CONCLUSIONS

The Mohawk and Onondaga settlement of the northern parts of their respective territories followed a pattern of Iroquois expansion into "frontier" regions, following the settlement of peace with the French in 1701. The Mohawk gained an advantage over the other Iroquois nations by settling a tentative peace in 1666, a peace that allowed for the early settlement of Kahnawake in 1667. Also following a traditional Iroquois pattern of alliance, Kahnawake became the seat or council fire for an alliance of native Peoples known as the Seven Nations of Canada. This alliance was voluntary, prompted spreading the Iroquois ideal of peaceful confederation and increased the League's influence amongst its neighbors.

After the close of the American Revolutionary War the northern Mohawk were in an advantageous position to bargain with the new American government. The northern Mohawk had basically maintained a position of neutrality in the war. Their villages had not been invaded, nor their lands overrun by armies. They were not suffering the results of Sullivan's campaign and were not in a situation that required them to sell lands.

Despite these facts, Louis Cook and Thomas Williams, two exiles from the Kahnawake settlement, along with a White man, William Gray, signed a treaty with the State of New York selling Mohawk lands in the Adirondaks, St. Lawrence Valley and Lake Champlain Valley. Although they claimed to be acting in the interests of the Seven Nations of Canada, these three negotiated without authority or credentials from the Mohawk.

The later record of their performance at Akwesasne supports this contention and shows these men to have acted to their own personal advantage and contrary to the best interests of the Mohawk people.

The Seven Nations Alliance, meanwhile, continued to provide a forum for meeting between disparate tribal groups. Although its mandate included settling differences between member nations, at no time did the Seven Nations undertake to sell lands to the governments of Great Britain or the United States. In 1974 the Mohawk acted upon their understanding of the illegalities of the Seven Nations Treaty. This action was prompted by demographic, economic and political realities in Kahnawake but facilitated by a historical record that has prompted the Mohawk to force New York State and the federal government to rectify what is seen as the injustice of history.

NOTES

1. Given the fact that the Iroquois are a matrilineal society, the reference to Lenape "women" might be interpreted as a term of respect. However, the expression was used in public councils and meetings between the Iroquois and Lenape, meetings that were invariably conducted by Iroquois men. Here, the warrior ethos pervaded, with all of its accompanying *machismo*. In this context, calling a Lenape warrior a woman was a definite insult suggesting that the Lenape lacked the balance between masculine and feminine that characterized Iroquois society.

2. Given the general Iroquois migration tradition that they arrived in the upstate New York area after leaving their homes in the west, Seneca domination of the Ohio Valley may be interpreted as a "residual" aboriginal claim to the area. I do not know of any recorded claims to this effect, however. Most Iroquois claims to the upper Ohio Valley are made on the pretext of their military subjugation of the area.

3. David Claus was Sir William Johnson's son-in-law and succeeded Johnson as Superintendent of Indian Affairs. At this time Claus served as Johnson's deputy.

4. In some instances the Nipissing and Algonquins were counted as separate groups at Kanesatake, making the Seven Nations Eight Nations.

5. My argument thus far has been that the Seven Nations Alliance typifies Iroquois expansion as mandated by the Great Law of Peace. The Great Law specifies that only the Grand Council had the right to surrender lands. There is no reference to this right being yielded to the Seven Nations, thus my statement that the Seven Nations were "not authorized to negotiate for the surrender of land."

6. It is clear that the "Seven Nations" Treaty was negotiated. When the Treaty was concluded in New York, George Washington sent notice of it to

the United States Senate. However, there is no evidence that the Senate considered the treaty and approved of it. The Seven Nations of Canada Treaty was printed in the mid-nineteenth century in the *Federal Statutes at Large* but without reference to actual Senate approval.

REFERENCES

- Alber, Thomas, and Elizabeth Tooker. "Seneca." *Handbook of the North American Indian*. Volume 15: Northeast. Washington: Smithsonian Institution, 1978.
- Akwesasne Notes: *A Journal for Native and Natural People*. Roosevelt, New York: Mohawk Nation at Akwesasne, 1975, 1976.
- _____. *The Great Law of Peace*. Roosevelt, New York: Mohawk Nation at Akwesasne, 1973.
- American Archives. *Interview with a Committee of Both Houses of the Massachusetts Legislature with Louis Cook*. Series 4. Volume 3, 1775.
- American State Papers. "Indian Affairs." 2 Volumes. Worcester, Mass.: The American Antiquarian Society, 1790-1800.
- Day, Gordon. "The Indian Occupation of Vermont." *Vermont History*. Volume 33 (3) (1965), pp. 365-374.
- _____. "The Identity of the St. Francis Indians." *Ethnology Service Publication 71*. Ottawa: Canadian Museum of Man, 1965.
- Downes, Randolph. *Council Fires on the Upper Ohio*. Pittsburgh: University of Pittsburgh Press, 1940.
- Fenton, William, and Elizabeth Tooker. "Mohawk." *Handbook of the North American Indian*. Volume 15: Northeast. Washington: Smithsonian Institution, 1978.
- Frisch, Jack. *Revitalization, Nativism, and Tribalism among the Saint Regis Mohawks*. Ann Arbor: University Microfilms International, 1970.
- _____. "The Abenaki Among the St. Regis Mohawks." *Indian Historian* 4 (1971), pp. 27-29.
- Grassman, Thomas. "The Question of the Location of Mohawk Village Sites." *Pennsylvania Archeologist* 22 (1952), pp. 98-111.
- Hough, Franklin. *A History of St. Lawrence and Franklin Counties, New York*. Albany: Little & Co., 1853.
- _____. *Proceedings of the Commissioners of Indian Affairs, Appointed by Law for the Extinction of Indian Titles in the State of New York*. 2 Volumes. Albany: J. Munsell, 1861.
- Huden, John. *Indian Place Names in Vermont*. Burlington: [His monograph], 1957.
- Hunter, William. "History of the Ohio Valley." *Handbook of North American Indians*. Volume 15: The Northeast. Bruce Trigger, ed. Washington: Smithsonian Institution, 1978.
- JR. *The Jesuit Relations and Allied Documents*. Reuben Thwaites, ed. 73 Volumes. Cleveland: Burrows Bros. Co., 1896-1900.
- Jameson, J. Franklin. *Narratives of New Netherlands*. New York: Charles Scribner's Sons, 1909.
- Jennings, Francis. "The Constitutional Evolution of the Covenant Chain." *Proceeding of the American Philosophical Society* 115 (2), 1971.

- Long, John. *Voyages and Travels of an Indian Interpreter*. London: Robson, 1791.
- Lydekker, John. *The Faithful Mohawks*. Cambridge, England: The University Press, 1938.
- NYCD. *Documents Relative to the Colonial History of the State of New York*. E.B. O'Callaghan, ed. 15 Volumes. Albany: Weed, Parsons & Co., 1853.
- PAC. *Public Archives of Canada*. April 14, 1831-Record Group 10, Volume 596, Series S. Ottawa.
- _____. June 2, 1898-Record Group 10, 63812, Series Red. Ottawa.
- SHSWDC. *State Historical Society of Wisconsin. Draper Collection*. Madison.
- Smith, Gordon. "Captain Joseph Brant's Status as a Chief and Some of His Descendants." *Ontario History*, 12 (1920). [sic]
- Speck, Frank. "The Eastern Algonkian Wabanaki Confederacy." *American Anthropologist*, 17 (1915), pp. 492-508.
- SWJP. *The Papers of Sir William Johnson*. 14 Volumes. Milton Hamilton, ed. Albany: State University of New York, 1921-1965.
- WHC. *Wisconsin Historical Collections*. 21 Volumes. Draper and Thwaites, eds. Madison: 1855-1911
- Williams, Elezar. *The Life of Te-ho-ra-gwa-ne-gen, Alias Thomas Williams*. Albany: J. Munsell, 1859.