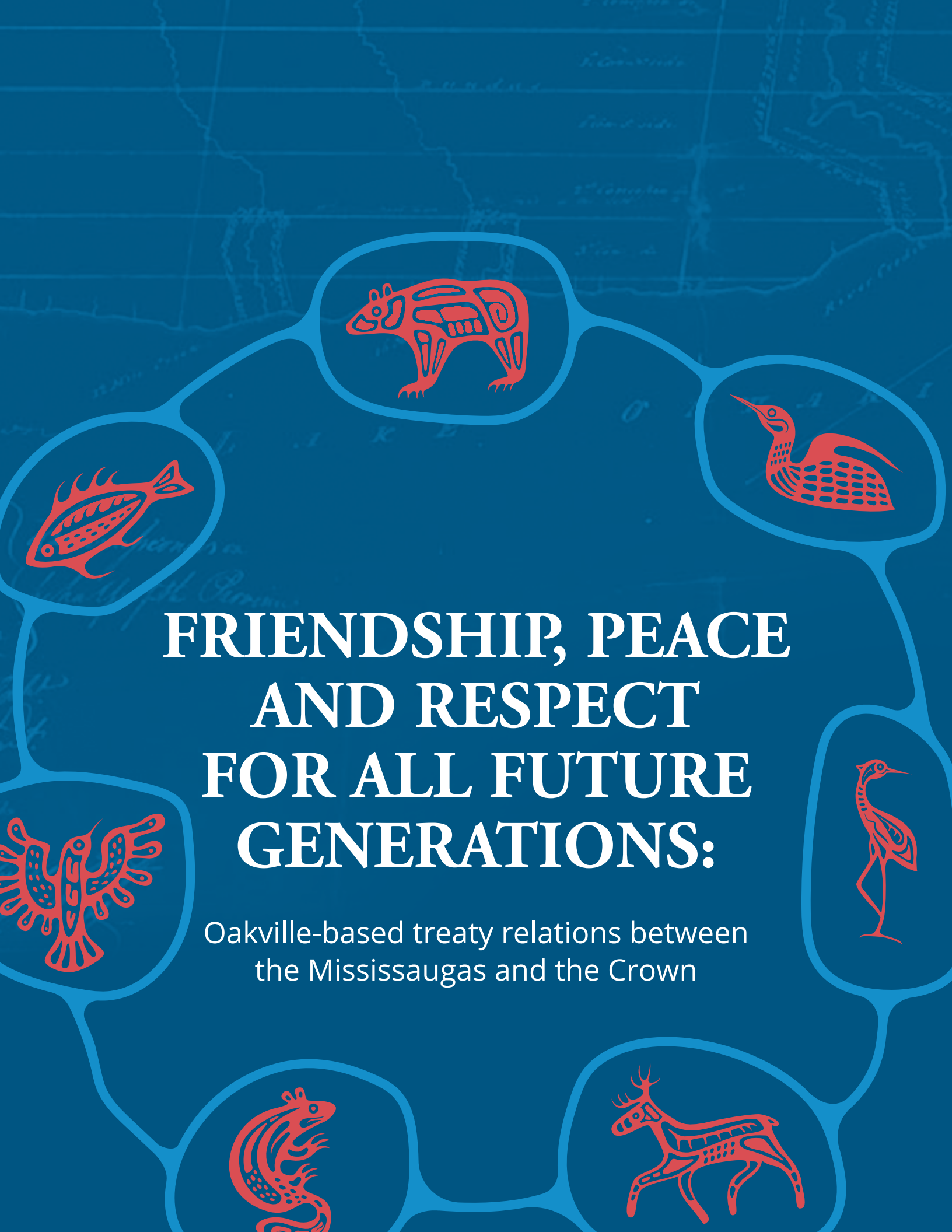


A pair of blue-rimmed glasses is centered on a dark blue background. The lenses and the bridge of the glasses contain red, stylized Indigenous-style animal icons. The left lens shows a fish, the right lens shows a loon. The bridge shows a bear. The temples of the glasses extend to the left and right, each containing a red icon: a bird on the left and a crane on the right. The bottom of the glasses frame also contains two red icons: a turtle on the left and a deer on the right. The background features faint, light blue outlines of a map of the Great Lakes region.

FRIENDSHIP, PEACE AND RESPECT FOR ALL FUTURE GENERATIONS:

Oakville-based treaty relations between
the Mississaugas and the Crown



LAND ACKNOWLEDGEMENT

Creator, Miigwetch - thank you for this beautiful gift of today. We acknowledge that we are on the traditional and treaty territory of the Mississauga's of the Credit while also acknowledging that many other First Nations have lived on this territory, from the the Anishnabeg, the Chippewa, the Haudenosaunee and the Wendat peoples and is now home to many diverse Indigenous peoples including the Inuit and Métis peoples.

We acknowledge and give gratitude for our relationship to Mother Earth.

We acknowledge and give gratitude to the original nations of the trees and plants.

We acknowledge and give gratitude to the original stewards of creation, the four legged, the finned, the flyers and the crawlers. We acknowledge all of these and their interconnection with each other and ourselves.

We acknowledge the gift of water, water is medicine, water is life, water is sacred. In doing so, we also acknowledge the carriers of those teachings, the women.

We acknowledge the grandfathers who share the history of Mother Earth as well as the history of the great mystery. We thank them for their knowledge and wisdom.

We acknowledge Father Sun, that which gives life in cooperation with Mother Earth and all the elements.

We acknowledge Grandmother Moon, who cleanses Mother Earth and reminds us of the importance of balance through her teachings.

We acknowledge our distant relations, the star people from whence we came and who have always been there to guide us.

We acknowledge the winds that come from the four directions.

For all of this Creator, we give gratitude.

Miigwetch Miigwetch Miigwetch Miigwetch.

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FOREWORD



Debwewin: The Oakville Truth Project is a partnership between the Mississaugas of the Credit First Nation (MCFN) and the Oakville Community Foundation which aims to further local Truth and Reconciliation through a deeper understanding of our shared past. As MCFN Elder and Debwewin Advisory Council Lead, Peter Schuler suggests, “What better place to seek the truth than your own local community.”

Oakville’s Treaties and Indigenous history are not well known or readily available. Friendship, Peace and Respect for All Future Generations seeks to remedy this knowledge gap by exploring the treaties between the Mississaugas of the Credit and the Crown in what is now Oakville. The Mississaugas never surrendered their land. In fact, the Mississaugas went to great lengths to protect the lands and waters in their traditional territory.

We would like to thank the many contributors to this project for their insight, guidance, and support. Chi Miigwech to our advisors Elder Peter Schuler, Dr. Karine Duhamel, Kim Fullerton, and Georgia LaForme for their vision and oversight throughout the project. To our author Emma Stelter for her writing, and to Margaret Sault and Darin Wybenga for their reviews. We would also like to extend our gratitude to all of our funding partners for their support of this project.

The notion of “Respect for All Future Generations” refers to the relevance of The Treaties today and the need to renew these Treaties that connect us as allies. The Treaties are meant to last and to symbolize the allyship and reciprocity between the two nations: the Mississaugas and the Crown.

This report is a step towards greater understanding of this relationship that connects our communities. We believe that reconciliation, at its core, starts with the truth specifically, understanding the world around us and our place within it.

Treaties are connected to Oakville’s past, exist today, and live in the future. We hope that in reading this narrative you are able to see yourself within the story, – past, present, and future – as part of the greater allyship between MCFN and Oakville.

Gimaa (Chief) R. Stacey Laforme

Wendy Rinella, CEO Oakville Community Foundation



Friendship, Peace And Respect For All Future Generations, 1st Edition, February 2023

INTRODUCTION

Indigenous historian Dr. Karine Duhamel explains that at their core, Treaties are about forming relationships based on principles like respect, interconnectedness, and reciprocity. When First Nations enter into Treaty agreements, they expect that their rights will be affirmed, a relationship will be manifested, and gifts will be shared.



It's important to know that the original intent of the Treaties is that they last forever and are created to ensure the wellbeing and security of future generations. Sometimes this idea is forgotten, and Treaties are viewed as one-time contracts but doing so ignores the sacred and evolving nature of these relationships."

- Dr. Karine Duhamel, Debwewin Advisory Council



A Treaty relationship therefore requires continual maintenance and renewal to meet the members' ever-changing needs. Duhamel argues that Treaties began as part of the "first law" where the Creator gave people sacred gifts and responsibilities for being placed on the land. These gifts and responsibilities are assigned to the people and cannot be reassigned or revoked. Individually, none of us have all of the gifts necessary to live a good life. Through the commitments made with Treaties we share our gifts with others so that we collectively have all gifts needed to live a good life.¹

Duhamel further presents the idea that First Nations do not view land as a static entity that can be sold, held individually, or parceled out. Instead, the land and its resources are seen as gifts from the Creator and people are to act as stewards of them. During many Treaty negotiations, First Nations and the Crown formed sacred agreements binding the nations together on an equal basis. Often, First Nations agreed to share some of their territories with Euro-Canadians in exchange for mutual respect and support. However, today, Canada often refers to Treaties as "land surrenders" and argues that they have ownership over the land. However, when viewed this way, the main point of the Treaties is forgotten. Instead of being viewed as a relationship, Treaties are being viewed as purchases. Since every Canadian benefits from the Treaties made with First Nations, every Canadian has the responsibility to uphold these Treaty relationships in order to enjoy the benefits. The current beliefs and philosophies about Treaty agreements have led to broken and disrespected Treaties.² Elder Peter Schuler explains that the way forward is to work together to rekindle and honour all Treaties by remembering the purpose and intent of the first Treaty with Creation.³

¹ Karine Duhamel. Gakina Gidagwi'igoomin Anishinaabewiyang: We Are All Treaty People. Canada's History. April 30, 2018. <https://www.canadashistory.ca/explore/settlement-immigration/gakina-gidagwi-igoomin-anishinaabewiyang-we-are-all-treaty-people>

² Duhamel, Gakina Gidagwi'igoomin Anishinaabewiyang

³ Elder Peter Schuler Interview.

BACKGROUND

The first Treaty between the Mississaugas of the Credit and the Crown was entered based on the principles of respect, peace, and friendship. In 1764, British Superintendent of Indian Affairs Sir William Johnson met in Niagara with 24 First Nations from the Great Lakes region which included the Mississaugas of the Credit. This meeting was called to establish peace, form alliances, and negotiate the terms of the Royal Proclamation (1763), especially the sections dealing with Indigenous land cessions through the formation of Treaty agreements. From this meeting, a new iteration of a relationship built on years of trade, diplomacy, and alliance was formed between First Nations and the Crown.

Mississauga Chief Reverend Peter Jones (1802-1856) explained how the relationship established at Niagara signaled an important change in the relationship based on the Covenant Chain, a complex system of alliances originating in the early 17th century between New York and the Kanyen'keha:ka, and expanding after that. As Jones noted,



Mississauga Chief Reverend Peter Jones noted, When the French came, they bound their hands together with an iron chain; But that when the English came, they broke asunder that chain, which had already become rusty, and then their great father, the King of England, bound their hands together with a silver chain.”⁴ - Mississauga Chief Reverend Peter Jones (1802-1856)



The evolution of the chain from iron to silver demonstrated the strengthening of settler-Indigenous alliances during this time.⁵ To prevent the chain from tarnishing like it had in the past, it continuously needed to be polished. This polishing of the chain became well-known as a metaphor for the ongoing maintenance and renewal of relationships established through Treaties.

The Royal Proclamation and the Covenant Chain affirmed Indigenous title and ensured colonial non-interference. These agreements established the constitutional structure for Treaty-making in most of northern North America. The principles established in Niagara have become inherent in all future Treaties between the British and the Mississaugas.

⁴ Peter Jones, *History of the Ojebway Indians: With Especial Reference to their Conversion to Christianity* (England: A.W. Bennett, 1861), 216.

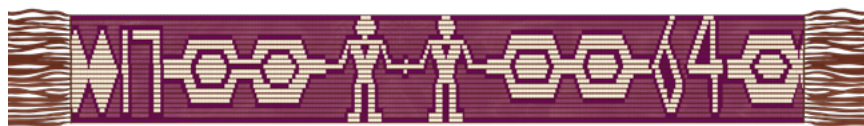
⁵ Some historians have suggested that the earliest alliances were symbolized by rope. Robert W. Venables, “Polishing the Silver Covenant Chain: A Brief History of Some of the Symbols and Metaphors in Haudenosaunee Treaty Negotiations,” Onondaga Nation, November 2008, <http://honorthetworow.org/wp-content/uploads/2013/03/Venables-on-the-Covenant-Chain-of-Treaties-part-2.pdf>

The Upper Canadian Treaty-making phase (1781-1820) had profound effects on settler-Indigenous relations as it set the stage in Upper Canada for colonial settlement, marking a shift from intermittent trade to permanent co-habitation within the territory. Over 200 years later, these Treaties remain legally binding documents between the Crown and Indigenous nations that outline their various rights and responsibilities to the land and to each other. While Britain aimed to make lands in Upper Canada attractive to immigrants, the continued numerical strength and strategic importance of First Nations as allies meant that British negotiators had to take their interests into account.

There was a significant influx of people north of the newly established border toward the end of the American Revolution (1775-1784) by United Empire Loyalists, people who wanted to stay within and loyal to the British Empire in the context of the American Revolution. As a result, the British were pressured to secure a land base after losing their territory to the Americans. Crown representatives initiated a series of Treaties for the United Empire Loyalists and Indigenous allies (including some of the Haudenosaunee nations) who were displaced after the Revolution. The British were attempting to gain lawful access to Mississaugas' territory under the Royal Proclamation. Both the British and Mississauga sought to maintain their alliance and feared continued, aggressive American expansion.

Waterways were key for travel, trade, fishing, ceremony, and so much more. The Mississauga, like other Anishinabeg, followed seasonal rounds. When resources became scarce in one area, extended families would move to another area to allow resources to replenish.⁶ In the wintertime, people hunted large and small game and did some ice fishing in smaller kinship groups. In the spring, families moved to the maple sugar grounds and then to the spring fisheries. Here, smaller kinship groups rejoined each other and social relationships were renewed after the long winter months. The summer was also a time when the Mississauga renewed and strengthened social, economic, and political ties between extended families and other Anishinaabeg nations. In the summer, the main subsistence activity was fishing. The Mississauga also practiced agriculture to some extent, growing squash, corn, and other vegetables. In the fall, they harvested the remainder of their garden produce as well as fruit and vegetables, preserving some of them for the winter months.⁷ Manomin ("wild rice") was also gathered and preserved in large quantities by the Anishinabeg.

As a result, the rivers and their flats were very important sites for daily life. The importance of rivers can also be seen in their name. One interpretation of the Mississauga name is that it refers to the Eagle Clan (Messissauga in Anishinaabemowin) of the Anishinaabek Nation.⁸ Another interpretation is that it refers to their place of settlements, often on rivers, as "Mississaga" means "river".⁹ Fur traders often extended credit to this group of Mississaugas and as a result the river became known as the Credit River and, by extension, the people became known as the Mississaugas of the Credit River.¹⁰



⁶ Jones, History of the Ojebway Indians, 71.

⁷ Praxis Research and Associates, History of the Mississaugas, 4-5.

⁸ The clan system is a framework of government to give people strength and order, in which each clan has a function to serve for the people.

⁹ J. Hampden Burnham, "The Coming of the Mississaugas" in Ontario Historical Society Papers and Records (Toronto: The Ontario Historical Society, 1905), 6:7, <https://ontariohistoricalsociety.ca/wpcontent/uploads/2020/02/Ontario-History-1905-v6.pdf>

¹⁰ Research Praxis and Associates, The History of the Mississaugas, 10.

Having the Mississaugas retain their customary use and management of waterways was beneficial to both the Mississauga and the Crown during the late 1700s. Maintaining sovereignty over the waters allowed the Mississauga to secure adequate food, defend the territory from shared enemies such as the Americans, control trade and transportation routes, and protect sacred sites. The Mississaugas control benefitted the British as they still relied on the Mississauga for protection, provisions and more. Elder Peter Schuler explained that



“ *Without the Ojibway and Onkwehonwe peoples’ military assistance, we would be living in the United States and that Britain would not have been able to have remained a separate territory without Indigenous people.*”¹¹ - Elder Peter Schuler

At the end of the 1700s, First Nations were much more established than settlers in terms of their military and political power. As a result, colonists tried to prevent First Nations from organizing and maintaining alliances to limit their collective power. Crown official Peter Russell instructed their staff “to do everything in [their] power (without exposing the object of this policy to suspicion) to foment any existing jealousy between the Chippewas [Mississaugas] and the Six Nations; and to prevent as far as possible any junction or good understanding between those two tribes.”¹² Despite an alliance during that time, the Mississauga and Six Nations were historic enemies following the Beaver Wars, and officials were trying to play into those past relationships. Officials also ordered that the Mississauga and Six Nations would receive their annual presents at different locations, to “keep these nations and tribes distinct and separate from each other and to induce them to look up to government only for their comfort and support.”¹³ Six Nations were to continue receiving their presents at the head of Lake Ontario and the Mississauga were to receive theirs at the Credit River. Doing so prevented Indigenous leaders from discussing negotiations with each other, thereby strengthening colonial collective bargaining power.

Joseph Brant (1743-1807)

A Kanyen’keha:ka military captain who played a significant role in military alliances and the formation of confederacies around the Great Lakes region. Despite being Haudenosaunee, Brant was appointed agent for the Mississauga on the condition that he would protect their land interests after the murder of their Chief Wabukanyne.¹⁴

¹¹ Elder Peter Schuler Interview.

¹² Peter Russell to the Duke of Portland, March 21, 1798, in Cruikshank and Hunter, The Correspondence of the Honourable Peter Russell, 123.

¹³ Peter Russell to the Duke of Portland, March 21, 1798, in Cruikshank and Hunter, The Correspondence of the Honourable Peter Russell, 123

Brant was attached to the Mississauga after they allowed his people to settle along the Grand River territory after their losses during the American Revolutionary War.¹⁵ The influx of Brant and his people also added to settlement pressures north of Lake Erie as Brant brought about 2000 people with him.

In 1798, Colonial agents asked for Brant's opinion on Mississauga lands between the head of Lake Ontario and the York region. Brant wrote that he was "fearful" to speak on the subject as the government had accused him of meddling, despite the deceased Chief Wabukanyne asking Brant to look after his people.¹⁶ In his letter to William Claus, he detailed his opinion:

“ *I have already given my opinion in my Memorandum that it is too much resembling the Yankies to grasp the land to eagerly, as I dont [sic] see any Necessity of making this Acquisition and I think that if they will wantonly take it they should pay a good price for it, at least 2 / an Acre, unless they would allow the Indians to reserve where they please [-] by that means the fisheries of all the Rivers will be reserved and otherwise it would be impossible for if the Mouths of the Creeks Should be Settled it would Certainly Spoil the fishery.*” ¹⁷ - Joseph Brant



The Crown deliberately delayed negotiations until the Mississauga were in a more compromised position, such as a low population, disease, poverty, and starvation, and sought to sign multiple Treaties quickly during these times of duress.¹⁸ Elder Peter Schuler explained that the Crown created these conditions, he said,

“ *The treaties were not put in there in good intent” and if “you start looking at [it], you’ll see a pattern: starvation, treaty, starvation, treaty.”* ¹⁹ - Elder Peter Schuler

The Mississaugas' Treaty terms often "protected" hunting and fishing but immediately after regulations would be put in place like private property trespassing, game laws, and fencing which would drastically impact hunting. Creating these conditions was "not a treaty" it was "an abuse".²⁰ Darin Wybenga explained that settlers disturbed fisheries in a similar way.

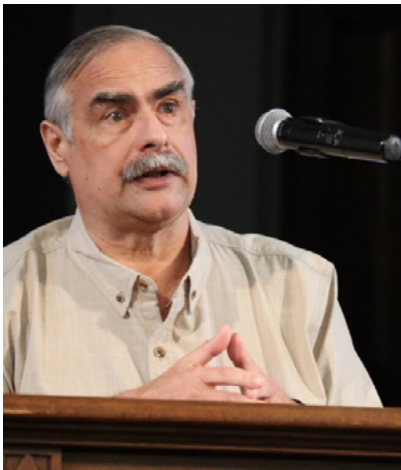
¹⁶ Joseph Brant to William Claus, April 5, 1798, in Cruikshank and Hunter, The Correspondence of the Honourable Peter Russell, 135.

¹⁷ Joseph Brant to William Claus, April 5, 1798, in Cruikshank and Hunter, The Russell Papers, 135.

¹⁸ Mississaugas of the New Credit First Nation, Toronto Purchase Specific Claim, 10.

¹⁹ Elder Peter Schuler Interview.

²⁰ Elder Peter Schuler Interview.



The Crown put up dams and sawmills, cast nets, and overall polluted the rivers which was very damaging to the seasonal cycle. Salmon were caught in both the spring and fall and would be preserved for the winter as well. He said,

“ *If you can't hunt anymore and you can't fish anymore, you had to go find food somewhere, which eventually helps lead to the collapse of the traditional economy.*”²¹

- Darin Wybenga, Traditional Knowledge and Land Use Coordinator

As the settler population grew and the British wanted to expand their territory westward, they wanted access to the waters and unilateral control of the region for nation-building. However, the Mississaugas went to great lengths to ensure the protection of their fisheries and waterways because they were essential to their way of life.

Mississauga leaders demanded for years that the Crown protect the fisheries from settlers as they had promised. In response, in 1790, colonial officials issued a warning in writing that all settlers were not allowed to fish on the Credit River as it was reserved to the Mississauga.²² The Crown also passed a series of proclamations to protect Mississauga fisheries and sometimes burial grounds from settlers in the 1790s. A 1797 proclamation stated that “many heavy and greivous [sic] complaints have been made by the Mississaga [sic] Indians, of depredations committed by some of His Majesty's subjects and others upon their fisheries and burial places [...] in violation of the friendship existing between His Majesty and the Mississaga [sic] Indians,” and that any future violation of the act would result in persecution.²³ “Friendship” in this context would be referring to principles established in 1764 at Niagara through the Covenant Chain process.

21 Darin Wybenga Interview.

22 J. Butler, Deputy Agent, October 16, 1790. AO F47 File F 47-1-1-6 Reel MS 1797.

23 Peter Russell, Proclamation to Protect the Fishing Places and the Burying Grounds of the Mississagas, December 14, 1797, in Cruikshank and Hunter, The Russell Papers, 41.

Head of the Lake Treaty, No. 14, 1806

In 1805, the Mississaugas of the Credit and the Crown reached a provisional agreement in which the Mississaugas ceded 70,784 acres of land in the Mississauga Tract in return for £1000 of trade goods, the sole right of the fisheries in the Twelve Mile Creek, Sixteen Mile Creek, and the Credit River, and a strip of land on the banks on either side of these waterways. The Head of the Lake Treaty was signed on September 5, 1806. Today, this Treaty territory covers most of Oakville, except for the waterways which were reserved for the Mississauga.

British officials were interested in the territory covered by the Head of the Lake Treaty because they wanted to connect two other territories that they had already negotiated for, the Between the Lakes Purchase (1792) and the Toronto Purchase (1805). They were interested in improving travel and trade routes between the two previous Treaty lands and wanted to secure more territory for European settlement.

During the Head of the Lake negotiations, it became clear that the Mississaugas were no longer sharing their territory with the British, rather that the British were looking for unilateral control over the area. The Mississaugas were also becoming more dependent on government aid, a direct result of British colonial policy. Mississauga Chief Quinepenon criticized Deputy Superintendent General of Indian Affairs William Claus for the way the British were treating the Mississaugas compared to previous Treaties and Claus' greed for more land. Quinepenon told Claus that he wanted to remain under Claus' protection, but that it was hard for the Mississaugas to "give away more land" as the "Young Men & Women have found fault with so much having been sold before."²⁴ Quinepenon showed Claus a map on a piece of bark showing the territory they were willing to sell to the British, which extended from the Etobicoke River to Brant's Tract at the head of the lake.²⁵

The Mississaugas reserved a mile on either side of the Credit River to its source, and on each side of the Twelve and Sixteen Mile Creeks, a tract near Brant's sold to them by the Tuscororas, and a Sugar Bush which they gave to Mrs. Brant.²⁶ They also reserved two to three "chains"²⁷ wide along the length of the beach. The Mississauga offered to sell "two miles to the Northward of the road [Dundas] and all to the southward of it except the Two or three Chains on the Beach."²⁸ The chiefs requested protection from violent settlers for when they camped along the beach and reserved the sole right of the fisheries in the Twelve Mile Creek, Sixteen Mile Creek, Etobicoke River, Credit River, and the flats or low grounds of those places where corn was planted.²⁹ When planning for the Head of the Lake Treaty, colonial officials advised that the land "should be purchased so as to leave the Missassaguas [sic] in full possession of their rivers and fishing grounds."³⁰ However, the final Treaty text does not state that two or three chains along the beach were reserved for the Mississauga.

²⁴ P. Selby, Assistant Secretary of Indian Affairs, "Proceedings of a Meeting with the Mississagues at the River Credit," July 31, 1805. LAC MG 11 Q Series Vol. 303 Reel C-10231, 50-54.

²⁵ Selby, "Proceedings of a Meeting with the Mississagues at the River Credit," 50-54.

²⁶ Selby, "Proceedings of a Meeting with the Mississaugas at the River Credit", 50-54.

²⁷ A chain is a unit of measurement. One chain is equivalent to 66 feet.

²⁸ Selby, "Proceedings of a Meeting with the Mississaugas at the River Credit", 50-54.

²⁹ Sam't Wilmot Map of 1806 the crop detailing 16 Mile Creek is corn. Quenepeno reserves the creeks and flats- "with our huts and cornfields"- Aug 2 1805.

³⁰ John Graves Simcoe to Lord Dorchester, April 9, 1796, in Cruikshank, The Correspondence of Liuet. Governor John Graves Simcoe, 4:239.

Treaties 22 & 23, 1820

About 15 years after the Head of the Lake Treaty, the Crown sought to purchase the reserved waterways from the Mississauga in 1820 through Treaties 22 and 23. At this time, the Mississaugas were in extreme distress, as their lands were being taken by squatters, their fisheries were becoming depleted, and their population was declining to numbers as low as 200 due to disease. During this period, settlers far outnumbered them and as a result their negotiating power was limited while the Crown's was steadily increasing.

Sir Peregrine Maitland, appointed Lieutenant Governor of Upper Canada, proposed to the Mississauga that the profits from the sales of the remaining reserves along the rivers could be used to fund the Mississaugas' religious and educational instruction. According to Maitland, the Mississauga "were not only pleased at the proposal, but with a view of its being carried into effect, agreed to resign to H.M. all their lands on the River Credit, and on two other small streams running into Lake Ontario, amounting together to about 20,000 Acres."³¹ In the same letter however, Maitland highlighted how valuable the land surrenders would be to the Crown due to their strategic location. He wrote that the "situation of these Lands, surrounded by our settlements and extending along the banks of Streams render them highly valuable."³²

British officials also proposed that a 200-acre reserve would be set aside for the Mississauga on the Credit River. According to Treaty 22, signed on February 28, 1820, the Mississauga ceded their lands at the Twelve Mile Creek, Sixteen Mile Creek, and the northern and southern portions of the Credit River Reserve for 20 shillings. Treaty 23, signed on the same day, sold the central portion of the Credit River Reserve for £50 in "provisions and rum."

The Mississaugas saw this payment as a gift and affirmation of a British pledge to protect their only remaining land base, rather than a surrender. Gift giving was often seen by First Nations as a sign of renewal of relationships and alliances or "polishing the chain", and an act of goodwill on the part of the giver. It is therefore unlikely that with their extensive knowledge of the gift giving practices during this time, colonial agents on-the-ground would see this expense as payment for the land.

Based on the language recorded in the Treaty negotiations the land in Treaty 22 was not intended to be a complete surrender and sale. The land, or at the very least, the proceeds from the sales of the land, were to go into a trust managed by the Crown on behalf of the Mississaugas. Given that Treaties are made with the wellbeing and security of future generations at the forefront, it makes sense that during their period of distress, the Mississaugas would look for ways to ensure their future. The Mississaugas have continually argued that they did not surrender their land in Treaty 22 and some colonial officials have agreed.

31 Sir Peregrine Maitland to Earl Bathurst, Letter Extract, June 1820, LAC MG 11 Q Series Vol. 328 Pt. 1 Reel C-10764.

32 Sir Peregrine Maitland to Earl Bathurst, Letter Extract, June 1820, LAC MG 11 Q Series Vol. 328 Pt. 1 Reel C-10764.

The Mississauga complained about settlers disturbing their fisheries and encroaching on their land well into the 1820s and 1830s. In 1825, the Mississauga wrote a petition to Lieutenant Governor Maitland asking to secure the river within their reserve for their exclusive use. They wrote that

“ we have always considered ourselves the owners of this River [credit] and fishery and have been enabled in a measure to reap some benefit of the said fishery” but that would be difficult to maintain “so long as this river is the public resort of the inferior class of white people, who bring and introduce all manner of evil among us.” ³³

In April 1829, head Chief Joseph Sawyer, wrote about their situation and Treaties 22 and 23:

Several years ago we owned land on the twelve mile creek, the sixteen, and the Credit. On these we had good hunting and fishing and we did not mean to sell the land but to keep it for our children for ever. Our great father (by Col. Claus) went to us and said, the white people are getting thick around you and we are afraid they or the Yankees will cheat you out of your land. You had better put it into the hands of your very great father the King to keep for you till you want to settle, and he will appropriate it for your good & he will take good care of it, and will take you under his wing, and keep you under his arm, & give you schools & build houses for you when you want to settle. Some of these words were thought good, but we did not like to give up all our lands as some were afraid that our great father would keep our land. But our great father had always been very good to us, & we believed all his words & always had great confidence in him so we said “Yes,” keep our land for us...” ³⁴ - Chief Joseph Sawyer



The Mississaugas, especially under Peter Jones, continued petitioning the Crown over the “sale” of the Treaty 22 and 23 lands. During the 1850s colonial officials started to investigate their records of the negotiations and Treaties, likely because of the influence of the petitions. Officials noted the conflicting statements within the Treaty text, such as the “safekeeping” of the land by the government to protect the Mississaugas from settler encroachment, compared to the use of the proceeds to fund religious instruction. This conflict raises the question of whether the land itself was to be held in trust, or if the proceeds from the sale were to be used to fund their religious instruction. The Mississauga continually asserted that the land was to be held in trust. In 1857, Sir John A. Macdonald, Attorney General for Upper Canada argued that

³³ Paudash Papers, T-1456, Images 21 & 22.

³⁴ Joseph Sawyer and John Jones, on behalf of the Mississaugas Indians settled at the River Credit, to Sir John Colborne, Lieutenant Governor of Upper Canada, April 3, 1829. LAC RG 10 Vol. 5 Reel C-10997.



Treaty 22 contained an express trust in which any profits from the land and the amount of money received on sale of any portion of it must be expended for the benefit of the Indians, according to the terms of the Trust, as specified in such reverse order .” - John A. MacDonald, Attorney General, Upper Canada

Diminishing Alliances and Petitioning, 1820s-1830s

In late January 1828, a delegation of Mississauga Nation chiefs met at York to hold a council with colonial officials over their land rights.³⁵ Credit Chief James Ajetance stated that “having heard some bad birds crying that we did not own any lands on the Credit, we wish to know from our great father how much land we really possess.” Here, Ajetance was inquiring about the Government’s views on the lands cessions, as it was clear at this point that the Mississauga had a different understanding of the ceded territory. Ajetance asked the Crown to recognize Mississauga title for enough land so “that each of our men may have or possess as much land as one farmer holds.”³⁶

Crown officials tried to argue that all the land in the territory discussed had been ceded to the Crown. They suggested, however, that the government still had vacant land left to sell, so they might be able to help the Mississauga by selling some land back to them.³⁷ Colonial agents also tried to bribe Mississauga leaders with high salaries and access to college if they agreed to convert from Methodism to the Church of England, threatening that otherwise they would not help the Mississauga secure their title-deeds.^{38 39}

At the same meeting, Jones and the other principle men immediately stated that they could not make this decision on behalf of their people, they must be able to decide for themselves. Jones was outraged and wrote in his diary that people should be free agents with “a right to worship God according to the dictates of [their] own conscience[s]” and that the King’s laws grant everyone the liberty “to worship God as they felt their duty” without judgement from others.⁴⁰ The Mississauga continued petitioning for land and in March 1829, Upper Canada passed an Act to protect Mississauga hunting and fishing on the Credit River in response to another petition penned by the Mississauga to Sir John Colbourne, a colonial administrator and later lieutenant governor of Upper Canada.⁴¹ The Act stated that the Mississaugas reserved to themselves,

³⁵ Peter Jones, *Life and Journals of Keh-Ke-Wa-Guo-Na-Ba*: (Rev. Peter Jones,) Wesleyan Missionary (Toronto: A. Green, 1860), 104.

³⁶ Jones, *Life and Journals*, 105.

³⁷ Jones, *Life and Journals*, 108.

³⁸ Jones, *Life and Journals*, 106.

³⁹ Jones, *Life and Journals*, 107.

⁴⁰ Jones, *Life and Journals*, 75.

⁴¹ An Act, the better to protect the Mississaga [Mississauga] Tribes living on the Indian Reserve of the River Credit, in their exclusive right of Fishing and Hunting therein. Passed 20th March, 1829.



“their people, and their prosterity [sic] forever, amongst other portions of the said Tracts, a certain parcel thereof on the River Credit, called in the Indian language the River Mazenehekasepa, with the sole right of the fisheries therein.”⁴²

- An Act, the better to protect the Mississauga [Mississauga] Tribes

Settlers had the ability to use the water for travel and trade, but they could not “disturb” it, essentially meaning they could not create any ecological damage or collect any resources from it. This Act was valid for four years and was renewed in 1835 for another four years.⁴³

1830 marked a turning point in Crown-Indigenous relations as the Indian Department was transferred from the British military to civilian authorities, demonstrating the waning importance of Britain’s alliances with First Nations. In 1836-1837, the Credit Missions land came under attack again by the colonial government when Lieutenant Governor of Upper Canada Sir Francis Bond Head tried to relocate First Nations in Upper Canada to Manitoulin Island as he saw them as a vanishing race that was unable to assimilate.⁴⁴ Securing a deed to the land was crucial at this point as forced relocation was imminent.

A Petition to the Queen, 1837-1838



In October 1837, Jones and his principle men drafted a petition about continued settler encroachment on the Credit Mission lands, which were reserved to them in Treaty 22. However, this time, they bypassed Upper Canadian officials and went straight to the monarch Queen Victoria.

In this petition, Jones and the councillors said that they had not sold lands at the Credit.⁴⁵ On March 28, 1838, the Queen’s secretary, Lord Glenlg, wrote that he thought the Mississaugas should get their title-deeds.⁴⁶ He also proposed how the deeds could be drawn up in writing and suggested that they be stored in the office of the Commissioner of Crown Lands so that the Upper Canadian authorities saw their validity and respected the Mississaugas’ tenure.

42 An Act, the better to protect the Mississauga [Mississauga] Tribes living on the Indian Reserve of the River Credit, in their exclusive right of Fishing and Hunting therein. Passed 20th March, 1829.

43 An Act to revive and continue an Act passed in the Tenth year of His late Majesty’s Reign, entitled, “An Act the better to protect the Mississauga Tribes living on the Indian Reserve at the River Credit, in their Exclusive Right of Fishing and Hunting therein. Passed 16th April, 1835.

44 Smith, Sacred Feathers, xxxvi.

45 Peter Jones, “Petition Presented to Queen Victoria by Reverend Peter Jones, on Behalf of the Mississaugas of the Credit,” in *In the Footsteps of the Mississaugas*, eds. Marian M. Gibson and Mississauga Heritage Foundation, 1st ed. (Mississauga, ON: Mississauga Heritage Foundation, 2006), 92.

46 Jones, *History of the Ojebway*, 261.

He highlighted the importance of a strong relationship between the Mississauga and the British Sovereign, and granting title-deeds could be a way of renewing that relationship. He also asked Upper Canadian authorities why the annuity payments had been reduced from the original permanent payment, as Jones had alerted him to this issue.⁴⁷

In 1837-1838, Jones was sent on behalf of the Mississauga nation to present the petition to the Queen in England, which he wrote about in his diary. Jones presented the petition to Queen Victoria which asked for title-deeds for the Mississauga. He explained that it had already been supported by the Queen's colonial secretary.⁴⁸ In the petition, the Mississauga asserted that King George III had reserved a tract of land at the Credit River and forbade settlers from disturbing their fisheries.⁴⁹ Jones explained that the Mississaugas were hesitant to expand their farms because they were fearful of losing their land to the Crown. "Evil-minded persons" told the Mississauga that the land belonged to the Crown and not to them. Jones wrote that "we never sold our lands at the Credit." Jones then asked for the Queen to ensure their protection and allow them to continue self-governing when he wrote, "Will your Majesty be pleased to assure us that our lands shall not be taken away from us, or our people, who have begun to cultivate their farms; and will your majesty be pleased to permit us to go dividing our lands among our people as our people in council think best." Jones then presented her with the parchment petition which had wampum attached to it. He explained to her:

“ the white wampum signified the loyal and good feeling which prevails amongst the Indians towards Her Majesty and Her Government; but that the black wampum was designed to tell Her Majesty that their hearts were troubled on account of their having no title-deeds for their lands; and that they had sent their petition and wampum that Her Majesty might be pleased to take out all the black wampum so that the string might all be white.”⁵⁰

- Mississauga Chief Reverend Peter Jones

The Queen proceeded to ask a few questions about his travel but did not discuss the title-deeds or petition according to Jones' account in his diary. Jones wrote that the presentation to the Queen lasted five minutes. Unfortunately, the visit ended without the black beads being removed.

By visiting the monarch, Jones was practicing his Treaty responsibility of rectifying grievances within their relationship, of working to polish the chain. While the Queen's secretary saw the importance of renewing the relationship between the British and the Mississauga, the Queen did not work towards this.

47 Jones, History of the Ojebway, 262.

48 Charles Grant (Lord Glenelg), "Copy of Dispatch to His Excellency Sir George Arthur, Lieutenant Governor of the Province of Upper Canada, &c., &c., &c." Correspondence, 28 March 1838, in Jones, History of the Ojebway, 261-262.

49 Copy of a Petition to the Queen, from the Credit Indians, Praying to have their lands secured to them, October 4, 1837, in Jones, History of the Ojebway, 265-267.

50 Jones, Life and Journals, 407-408.

Relationship Renewal with Six Nations, 1840

As their alliance with the Crown was weakening, the Mississaugas sought to (re)form alliances with other Indigenous nations in the Great Lakes region. In January 1840, at a General Council meeting, Mississauga and other Anishinaabe leaders got together with the Mohawks. One of the Mohawk Chiefs, John Johnson, addressed the Council. He stated that it was their intention to renew the treaties of peace and friendship with all the Indian tribes in the dominions of Her Majesty the Queen: that the interests of the Indians were one: that they had always supported the British Government, as they were strongly attached to it and even if that attachment should be lessened to, it would not be their fault, but the fault of the government, in not keeping faith with the Indians: that all the Indian tribes ought to Unite in obtaining titles to their lands, as all Indians stood in the same situation with regard to their lands: that the government and the white people were taking away their lands by fair promises.⁵¹

Joseph Sawyer addressed the council and expressed his desire to smoke the peace pipe together to renew the treaty of friendship between them. He recounted a dark time as follows:



...When the hearts of our forefathers were black towards each other, and much blood was shed. The Good Spirit inclined the hearts of our forefathers to kindle the great council fires, when the pipe of peace was smoked, the tomahawk buried, and they took each other by the arms, and called each other BROTHERS. Thus their hearts, formerly black, became white towards each other. He had sent for them that council fire, kindled by our forefathers, might be rekindled by gathering the band together, as the fire was almost extinguished. He hoped, when it was lighted, the smoke would ever ascend in a straight line to the Great Spirit, so that when the eyes of our people looked upon it they might remember the treaty of our forefathers.”⁵² - Chief Joseph Sawyer

The council fire was then struck with flint and steel, and the pipe of peace having been filled, it was lighted with the new fire, and the Mezinuway (helper) presented it to each of the Six Nations, and then to the Ojibway chiefs, and afterwards to the warriors present.⁵³ John S. Johnson then explained the emblems contained in a wampum belt brought by Yellowhead, which he acknowledged to be the actions of their fathers. He explained that Sault St. Marie has no emblem, because then the council was held.

Secondly, the council fire as Mamtoulni has the emblem of a beautiful white fish; this signifies purity, or a clean white heart – that all our hearts ought to be white towards each other. Thirdly, the emblem of a beaver, placed at an island on Pentanguishew Bay, denotes wisdom – that all the acts of our fathers were done in wisdom.

⁵¹ Jones, History of the Ojebway, 120.

⁵² Jones, History of the Ojebway, 118.

⁵³ Jones, History of the Ojebway, 118.

Fourthly, the emblem of a white deer placed at Lake Simcoe, signified superiority; the dish and the ladles at the same place indicated abundance of game and food. Fifthly, the eagle perched on a Fall pine tree at the Credit denotes watching, and swiftness in conveying messages. The eagle was to watch all the council fires between Six Nations and the Ojebways; and being far-sighted, he might, in the event of anything happening, communicate the tidings to the distant tribes. Sixthly, the sun was hung up in the centre of the belt, to show that their acts were done in the face of the sun, by whom they swore that they would for ever after observe the treaties made between the two parties.⁵⁴

Johnson then expressed that the Six Nations wanted to meet with them in the future to renew again. They then exchanged white wampum string and returned the belts discussed. They shook each other by the arm, a method adopted when the friendship treaty was first formed, marking the end of the treaty renewal process.⁵⁵

After they smoked the peace pipe with the Six Nations, Joseph Sawyer, Chief Yellowhead, and John Sunday addressed Colonel Jarvis, Chief Superintendent of Indian Affairs, about their welfare. First, they wanted the Crown to continue the annual presents as a token of friendship. Jarvis “solemnly assured the council that the British Government had no intention of discontinuing the presents, or would they ever violate such a pledge as was made between the Indian tribes and the government.”⁵⁶ Next, they wanted to renew the application to the government for title to their lands. Jarvis stated that he was “opposed to the Indians receiving title-deeds,” due to his “good-will” towards them.⁵⁷ Margaret Sault explained that the government would not give the Mississaugas title-deeds because they said, “you’ll just waste it away, give it away”.⁵⁸ Finally, Sunday, Yellowhead, and Sawyer enquired about whether the British government viewed them as subjects or as allies. Jarvis replied that the government saw them as subjects, and “added that this question was under consideration.”⁵⁹ Jarvis’ attitude was exactly what Mohawk Chief John Johnson warned the Mississauga about. He highlighted that the Mohawk do not wish to call the governor “father,” but instead “brother” as “they might feel themselves equal with the governor, and so speak more freely with him.” He encouraged the Mississauga to do the same.⁶⁰

At this time, Britain announced that it would be ending the annual presents but would continue with annuity payments. This change was insulting to Sawyer as the presents were promised as long as the sun shines and the rivers flow in treaty negotiations. The Saugeen on the Bruce Peninsula welcomed the Mississauga to move to their territory to increase their population, as they had similar sentiments as Sawyer. Some Mississauga did leave for the Bruce Peninsula in the late 1840s.

54 Jones, History of the Ojebway, 122.

55 Jones, History of the Ojebway, 122.

56 Jones, History of the Ojebway, 115.

57 Jones, History of the Ojebway, 115.

58 Margaret Sault Interview.

59 Jones, History of the Ojebway, 216.

60 Jones, History of the Ojebway, 120.



Most of the Credit Mission inhabitants moved onto a piece of Tuscarora land on the Six Nations reserve. The Six Nations peoples had remembered what the Mississauga had done for them after the American Revolutionary War – they had signed the Between the Lakes purchase to make way for the settlement of the Six Nations along the Grand River in 1784 and in honour of the friendship between them.^{61 62} Margaret Sault explained that Six Nations said,



“ *We remember what your ancestors did for us to give us a home when we had no home” so “we want you to come settle with us and we’ll give you the land as a gift”. And so, some of the Mississaugas of the Credit said, “we can grow there”.*⁶³ - Margaret Sault, Director of Governance

Here, they worked to rebuild their community as the lands at the Credit Mission were illegally sold by the government in 1847.

MCFN Treaty Territory



61 Peter Jones, "Removal of the River Credit Indians." Christian Guardian, December 22, 1847.

62 Extract from Minutes of Six Nation Council held April 1847." LAC RG 10, Vol. 2358, File 72, 566, pt.1.

63 Margaret Sault Interview.

CONCLUSION

The Treaties between the Mississauga and the Crown remain in place today. The Treaty of Niagara set the ground rules for these later Treaties, creating a framework for colonial non-interference, peace, friendship, respect, and affirmation of Indigenous title. The Crown's view of Treaties evolved over time, to eventually view them as just one step in the colonial and nation-building project, especially after the War of 1812. They recognized that they needed to meet the terms established in the Royal Proclamation, but never intended to keep the promises they made during the treaty negotiations. Or, at the very least, they thought that the promises would not matter in the long run as they did not think that First Nations would survive.⁶⁴

However, these promises do matter. Often, they were made in the presence of the Creator through smoking the Pipe. The Treaties are meant to last. Elder Peter Schuler talks about the interconnectedness of the Treaties. He said, "Past. Present. Future. They're not separate. They're all joined. And so when you look at the treaty, you have to look at it as being something that's connected to the past, exists in the future, and is there in the present."⁶⁵

Today the Mississaugas of the Credit have a claim in for Treaty 22 which will be settled through the land claims process. However, honouring the Treaties goes beyond settlements.

It takes a commitment from everyday people to work towards reconciliation. As Indigenous historian Karine Duhamel argues,

“*Treaties can be part of the foundational fabric of society, but only if society embraces them for the agreements they were intended to be: agreements based on the principles of friendship, peace and respect for all future generations.*”⁶⁶ - Dr. Karine Duhamel



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⁶⁴ Margaret Sault Interview.

⁶⁵ Elder Peter Schuler Interview.

⁶⁶ Karine Duhamel, Grateful Treaty Person Toolkit.

Glossary

Annuity: A sum of money paid on an annual basis.

Ceded territory: lands that one group gives over to another group through a treaty or other agreement.

Council Fire: A ceremonial fire kept during council meetings.

Gift giving: Gift giving was often seen by First Nations as a sign of renewal of relationships and alliances or “polishing the chain”, and an act of goodwill on the part of the giver.

Reserve: A piece of land held in trust by the Crown set aside during a treaty agreement or through the Indian Act (1876) for the exclusive use of a First Nation.

Settler encroachment: The intrusion of white settlers, colonists, etc. on another population’s land.

Treaty: A voluntary agreement between two or more nations that involves mutually binding obligations.

Trust: An agreement where a person holds property as its nominal owner for the good of a beneficiary.

Wampum: White or purple tubular beads usually produced from quahog shells. They are often woven into belts to symbolize agreements between nations.

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About the Author

Emma Stelter is a graduate of the University of Guelph, where she earned a Bachelor of Arts in History and Geography (Honours) and a Master of Arts in History.

Emma wrote her Master's thesis on the treaties signed between the Mississaugas of the Credit and the Crown. Emma's thesis highlights the problems in relying exclusively on English written versions of Treaties to understand the formation of Upper Canada, and reveals that Mississauga fisheries and waterways were never surrendered through the Upper Canada treaties. The findings of her thesis helped inform the narrative of this report, focusing on Oakville and its treaties.

Emma currently works for the Mississaugas of the Credit First Nation as a Governance Coordinator- Policy Analyst.



Report Author: Emma Stelter

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This report was written in Guelph, Ontario. Guelph is located within the Between the Lakes Purchase (Treaty 3); the treaty lands and territory of the Mississaugas of the Credit.



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