

# REPORT.

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The Select Committee appointed to inquire into the condition and affairs of the Six Nation Indians in the Counties of Brant and Haldimand, in the Province of Ontario, beg leave to present the following as their

## SECOND REPORT:

That from evidence taken before the Committee, and from replies received to a series of questions sent to chiefs, missionaries and others having a knowledge of Indian affairs, they find that there has been a gradual improvement in the moral character and industrial habits of those Indians. That these improvements are due in a great measure to the exertions of the missionaries and teachers of the New England Company, who, at their own expense, maintain five missionaries, nine day schools, and an Industrial Institute. Two other schools are supported by the Wesleyan Mission Society.

The Committee find that while the evidence before them is slightly conflicting on certain points, it nevertheless shows that a considerable amount of dissatisfaction prevails among the Indians, and that this dissatisfaction arises,

1st. From a strong dislike to several clauses in the Act of 1869, intituled: "An Act for the Better Management of Indian Affairs;"

2nd. From the stringent enforcement of the Order in Council, dated February 12th, 1873, relative to the cutting and selling of wood;

3rd. From the lateness of the spring payment of their interest money.

The following objections, among others, are made to the Act referred to:—

1st. That by it an Indian woman is, by her marriage with a white man, cut off from all participation in the annuities and interest money belonging to her tribe;

2nd. That Indians are prevented from leasing their lands to respectable white people of their own motion;

3rd. That by the enfranchisement clauses of that Act, an Indian, however well qualified he may be to control his own affairs, is not, upon his enfranchisement, permitted to hold his own land in fee-simple.

The Order in Council above referred to for regulating the cutting and selling of wood, although evidently framed with the best intentions, has been regarded by the Indians as an arbitrary measure, and has caused a great amount of ill feeling among them, arising out of the idea which they hold that the wood is by right their own individual property.

The objection urged against the lateness of the spring payment is, that they do not receive their money in time to enable them to purchase with it their spring seed.

In view of the evidence before them, your Committee would most respectfully submit to your Honorable House the importance of speedily removing the evils complained of by the enactment of amendments to the existing law that will more effectually remove the obstacles in the way of Indian civilization.

Your Committee also feel themselves constrained, through the representations made to them, to respectfully suggest the desirability of the Government taking into their serious consideration the operation of the Order in Council of February 12th, 1873, with a view of ascertaining whether, in the interest and well-being of the Indian, any modification of such order may be made.

All which is respectfully submitted.

WILLIAM PATERSON,  
*Chairman.*

COMMITTEE ROOM,  
Friday, 8th May, 1874.

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**MINUTES OF EVIDENCE.**


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**A.**

*Jasper T. Gilkison, Esq., Visiting Superintendent of the Six Nation Indians for the past twelve years, states:—*

That he has observed a decided improvement in their moral character and habits of industry during that time. They have established a well-organized Agricultural Society, holding annual shows of produce, horses, cattle, &c., very creditable. They have also occasional ploughing matches. About three-fourths are professing Christians, the other fourth being Pagans, who worship the Great Spirit with the forms and ceremonies of their forefathers. They are on the whole a well-behaved people, living amicably together. The Reserve has been divided into concessions and lots of about one hundred acres each, and lies in the Townships of Tuscarora, Oneida and Onondaga, in all about 52,000 acres. From 8,000 to 10,000 acres of this land is in various stages of improvement. The merchantable timber of good quality has long since been removed; what remains is necessary for the Indians themselves for farming and household purposes. There is a great deal of fallen timber, which, under recent regulations, will be made use of. A great amount of trouble, expense, risk of injury and life itself has attended the carrying into effect, during the past year, the law under the Order in Council of 12th February, 1873, and arrests, trials, convictions and imprisonment have followed.

Large quantities of cordwood throughout the Reserve has been seized by the Forest Bailiffs, a small portion of which has been secured; some has been sold, the money arising therefrom has been applied towards the purposes of hauling, &c. Should any balance remain, it is remitted to the Department for the benefit of the Indian Fund.

The following is a statement of the amount of wood seized, and the expenses connected therewith:—

155 cords has been seized, of which		
73 cords has been sold, at \$2 50 .....		\$182 50
80       "      "      "      2 62½ .....		210 00
3 loads, for. ....		6 75
		399 25
Making a total of .....		399 25
Expenses connected with seizure and sale .....		366 11
		\$33 14
Leaving a balance on hand of.....		\$33 14

Some of the Indians have rented their farms to whites, but the Indian Council has ordered their removal ; and renting in future will be allowed by the Council in special cases only.

An Indian married to a white woman does not forfeit his annuity ; but an Indian woman who marries a white man loses it, and her name is erased from the list. Any member of the Six Nations who has been absent for a time may be erased from the list ; but each case is enquired into by the Council, and dealt with according to circumstances.

Destitution does not prevail at any time ; it is guarded against by the medical men, who report any case of distress, and relief is afforded besides. The Council is always ready to answer any appeal for assistance.

The Act of 1869 is not as a whole acceptable to the Indians, while not a few prefer their ancient rules to any statute law. Not one of the Six Nations has availed himself of the enfranchisement clauses of that Act ; the reason no doubt is that it does not invest them with a title in fee-simple. If that was conceded it is very likely many would seek the privilege ; but in very few cases would it be judicious to grant such a right without restrictions.

The number of chiefs and war-chiefs exceed sixty ; that number, however, never attend Council. Some of the more advanced young men would prefer an elective Council ; but the large majority of the people still prefer hereditary chiefs.

The chief causes of crime are indolence and the temptation held out by designing whites, who are ever ready to buy what they know or should suspect to be stolen. The Counties of Brant and Haldimand have not been paid the costs of criminal prosecutions of Indians, as no return or claim has been made that I am aware of by either municipality.

Upon the representation of several creditors, an arrangement was made in 1869, under which an order was issued to endeavor to induce and collect by installments debts claimed of certain individual Indians, a considerable amount of which has been collected and paid to creditors, but uncertainty of identity and denial of claims has prevented collections. There is no reason why Indians should not in time take their place among the rest of the population of the country. Judging from the past few years, the course of the next twenty-five will be productive of great advances by this people. Many of them will be well qualified to take their places in the surrounding community. The great drawbacks in the way of their improvement are, the want of control by parents over their children, and the innate tendency to indolence which prevails among many of the men ; the women on the contrary appear to have more energy of character. In this connection, however, it is proper to state, there are worthy and encouraging exceptions.

The sum of four hundred dollars each half-year is paid to the chiefs as board money ; the Superintendent has no control over it ; it is handed to the Council ; sometimes they ask him to divide it among them ; on other occasions they divide it among themselves. Marriages of Indians with whites are injurious to the constitution and health of the offspring, besides increasing the number of *white Indians*.

Indians buy, sell and exchange their improvements among themselves. It is, however, contrary to rule, and no record is kept because it is without authority ; but it is intended to introduce a system of doing so, although it may prove difficult of enforcement.

The time occupied in paying the annuity moneys of the Six Nations is from seven to ten days. The Mississaguas are paid in from one to two days. The Six Nations are paid at their Council House on the Reserve, the Superintendent going there every morning from Brantford until the amount is paid. The time occupied by his predecessors was from two to three days, but the present system is considered a great improvement.

#### B.

*Answers received from Rev. James Roberts, A.B., Missionary.*

Has labored among the Six Nation Indians for the last eleven years. In that time they have improved in their mode of agriculture very much, many of them own and make use of mowing, reaping, and threshing machines. About five or six years ago, they

established an Agricultural Society, towards the funds of which the New England Company grants annually £20 sterling.

The annuities are generally paid about May or June in spring, and November in the fall. It would be better to have the payments made earlier, especially in the spring, so as to enable the people to purchase seed. Generally speaking, an Indian by absence from the Reserve, forfeits the annuity. If an Indian marries a *white woman* he does not forfeit; but if an *Indian woman* marries a *white man* she forfeits her annuity, which is a great injustice.

There has been a great deal of suffering and destitution among them during the past winter; he has been obliged to relieve the pressing wants of many who had scarcely any food, and but very scanty clothing, which he has found a heavy tax on his limited means. The destitution last winter was chiefly owing to the fact that they were prohibited from selling their wood. Many depend too much on the sale of their wood for their subsistence. Indolence and intemperance are also causes of the destitution of some.

They do something towards the maintenance of roads and bridges, but not nearly enough; several bridges, and some of the roads, especially the side lines, are in a wretched condition. Nothing is done for the construction and repair of school houses and churches. The New England Company have expended large sums of money for these objects.

Know of no reason why Indians in time should not take their place among the rest of the population of the country.

## C.

*Answer given by Robert Ashton, Esq., Superintendent Mohawk Institute, Brantford.*

Took charge of that Institution on the 1st Nov., 1872. The New England Company maintain nine schools for the education of the Indian. This Company was incorporated by royal charter, A.D. 1661, for promoting the Gospel among the heathen natives of New England, and for establishing schools, and for further instructing and civilizing them. By a decree of the Court of Chancery in 1836, the income of the Company's property is applicable for propagating the Gospel among the heathen natives of Upper Canada and elsewhere. The mission amongst the Six Nations was commenced in 1827, at which time they numbered 1,900. This number having increased to 2,994 in 1873. The Company maintains five missionaries with their interpreters, and support nine day schools on the reserve and the Mohawk Institution near Brantford. The business of the Company is transacted by a special committee annually appointed; and all communications with the Company must be through their clerk, W. C. Venning, *Furnival's Inn*, Holborn, London, E.C.

The Mohawk Institution was established in 1830. It is now undergoing entire re-organization and improvements, under the management of a resident superintendent sent from England for that purpose, and who receives his instructions from the New England Company through their clerk. Its aim is to impart such an education as shall fit its pupils for teachers amongst their own people, at the same time training them in the arts and practices of civilized nations. English speaking is now made compulsory with all pupils at the institution. Pupils (Indians) are admitted between the ages of ten and seventeen. After passing a preliminary examination, accommodation is provided for forty-five boys and forty-five girls, who are boarded and clothed at the expense of the New England Company. Boys are taught farming, gardening, &c., and it is probable that some will shortly be apprenticed to learn various trades, girls are taught sewing, knitting and domestic work.

## D.

*Answers received from Rev. James Chance.*

Has been acquainted with the Six Nations for about three years, but with other Indian tribes for as much as twenty years.

There are about 600 Pagans and about 2,400 Christians. The Pagans generally do

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not treat the women as equals of the men ; their proper treatment depends upon, and is in proportion to the advancement and progress that have been made in civilization and Christianity.

I do not think it would be an improvement to have their schools in connection with the common schools of the Province. The teachers of the New England Company schools being subject to periodical examinations, and as the schools are under the management of a board of missionaries—four in number—they have all the advantages of the common schools. The connection alluded to would probably involve a municipality and taxation for school purposes, and whilst I am free to express the desirability on our part, I must at the same time candidly confess that the Indians have not been educated to that degree which such a measure would require previous to its adoption. There is, on the part of many Indians, a serious lack of a due appreciation of educational advantages, which operates against their general and eager acceptance, even now, when the means of instruction are freely offered to them, and which would operate more powerfully against the adoption of a measure of taxation for general educational purposes. I admit that the Indians are apt, like ourselves, to regard (in a commercial way) things according to their market price, and to value little what costs them nothing ; but the fact is, the Indians are really not in a position to pay for their own education. It would be well if some means could be devised and adopted to secure the regular attendance at the day schools on the Reserve, of all children under a certain age, so that there might be a more general reception of and participation in educational advantages and influences, and in course of time the benefits of education will be better understood and sufficiently appreciated to dispose them alternately to make some suitable provision for its support, or to become connected with the common schools of the Province.

#### E.

*Rev. Adam Elliott, Missionary to the Six Nation Indians for the past thirty years, states :—*

That he has noticed a marked improvement in the moral character and industrial habits of those Indians, as well as a great improvement in their mode of agriculture. Many of them have become Christians, and been admitted into the church. Six or seven hundred, however, still profess to be Pagans, but Christianity has had a beneficial though indirect influence over them, and they all live amicably together. They spend very little time in hunting and fishing. They live on lots of about one hundred acres to each family, and the whole Reserve is thus allotted. There is very little valuable timber left on the Reserve, but there is sufficient wood left to last for their own fuel for a considerable time. Considerable fallen timber is going to waste. Wood is only allowed to be cut and sold upon license granted through Superintendent and Indian Council. Some of the Indians have cut and sold wood in violation of the law, and this has led to seizure and confiscation, and there has been much trouble caused thereby. There are some whites living on the Reserve, but leasing land to them is not authorized by the Indian Department. Their annuities are paid by the visiting superintendent, Mr. Gilkison, in spring and fall. About a week or ten days is occupied in paying it out. Mr. Gilkison resides in Brantford, and attends at the Council House daily till all is paid. The spring payment should not be later than the month of March, and the fall in September. An Indian woman by marriage with a white man thereby forfeits her annuity, and so does any one by long absence from the reserve. The census is taken every fall by the Superintendent, and they are steadily increasing in numbers. There is very little destitution among them, except when the crops fail. The Act of 1869, as a whole, is not acceptable to the Indians, though some of the clauses thereof are. No Indians have become enfranchised under it, though many of them are fit for it. Love of money and strong drink are the chief causes of crime. Husbands and wives often separate, but seldom desert their children. There is no reason why they should not, in time, take their place among the rest of the population of the country, nor is there any reason why intermarriage with the whites should not take place.

## F.

*Answers received from Robert H. Dee, Physician.*

Have known the Six Nation Indians for twenty years.

Intermarriage with the whites is not common, but many of the largest and most prosperous families are descended from either a white father or mother, the parent in some cases having been taken prisoner, and adopted before the Six Nations came to Canada. Moreover, it is a fact, that in almost every case where there are farms well worked and good buildings, the owners are of white and red parents, and where Indian women have married white men, they and their families have done better than where Indian men have married white women.

Where there is white blood you see more energy and perseverance, during observation for twenty years.

The Indians make their own arrangements with the whites who work their farms. He believes it is intended only to allow this privilege to the widows, the aged and to cripples. He considers it a mistake to restrict the Indians in this matter. The Indians are paid in May or June, and in October or November. The middle of February and first of October would be the best time.

The Indians are increasing, and the increase would be shown to be greater were the absent ones counted, as they should be, at the fall payment of interest money by the Superintendent and chiefs.

None of the Indians have sought enfranchisement; they are better off as they are than by the terms offered in the Act of 1869. Moreover, there is no land surrendered, and they cannot get a deed until the land is surrendered.

They would seek enfranchisement if just and liberal terms were offered them. There are numbers who are fit for that position.

It is impossible to prevent trespass by cattle, as there appears to be no law to make pounds on the Reserve. Indians do more road work than the whites, and each man is compelled to do three days work besides for the land and horses where they have them.

There is no reason why Indians should not in time take their place among the rest of the population of the country. They would be willing to surrender their lands for cash if all the money the Government holds in trust for them was at the same time paid them.

## G.

*Answers from Timothy Burning, Upper Mohawk Chief.*

The annuity moneys are paid about the end of May and middle of November; the first of April and the first of October would be better.

A great many of the Indians would require to be enlightened before being fit to take their place among the rest of the population of the country.

The Indians would be willing to surrender their lands, providing they receive the cash, and it was equally divided among the people; and also that the Government repaid to the Six Nations the sum of \$153 and interest, which was taken from the funds of that people without their consent, and invested in Grand River Navigation Company Stocks, together with all the documents and papers connected with the Six Nations and the British Government.

## H.

*Joseph Miller, a Minister and an Indian, one of the Six Nations, states:—*

That he has been among his brethren during the whole course of his life, and has noticed during that time a great improvement in their modes of agriculture, as well as in their moral character and industrial habits. That Christianity has increased. That the Act of 1869 encourages adultery, inasmuch as it allows an Indian woman, who is living

in adultery with a white man, to receive her annuity, while if she married him she would be cut off. That the habits and general conduct of the half-breeds are superior to the others in that they are more intelligent and apt to learn. That their land is divided into 100 acre lots ; but that some now, by purchase hold more ; while others through sale hold less. That very little timber for manufacturing purposes is left, but there is still a large quantity of wood which, for their own fuel, would last for years, and a large quantity of it is going to waste. The Order in Council of February 12th, 1873, prohibits the cutting and sale of wood, and it has been enforced by Mr. Gilkison to the great annoyance of the Indians ; some of them have cut and sold wood contrary to law, and this has been followed by the seizure of the wood and the infliction of fines and penalties, and serious trouble has attended these seizures. Some of them have rented their land to white men on shares. The spring payments of their annuities are now made from about the middle of May to the latter part of June, and the fall from November to December. The spring payment ought to be made in the early part of March in each year. An Indian woman, by marriage with a white man forfeits her annuity ; and Indians by absence from Reserve also forfeit theirs, and cases of such can be given if required. Thinks it would be an improvement to have the schools on the Reserve in connection with the common schools of the Province. Many parts of the Act of 1869, are objectionable to the Indians. Many of the Indians are fit for enfranchisement, yet none have sought or been enfranchised under that Act, but they would if land was given to them in fee-simple. There are sixty chiefs, the majority of Indians desire elective chiefs. That intemperance is the great cause of crime. That there is no reason why Indians should not, in time, take their place among the rest of the population of the country, except they are forever to be kept as children. That the Department always tells the Indians that they cannot, but that Indians are moving in that direction. There is no objection to intermarriage with the whites, except the profligacy of some white men, and no allowance being made for the better class, and for fear of forfeiting their land, rights and annuities. Their annuities are paid by Mr. Gilkison, at the Council House, and a period of from three to six weeks is occupied in doing it, while his predecessors paid in from three to seven days. No doubt if Mr. Gilkison paid his own horse hire he would not go home every night to Brantford, but wait till all was paid.

## I.

*Francis O. Dee, Esq., Merchant :—*

Has known the Six Nation Indians for twenty-seven years.

Thinks if the Reserve was divided as it was promised should be done many years ago, and each tribe allowed to govern themselves, there would be no complication among them ; by degrees, tribe after tribe would work into municipal institutions ; if they wish to sell out they should be allowed to do so. The upper Indians, the warriors, from what they say would prefer to elect their councillors annually, and the lower ones wish for a division of the territory.

Cannot state any reason why Indians should not in time take their place among the rest of the population of the country. If they were treated like white men, they would soon become equal to them ; I know of nothing about the Indian that makes him inferior to his white brother, all that is required is to know that the white man considers him as his equal.

## J.

*William John Simcoe Keer, Esq., Barrister, Head Chief of the Six Nations, &c. :—*

There is, generally speaking, a greater desire to be industrious and make money among those with white blood than among the pure Indians.

None of the Six Nations have sought enfranchisement under the Act of 1869 ; they think they are better as they are, it is probable they would do so if land was deeded to them,

## K.

*Extracts from evidence by John Garlow, Farmer.*

It would be a great benefit if two magistrates were appointed in the Reserve. Indians should be made to pay their debts the same as white men.

## L.

*Thomas Payne, M. D. :—*

Has known the Six Nation Indians for nine years ; thinks they have improved very much in their mode of agriculture during that time ; they have also made considerable progress in Christianity, has attended churches amongst them, and has never seen more attentive congregations anywhere.

There is not more suffering or destitution among them now than amongst white people.

Many of the Indians have deserved enfranchisement, and many of them are well fitted for it.

Cannot give any reason why Indians should not in time take their place among the rest of the population of the country. It is a question requiring a great deal of consideration.

## M.

*John Cayuga, Chief and Farmer :—*

The Indians are led to believe that their chiefs can at any time sell the timber on the reserve without their consent, and are anxious to get the benefit of it for themselves ; and do thus cut and sell more than they would otherwise do, did they know that there would be no interference with them. They would be more saving of it.

There have been none enfranchised under the Act of 1869 ; it is not satisfactory, many would desire to be enfranchised if there were suitable enactments.

## N.

*Wm. McCargow, Physician :—*

Has had acquaintance with the Six Nations for over thirty-one years. Has noticed a very marked improvement in their moral character and habits of industry during that time.

There is not much timber left on the Reserve, but there is a good deal of firewood, which with care would last fifty years or more. There is a very great deal of fallen timber—too much ; it ought, without loss of time, to be cut up and sold. Thinks the Indians are not unwilling to assume the position of whites in the eye of the law, but would be unwilling to surrender their lands and move away.

Known many Indians who are fit for enfranchisement.

## O.

*James W. Osborne, M.D. —*

Has had partial acquaintance with the Six Nation Indians for a quarter of a century.

Those of mixed blood constitute both the best and the worst of the tribes. The native Indians are more quiet, harmless and inoffensive, and also less enterprising and intelligent than the mixed breeds.

Cannot state any reason why the Indians should *not* in time take their place among the white population. Could state many reasons why they should, and the sooner the better.

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A large proportion of them are more fit for the franchise than many of the whites who enjoy it.

P.

*Arthur S. Hardy, Esq., Attorney and Barrister-at-Law, M.P.P. :—*

Has known the Six Nation Indians for twenty-five years.

The half-breeds amongst them take to civilized ways more readily than the pure Indian, and are more enterprising, ambitious and intelligent. Cannot give the exact rule which prevails for the division of land, the new statute relating to location tickets and subdivision of lots has not been enforced. They strenuously object to it, and will reason as in some cases, much more land has been bought, paid for, fenced and occupied, and, in some cases improved, than would be allowed to any one man. The result would be to discourage the accumulation of property, and to deprive the most advanced and hard-working of what they had accumulated. It had, prior to the statute, been supposed that each young man was entitled to one hundred acres. It has not been decided whether they can lawfully sell or not, but they have been in the habit of selling proprietary rights among themselves. The law on this point is very imperfect, and leads to constant disputes, litigation, and sometimes to riot and bloodshed.

They are not allowed to cut and sell wood since Order in Council of twelfth February, 1873. They are now guided by that order. The order is too arbitrary and inflexible and admits of favoritism in its exercise by the chiefs in council and local superintendent. It is said that licenses are granted to the influential, and those who can bring influence to bear on officials. The order, too, is so framed as virtually to place the whole power in the hands of the Local Superintendent and one or two other officials, who can put what construction on the order they please to the Chiefs in Council, and they, being ignorant, accept its construction from them. Many licenses have been refused, I am informed on the supposition by the chiefs, that the order prevented their being granted, and great hardship has been the result. I am reliably informed, that from two hundred to three hundred families, who have been accustomed to help themselves over the winter by the sale of a few cords of wood at intervals during winter, have been reduced to beggary or starvation. The order came upon them suddenly, and it was so executed as to prevent the sale of wood entirely, and I am told by a number of Indians that it is believed on the Reserve and by the chiefs, and the belief has been enforced by the authorities, that licenses were not to be granted to cut for *sale at all*. It is further said by numbers that, owing to the pressure put upon the Council by the Superintendent and Mr. Johnson, the forest warden, that but few licenses have been granted and scores refused out and out. They should have been granted to cut to a limited extent or on a certain parcel or piece of land so as to enable those who have always relied largely on wood to get through the winter, and they should have been granted as of course in such form in all cases.

A few whites occupy Indian lands under agreements for rent or on shares, and generally to the advantage of the landlord. The Statute, Con. Stat. U. C., cap. eighty-one, sect. twenty-two, imposes a penalty of eight hundred dollars and imprisonment on a white man for buying or leasing; and proceedings in several instances have been in the past initiated under it. They do lease to one another occasionally, they should be permitted to lease to whites by consent of the County Judge or some other responsible official, other than the Local Superintendent.

It is doubtful whether the payment of these annuities has the effect of producing or encouraging indolence on the part of the Indians. The thorough Indians are not a working people, and it is only when they have mingled blood with whites that industrious habits are acquired.

If land was deeded to them, enfranchisement would be sought in some cases, but some provision should be made by which they could sell their improvements to each other

and indeed by which they could, by consent of the County Judge and Local Superintendent, sell to whites; these officials seeing that a fair price was paid.

I know of some Indians who are fit for enfranchisement.

There are no sound objections to intermarriages with the whites.

### Q.

*Chiefs, John Buck and James Montour; Interpreter, Warrior Joshua Williams:—*

Were born on the Reserve; there has been a great change for the better within their recollection. The land was originally laid off in 100-acre lots; now some occupy more, and others less; the chiefs recognize the right of the Indians to buy and sell their improvements. There is a good deal of wood left in the Reserve, enough to last for three generations for fuel to themselves; there is a great deal of fallen timber going to waste.

Indians are not allowed to cut and sell wood without a license, and paying dues; a good deal of wood has been seized, cannot say how much. There have been twelve men employed for that purpose, who were paid \$1.25 a day. Some of the lots are leased to whites, but it is contrary to rule; Indians desire the power to lease. Indian women upon marrying white men are struck off the list; the Indians themselves do not wish to have it so; persons who leave the Reserve on a visit are liable to having their names taken off the list also. There has been a good deal of destitution and suffering during the last winter, caused by the failure of the crops and the loss of the wood. A number of the Indians do not wish to be enfranchised, as they could not follow the rules of the white man; they would rather remain as they are; there are about sixty chiefs; they do not wish to have elective chiefs.

### R.

*Suggestion by Oronhyatekha, as to the management of the Indians.*

To be successful in dealing with this Indian question, almost every band must in a manner be dealt with separately and by itself; and as special legislation for each separate band would be utterly impracticable, we must frame an Act with sufficient elasticity to reach and cover the dissimilar conditions of the various bands.

Assuming that it is the settled policy of the Government to locate all Indian tribes upon reservations, as far as circumstances will admit, and assuming further that all reservations will be or are already surveyed into definite lots, I would recommend in the place of sec. one of the Act of 1869, which provides for the location of Indians upon lots, by the Superintendent General of Indian Affairs, which means practically by the local superintendents, that a system of registration, approaching as near as may be that in vogue among the whites, be introduced in all Reserves, and that a record of all exchanges of land or sales thereof, from one Indian to another, be kept in such registration books, that in bands, such as the Six Nation Indians, those books be kept by Indians duly appointed by the Council and subject to control by the Indian Department.

That in reserves already settled, the particular Indian, even in rightful possession, or occupation of the various lots, be confirmed in their possession.

I am aware there has been a fear expressed, that the more intelligent Indians would buy out their less intelligent neighbours and not give value for the same, and in time the whole Reserve would be owned by a few Indians. I may observe that among the Six Nations for years, so far as they are concerned, few exchanges or sales of land with each other have been sanctioned and recognized, and that this has not been productive of any evils, and as actual experience is of much more value than any other theories, I might content myself by simply pointing this out. But if those fears were any objection, the matter could very easily be remedied by providing that after an Indian has acquired a certain quantity of land, he could not by purchase or exchange come into possession of more land except by the express sanction of the chiefs and warriors in General Council.

With regard to that portion of the Act of 1869, relating to the enfranchisement of Indians, I have only to say that I hardly conceive it to be possible to frame an Act which would remove or more effectually bar any Indian from seeking enfranchisement than it does. It is simply an ingenious provision by which an Indian has the liberty accorded to him of surrendering all his rights and privileges and the rights and privileges of his wife and children, for the inestimable boon of *paying taxes*, and being sued for debts; and yet forsooth, statesmen and philanthropists will solemnly enquire why the Indians will not avail themselves of the Act, and become enfranchised!

If suitable laws were provided for the enfranchisement of Indians, I have little doubt but that many could avail themselves of its provisions. I am satisfied that if the Government offered the fee-simple in the lands, and the just proportion of the capital invested in their behalf, that a very large number of the Six Nations would even now accept the position and prove themselves entirely capable of assuming the duties and responsibilities of citizenship.

By reference to section nine of the Act of 1869, the Committee will see that an Indian without children has no incentive to work, and make provision beyond the present wants, because he knows the moment he dies all his property is divided up among the people.

An Indian may have lived with a mother or a sister, and through their assistance may have considerable property, and if he dies without issue, all his property, by an Act of Parliament, is confiscated to the nation. Then, an individual case of which I am personally cognizant, and one notably that of a most estimable and well-to-do Indian, having three daughters, two of these have married white men, and are doing well; the third married an Indian of another tribe, and by the operation of existing laws, they cease to be Indians in the eye of the law, (see sec. sixth) and the father has no children, and his property on his death, and that of his wife, will undergo confiscation. Is it to be wondered at that there is an indifference about the future, "than the providing of the necessaries of life, only just as they are required, it seems to be their main concern." Why should it be otherwise with such iniquitous enactments.

I should like to point out how the sixth section also sets a premium upon immorality and refer specially to many other defects of the present law, but I fear I have already overstepped the limits, and conclude by expressing the hope that the labor of your committee will result in wise legislation for the Indian race, satisfied that if Parliament affords them a fair opportunity, they will prove themselves, what I have ever claimed for them, as fully capable of assuming all the responsibilities of citizenship with advantage to the State, and with credit to themselves.

## S.

*Condensed Evidence of Wesleyan Ministers, Merchants, Farmers, Mechanics, School Teachers, and other occupations, Chiefs and Warriors of the Six Nation Indians, about one hundred in number, assembled at the Six Nation Council House to hear, discuss, and give answer to the questions of the Committee of the House on the condition and affairs of the Six Nation Indians; forwarded to the Committee by Dr. Crookjatskha:—*

The Six Nation Indians have improved in a marked manner in their moral character and industrial habits. In agriculture, too, they have much improved. They have now an Agricultural Society, organized by themselves and officered by Indians. The New England Co. has granted for some time back £20 sterling towards this object, and last year \$40 was received from the Ontario Government; but there has never been any contribution from the Indian Department. Considerable progress has been made in Christianity, though about one-third are still Pagans. The Christian and Pagan Indians live on amicable terms together. They no more spend their time in hunting or fishing. There has been but few intermarriages with the whites, and there is no very marked difference between the half-breed and other Indians. Their land was originally divided into lots of 100 acres, and a lot given to each family; but now some by purchase and

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inheritance hold more, while others hold less. About one quarter of their land is improved, and they have a proprietary right in those improvements. The Reserve is all allotted to individuals. No timber of any consequence is left, but there is sufficient wood to last for their own fuel for generations to come, a great deal of which is now fallen and going to waste. They are now allowed to cut and sell fallen wood ; but only for a short time back previous to that, they were prohibited, and if this was done their wood was seized and fines and imprisonment followed, and much and serious trouble was the result. Some of their land is now leased to whites, but it has been decided to warn them off. Their payments are now made last of May and June and last of October and November, and sometimes December. They should be made from two to three months earlier, to give chance to buy their spring grain. An Indian woman, by marriage with a white man, forfeits her annuity, and so do all Indians by absence from Reserve. The census is taken at every fall payment, and they are steadily increasing in number. Though not periodically destitute; there is a good deal of suffering among them now, owing to a failure of crops, and to some extent because they could not sell any wood. There is twelve schools on the Reserve—nine supported by the New England Co., two by the Wesleyans, and one by themselves. The Act of 1869 is not acceptable to the Indians. None of the Indians have been enfranchised under that Act, because they are better satisfied to hold their lands under their present title than under that offered by the Act of 1869. If their land was deeded to them, many would seek enfranchisement ; and fully one-third of the Six Nations are at present fully capable of managing their own affairs well and profitably. The Good Templars and other temperance societies have done a good work among the Indians. There is about sixty chiefs. There has been no election of chiefs, and none is desired, under the Act of 1869. Intemperance is the great cause of crime. Very few Indians desert their families. There is no earthly reason why Indians should not in time take their place among the rest of the population of the country, except in the policy of the Indian Department in keeping the Indians in a state of tutelage, instead of encouraging them to manage their own affairs. They exchange land among themselves, but no record of such exchanges is kept. From ten to thirty days are occupied by Mr. Gilkison in making semi-annual payments ; his predecessor paid in from three to eight days. They could not agree to an answer to the fifty-sixth question, which is : “ What, in your opinion, are the objections to intermarriage with the whites ? ”

## T.

*Statements of Isaac Barefoot, a Teacher in the Mohawk Institute, and a Member of the Six Nations.*

There is a marked improvement in the moral character and industrial habits of the Six Nation Indians. They have also improved much in their mode of agriculture. Much progress has been made in Christianity, five or six additional ministers have been stationed amongst them, and three or four chapels have been erected. Among a population of about 3,000, about 600 are yet Pagans. As members of the same community, Christian and Pagan Indians live amicably together. They do not spend their time in hunting or fishing, but devote themselves to agriculture. There have not been many intermarriages with the whites. The half-breed issue of those intermarriages seem more intelligent and energetic than the full-blood Indians. The land is apportioned in 100-acre lots to each family. They have a proprietary right in their improvements. There is not much timber left on the Reserve, but sufficient wood to last for their own use for a long time, some of which is fallen and going to waste. They are allowed to cut and sell wood by obtaining a license ; some have cut and sold without this, and the result was seizure and confiscation, followed by fine and imprisonment. Some trouble has attended those seizures this past winter. Some of the land is leased to the whites. Their annuities are paid in spring in May or June, and in the fall in October or November. It would be better to pay earlier in the spring, say in April, to enable them to obtain for ready money the seeds they

require. Usually the money is not paid till the seeding is over, so that the Indians are obliged to get by credit what they require and pay more for it in consequence. The fall annuity does not matter. An Indian woman by marriage with a white man thereby forfeits her annuity. The census is taken at every fall payment, and shew that the Indians are increasing in numbers. The Act of 1869 is not acceptable to the Indians. None have been enfranchised under it. They are better off in every respect as they are. Many Indians are fit for enfranchisement. The chief causes of crime are native indifference for constant employment, want of parental authority being exercised, the evil influence and example of bad white men, and the traffic in ardent spirits.

There is no reason whatever that Indians should not in time take their place among the rest of the population of the country, provided the change is properly done. There are no objections, in my judgment, to intermarriage with the whites. They exchange land among themselves, but no record of such exchange is kept. The Six Nations are paid at the Council House. Mr. Gilkison goes down day after day, until all are paid, and gives his personal attention to it.

## U.

*Answers to Question No. 38.*

Is the Act of 1869 acceptable to the Indians ?

Adam Elliott, missionary to Six Nation Indians.—Not as a whole, but I have heard that some of its provisions are acceptable.

John Cayuga, farmer.—No, sir.

Capt. John McLean.—Not acceptable.

W. J. S. Keer, head-chief of Six Nation Indians.—No.

Robert Ashton, superintendent, Mohawk Institution, Brantford.—

Joseph Miller, a minister.—No, some parts would be ; we object to location.

Robert Hill Dee, physician.—No, no.

George Henry Martin Johnson, official interpreter to Six Nation Indians.—Some parts are acceptable, but not others.

Francis O. Dee, merchant.—In no way.

James Grant, farmer.—I believe not.

Isaac Barefoot, school teacher.—It is not.

Timothy Burning, farmer, Upper Mohawk chief.—No, it is detested by 99 out of 100 Indians, and all the women.

Robert J. Merrill, farmer.—No.

Robert Sproule.—They are divided in their opinions; had it not been that the Indians were encouraged by the Act of Parliament, they would choose.

Augustus Jones, mechanic.—Not at all acceptable.

Thomas Armour, farmer.—

Amos Russell, mason and plasterer.—No, the Act is not acceptable.

William McCargow, physician and surgeon to portion of Six Nation Indians.—No.

Rev. J. R. Roberts.—

Arthur S. Hardy, barrister.—

William McCargow, physician.—No.

G. H. M. Johnson, interpreter for the Government and Six Nation Indians.—Some parts are acceptable, but not others.

Peter Hill, farmer.—The majority are opposed to it.

James Jamieson.—It is not acceptable to the Indians.

Stephen J. Jones.—I think it is; at least they are better satisfied than before the Act was passed.

Henry Clench, Oneida chief.—No, it is not acceptable.

John Sterling, farmer.—No.

William Jacobs, Chief of Cayuga Tribe.—No.

John Garlow.—It is not.

Thomas Payne, M.D.—I know many well fitted for enfranchisement.  
 J. W. Osborne, surgeon.—I am told not.  
 Rev. James Chance.—Not as a whole, but some of its provisions are acceptable.  
 Rev. James Roberts.—No.  
 Judge Jones.—I think it is; at least they are better satisfied than before the Act was passed.

*Answers to Question No. 41.*

Do you know any Indians fit for enfranchisement?

William McCargow, physician and surgeon to a portion of the Six Nation Indians.—  
 Yes, many.  
 Amos Russell, mason and plasterer.—Yes.  
 Thomas Armour, farmer.—Very many.  
 Augustus Jones, mechanic.—A good many.  
 Robert Sprengle.—A large proportion of the most industrious.  
 Robert J. Merrill, farmer.—Yes, a large number.  
 Timothy Burning, farmer, Upper Mohawk chief.—A great many.  
 Isaac Barefoot, school teacher.—Yes, quite a number can come up to the requirements of the Act.  
 James Grant, farmer.—Many.  
 Francis O. Dee, merchant.—Very few.  
 George H. Martin Johnson, official interpreter for the Government of Six Nation Indians.—Numbers.  
 Robert Hill Dee, physician.—I do.  
 Joseph Miller, minister.—Yes.  
 Robert Ashton, superintendent Mohawk Institution, Brantford.—Yes.  
 W. J. S. Keer, head chief of Six Nations and a barrister and attorney.—Quite a number.  
 James McLean.—There are a good many if an Act be suitable.  
 John Cayuga, chief and farmer.—I believe that many of the Indians are fit for enfranchisement.  
 Adam Elliott, missionary.—No.  
 William McCargow.—Yes, many.  
 George Henry M. Johnson.—Very few.  
 Peter Hill, farmer.—Numbers are fit for enfranchisement.  
 Stephen J. Jones.—Some of them are.  
 Henry Clinch, Oneida chief.—Yes, mostly all.  
 John Sterling, farmer.—Yes several.  
 William Jacobs.—Yes, a great many.  
 John Garlow, farmer.—Yes, a great many.  
 Thomas Payne, M.D.—It has never been enforced to my knowledge.  
 James W. Osborne, M.D.—I believe a large proportion of them are more fit for it than many whites who use it.  
 Rev. James Chance.—I know many Indians fit for enfranchisement.  
 Rev. James Roberts.—Yes, many.  
 Judge Jones.—Some of them are.



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1st Session, 3rd Parliament, 37 Victoria, 1874.

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REPORT

Of the Select Committee on the Affairs of  
the Six Nation Indians, in Brant and  
Haldimand.

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