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Thayendanagea Frontispiece.

Joseph Brant.

THE

SIX-NATIONS INDIANS

IN CANADA.

BY

J. B. MACKENZIE,

Author of recent contributions to the Canada Law Journal, entitled, "What is an Arrest"? "Is a Wrongful Arrest Curable"? "How Far is the Jury System Procedure"? and others.

THE HUNTER, ROSE COMPANY, LTD.,

TORONTO,

TO

THE HON. ARTHUR STURGES HARDY,

Q.C., M.P.P.,

PREMIER OF ONTARIO,

—that person in public life to-day, who stands forth the foremost product of the Municipal District, from which the name of the stout upholder of Six-Nations' fame cannot be dissevered (his birth-place, as a post-office, owing its appellation to that noted chieftain's tribe); to whose constituency all but a trifling portion of their Reserve is, under Provincial law, attached; and whose Indian title—the least in dignity of those he bears—involved, through its bestowal, the two-fold courtesy of voluntary gift and testimonial of good-will from those Indians, while it expresses an appearance of Nature to which the red-man ascribed peculiar power, this volume is, in recognition of his attainments, and with respect for his character, with his permission, inscribed by one, who long enjoyed a community of residence with him in Brantford.

INTRODUCTION.

Frequent and extended visits to their principal Reservation, on the border of the Grand River, in the Counties of Brant and Haldimand (the only one, in fact, where representatives of the once severed peoples are indiscriminately massed together) coupled with a residence of nearly twelve years in the immediate neighborhood—put me in the way of acquiring an intimate knowledge of the appearance, manners, and racial customs of those Indians, forming, originally, the six independent tribes of the Mohawks, Tuscaroras, Onondagas, Senecas, Oneidas, and Cayugas, who effected lodgment in Canada. This friendly junction of opportunity has, with a suitable quantum of archæologic research, permitted me, likewise, to glean useful data concerning the traditions and history of the federated bodies—bodies long existent, widely known, as such, at the period when they turned their faces in our direction.

I propose, therefore (making slight pretence to thoroughness, and conscious of exceeding fallibili-

ty) to allude, first, to the fateful exigency, stress inexorable,* prompting migration by the so solidified bands—upon which, following their advent here, the tribe of the Delawares was, for the sake of increased homogeneity, formally grafted—to a fresh, and, as they not too sanguinely conceived, a welcoming, enclosure; the inequities not unjustly complained of as marking its original concession, by Imperial grace; the stipulations annexed to the tenure of that, which, through a later adjustment of relations, was, for accepted equivalents, assigned to, and came to be occupied by, them. Endeavoring, thereafter, to trace briefly the more recent progress, I shall, with greater fulness, advert to the pursuits and aims of the since—in point of numbers—much-shrunken fraternity; at this juncture, brought, by natural, and I would like to think duti-

* It is proper to observe that the bulk of the Oneidas (a small section, however, actively allying themselves with the Colonial interest) and a respectable portion of the Tuscaroras remained neutral in the uprising which proved so disastrous to the tribes, as a whole. No cheerless prospect of desolated homes stretched itself before these; no mocking memories of familiar, gladsome haunts cruelly burdened these. No such melancholy guerdon as expatriation had been earned; no potion formed of the lees of broken fortunes had to be drained, by these.

ful, excursion, to descant upon the pressure that has been exerted over individual conduct, and the tone that has been imparted to individual character; upon the bias given to energies, and the sphere ordained for effort, through the incidence of their indisputably cramping, as it is novel, political status.

It will devolve upon me, at the same time, to notice some of the Indian's peculiar institutions, and more striking tribal practices; his enduring, most meritorious exploits in war; his intellectual, physical, and moral make-up—together with certain features about his domestic life and surroundings that seem specially noteworthy and characteristic.

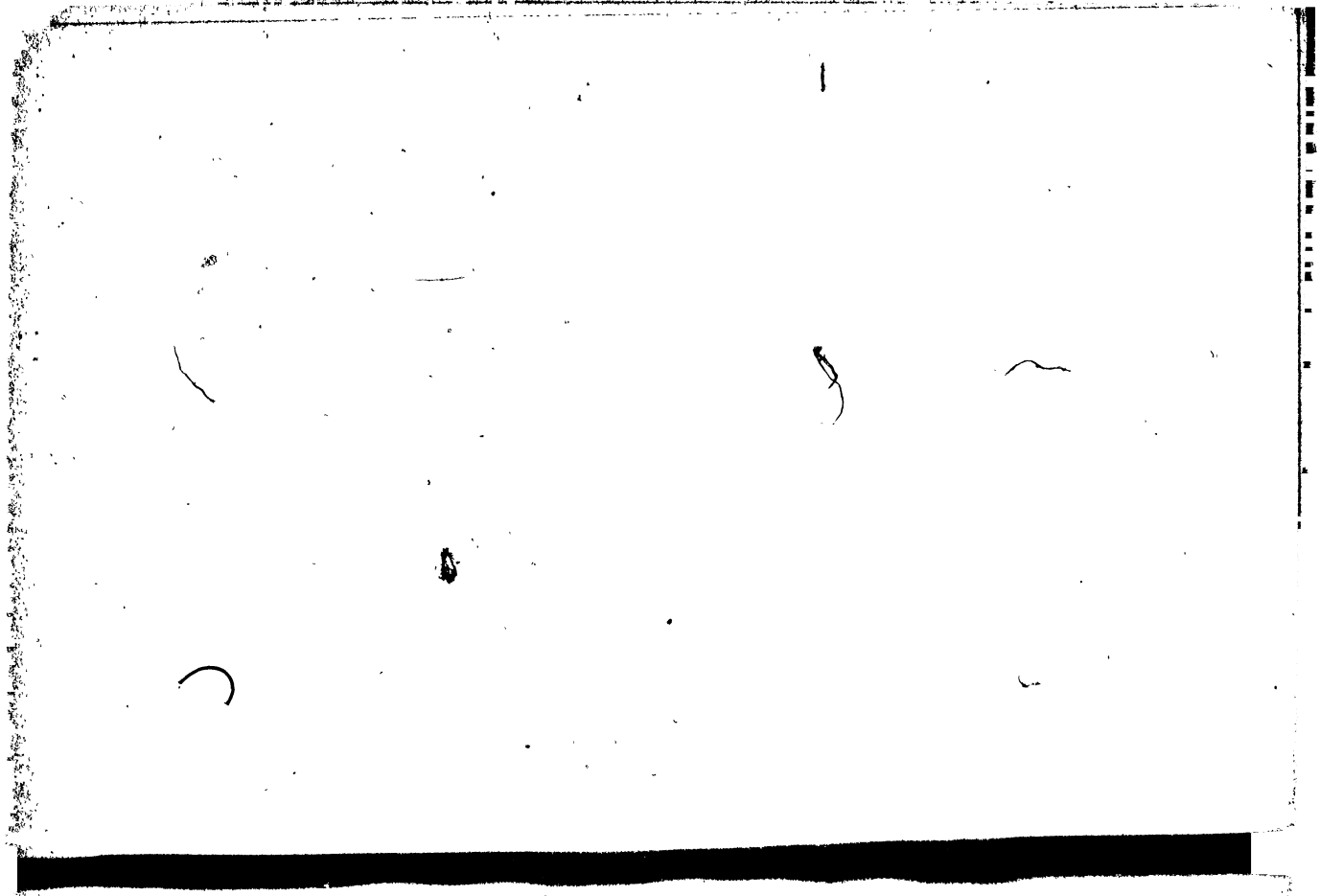
That I might become the more securely intrenched in positions taken upon open and contentious questions, I have not been without resort to dissertations, that deal with the Indian as some perpetuated Asian type. As subserving the same end, I have had access to, and been at some pains to examine, a number of records, that relate to the aborigines generally—communities which had been found, and are still known, in other parts of the continent, besides Canada.

The treatise, moreover, has been made to comprehend a topic, which might seem to violate somewhat its settled plan, yet for incorporating which little excuse is needed—an account of that illustrious sachem, and doughty warrior of the Confederacy, Joseph Brant.

Another, and I trust, pardonable, departure is the collection of all the more important legal decisions which either affect Indian lands, or elucidate the rights and disabilities of Indians under the Statute. These have been dispersed, in suggestive places, throughout the book.

I have, generally, in fulfilling my task, not scrupled to borrow propositions, adduce theories from the works of authors of distinction—native as well as white—writers whose contributions have conduced greatly to our understanding of an ancient and interesting people.

INDEX.



THE SIX-NATIONS INDIANS
IN CANADA.

THE CONDITIONS OF THE INDIAN'S SETTLEMENT.

The conditions that govern the occupancy by the Six-Nations Indians of their compact and fertile Reserve may be advantageously considered first.

The Reserve comprises the Township of Tuscarora (about twelve miles square) with an insignificant strip of territory in the Township of Onondaga—both of these lying within the County of Brant—and a small portion of the Township of Oneida, in the adjoining County of Haldimand. To obviate misapprehension, it should be made known that the Mississaugas of the Credit, a separate and inconsiderable organization, though identical in character and physical aspect with the Six-Nations, inhabit fringes of the allotments in the first and last-named townships.

It is situated on the Grand River, a stream —nowhere remarkable for its width, never developing great body—yet (throwing mental glance

over its entire track) which sustains the load of a variegated beauty—tokens distributes of a chequered grandeur. At one point in its sublime march, lessening; at another, broadening sensibly, its flexuous channel, it pours itself between graceful-sloping, between gloriously-wooded banks; or, in wilful transit, invades, whilst it refreshes, odorous mead; with unresented, and with sober touch, cleaves opulent and quiet-nestling farms, or—gratuity this to which, while other spots are not ignored, a rustic corner of the Town of Paris is most visibly indebted for its loveliness—in swelling volume, devotes its glistening waters to the carving out some matchless park. A sheet, verily, is here, that (disregarding treasured safeguard in legal practice) prefers redundant, while it adds captivating, pleas for being so called!

The river, which, in the early stages of its course, had denoted an unequal current, instanced fickle moods; varying, with irritating unexpectedness, a soft placidity with movement hurried and impetuous—creeping athwart limpid pools, or dashing over stubborn rocks; substituting a staid quiescence for freaks of distempered gaiety—loitering now in sullen depths, racing soon in laughing shallows—proceeds, erewhile, in lengthy stretches, by more gradual, measured advance. Content, upon near-

ing the redman's sequestered haven, to doze in an orderly, equable bed—where it borders, and, gliding peacefully past, laves kindly, the northern extremity of that goodly belt of his in Tuscarora and Oneida, and the southerly limit of that in Onondaga—it doth especially enchant the eye as exposing a surface that is almost unchangeably mild and slumbrous; besides unfolding many fine reaches of clear and smooth expanse, undeviating, unbroken, in their restful, easy, languorous flow. In its passage through this verdant section, with inimitably-ordered recurrence, it, for the moment, loses, but to regain, the straighter and severer form, as it, in turn, accepts, or is relieved of, the outlining, ever and anon, impressed by some one of its numberless exquisite curves; yielding—presently to reassert—its alternative character, as, here, it submits to, there, finds respite from, inroad by lovely and delicate projection of the shore.

I might mention, in passing, that the thriving colony is encompassed, on every hand, by closely-peopled settlements of whites—harboring communities, as advanced in point of civilization, and as enlightened, generally, as it is possible to find in any rural district in Canada. Here the countryside looks more smiling and fruitful than the Indian block which it surrounds, only by reason of the

more approved methods of culture that have been applied to, the more unremitting and patient labor that has been expended upon, its tillage.

At the close of the Revolutionary War of 1775-83, the Six-Nations; now become, as its lamentable consequence, harassed and wayworn refugees —reduced, a huddled and a joyless throng, to something of the strait of Lot and his kindred, with fevered energy, pressing to the shelter of a plague-spared Zoar—largely through the personal exertions of their leader in that great struggle, Captain Joseph Brant, secured, as a federation—albeit their petition to be conceded the freehold, importunate, none the less ill-fated, called for heated and renewed disputation—an extensive and desirable parcel of land in the then Province of Upper Canada.

On the restricted basis, then, of location and domiciliary rights therein, this in eminent degree convenient and select messuage was granted to them by the Crown, as carrying out the essentially laudable and worthy idea of recompense for the loss of their pleasant homes in the Mohawk Valley, which had been brought about by their steadfast adhesion, no less than faithful service, to Great Britain during the conflict.

The tract so acquired—while extending upon

either side of that appropriate natural centre for a distance of six miles—pursued, from source to mouth, the prolonged and devious course of the Grand River—a distance of 100 miles, or more.

Beside the margin of what was, hereabouts, a once eligible waterway for commerce; and which serves as their avenue of communication with the whites' domain on the north, may now be seen, resting cosily—whilst appealing to the gaze as mere dots upon the landscape—many of the natives' tiny, crudely-built homesteads. Equidistant are these, or nearly so, one from another; and posted—mute sentinels of the shore—in prim array, in regular succession along the bank, for miles; while, on the summits of relieving headlands—picturesque, though of moderate altitude—others may be found strikingly and daringly perched.

The land was, in the early part of the century, ceded by its holders to the existing Government; but the surrender, which was the outcome of a treaty, was not—as to the whole quantity embraced—an absolute one, there being a reservation in its terms that the Indians should retain—this to be partly within the area covered—territory that should be adequate in extent, and be, otherwise, well-suited for the purposes of residence; and their

title to which, *as occupants*, blest with the unshared usufruct, thenceforward, should be clear and indefeasible. The soil, in addition, was to be of good arable quality—to be endued with a productiveness such as should permit of a comfortable subsistence, at least, being derived from it.

As bearing upon this arrangement, that *cause célèbre*, the St. Catharines Lumber and Milling Company *vs.* The Queen—litigation that reached the Privy Council—determined that, after their *surrender* to the Crown, "to the extent of the whole right and title of the Indian inhabitants therein," no Indian title to lands situate upon the Manitoba frontier, at what was called the north-west angle; and whose occupancy had been guaranteed to the tribes settling thereon by Royal Proclamation, issued in 1763, remained to be extinguished by this Province. It was further established by the judgment that, "by force of the Proclamation, the tenure of the Indians was a personal and usufructuary one, dependent upon the good-will of the Crown; and that the entire beneficial interest in the lands, subject to the privilege, reserved in the instrument of surrender, of hunting and fishing, was transmitted to the Province, by virtue of Section 109 of the B.N.A. Act."

The writer believes, however, that it would be

seriously straining the doctrine which is here enunciated, as to the contingent or terminable character of the possession declared to have been enjoyed, to apply it to the interpretation of the guarantees under which the Six-Nations occupy their Reservation. In Church *vs.* Fenton, 5 S.C.R., 239, it was held that those lands reserved for the Indians, which are placed under the exclusive jurisdiction of the Parliament of Canada, are such Indian lands only as have not been surrendered by the Indians, and have been reserved for their use, and do not include lands to which the Indian title has been extinguished.*

How grating, I have often thought, to the sense of the more advanced, the thinking Indian must be the expression in the Indian Act, "the band to which the Reserve *belongs*." What magnificent irony dwells for him in the definition—what refined disingenuousness dictated its use!

* NOTE.—The strictness with which an Indian must make out his possessory title was strongly exemplified in an action—for mense profits—of Jones *vs.* Mike, instituted about twelve years ago. A provision of the Indian Act that "no Indian shall be deemed to be lawfully in possession," unless there has issued to him a ticket *in triplicate*, was, in that case, held by Rose, J., not to be satisfied by showing due assent of the Indian Council to the location; although the only remissness that appeared lay, in reality, at the door of the Indian Department, which had neglected to confirm the plaintiff in possession, in the formal manner prescribed by the statute.

As regards the pecuniary consideration for this transfer—retrocession, rather—of dominion over their rich heritage, with the extinction of title that was worked, the covenanting Government—as have successive Governments, each pledged sacredly by its predecessor—stood in the relation of trustees for the Indian re-grantors and their posterity. Uninterruptedly accounting therefor in the past, they still continue to apportion to each individual Indian, through the agency of the local Indian superintendent, at so much per capita of the population, the interest arising from the investment of the money. There can be no diminution of the capital sum, unless the amount is sought to be applied to objects of Indian concernment, and then only with the sanction and consent of the chiefs of the tribes in Council. Alike as custodian, and as the channel for the distribution, of this fund, the Government, recognizing their immense responsibility, are careful to see that it is wisely husbanded—is kept intact, as far as possible. Projects will, now and again, be devised by the Indian, that signalize a want of providence or foresight; others that seem born of hasty, immature reflection—projects, moreover, to confirm which, permit the outlay that would attend which—might lead either to an improper diversion of, or material

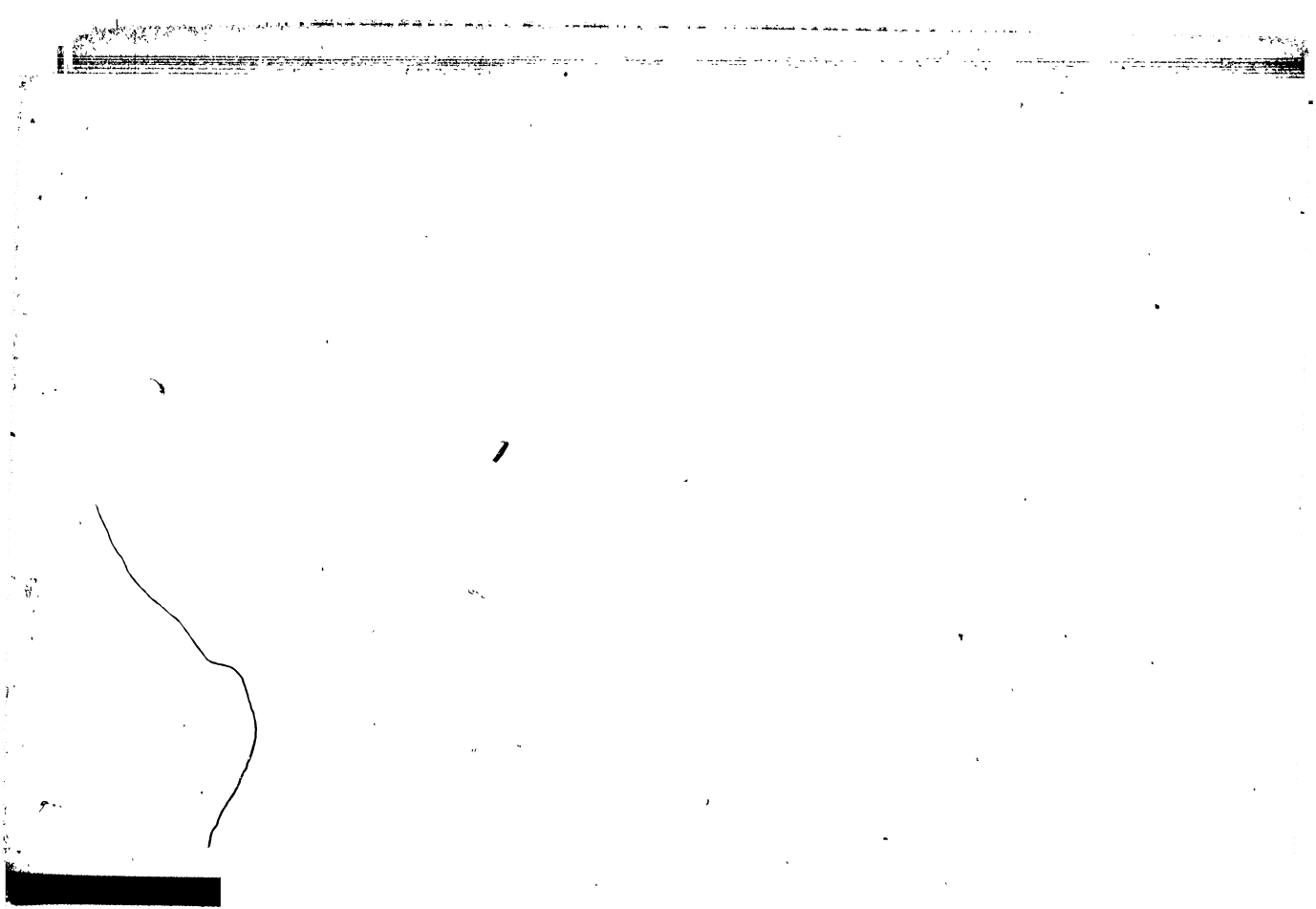
drain upon, the principal—mayhap, involve joinder of these serious evils. Such—even when formulated with due order and gravity in the Council—the overseers at Ottawa, realizing, in emphatic manner, their mission as Lo's vigilant and prudent guardians (though flinty enough their action, assessed from the patient's standpoint) will promptly and firmly disallow.

Sales of their interest in the land by members of a particular tribe to individuals within the pale are permissible; but these, in practice, have been pretty well narrowed down to cases where an Indian—wishing to break into the disheartening dead-level of life in the bush, solicitous of escape from its cheerless monotony and chilling inaction—avails himself of the opportunity to dispose of his small clearing, in order to engage in some avocation or trade amongst the whites. Exchanges of land, with the same restrictions as to the participants, are also authorized. The Government, besides—reserving with caution, however, the right to inquire into the character and standing of the person with whom the Indian proposes to negotiate—countenance the renting by an Indian to a white of the land, of which he has the qualified title and right of control which have been alluded to, without prescribing, as a condition upon which their

approval of the bargain shall depend, alienation of his interest-money. A continuous residence of five years in a foreign country, without previous Departmental consent, entails absolute forfeiture of this allowance.

Should an Indian intermarry with a white woman, the receipt by him of his annuities is not, on this account, disturbed; the wife herself sharing in any future division of resources. Should an Indian woman, on the other hand, throw in her fortunes with a white man, such step compels acceptance, in a capitalized sum, of her annuities, on the basis of a ten-years' purchase—with their cessation thereafter—while disentitling the issue of the union, likewise, to recognition. Howbeit, in any conjugal experiment of the kind that may be attempted, the Indian woman is usually sage and circumspect enough to marry one, whose hold upon worldly substance is such as will secure her the domestic ease and comforts of which the sacrifice of this —to her—substantial stipend would, otherwise, defraud her. Should the eventuality of the woman dying before her husband occur, he must resign the holding; though the Indian Council will entertain a reasonable claim by him to be recouped for any outlay he may have made for permanent improvements on the property.

An Indian of the last century. (Opp. p. 18.)



HIS PHYSICAL MIEN AND CHARACTERISTICS.

It may interest to indicate the particulars wherein the Indian, physically, offers a contrast to his white brother. He maintains, in the first place, a better average as to height, to fix which at about 5 ft. 8½ in. would not, I think, commit to an extravagant estimate. He rarely attains the quite exceptional stature, now and then, heroically witnessed in the white; though, where he yields to the latter in this respect, there is, usually, compensation to be found in the way of greater solidity and compactness. There are, of course, isolated cases in which he has been distinguished by as tremendous a height as the annals of other races record; and, in these instances, his figure has disclosed almost faultless proportions, for the Indian is never ungainly or gaunt.

One may, without difficulty, penetrate the secret of the erect form the Indian possesses, in the consistent showing from the custom—still widely in vogue—of the mother disposing of her offspring, by laying it, with proper attachments, on some hard, resisting surface (a piece of reduced board answers the purpose), and, when walking, by strapping it—so bestowed—securely, though not too rigidly, across the back; joined to the fact

of her discouraging any attempt at locomotive exercise on the part of the child—all ventures in the direction of self-pilotage—until its muscles shall have become sufficiently developed. To this practice, at all events, am I moved to attribute the rarity, if not positive absence, amongst these people of that unmerited, as it is unkind, visitation, "bow-leggedness"—of no slight prevalence with ourselves—and which renders its victim the butt for none too charitable comment.

The Indian would appear to be built more for fleetness than strength; litheness and agility are, with him, marked characteristics.

He has a large head, high cheek bones, prominent lips and mouth (the latter set in a correspondingly massive jaw)—a contour of face inclining, on the whole, to undue breadth, and lacking that pleasantly-rounded appearance so typical of the white.

To digress, for a moment, the point has been gravely canvassed that the complexion of the Indian (I assume knowledge of its dusky quality to enjoy wholesale dissemination) at a former period, had the tendency to grow darker and darker, through the circumstance of his inhabiting smoky bark-wigwams, and not holding cleanliness to be a paramount consideration in life. A writer, with singular facilities for becoming conversant with his topic,

seeks to make good this somewhat novel contention, by citing the case of a fair-skinned white boy; who, having taken up with an Indian tribe, and adopted, in every detail, their mode of life, towards his 70th year, emerged from retirement with a countenance as swarthy—as distinctively Indian in hue—as that of any pure specimen of the race.

Unlikely is the male Indian to exhaust himself in boisterous exultation over his hirsute adornment: immutably secure, i' faith, from self-inflation would he seem upon this head. He has a scant beard, and disports a like paucity of whisker—both chin and cheek as impartial, as they are inexorable, in their niggardly extension of favors. In aid of the offending league, moreover—if not, indeed, the most *barefaced* oppressor—the upper lip demurs spiritedly to assert that sturdy and bountiful growth, that is so admiringly contemplated by entities among our own populace; growth which expectant adolescence, in those down-graced ranks—during its incipient stages, its struggling crises—doth sedulously foster; and, where a capricious humor is evinced, a too tardy or dubious fruition suspected, would fain wean from its wavering posture. At such times, find we a base, a stony deity, at which is flung most pitiful apostrophe—which is overloaded with pray-

ers to mitigate its rigors, relax its hateful obduracy!

Instead of being crestfallen—even aggrieved—at the stinginess revealed, it has been said that the Indian holds distinctly in contempt what we complacently regard, and has been known to attest this feeling by plucking out the hairs that protrude from these portions of the physiognomy.

The cranium, as well, in the majority of cases, appears less profusely overspread than in the Caucasian sample. With apologies for a resumption of levity, the not exorbitant harvest that crowns their *protégé's* poll leads to musing upon the beggarly intimacy which a paternal Government suffers him to establish with another poll, unimpeded access to which has been popularly associated with political rights.

The Indian—bowing herein to some austere as firm ordinance of Nature—evidences, one hardly needs to be told, a saturnine cast of feature, normally, seems wedded to a lustreless, stolid expression; but questionably redeemed, I fear, when exchanged (as with electric celerity it frequently is) for a deeply morose, or intensely lugubrious one. I would—awarding, as one must, to facial aspect a ruling share in that impersonation—confidently predict for him (other powers concurring) the scoring of an immense success with the counterfeit of Shake-

speare's Melancholy Dane, should he, at any time, essay its presentment. Mindful here, also, of the shining title to distinction which is submitted—of the clamant plea for preferment put forth—by the same histrionic engine, Antonio, in the Merchant of Venice—after the turn of the tide in his fortunes—when the vengeful figure of the remorseless Shylock looms ever before him, the Indian might as faithfully typify; while the stricken Jaques' artfully-retailed pessimism—the woe diffused from that expansive bosom—it should in no wise embarrass him to portray.

By force of the condition thus outspread—so symptomatic of the Indian's facial mien, as seen in repose—so transparent to inspection—one is tempted to argue his facile transition from the more passive to a positively lachrymose state. While acquiescing with the authority that explodes the frail hypothesis, I am passably consoled by the conviction that the partiality of the Indian for shrouding his countenance in gloom enables him, on occasion, to sustain a port which accords eminently with the house of mourning. As an efficient mourner, the Indian, in fact, may be freely depended upon.

Room there may be for debate, to what extent the impression caught from the Indian's unlively

exterior has, in recent times, become intensified—how far that exterior can be explained—as a result of the more or less busy ferment of discontent within; a something which, though regrettable, is rendered morally excusable, through being fed liberally—fed assiduously—by the strain and drag of his enforced situation; mingled with which mirthless pabulum are disconsolate reflections upon his failure to descry, even from far off, the dawn of its betterment.

The Indian—male as well as female—has well-shaped hands; and the variation in size, as between the two, is, generally, so slight as to be scarcely detected. The near conformity to an equal standard in this respect pointedly suggests, in the case of the man, his gingerly and faltering devotion to manual labor—yields eloquent proof of his delegation to the woman, in no stinted manner, of toil that should be his. Infrequent, too, is the vision of an ill-modelled foot in an Indian; while the close approach to a uniform size in the sexes, which is discernible with the hand, is well illustrated by this member also.

I should imagine the blood coursing through the Indian's veins to be of a richer consistency—to have greater vitalizing properties—than that which we can boast; since, on the severest days in win-

ter, he repeatedly scorns any covering beyond his shirt, with the usual nether concomitants; and, thus meagrely encased, will valiantly confront the keenest blast.

The Indian woman—until the meridian of life, at any rate, has been reached—exhibits no less pleasing a development than her white counterpart. As, with this genus of the human family, the female commonly becomes a mother quite early in life—before the natural plasticity has been invaded, and a certain unyieldingness of form contracted—it may be that the habit, already noticed, of carrying her infant on her back, placing, as it does, no immoderate strain upon the dorsal muscles, has, in her case—locally, of course—promoted muscular adaptability, while, at the same time, conserving muscular strength. The usage, though it seems, with our prepossessions, a startling—nay, incredible, one, is not ill-suited to a community that defies restraint—contemns convention: its disciples there, happily, are safe from extremely critical observation of their acts—are subject to no frigid frowning down of the fashion they adopt. Neither is the production of a good figure in the sex irremediably hindered; nor its preservation actively retarded, through the female's rejecting, from a well-grounded conception of their deforming tendencies,

the fatuous—more—highly irrational measures for confining the waist, so prized by a populous flock (dare I whisper prodigious army?) of her pale sisters; and which—powerless to induce symmetry—as a rule, succeed only in causing distortion.

THE ORIGIN AND ATTRIBUTES OF THE CHIEFSHIP.

The dignity of chief among the Indians is attained upon the principle of hereditary succession. In case of the death of a chief, however, the distinction and powers he enjoyed—while devolving upon some kinsman—do not, of necessity, vest in the next of kin. The naming of a successor, with the privilege of determining whether or not he fulfils, in point of character and capacity, the qualifications requisite to maintain worthily the position, is confided to the women of the dead chief's family, whose tribe has been so deprived of one of its heads. They are given a wide latitude in choosing; and, so long as they recognize through their appointment the governing, basic theory of kinship to the deceased ruler, their nomination will be unreservedly approved.

The chiefs are looked upon as the fathers of the tribe; and they rely, to a large extent, for their influence over their followers, upon their exceptional wisdom, combined with other qualities tending to excite regard, win admiration, or compel reverence.

In an earlier period of the Indian's history, when his forests were astir with the demon of war, eligibility for the chiefship—where the functions of

civil administrator and military director attached to the same individual (an arrangement, then, of constant occurrence) ordained that wisdom and bravery, in a candidate for the honor, should be conjoined; and these were the keynote of the chief's power over his people. Manifesting, on occasion, such highly desirable, such forceful traits, the confidence his adherents felt in his selection was seen to have been fully justified—became enthusiastically confirmed; their warlike traditions, too, were nobly and manfully upheld. Moreover, the bringing to bear of these lofty qualities by the chief, in any contact with a hostile nation, conduced to the recognition by his enemies—not alone of his own superior might—but of the prestige and fame of his entire following, whose pre-eminence as a tribe was thus proudly and solidly assured.

Hospitality to his kind was also considered an estimable feature in the chief. He, habitually dispensing it himself, strove zealously—his endeavors distinctly seconded, his admonitions re-inforced by its advocacy, as a duty, in the kindly precepts of the old sages of the tribe—to persuade his people to entertain a just perception of the happy consequences to flow from its repeated practice—in the expansion of the heart to be engendered; in the chance, possibly, for rebuke to, a means of escape

from, a wretched, sour misanthropy to be takingly presented—to be blessedly created. Hospitality, the occasion for exercising which could ofttimes bolster a much-needed, urgent homily upon the hardening and the warping influence—the generally pernicious fruits—of self-absorption! Hospitality, which proffers many an effective antidote for the mischief traceable to a brooding introspection!

Whether because admirably responsive to lessons sought, in this way, to be instilled in his mind, or from inborn tendency, the Indian (the type, let it be understood, that is thrust upon a peaceful era) is most hospitable, even where the haughty, self-assertive pale-face is concerned—reserving for his beneficiaries, treating them to, prodigal, to fragrant doles from the brimming heap of a sterling sympathy. To belated alien opening wide his doors—as with charming frequency he does—the Indian, in a spirit of keen self-immolation, while tactfully choosing the emergency to conserve his traditions, will resign the best of his, at most, trifling and rude stock of sleeping commodities in favor of one fallen on such evil case. Contenting himself, betimes, with the scarce appreciable residue, the chivalrous host—so artless, suave, spontaneous in its outgoings, withal, the handsome grace—impresses on his errant guest

the notion that he embraces gladly his not less rigorous, because self-allotted, portion.

A number of the Chiefs have supplemental obligations—in their nature not a little delicate and onerous—cast upon them by their colleagues in office. There are the "Forest-Rangers," for example, whose place it is to interpose, as well for the checking of illicit cutting of their timber by members of the various tribes, as for the prevention of forbidden sales thereof to whites.* They are expected, furthermore, to suppress unauthorized domestic dealings with this indispensable, yet fast-dwindling, requisite of their people's existence; as they are looked to to obstruct the clandestine, or

* In Reg. v. Fearman, 10 Q.B., 660, it was considered by Armour, C. J., that timber cut under license on an Indian Reserve, and timber. so cut, with which other timber was intermixed in such a way as to render the two indistinguishable, might be deemed to be "seized and detained as subject to dues"; but that trees cut there without authority, which were not so commingled, could not be said to occupy that position.

Further—before the change in the Indian Act, made by the insertion of the words "cordwood, or any part of a tree"—the objection had been frequently urged, on the strength of Reg. v. Caswell, 33 Q.B., 303, (which determined that *cordwood* was not "the whole, or any part of a tree") though not requiring, up to the time of the amendment, to be decided, that the offence of "*carrying away*, or *removing* any of the trees, saplings, shrubs, underwood, or timber," etc., was not made out by showing an abstraction of any of these kinds of wood, when reduced to cordwood.

any removal of timber from the Reserve by whites, where no licence sanctioning their action has been granted. Should a white man, in a spirit of lofty contempt for the law, meditate, or an Indian abet, some unlawful depletion; or should either seek to consummate a wrongful appropriation, or sale of timber, these functionaries set about, with determination and vigor, to frustrate all such objects.

The Chiefs charged with these hazardous duties have not always been permitted to enjoy barren or dormant powers. In putting in effect that interference his office exacted from him, one of them was, some years ago—in execution of a vilely-concerted attack—frightfully maltreated by whites, exasperated by the inconvenient amount of resolution and courage, which, in prior perilous and close encounters, he had drawn upon for the baffling of their predatory plans.*

The Onondaga Chiefs are called "Fire-Keepers," though the services they at present render are in no way suggested by their rather remarkable title. They are, at all events, august personages; and I shall have occasion, when treating of the Indian's meetings of Council, to touch upon the prerogative functions wielded by them there. I

*NOTE.—This intrepid chief was the late George H. M. Johnson.

believe the name "Fire-Keeper" preserves a reminiscence of the olden time, when—the Council being an open-air affair—the kindling of the fire (a performance entrusted to these Chiefs) was the initial, and, viewed in this light, the most momentous step, perhaps, in the proceedings.

Another of these secular pastors acquires the added dignity of Marshal. Incumbent upon him, among other things, is an exercise, still less relished by some of his charges than is the business of the Forest-Ranger—facilitating the capture of any suspected criminal who may be concealed on the Reserve.

THE INDIANS' MEETINGS OF COUNCIL.

The Council of the federated tribes is a somewhat informal gathering, in respect of the customary—and what with us is deemed fundamental—ingredient in such creations, a presiding officer, or chairman. Certainly, no one or number of the chiefs—who alone are entitled to participate in discussions—can be regarded as a president, or presidents of the meeting.

The presence, in an overruling capacity (within limitations) of the Indian agent—though primarily necessary to attract the seal of validity to measures inaugurated—no doubt, opposes a check to the Council's meddling with business, obviously removed from the category of subjects cognizable by it—an advantage, which, viewed abstractedly, supplies, of itself, a convincing *raison d'être* of a chairman. Yet could this officer make out, at best, a hazy and infirm title to the post, as it is found rooted in contemporary and enlightened systems.

The institution, bereft of this ordinary attendant upon the deliberations of such an assembly, assumes a position unique among modern conventions; there is, to be frank, an ill-disguised primitive flavor about it. But we must not too ungraciously disparage our unlettered red brother's concep-

tions, and should be slow to do violence to national predilection. It is desirable to avoid even a suspicion of perverseness—to abstain from all appearance of a sitting in judgment. One feels disposed, therefore, to contemplate his refusal to submit to accumulated precedent as the survival—a pardonable retention—of some valued, distinctive feature of the old *régime*. A too carping attitude in this regard may, in any case, be happily eschewed, when one rightly appreciates the fact that the business of Indian conferences of an earlier day was not, in other important particulars, marked by any greater strictness or ceremony.

Neither in the constitution of the meeting, nor in the conduct of the transactions entered upon, does there appear to be any recognition of the principle of a qualified subordination of the proceedings to, or a material share in their regulation by, the voice and will of some central, controlling figure. The system favored provides no medium—filling the capacity of arbiter or referee—to resolve doubtful and nice questions of jurisdiction; determine the relevancy to an issue being debated of the observations of members speaking to it; or settle other knotty and troublesome moot-points, likely to be advanced in the meeting. There is no agency to which recourse might be had for a well-

timed, judicious application of those apposite safeguards, those valuable sanctions, by which—a competent head the instrument—the operations of similar representative bodies, in white circles, are at once surrounded and expedited.

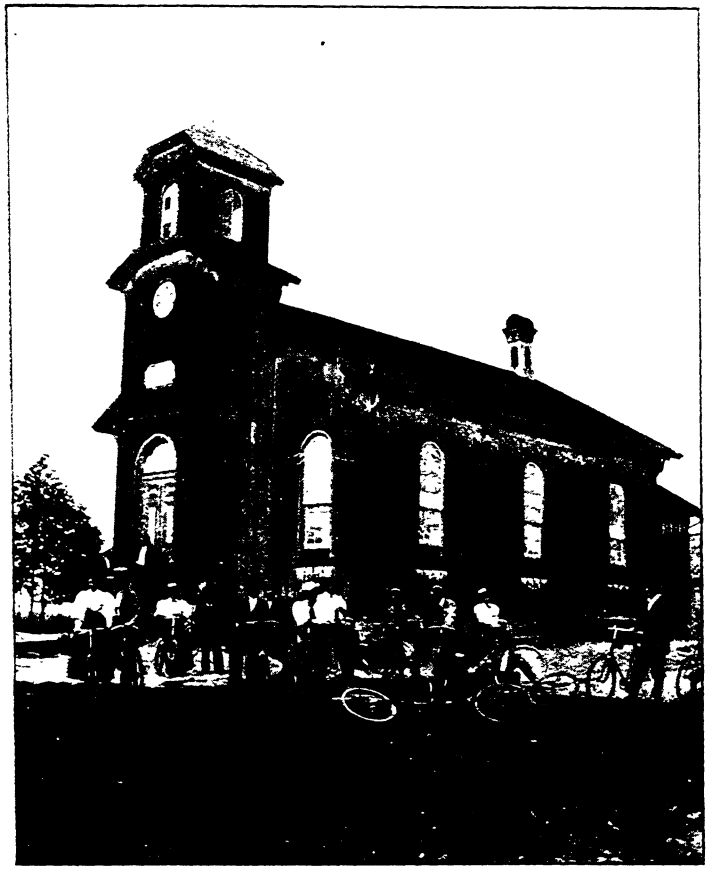
To summarize, there would seem to be no member chosen, who could properly and effectively intervene to assure some finality to, or enforce the pertinency of, discussion; secure method; preserve order; or maintain useful and fitting discipline; though I gladly concede the tone that is wont to be observed at these meetings to be—despite the situation—studiously decorous.

The chiefs of the Mohawks and Senecas, who sit on the left of the house, initiate controversy on all subjects. The debate is then transferred to the opposite side of the chamber, where are ranged the chiefs of the Tuscaroras, Oneidas and Cayugas. The chiefs of the Onondagas speak last to the motion; with them, should its treatment by the divided folds have given rise to variance in opinion—no uncommon upshot, as may be surmised—the ultimate solution of the matter being considered rests, through their espousal of the principles affirmed by one or other of the two sets of chiefs. In such event, the respective views of the contending forces upon a given measure would,

—after brief partisan colloquies, held *sotto voce*, and apart—have been previously conveyed to their passive fellows in the congress, through an official mouthpiece, drawn from the allied ranks in each case. Finally, a chief, who is called Speaker of the Council—a permanent, elective officer—one, who, sacrificing personal leanings, has seized the tranquil, though not undignified, *rôle* of impartial recorder of results, announces; and, by his act, makes binding, the conclusion that has been come to.

The full rationalness or cogency of this plan of conducting the proceedings seems, in truth, hardly demonstrable; the cause for the monopoly that belongs to the Mohawks and Senecas, and to the Tuscaroras, Oneidas and Cayugas, respectively, of preferring and assailing measures, broaching and confuting theses, not readily perceptible. I am told, however, that the circumstance of there having been at one time a closer kinship subsisting between the particular tribes, whose chiefs are singled out for the discharge of these sharply contrasted duties, governs, in some way, the practice followed.

The Indian Council has, in some respects, a wider and more important province than that which pertains to the ordinary municipal body; though—by reason of the less complicated and grave concerns which claim attention, the less



Six-Nations Council House (Opp. p. 36.)

(Recently coated with brick veneer).

formidable and abstruse problems that arise for solution, in the humbler, more sedate plane of civilization occupied—filling, in others, a much narrower sphere.

Its determinations of disputes growing out of real estate transactions, unless plainly in excess of jurisdiction, have in them the force of law. The chiefs in Council, moreover, control and administer—subject to the supervisory authority of the Indian agent, as representing the Government—the internal affairs of the community generally.

I might here observe that the productive labors of these agents—those which exceed the realm of pure routine—deserve generous meed of praise; since, by virtue of the well-considered, instructive, and apt representations made by them to the Government, in their periodical reports, many of the laws that relate to the Indians have been suggested and shaped. The local Indian superintendent, by the way, officiates as a sort of mentor to the Indian, who is permitted to invoke, and who readily secures, his good offices, whenever the interests and well-being of members of the organization are at stake.

The Indian character, be it known, calls for the display of sound judgment, of delicate tact on the part of one filling the office of Indian agent; for the aboriginal is not the most tractable of beings,

but, contrariwise—as I have before let fall—doth possess a murmuring soul; not a few arrogate unto themselves the right to play the chronic grumbler. This fretful hunger frequently finds expression in plethoric deputations to the Government, which—sundry of them deriving specious birth from a desire to ventilate some grievance—are, for the most part, conceived of by their members as golden expedients for giving full scope to their oratory, media, hopeful as rare, for validating, in an exacting quarter, their claims to celebrity in that inviting field.

This officer is authorized to make advances on the general account, should an emergency affecting the united tribes arise—such as a bad failure of the crops; or where they should be confronted with the serious, and—but for the tender of such succor—insuperable, difficulty of finding the means wherewith to procure seeding for the season's operations.

But to return to the Council. Where complaint of irregular or unfair dealing is preferred by any party to a transfer of the Indian interest in real estate; or, should either be threatened, it falls within the purview of the Council to decree an equitable basis upon which the transaction shall, thenceforward, be viewed and completed.

The jurisdiction of the chiefs extends also to such matters as the consideration of applications for licences to whites, for the removal of timber, minerals, or other valuable deposits, with which the soil of the Reserve may be enriched. They may also entertain claims for relief by members of the tribes, whom physical incapacity debars from earning a living, or who have been reduced to extreme indigence.

HIS MANNER AND POWERS OF ORATORY.

All those writers whom I have consulted unite in ascribing a native eloquence to the Indian. The possession by him, indeed, of this fine gift—in the rough—has been from so early a time, and so universally acknowledged, that it would be as audacious, as it could not fail to be an uncongenial, office to revise the reckoning. Among the dead, the cases of the Seneca, Red Jacket, and Logan, a Cayuga, may be cited as notable instances of this happy endowment; although I might mention the names of many others to confirm the almost axiomatic statement propounded. Turning to an illustrious living example—where to the inherent trait culture and training have been superadded—Oronhyatekha, the official head of the Independent Order of Foresters in Canada (who boasts, by the way, that no Mohawk survives of a purer strain of blood than he) furnishes a subject, upon whom Nature has so set her stamp, as to show consonance with the unanimous view that has been expressed upon the point.

It is at the meetings of Council, with which I have just dealt—during the discussions there provoked—that the Indian's aptitude and taste for public speaking find most encouragement; that

opportunities for its practice principally occur: it is there his capacious oratory, while reaching its crowning embodiment of force—while rising to its loftiest plane of merit—accepts its friendliest and widest outlet.

The Indian, in respect of vocal organism, starts more than ordinarily well-equipped by nature to court fame—to aim at excellence—as an orator. He has a deep, powerful voice, of rare volume and resonance; though, by reason of the peculiar guttural quality which dominates the note produced, of moderate range only. Neither is it, on this account, susceptible of great extremes in pitch, being unfitted to habituate itself to that dexterous process, practise those nice gradations, of inflection, which the organ of speech, with the typical English-speaking person—when well cultivated and regularly disciplined—may, where needful, be relied on to utilize, is prepared to elicit.

Although I have not found intonation in connection with the Indian's *public* displays marred—their effect sensibly prejudiced even—by any self-created discord, or awkward intrusion of the kind, one prime result of this singular enunciation—which arises, as, I suppose, from some strange laryngeal formation—is that there will be emitted, at unguarded moments, a sound which approaches

perilously the porcine form of salutation. Parenthetically this, an outcome not less curious of the same puzzling limitation is that the voice *for singing* of the male Indian (who partakes decisively of the full blood) invariably releases tones more or less sepulchral in brand.

We may plainly discern the manner and style of the Indian's oratory—whether they be easy or strained; graceful or stiff; natural or affected; we may, likewise, at once discover if his speech be flowing or hesitating; but to those of us who are unversed in his dialect, is denied, of course, the privilege to fitly appreciate, duly comprehend, his utterances.

The Indian has a marvellous control of facial expression, an element which contributes undeniably, and in large measure, to true, effective, heart-moving oratory. Though his *spoken* language is to us as a sealed book, his is a mobility of countenance, which becomes, while speaking, an unerring index to his feelings—a perfect mirror of his soul; which will translate into, and expound by, a language shared by universal humanity, diverse mental emotions; and assure, unto the grasp of universal human ken, their full, their mighty import. Through these carefully-schooled transitions—skilful, lucid—will be expressed, in turn, pathos; fer-

vor—the poignancy of anguish ; the outpourings of contempt—the writhings now of rage ; again the ardor of delight : by signal luminous, swift-exposed, as swift-withdrawn—a sudden flash, a tell-tale glow—is seen reflected pleasure's lively thrill, or grief's devouring throe ; hate's o'ermastering flood, or anger's leaping flame. Commissioned, in fine, capable and trusted envoy of the inner self, the Indian's play of changeful feature—fulfilling its all-inclusive province ; bending to its exalted and its grand purpose, of revealing what passions, alternately, and, for the nonce, do sway the human breast—as shifts the meter of the hid intelligence—will announce—sustain—each quiving gradient of mental emotion.

The Indian's aptness of gesture, graceful as it is unlabored, also lends itself, in material fashion, te make good his claim to commanding oratory. The co-operation the Indian compels from this invaluable handmaid of rhetoric is truly remarkable ; and, as a vehicle for laying bare the thoughts of the mind, its employment by the Indian interpreter seems specially forcible and strong Observe this individual in Court, while in the discharge of that branch of his duty, which requires that the evidence of an English-speaking witness should be given to the Indian suitor, or prisoner at the bar,

who may be affected by it, in his own language! Intent is he first upon getting at, and thoroughly mastering, the testimony, as it falls, at first-hand, from the witness' lips. Now, having closely noted, and rapidly memorized such portions of the narration, as had introduced unusual, or startling episode—to convey an intelligible view of which his rendition, unaided by the free use of gesture and action, would afford a weak and inefficient medium —mark how opportunely, how discriminately, he invokes their agency to strengthen and enrich his exposition! What forcefulness, what a reality and vividness does he not throw into the whole thing! His disclosure, in truth—as to this prominent phase of it—is a wondrous triumph of mimetic skill. (I select here the double-barrelled phrase, "gesture and action," because the expression "gesture"—vulgarly received—points to a movement and play of hand and arm alone; whereas "action" purports to include a share in these by any other member or portion of the body capable of producing them gracefully or effectively.)

Confessedly, memory is an influential, if not the foremost, factor in these expert performances of the interpreter; and I have myself seen exhibitions of the use by him of this talent in his highly respon-

Sa-go-ye-wah-ta, (Opp. p. 44.)

"Red Jacket"

(The famous Orator of the Senecas).

sible work, which were amazing—nay, absolutely phenomenal. He will placidly proceed to translate a long string of sentences, to engrave which upon the tablets of the mind would, of itself, be an exploit both trying and difficult for the average mortal to achieve—one well calculated to satisfy his ambition. But for one of us to be charged with the repetition, *en bloc*—and in another, though familiar, dialect—of that formidable fabric of words (observing in the task proximate adherence even to the sense of the original passages) in the off-hand manner in which the interpreter has, or chooses, to undertake it, could not but infold in wild dismay the person addressing himself to the duty. Those understanding the Indian tongue, or, more properly, variety of tongues—for each band has its own vernacular—have assured me that the interpreter reproduces faithfully, with conscientious minuteness (there being granted him, of course, a certain latitude for differences in idiom, with some allowance also for cases where he has no precise synonym at hand) the speaker's every sentiment. Fortified by no small experience of the converse position, where the Indian delivers an address, that must undergo filtration into English —enter the sieve of adaptation to foreign relish—I am quite prepared to coincide with this opinion of

the astonishing, the weighty exercise. I will go farther, and declare that—hearing an Indian speak, who employs the timely and appropriate gesture, forming, in general, so conspicuous an adjunct to his public ventures—one is often put in possession of the main grounds, the crucial matter of the discourse, in advance of any intervention by the interpreter, who merely steps in, with his surer and more perfect key, to extend a knowledge—complete an illumination—already partially vouchsafed.

It might be urged by one sceptical of the Indian's title to eminence in this domain, that his repertory of phrases being—as is undoubtedly the case—much less copious and varied than our own extensive, all but limitless vocabulary, the gesture and action by which he enforces his sentiments, but serve to cover up a dearth of words. Such gainsayer would, in reality, contend that this feature represents well-nigh the sum total of the Indian's oratory—a judgment, which, while yielding him honor as a pantomimist, begrudges him the distinction of true orator.

It is not, I grant, at all open to be contested that there are no arbitrary or complex rules of grammar in the Indian dialects—no frowning syntactical barriers that may not be overstepped, no relentless limitations that may not be exceeded. In the mat-

ter of grammatical construction, there is not, by consequence, demanded from the Indian a familiarity with exact methods, or the acquisition of correct models, to guide him in speaking. Relieved, thus, at the outset, of manifold grievous trammels, which harass and perplex the would-be proficient in oratory whom English phrasing binds—whom its depths and shoals confront—he escapes the necessity for observing inelastic and difficult rules, such as that language imposes; and is able, in the arrangement of sentences, to dispense with superfine, over-nice standards, as well as, in style, to avoid rigid and severe tests. The Indian, then, embarking on the study, indulging the practice, of oratory, may so pursue them as to better uphold a claim to superiority—as to more readily furnish an enviable, a finished product—than could one of ourselves, whose government, in speaking—as in writing—by strict rules of grammar, is essential; and whom ignorance or contempt of those rules would betray into grave solecisms in its use, that should destroy all hope of his attaining perfection in the art.

The undivided, keen attention bestowed; the unflagging interest evinced, during the delivery of an Indian's oral essays; the genuine, sympathetic appreciation his more ambitious flights evoke; the

liberal applause extorted by periods, where denunciation, scorn, or other strong mood that may possess the speaker is expressed—periods at which he has been roused to withering, or flaming invective—these, unless the discriminating faculty in his audiences be always and hopelessly at fault, appealed to, are no despicable factors going to substantiate his pretensions to good oratory.

Furthermore, the Indian has, I am bound to state, a finely-developed humorous side to his character; and to the end that he may lacerate—scourge—an adversary (while, incidentally, far from grudging his hearers the enlivening diet secured through the departure) dips freely into a full reservoir of sharp, pungent wit; in magnanimous, humane contrast, tapping, anon, a rich vein of genial pleasantry. To judge, indeed, from the cheerful exhilaration sparkling jest, or harmless banter radiates; from the bursts of exuberant satisfaction (these reaching a climax, occasionally, in explosions of much intensity) which, at transient intervals, the hurling of caustic pellets attracts from all, save their battered and indented target, I would esteem him a highly entertaining, as well as vigorous speaker.

Studied refinement in bearing, elegance of delivery the Indian, when speaking, certainly does not

exhibit; but these, after all, are mere outward embellishments, a proficiency in which is neither invited nor encouraged by the unpretentious circle in which he moves; driven is he not to defer, in this regard, to concepts current and honored in his modestly-critical social world.

Giving weight to this trifling abatement—if a drawback at all, one that a changed, more fortunate environing will readily remove—the Indian, nevertheless—versatile as is his genius in this proud department of mentality; vivacious, impressive; combative, persuasive—should be assigned high artistic rank as an orator. For—his capabilities markedly fettered, adventitious aids withheld—he yet competently and understandingly presses into service each salient attribute, each useful prop of oratory: has endowments which, when possible of being fully and freely exerted, shall utterly suffice to satisfy the highest expectations of the most exacting critic—the highest standard of excellence the critic could prescribe—for the accomplished public speaker.

THE RELIGIOUS BELIEF OF THE PAGAN.

The serene beauties of the Christian life have been richly and brightly manifested ; are graciously—entreatingly—spread before the purblind gaze of the pagan Indian—if it be quite justifiable to so describe those who reject Christianity ; that life—ingenuous and mild in precept, inspiriting in example — operates, through its numberless glad exponents, in benign, compelling fashion, around him and about him. Yet has he not been so alive to these ever-extended, tacit invitations ; not so attracted by the power, or the assurances of the Christian religion ; nor so amenable to its persuasive influences, as to make trial of the moral safeguards its armory supplies—as to resolutely abjure practices that savor of the superstition of a bygone age. He remains—deplore it as we may—an invincible devotee of Manitou, the Great Spirit, at once stringent and regular in his observance of the rites the relation imposes.

There has been an undoubted decline in, if not a positive discontinuance of, his once pronounced veneration—falling short, in the case of the Six-Nations, of the revolting worship—of images, as symbolic of some ultra-marvellous virtue, that was thought capable, at their caprice, of being en-

listed in; of some extravagant power, through their mediation, forced to react upon, human affairs. Nor is the adoration of the sun, of certain birds of the air, and others of the animal creation—further product of error and obtuseness—longer confessed blindly; the invocation of these for the assuring of success to various enterprises—an ancient article of faith—being, now, rarely, if ever, practised by him. Resisting the mutations of time, however, there linger memories of his gloomy tenets—there are, at the expenditure of much and careful effort, but too frequently erected monuments to fatuousness and to credulity—in the designs that decorate specimens of the handiwork with which he half-vexes, half-tempts the public eye. It is no novel exercise for him, when perfecting samples of the elaborate wood-carving, in which he is so strikingly proficient, to engrave, as the central feature of his production, some unnatural human figure, planned, evidently, to represent one of these aforetime conjurors with Indian destinies—one of these mystic wielders, deft controllers, of spells and charms. Can it fail to excite wonder that such refinements upon hideousness and repulsiveness, as are these effigies, should, to the comprehension of any, have stood for transcendent efficacy—betokened an overruling might?

The pagan's religious impressions—such as they are—seem painfully clogged, grievously clouded with earthliness; one almost insuperable difficulty that the missionary experiences, when attempting to inculcate religious principles in his mind, being to get him to entertain the notion that the human race sprang originally from one divinely-created pair.

He believes vaguely in the existence of a Supreme Being, though his idea of that Being's benignity and consideration relates solely to an earthly oversight of him, a paternal concern for his daily wants. His conception of future happiness is wholly sensual—bound up, in many cases, with the theories of an unrestrained indulgence of animal appetite, and a whole-souled abandonment to riotous diversion. That estimate of a hereafter which has gained his unreserved, his heart-felt approbation—one, in the more complete idealizing of which these coarser fancies constitute familiar adjuvants—adopts, for cardinal, for constant factor, his thoroughgoing addiction, in some renovated state of being, to pastimes found congenial and appeasing in life—their undisturbed enthroning, as it were. Joyously anticipation clings to a haunt delectable—happily as charmingly contrived to embosom spacious parks, immure seductive cov-

erts; refreshed soothingly his spirit by dreams of illimitable, virgin preserves, which should be stocked with unnumbered game, and where—equipped in perfection for the chase—he should plunge to satiety into its vehement pursuit. Capping the opulent, if naive, conceit, is imaged to his doting gaze, some luxurious and balmy sphere, on whose untrodden area, whose secluded plots—in him enfeoffed for aye—no other should encroach.

At this point, the reader's attention may, with profit, be drawn to the fact that Reg v. Pah-mah-gay, 20 Q.B. 195, led to an instructive, though grave, disquisition upon the religious faith of the pagan Indian, as it had to do with legal testimony. On a trial for murder, an Indian witness was offered, and, being examined by the Judge, it appeared that he was not a Christian; and had no knowledge of any ceremony in use among his tribe, binding a person to speak the truth, or of any form of asseveration, or of appeal to a Superior Power to attest his veracity, or of imprecating punishment upon himself, if he should declare what was false. It was developed, however, upon further inquiry, that he had a full sense of the obligation to assert what was true, and to refrain from uttering what was false; and that he and his tribe (the Pottawatomies) believed in a Supreme Being,

who created all things; and in a future state, where the measure of success in hunting and of happiness would depend upon their conduct in this life.

The evidence was admitted by the trial Judge; and his course was upheld by the Court.

The Indian's hope of attaining, in the future, a state of bliss, which shall vastly transcend his mundane experience, would seem to furnish a prolific, as it forms, doubtless, an ever-welcome, source of rumination. I remember once walking, with deliberate step, along one of the highways of the Reserve, though bearing about me, so far as I was aware, no specially suggestive symptom of my mind's being occupied by other than sublunary problems—of its spurning for aliment the commonplace in life—when an Indian stopped me, and asked if I was thinking of heaven. Although unable to conceive why this kindly, well-intentioned native should have imputed to me, at the moment, a profound wrestling with concerns celestial, I should have been only too pleased to own to his having rightly gauged the bent of my intelligence—a confession not alone worthy, in itself, to have been indulged in, but (presuming my accoster, as I did, to have been an Indian) one having, possibly, force for him, as helping to confirm the course of his own thoughts in an elevating and ennobling channel.

Truth, however, compelled me to avow, though reluctantly, the subserviency of my mood to calls alike ephemeral and puerile in import.

The pagan Indian still celebrates what he calls dances. Here the war whoop, energetic and abrupt of onset—with its shrill, sustained *crescendo*, its uncourteous rending of the empyrean—greets the air, carrying disquiet, not to say alarm, to the uninitiated; here the war-dance, with its affluent bestowal of paint and feathers on the performers—the mixing of the grotesque with the awful in its accompaniments; with the flaming novelty, exaggerated *ensemble* of costume which do duty at the function, gets free indulgence.

HIS INTELLECTUAL EQUIPMENT.

The Indian, apparently, has little hope of occupying—little inducement to adapt himself for ambitious or stirring contention in—a sphere, where a fuller discipline and cultivation of the mind are essential to the proper balancing and developing of its powers—where these are needed to render it equal to habitual, enforced collision with matured intellects. No appraisement of his talents may, in any case, be profitably undertaken—no sure result reached—until they shall have been exposed to necessary, to fairly exacting, competitive tests; until, with proper fructifying influences in play—influences conducive to an arousing to more effective mental exertion, bidding for response in greater intellectual strength and vigor—they have been subjected, so to speak, to some adequate and just system of assay; have undergone appropriate and due sifting. To arrive at the potential capabilities of the Indian in this princely division of being, the practically unfurrowed pasture, the nearly waste plot its bounds comprise must first encounter careful and prudent, yet withal, efficient, manipulation; the comparatively sapless fibres that pervade, the sluggish material enclosed in, what would seem a dreary and unfruitful region,

Oronhyatekha, M.D., Opp. p. 56.

Supreme Chief Ranger Independent Order Foresters.

feel contact with some invigorating, cordial force. For one to dismiss speculation—resolve the controversy—the Indian, in respect of his mental outfit, must, in fact, be made to cope with determining, pregnant ordeals—this should not be suffered to elude a generous and helpful friction, whose effect upon its object would furnish a trustworthy—indeed, the sole—basis for judgment. It is manifestly unfair to presage weak mental calibre in the Indian, from the deplorable state of inertness, in which he is at present, and has been long sunk—that enveloping torpor, palsying enervation—which has been alike invited and confirmed by repressive legislation—legislation which precludes admission to improving fields of thought, leaves him no scope whatever for increased mental activity.

The case of Oronhyatekha (whom it has been a pleasure to me to commend already as a graceful orator) accentuates, with telling force, the soundness of the judgment—helped to be formed from the conclusions of various observers—of Brudenell, in his valuable work, "The Indians of North America," that the Indian has in him the mettle to rise to any level of mental and physical accomplishment of which the white is capable.

The intellectual girth of this suave and polished Mohawk (a forecast of the physical possibilities,

by the way, may be instantly, unerringly builded from the most casual survey of the erect and stalwart frame, the confident carriage, the easy and the virile locomotion, the perfect poise) his capacity for miscellaneous mental effort are surprising; while his special talent for business is enormous. This his enterprising genius—backed by an indomitable will, an accuracy and closeness of grasp; by a well-developed instinct of attention, untiring industry, and a wondrous application of system—has permitted him to turn to the best account in the service of his adored guild, the Independent Order of Foresters.*

Not inappropriately might it be said that the beginnings of his unchecked gliding into eminence come as a marked fulfilment of the poet's fine ascription . . . (he) "knew the seasons when to take occasion by the hand." For it must be patent upon the smallest consideration — to demonstrate which, instead of derogating from, can but enhance the merit, dignify the conclusiveness, of his success—that the fortuitous circumstance of Oronhyatekha's rescue from the baffling,

* I take this occasion to disabuse readers of the impression, ensuing from my reference to him in the section upon oratory, that Oronhyatekha's authority is *limited* to Canada. It extends over Great Britain and the United States as well.

smothering vapors which the *régime* of the Reservation causes to be collected about its dwellers; and subsequent transplanting to a region, where—installed upon a platform of ardent and of jealous competition—his intelligence has been perpetually drinking in the ozone of an atmosphere of wide enlightenment; where his spirit has been kept uniformly bright and elastic by his looking out upon a picture of inspiriting and vital movement—has not simply colored, but alone made possible, his career. Indeed, he himself would scarce controvert the view that this early, auspicious lifting of him from beyond the limits of a horizon, which the ponderous shape of the law has converted into a synonym for contraction and stagnation—which nourishes with diligence, with warmth befriends, a soul-impoverishment—to an arena, where—brushing ceaselessly against a high grade of civilization—his powers have since known unfailing vivification; where, enjoying legitimate and healthful stimulation, energized by the clash of an emulous activity, they have been enabled to reply to renewed challenging, has saved him from what must otherwise have been substantial effacement.

It has been said that the Indian—agog for some ampler scheme of ethics—is much more prone to follow the evil than the moral practices of the white

—or, to resort to more explicit, blunter phrase—of two discrepant courses awaiting his adhesion, of two polar formulas emblazoned for his guidance, will be found impatient to emulate the vicious, resolute to forego the straightforward. And there can be no doubt, I fancy, that, were the Indian to be thrown continuously with a corrupt community amongst the whites—should he consort freely with a class with whom a low order of morality obtains—his acquisition of higher knowledge, instead of giving him better and purer tastes, must inevitably make him more skilled in planning works of iniquity.

Actual experience of a few cases, where there has been a more plenteous investing of him with mental accomplishments than is usual, gives color to the abstract notion of their probable misdirection, though the supposedly baneful white influence be altogether absent.

I should think the Indian—even with adequate training brought to bear—would lack powers of concentration, the faculty of applying himself to the subserving of some one grand purpose, the achieving of a single, distinct aim; and that he would likely be deficient in other kindred acquirements, by which a gifted and powerful mind will be asserted. I would imagine, on the whole, that

there is slight ground for thinking him capable, under the most favorable auspices, of perilling the eminence of the white, in respect of intellectual attainment.

HIS DISCOMPOSING LEVITY.

For the humorous instinct of the Indian, as signified towards his fellow-Indian, I cannot vouch with confidence; of its malign, its poisonous operation on myself I can speak with greater exactness, yet not without saddening recollections. The cases, indeed, in which I have been exposed to the brilliant play of his humor exhibit him in so self-satisfied an aspect, and myself in so inglorious a one, that I shrink from rehearsing the circumstances. I would remark, in a general way, however, that the Indian is a plausible mortal; that one needs to be wary with him—not too loth to suspect him of meditating some dire practical joke, that shall occasion, presently, the sore discomfiture of its proposed victim, whilst its author appropriates the sole comfort and jubilation. While these subtle devices of the Indian may not be conceived in the deeply malevolent spirit, with which the Mahometan, intent on a Christian's undoing, is credited, there is—having regard to the low parade of sportive elation, alternating with gleams of sardonic delight, which their issue in each case begets in the organizer—a striking accord in these covert, if not, from all points of view, jocose, mental expressions. I would be pleased could I recall

mishap of the kind, which should convey an adequate idea of the Indian's aptness in this direction, without involving myself, but I am unable just now to do so. And, although I could relate many instances in which trustfulness has incurred payment in this traitorous coin—where unfenced innocence, so exploited, has been ruefully confounded—fearful lest some Indian, learning of, and construing, fuller comment as an effort to extol his mental briskness—might cunningly extract an invitation to expend his sinister, if sleek, artifices, wreak his calculated perfidy, on other short-sighted and inane wights like myself; averse, in brief, to offering such a veiled incentive even to pursue his baleful habit, I stay my hand at more exhaustive mention of it.

At any rate, never, I vow, would a verification of the current adage, "the only good Indian is a dead Indian"—which, nathless, as a summary of Indian virtues or utility, I do here, trampling upon rancor, denominate a scurvy libel—be witnessed with more delicious gusto than during the infliction of one of these harrowing tests.

HIS MORAL ORGANISM AND PREDISPOSITIONS.

In face even of the strong—the passionate—urging for the Indian, by an author of his own persuasion, that, "before the white man put him in the way of a freer indulgence of his unhappy taste for drink, he was as moral a being, as one unrenewed by Divine grace could be expected to be," his legacy of drawbacks and infirmities is, methinks—and ever has been—quite as burdensome and ill-starred, his assortment of foibles and vagaries quite as munificent and varied as our own.

In its artless generalization, moreover, this claim avoids mention of a demeanor—leaves us without introduction to conduct—that might or might not be reckoned moral, under the circumstances.

There will, of course, be widely conflicting views respecting canons which—honored—a tenor of behavior which—practised—should comport with a reasonably seemly morality; divergent estimates of what a moral character, upon which there has been no descent of heavenly grace, for its strengthening and elevating, its tempering and subduing, should be. At all events, one is hardly prepared to accept that type of such, upon which no operation of Divine grace has been vouchsafed for its re-creation, or moulding anew, which the pagan Indian

(Opp. p. 64.)

A modern Indian in levee costume.

offers for dissection; and must distinctly hesitate to affirm that there inheres in him a high moral instinct—that a lofty impulse dominates his mind. And when this same native apologist, haplessly wedged between loyalty and candor—this one goading, that repelling—announces the discovery in his kind of such indwelling monsters as "revenge," "mercilessness," "implacability," acceptance becomes the more deliberately reserved—the affirmation falters none the less upon one's tongue.

Too rarely, also, does the relation formed between the man and woman of the pagan class—which it is impossible to dignify by other than the ill-sounding, churlish terms, "sexual alliance," "fleshly pact"—manifest a worthy or decent continuity. For that, clearly, is no impressive conception of human constancy which—pushed often into practice—permits untender, summary disruption of the bond, irregular and gross—weighed against our own less flexible creed, judged by our own punctilious theories—though it be. Nor would marital responsibility be rigorously defined by one, who, delivering, if I may so state, the *coup de grâce* to what had been, at all times, a loose, precarious delving for the family, abruptly desists from all labor and care for—withdraws his protection and support

from—the woman of his choice, leaving the reassuring to her of these contingent upon the exile's procuring for herself a second home—retrieving there, in part, what he has marred and shivered.*

While this state of things implies no very onerous interpretation of the responsibilities and the duties which pertain to an union of the sexes, by those in whom it is witnessed; that very many of these couples, on the other hand, frankly and faithfully acknowledge the sanctity of the tie; that, imbibing true—therefore exalted and beautiful—perceptions of its objects, its privileges, and its demands, they strive, with a full-hearted earnestness, to fulfil those perceptions, it would be as unjust, as it would be dishonest, to deny.

* Touching these mutually voidable contracts, there are extant some noted legal deliverances. The most interesting, perhaps, was the outcome of a case in the Missouri Court of Appeals. As one of the Court, Judge Napton, says: "It is plain that among most, if not all, of the tribes on the Continent, the understanding of the parties is that the husband may dissolve the contract at his pleasure." . . . "Marriage with them is merely a natural contract, and neither law, custom, nor religion, has affixed to it any conditions other than what Nature has itself prescribed."

In Lower Canada, it was decided by Judge Monk, in Connolly v. Woolrich, 11 L.C. Jur. 197, "that an Indian marriage between a Christian and a woman of the Cree tribe of the Northwest is valid, notwithstanding the assumed existence of polygamy and divorce at will, which are no obstacles to the recognition by our Courts of a marriage contracted according to the usage and custom of the country."

I am brought, now, to the review of a trait in the Indian—indolence—the inveteracy of which relegates all others to the shade; and which, since it cannot arbitrarily be assigned either to the realm of physical or moral manifestation, may be discussed with equal propriety here, as elsewhere.

One would naturally enough suppose that the Indian's holding in light regard material comforts —a sentiment, in its most conspicuous, intensest form, confessed through his stoical defiance of privations—would, failing to eradicate, have, at least, afforded a sufficient counterpoise to this crushing temperamental weakness. Nevertheless, so ingrained is the habit within him as not only to resist attempts on his own part to uproot it from his system, but defy extirpating process sought to be applied by others. The Indian is, in truth, a supremely indolent being; and, testifying to a no less thorough than ignoble subjection to the power of the instinct over him, has been frequently known—when he had recourse solely to the chase for the replenishing of his larder—to delay his steps to the forest, until the gnawing pangs of hunger imperiously drove him there for the wherewithal to still them. In this connection, he stands, in a word, the hapless subject of a dispensation, which condemns him to amble life's road, confront

its trials and its hardships, taste of its turmoil and its strife, cumbered with a veritable "Old Man of the Sea."

Widespread, of a surety, is the Indian's fascination for all sorts of marrowless feastings; immanent his craze for unreal gratifications, for insipid joys. His reverence, indeed, for these attains almost, in fulness and intensity, that yielded to some exacting fetish. So enamored are many of the species of notoriety—so unmeasured their appetite for parade—that, for vexatious, when not fancied, causes, they do qualify and tender themselves as principals, or upon the most hollow and transparent pretexts, obtrude themselves as witnesses, at judicial enquiries; they clamor for the rehearsal in public of manifold internal difficulties; and will supplicate a magistrate to adjust the simplest embroilment. I might recount instances without number of the extreme virility of the Indians' faith in this necessary, if not seldom arrogant and self-sufficient, emblem of the law; of their self-decreed submission to his fiat, as, to them, the exposition of an oracle.

For his sympathetic, somewhat effusive interest in the Indian and his concerns, Mr. James Weyms, a former Police Magistrate for the City of Brantford, had, by an approving conclave—measurably

constrained by the amenities, yet not entirely despairing of subsequent large advantage to accrue to the movers, as well—been beckoned to a dizzy pedestal, and been made to embrace unfading renown, through his creation as honorary chief in the confederation. He was an eminently peace-loving man; and was, everywhere, recognized as a past-master in patching up these household rifts—an adept at uncoiling every variety of conjugal twist. Therefore was he apprized of, earnestly besought to review, no end of fiery domestic upheavals.

Many of these hearth-side disturbances, while—conformably with custom—concealing problems of the most baffling intricacy, contained elements —nearer the surface — of quite sufficient complexity. The beneficent and fearless Cadi would, nevertheless, dispense from his tribunal amiable and sage advice—prescribe remedial measures, having in them the promise of untold efficacy, in allaying bitter feuds, healing recurrent sores, composing rankling differences; in dispelling mutual mistrust, and restoring ancient confidences. He has managed, more than once, with infinite tact, insight unexcelled, to transform a discordant, recriminating couple into a pair of harmless, peaceable, love-consumed doves.

There rises, in my mind's eye, the case of a

twain housed on the Reserve, whose domestic life had become so completely embittered, that every vestige of old-time harmony and happiness had fled. As no sovereign, benign mediator between them, in this evil crisis of their fates—as no sapient and ready counsellor—was the help of this dignitary grasped at; but harshly, unrelentingly, with a view to his devising and perfecting terms of separation, there being an adamantine resolve in the breast of each to no longer live with the other. Thus nursing furiously ugliest passions and resentments; applying themselves, in an efflux of congenial rivalry, to foment the home-brewed energy of a vast caldron of stormy emotion, with glowering, frenzied aspects, actively reviling tongues, they repaired to the magistrate's office. Primed, then—as were both—to repel stoutly overtures aiming at their conversion to gentler views—animated by an unreasoning and stiff preference for scouting flatly praiseworthy, if meek, endeavor put forth by a third person to instil milder counsels, he, notwithstanding—touchingly invoking endearing memories on either side, skilfully inviting retrospection of remoter mutual courtesies, early undimmed pleasures—gradually brought the would-be sundered people to a wiser mood; evolved fragrant and delicious concord out of violent and dark dissension.

The Indian, again—an imposing section is here included, I am led to think—who has not lain hold of the modifying influences, or profited by the corrective discipline of education ; who has not been privileged to throw up the rampart against such onslaughts an advanced knowledge and culture construct, is often irredeemably seduced by the siren note that is being continually sounded for him—succumbs full heartily and speedily to the sorry and the brazen witchery employed upon him—by an empty tinsel and glare ; while he is promptly overthrown in the assaults which a vulgar and gaudy frippery, a gilded pomp inflict upon his senses.

As salient testimony, in one line, at all events, of the homage accorded such divinities, the cheap marvels and the stale by-play of the circus—intellectual sustenance, let me candidly proclaim, not more repugnant, domination not more irksome, to teeming hosts among his better-tutored, clearer-sighted white brethren—bare to the Indian a flowing mine of comfort, cater sweetly to a pleasure repetition never cloys. Depressing, indeed, to feel that both his material interests and the integrity of his slim exchequer should, with the same fervid enthusiasm, be impaled upon this altar! The preliminary street-pageant (once more finds he

not excuse in the frantic onrush of a similarly-smitten humanity across his borders?) with the nauseous admixture of sullied raiment and frayed trappings in its animate, and of obtrusive glitter in its vehicular, components, agitates for him no less taking a bait.

Elsewhere have I asseverated that the Indian is hospitable; and, so saying, one must rate him—in relation, especially, to accidental, to unlooked-for claims on his attention, appeals to the good-will that wake the impulse of imperfect obligation—both kind and considerate. He evidences here an innate courtesy and politeness—albeit, in the knowledge that he denies the woman (from deep-seated prepossession this) equal footing with himself, an ingredient is uncovered which appreciably dilutes the compliment—must assuredly prevent its passing as an absolute quantity. Still, while, either through misconception of woman's true purpose and mission in the world; or through failing to apprehend—to be ingratiated by—that grander, higher, self-dictated helpfulness she brings to man, he commits to her much of the drudgery, and imposes upon her many of the heavy burdens of life, in the privacy of the home-circle, (a potent influence, he, in the ordering of its destinies) devoid, by no means, is the Indian of chivalric in-

stinct—associated full often with his manner is a winning courtliness.

Proverbially, there are oft-transpiring, seriously-prolonged moods, under the influence of which a not sparsely-represented class of Indians pay equally servile court to fisticuffs and "fire-water" —find themselves, I might better say, self-projected on the arena of the one, having been hopelessly subjugated by the other.

Although our legislators have nobly and perseveringly labored to destroy, or, failing this, abate (for its destruction would, I fear, be an abortive undertaking) the Indian's inordinate craving for drink, their efforts have not, so far, borne extraordinary fruit.

The Indian Act puts a restraint, not only upon the purchase of liquor by the Indian, but upon its supply to him, in any way, by any one. The Act forbids, as well, its introduction into, or the harboring of it, in any shape, under any plea, upon, the Reserve. So stringent have its enactments been regarded, that it was decided, a few years ago, in the case of *Re* Metcalfe, 17 O. R. 357—a movement taken to enjoin the Returning Officer, acting in proceedings which proposed the repeal, within the County of Brant, of the Canada Temperance Act (the stiffly suppressive tenor of whose provi-

sions is notorious) from inviting or accepting votes of Indians in Tuscarora—that these had no voice in the matter, by reason of the unmixed prohibitiveness of their own domestic code. True it is, that, in the Queen *vs.* Shevalear, 11 O.R. 727, the late Sir Adam Wilson ventured a dictum, which involved the contrary conception of this—in practice—pervious and instable barricade against the admission of liquor on the Reserve, these too fragile devices for diverting it from Lo's well-affected, discriminating palate, viz., that there was nothing in the Temperance Act to conflict therewith.

As his expression of opinion, however, was not necessary to the judgment, it ought not to be held to weaken *Re* Metcalfe. One dislikes, moreover, to assume the perverse attitude of imputing to the Chancellor, who determined the vexed point, that he was either unaware of, or else wilfully ignored, the earlier judgment. Into the effect of emanations from independent or rival founts of legislation, which deal with a cognate topic, Reg. *vs.* Young, 7 O.R. 88, gives an edifying insight. It was there adjudged by Osler, J., that a person might, by committing himself to a particular course of action, be properly treated as an offender against both the Indian Act and the Liquor License Act; the offence charged, in that

case, being against the Liquor License Act. This decision, be it known (sharing the fate of a number of others) has, since its delivery, been dethroned from its position as an authoritative judgment, on account of the clearing up of a misconception of legal practice, which had been long currently illustrated.* On the other hand, in Reg. *vs.* Boyle—a case that missed fire by reason of a fatal informality in affidavits—the Judges of the Common Pleas Division leaned strongly to the view that it was no offence to sell liquor to an Indian, *without a licence,* since the possession of a license could, under *no* circumstances, legalize such a dealing. Reg *v.* Duquette, 9 P.R. 29 (which it would have been more appropriate, perhaps, to introduce in the chapter upon "Settlement") decides that the Liquor License Act of Ontario, and not the Indian Act, is in force within the four-quarters of Indian land held under lease from the Crown.

The law upon this subject has been somewhat of a dead letter; since, where the Indian has not the assurance to apply to the hotel-keeper, in person, for liquor; or where the latter, imbued with a wholesome dread of the penalty for contravening the Act—ranging now from $50 to $300—refrains

* The difficulty was as to the jurisdiction of a single Judge to entertain motions to quash convictions.

from giving it, the agency of unprincipled whites is readily secured by the Indian; and, with their connivance, the unlawful object compassed. Naturally, the white abettor in these cases risks but trifling publicity, and is inspired by little fear of detection. Unfortunately, there are too many hotel-keepers, who, though they more than suspect the purpose this liquor is to subserve, permit a detestable greed—the accrual of a paltry profit—to overpower all righteous compunction; and so lend themselves, with odious alacrity, to the law's infraction.

Intoxicants, when freely used by the Indian, cloud—often wholly dethrone—his reason; annul his self-control; madly slaying all the gentler, enkindle, and set ablaze all the baser, emotions of his nature—impelling him to acts vile, inhuman, bestial; with direful transforming power, make the man a fiend—leave him, in short, the mere sport of demoniac passion. It may be thought that this is an overdrawn sketch; and that, even if it were true—which I aver it to be—full exposure of its fearsome aspect, its sombre outlines might well have been withheld. I desire, however, in presenting the picture in its unrelieved enormity, in its unmasked horror, to point an urgent moral—trumpet a solemn warning—to all who render possible its

delineation, all who should be tempted to simplify consumption of the draughts which lead to its draughting.

Neither let the offending Indian, I beg, resent this depiction of him in such repugnant light; let him, rather, so use the lesson the experience is meant to teach that it may turn to his enduring advantage. Let him overmaster his enslaving passion; let him forswear the tempting indulgence; shun the envenomed cup, which, for *his* compliant temper, but exhales the loathsome breath—clothes the insidious craft—of the Evil One, ever seeking to draw chains of Satanic forging about him. An Indian has pleaded obliviousness of the *fracas*, which had followed some drunken bout; and during the progress of which the death-stroke was dealt to some unhappy fellow: another has disavowed recollection of the systematic doing to death, when drunk, under circumstances of the most flagrant atrocity, of an unfortunate wife.

Although the proximate result of drink with the Indian is more alarming than with the white, the ultimate evils and sorrows wrought by continued excess are, of course, identical—moral sensibilities blunted; manhood degraded; mind wrecked; health shattered; strength sapped; worldly sub-

stance dissipated ; the tortuous, the profligate bent of men's nature violently—acutely—stimulated ; its unscrupulous and repulsive side, unleashed, asserting itself with noxious iteration.

Want of energy and fixity of purpose—expressed through a sort of leaden supineness—are, in the Indian, prominent deficiencies. Sustained effort here, as in other directions, is the Indian's cureless aversion. Rising before him an inexterminable bugbear, there is bred by its suggestion a composite stand towards it of majestic aloofness and overbearing protest—concept, whose bearing upon his conduct of the business of the farm is worthy of note. He is unable to address himself to his labor in the fields with that full-intentioned mind to put in an honest day's toil, which the white man brings to its discharge, being (staunch votary he of the frivolous and the garish in existence) often, and unresistingly, led by some petty pleasure or allurement, some diverting folly—ever something of trivial or flimsy moment, something in its essence transitory and unsatisfying—into permitting his day's work to meet with serious break ; which he laments, afterwards, in doleful refrain, of farming operations behind, and domestic matters unhinged, generally.

Though the active and purposeful white strives, with interest and zeal, to infuse some portion of his

own effervescing energy into the Indian ; while he encourages him to augment the inner muniments by a fund of aggressive vim—pleads with him to incorporate with those possessions a reserve of helpful tenacity—I have perceived in him, as yet, no more than the barest sprinkling of these desiderata.

Though irresolute himself, the Indian will not tolerate, but is sufficiently warm in his disapproval of, unmanly vacillation on the part of whites set in authority over him.

HIS CONTEMPLATIVE AND ÆSTHETIC BENT.

There is, now and then, brought in request by the Indian, seeking to adorn, whilst he would fain propitiate, strangers, of more or less eminence and note, put in touch with the inner brotherhood, the close freemasonry of the tribes, through their induction as honorary chiefs, a nomenclature tasteful, yet imposing—Flying Cloud, Whistling Wind, Hole in the Sky, Rippling Stream, Orb that Sinks in the West; though the suggestion about some of his own patronymics (for the majority of which he has fondly turned to Natural History) is more dubious, much less wholesome—their euphony, too, being justly open to be impeached—Mud Turtle, Snake, Henhawk.

Anent these slightly equivocal—not quite guileless—designs of the far-seeing Indian for recruiting the bulwarks, so to speak, of his moral support, there was executed recently an exceptionally adroit twirl of the noose—an avaricious sweep of the net—which resulted in the capture, for the purpose in question, of the estimable occupant of Rideau Hall, Lord Aberdeen. The way, by the by, in which the Earl's sobriquet is reputed to have been chosen—if correct—instances the fine blending of graceful tact and spontaneous ingenuity so con-

His Excellency the Governor-General

(Honorary Chief of the Six Nations.

spicuous in the Indian. It appears that the tearful god, who, for some time before, and during his Excellency's entire journey to the Council House, had been ostentatiously hanging out his trist signals, inscribing his dull portents on the remonstrant dome—his blatant and gruffer coadjutor, Vulcan, venting, meanwhile, some perfunctory spleen—at the moment of the Earl's wildly-acclaimed advent, became magically placated. Hailing the wizard, who had interfered to work the happy permutation, the Indians promptly christened their visitor Date-ron-te-oh, "Clear Sky."

From the drift of these titular awards, the ring in these grateful appellatives, I would deduce that the Indian has a keen eye for natural phenomena; would think, for this, and for reasons equally valid, that he—an uncultured child of Nature—is no less intelligent and lively an observer of its workings, than he is an anxious, a profound student of its economy. Cognizant am I, myself, of the aboriginal's being strangely thrilled by the outlook on the heavens' vaulted majesty—their deep and pure infinitude, their stately calm, resplendent tinting—of his rejoicing in the radiant expanse, the peerless vista of the Universe; while much impressed with its mysterious, yet perfect, order, and the abounding, lustrous proofs of its superb construction and stupendous design.

More than this, linked with the seemly posture of one that is steadily and warmly sensible of her bounteous and ready ministering to its gratification, of her welcome and her kind provision for its sustenance—the average native betrays a genuine solicitude to probe the momentous relation inanimate Nature bears to Life; a laudable and large concern to apprehend the stern, the lofty problems she projects upon its stage. Persuaded I am that the Indian, scrutinizing—pondering—her varied aspects, awesome, brilliant—ever wondrous, is uplifted by her many-sided grandeur, her changeful panorama; made glad, like ourselves, by her gorgeous coloring; fast-held, ofttimes, within the thrall of her entrancing beauty. I know him, besides, to have an accurate and wide knowledge of Nature's lavish endowments, of the myriad creatures in her realm. Deeply imbued is he, also, with the sense of earth's marvellous freshness, its all-pervading glory; as he is attracted mightily by its rich vegetation and elegant verdure—the luxuriant canopy, the multitudinous artistic forms, of foliage; the lovely gloss on leaf and blade; the plant's unstudied grace, and ornate tracery; the flower's unequalled hue, its delicate enamel.

The Indian, in a word, while blithely, tirelessly, regaled by the fuller vision of God's stable foot-

stool; while he exults in the all-satisfyingness of this his earthly temple; marvels at the rich return from mild irruptions on that fruitful lair—from little more, at seasons, than the bare unlatching of that bursting treasure-house—rapturous, at all times, is his appreciation of the unrivalled profusion of its outer, the diversified splendor of its unforced, wealth. Taken, moreover, from the same chaste and vivid source are his choicer similes of speech—fashioned on the same engaging model his aptest metaphor.

Evidences these—as may be divined—of an interest in the structure and plan of the visible world, to a great extent, inspired; of an intimacy with their more regular operations and mechanism induced; of a solace from their revelations yielded; of a contemplativeness over their less decipherable objects nourished, by the reverent and close communings of the Indian—answering, I dare believe, the spur and guidance of a pleased volition—with Nature, in her serener humors; which his languid and dreamy surroundings; the general quietude of his situation, with its resultant habits and tastes, its immaterial, frail demands, and modest aspirations, impose upon him. Pleasurable, cheering effects are they, as well, of an intercourse, to which Nature's winsome land-

scape, the outstretched prospect of her broad effulgence, of her sumptuous vesture powerfully allure him; to which his dependence for a charm—an auspicious coloring to life—on her disclosures; his sincere craving, zealous battling for the surrender of her secrets willingly accustom him.

Easy, therefore, of credence is it that—refuting the outward setting—there should lurk somewhere the poetic afflatus in the Indian's self-contained, impassive tenement—dwell hidden the fire of fancy in that seemingly unfervid breast.

Its implanting in others of the race verified abundantly by history, we have, at least, one bright contemporary example of poesy in the Indian—embellished, as its dulcet wakings, the felicitous draughts upon her muse bespeak, by graceful, well-chosen and effective language, while vivified by sparkling and warm expression, or appealing in its tender, moving sentiment—Miss Emily Pauline Johnson, daughter of the late Mohawk Chief, George H. M. Johnson.

HIS BUSINESS RELATIONS WITH THE WHITE.

The Indian Act, which constitutes him a minor—solemnly dubs him child-like, though shy of its yoke-fellow, "bland"—disables the Indian from entering into a binding contract with an outsider—an agreement enforceable, at least against himself, to such an extent as to be of practical service to the adverse interest.*

The consciousness of debt to be defrayed does not, as a rule, weigh heavily on the Indian mind; remembrances of long-subsisting or expired credit rarely provide food for burdensome reflection. So is the Indian prompted to make and tender his promissory note to a white creditor with gleeful complacency. There are two elements which contribute, though in differing degree, to produce in him this frame of mind. Stands forth the first, and guiding one, that, for removing from immediate contemplation a debt, he is adopting a temporizing (would that it wore the label "conscience-lulling") expedient, which affords no guarantee whatever for its

* The naked right to sue and recover judgment against an Indian was established by Bryce, McMurrich & Co. *vs.* Salt, 11 P. R. 112. Since an execution, however, can only reach effects which he may hold off the Reserve, the preciousness of the right admits of convenient fathoming.

ultimate satisfaction. Obtrudes, then, the other—exerting a feebler stimulation, less headlong in its impetus—his recording, through the act, his sense of rebellion against a restrictive law, which, ever-welling up in his breast, seeks such-like opportune vent for its relief.

When trading with an Indian, it was formerly the custom for the merchant, who, appreciating the wiliness of his customer—alive to the perils of his finesse—felt a natural concern about dealing with him upon as safe a basis as possible, to insist, where practicable, upon the Indian's anticipating his interest-money, in settling for his goods.

And that the merchant might have some assurance that the setting on foot of this plan by the individual, on previous occasions, had not effected the exhaustion of his allowance, a chief of the particular tribe to which the Indian belonged, who was expected to inform himself of the condition of the interest-fund, signed an order for him to hand to the merchant; the Indian superintendent getting possession of this before he should proceed with the season's payments.

For some time back, however, the rendezvous—the Ohsweken Council House—appointed for dispensing these half-yearly confections has not been allowed to be viewed by merchants and others as a

collection-depot—as a place, in fact, where substantial furtherance of their business interests with the Indian may be looked for.

It is not a pleasant thing to impugn the Indian for a lack of straightforwardness and probity; but that he possesses no dazzling superfluity of these properties, cannot, I think, be hopefully gainsaid.

I am inclined to attribute this state of things, in great measure, to the operation of the law. If the Indian, who does not pay, and who never intends to pay, were not exempted from the salutary lesson apprehension of a distraint upon one's goods teaches, he would not so often seek to evade payment of his debts.

HIS HABITS AND MODE OF LIFE.

A mode of life is governed largely by the circumstance of the individual's estate and surroundings —will, naturally, be accommodated to the exactions merely of the society in which he figures, which he goes to compose.

With the Indian, poverty, or—to utilize an euphemism—his straitened position shapes his habits of life ; he but bends to compulsion's decree in the matter.

Since our conceptions of the red-man's whilom manner of existence are primarily associated with the wigwam, a description of the manner and stages of its construction may not be out of place. Poles, 12 or 14 feet long, were first embedded in the ground ; which, meeting at the top, were so adjusted, with reference to the covering they supported, as to leave a small opening, through which the smoke could escape. Over the poles was then stretched a fabric—partaking usually of the appearance and characteristics of matting—and formed of birch-bark, or other suitable material.

Verily are the residential needs of the Indian readily satisfied : with graceful equanimity, he, at all events, surveys the contracted nature of his accommodation. His dwelling, ordinarily, consists

of one room, answering every purpose of life—eating-room, bed-room, reception-room—principally, however (as should befit the season) for the snow or mud that has been persuaded to relax its hold on the incoming visitor, or inmate, after antecedent striking demonstration of its adhesive qualities.

The Indian adopts frugal fare, paying high honor to maize or Indian corn, to the cultivation of which he appropriates the greater part of his land.

In walking, the man habitually precedes the woman, as he thinks it undignified to walk alongside. Little in the way of genuine social intercourse is maintained between them ; and there are indulged in common none of those trifling and innocent pursuits, which cheer and brighten life amongst ourselves. By what motive dictated I will not undertake to say, but this tendency, among the Indians, to a repulsion of the spirit of interdependence, in respect of the oftener recurring concerns of life—their predisposition to sex-cleavage —noticeably declares itself through the action of mixed congregations in church. There, like the Quakers, the men and women, having (irrespective of kinships) with great show of discreetness, betaken themselves to, with prim austerity, remain, during the service, ensconced in, opposite divisions

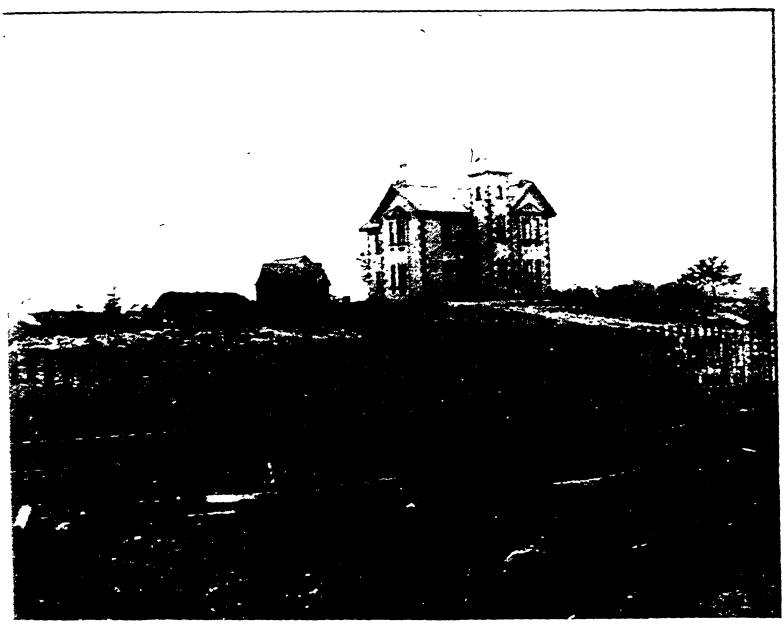
of the building. The native evinces a decided reticence in his intercourse with strangers; though voluble in the last degree when he falls in with one or more of his own people.

The Indian imbibes—let no one, I pray, too hastily admitting the bald statement, call up a prime physiological process, as it is exerted on a certain ardent, hence popular, sample, for I protest that I am not now reverting to this sad failing—imbibes swiftly the current fashion of the hour amongst whites. If raffling, for instance, has been voted an approved method for realizing on personal effects, he incontinently adopts the practice to the disposal of every conceivable chattel he may wish to be rid of.

The custom of piercing the nose and suspending nose jewels therefrom—much prevalent 25 or 30 years ago—has fallen into disrepute, the Indian, probably, having been brought to view such bedecking of himself as contributing, in a doubtful way, to his presentableness.

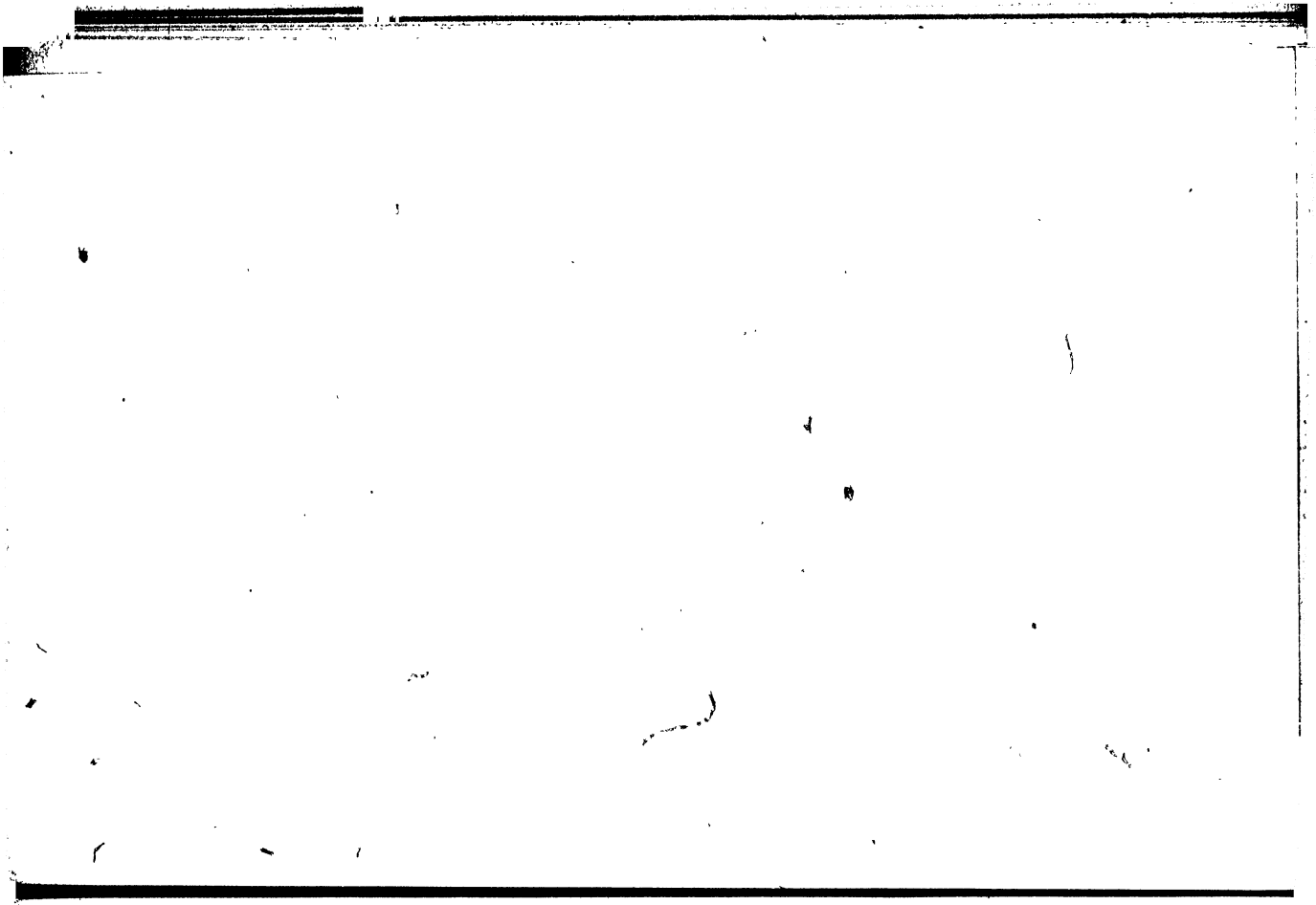
Many specimens of the outer garments the younger women disport exhibit an exceeding brilliancy of hue, while their texture and design in no wise detract from the novel and startling impression about the make-up, in general.

To this extent surmounting his inbred apathy,



Residence of Chief A. G. Smith. Opp. p. 100.

Tuscarora Reserve.



the Indian has made appreciable progress in the understanding, and achieved good results in the pursuit, of agriculture. Some half-dozen or so of the farm-houses on the Reserve (though I would caution against borrowing herefrom any resistless inference of undue bustle in the harvest-field) in their external magnificence, and the pretentious order of the architecture favored, as well as in the matter of internal finish, rival the best of those which the white husbandman has erected.

The lowlier Indian's notion of comfort, in sleeping, claims impalpable affinity with soft beds and generous covering—unmanly delights of the Sybarite, which, in forming it, engage not his mental vision. Perhaps, though, overpowering necessity is again at hand to provide a harsher and a humbler definition.

His resting-place at night—when not the ungarnished floor—is, commonly, an improvised lounge or couch, the quality of whose fiercely-assertive surface shows itself absolutely unyielding, or roughly undulating, according as the element of springs quite fails to be, or was anciently revealed through its design. The dimensions of this crude structure are painfully circumscribed, in point of breadth—are, in fact, in any view, far from adequate to the due reception of the human form.

Peculiarities these of the makeshift, which—to one, who, not inured to the proceeding, has been too tamely beguiled into the venturesome business of reposing upon it—in good time, become aggressively hostile features: influences are they which cause its sensitive occupant, anon, to recoil in anguish from its gentlest pressure, its mildest touch; and—the climax of misery being reached—which impel him, hastily and resentfully, to desert its recreant refuge.

Never, of course, does lenity direct its white-winged mission to his afflicting strait. Never comes softening of the luckless regimen through the merciful agency of a mattress; hopeless for one to negotiate for a measure of improvement from the paltry concession of a pillow; lent is there not a preventive to calamity in the thankful appendage of a side-bar.

In reality, most Indians, I believe, disdain ample and appropriate covering, with other not less blissful than efficient accessories for wooing slumber, through a reluctance to proclaim what would be, in their sight, a degrading surrender to a weak impulse.

The unsymmetrical and squat structure—for the erection is, in most cases, really no better—which, with excess of boldness, commingles its unpleasing

outlines with the forest's wealth of foliage; or, with o'erweening license, flaunts its mean proportions, where spreads the vastness of the plain: this modern habitation of the Indian, rearing its unshapely pattern on the site of the historic wigwam, has obliterated that storied relic of the picturesque in Indian life. Displaced has been his ancient abiding-place, in imagined view of which, has oft, unto scion of the race, been wafted a breath, laden with moving memories of that lightsome day—felt as a blest reminder of a vanished time—when the Indian, though a rude and savage, was yet a lordly being; when he proudly ranged the prairie, and faced the wild's fierce denizens; when aught but pre-eminence was foreign to his soul; when he owned the supremacy—brooked the dictation—of none; when existence was a round of joysome light-heartedness, and he a stranger to constraint. Rudely has degeneracy, razing this to earth, despoiled itself of that, which—decked of old with the inspiriting emblems, and ample garniture of war—has bade such, fancy-wrapped, survey a sometime glorious stage—discover there a scene of strenuous movement; and (noting both) with prideful ecstasy, recall his people's pristine grandeur, a nation's martial might; could invoke recollections of a momentous and a thrilling past—re-

animate, and summon before him, the shadowy figures of his redoubtable sires, and re-enact their deeds of valor in the fore-front of the fight.

This present-day dwelling of the Indian, to my mind, emphasizes his mournful—perhaps inevitable—decadence, instead of symbolizing a partnership with the white in the higher pursuits of a practical, enlightened, and energetic age; or co-activity with him on a theatre of enlarged, more vigorous, and more fruitful emprise.

HIS MARTIAL SPIRIT AND FAME.

The pronunciamento embodied in the caption has, in both its branches, been so strikingly—impregnably—demonstrated, that, as an enlarged text, I am spared the task of laboring it. Nor need one dive into the remote recesses of antiquity for material with which to elucidate—for events with which to enforce it.

And there exists, I venture to think, no more disposition, than there is historical ground, to question the valuable service rendered by the Six-Nations to the mother-country, during the period of sharp trial visited upon her in the course of the defensive war of 1812-15.

For a century or more, it has been vociferously put forward as a reproach upon the Indian that he fights well-nigh exclusively from ambuscade; that he rarely, if ever, deserts cover, unless irretrievably dislodged by the enemy. When treating of the Indian's warlike doings, one feels disposed to stigmatize less harshly the prudential stand he seems, as a rule, to have taken; and recognize that it was seldom adopted from motives of cowardice, when it is borne in mind that he has, from the earliest time, been educated into the belief—that it has been dinned into him as a national tenet—that

in ambush and surprise lies the true and only science of war.

It is not easily provable at what stage of the contest the assistance of the tribes was first invoked; though I apprehend the march of General Brock from the seat of Government to the western frontier, in the summer of 1812, to repel General Hull's aggressive movement from Detroit, fixes roughly the epoch.

Arrived now upon the scene of hostilities, and Hull having retired across the river, Brock resolved to attack him. He had with him a force of some 700 regulars, and 600 Indians, under Tecumseh. The result of this move was the prompt capitulation of Hull, and the bringing into subjection of the entire State of Michigan.*

The earliest undoubted participation of the Six-Nations in the struggle was before Queenston, in the month of October, 1812; where an incipient and exceedingly gallant demonstration was made against the American position by a detachment, under Captain John Brant, son of the celebrated Thayendanagea. In bringing about the final rout of the Americans upon this historic field, Indians, also, shared gloriously.

*MacMullen's History of Canada.

A disposition to hark back. (Opp. p. 96

It is not quite clear whether the Indians contributed to the success of General Vincent, at Stony Creek, in June, 1813, or not; but I imagine a proportionate body of them must have been continuously with the main army, during its operations within the constantly-menaced circle comprehended in the Burlington and Niagara District.

While the circumstances of the engagement at Beaver Dams, near Thorold—if the sorcerer's trick (I speak in no depreciatory sense) called forth by Lieutenant Fitzgibbon, with the humiliating reverse it entailed upon the Americans, entitles it to bear that designation—forbad the handing down by the Indians of a record for intrepidity or dash, they showed to what surprising advantage the terrorizing effect which the motive principle of Indian warfare—the conjuring up its shrieking sequel—will produce upon unseasoned adversaries may be turned.

A part of the white troops, and a trifling collection of Indians, some 50 or so, under Captain Kerr (son-in-law of the elder Brant) though one historian assigns their leadership to John Brant—were so disposed about the skirts of the forest, which intervened between the British and American lines, as to convey the impression that an overwhelming array of these—from their timorous foemen's stand-

point—sanguinary and unruly pests were curtained by it.

As the result of this clever hypnotism, the Americans surrendered, without a blow, to less than one half their number.

At the capture of Fort Niagara, in December, 1813, under the superintendency of General Murray, the Indians were most useful accessories.

"General Riall, who had crossed over with a detachment of 500 men to support Murray, in case of need, on learning his complete success, pushed up the river to Lewiston, where the enemy had erected batteries for the destruction of Queenston.

"These were abandoned on his approach, and Lewiston, in revenge for the burning of Niagara (consummated by order of the American General McClure) was given to the flames, as well as the Villages of Youngstown, Manchester and Tuscarora. At the same time the auxiliary Indians and light troops were scattered over the adjacent country, and took ample vengeance for the numerous injuries which had been inflicted upon the Canadians."*

"On the morning of the 28th of December, the indefatigable Drummond was at Chippewa; next day within three miles of Fort Erie. He now determined to assail the enemy's position at Black

* MacMullen's History of Canada.

Rock. Accordingly, on the night of the 30th, Riall, at the head of 540 regulars, 50 militia volunteers, and 120 Indians, crossed the Niagara two miles below the post he was to attack, and landed without opposition. Next morning, at daybreak, this detachment pushed briskly forward against Black Rock, attacking the enemy, who was strongly posted, with great spirit. After an obstinate contest, the Americans were driven through their batteries, and retreated towards Buffalo.

Both Buffalo and Black Rock, in completion of the scheme of retributive justice, were, on this occasion, given to the flames."*

Taking up the campaign of 1814, the most notable events of the year were the retreat of the British at Chippewa, and the inspiring, glorious rally which was afterwards, upon the arrival of reinforcements, made by them at Lundy's Lane.

Calling attention to the issue, and summing up the aspects, of this memorable contest, MacMullen says:

"Such was the battle of Lundy's Lane, the most fiercely contested, and bloody in its results, of any fought in Canada during the war. The Americans had largely the advantage in point of numbers; the British the best position. Still, it is difficult to

* MacMullen's History of Canada.

imagine how sixteen hundred men could have resisted an army of five thousand for nearly three hours, had the latter been skilfully commanded. The field of battle was open, there was no bush fighting, no breast-work of any kind, and the eminence held by the British was only of trifling height and quite easy of ascent. The Americans showed a desperate courage worthy of their British descent, and had Brown wielded his large columns more skilfully, Drummond could scarcely fail to have been beaten. He committed a blunder in not knowing more of the British force in his front, and Scott committed a still greater blunder in commencing the battle before Ripley's brigade came up. Had the whole American army been at once thrown skilfully against the British line, it must have been outflanked and hemmed in, and Drummond compelled to retreat, or have his small force destroyed. While their troops behaved admirably, neither Brown nor Scott displayed the genius of the skilful military tactician, and literally fought the battle by detachments, to be repulsed in detail. They sought to win a victory by the mere physical courage of their men, while their superior numbers should have decided the contest in their favor with one-half the loss they sustained in being beaten.

"The Americans claim they won a victory at

Lundy's Lane, but on what grounds it is difficult to imagine. They did not drive the British army from its position. If for a brief space they had its guns in their possession, a bayonet charge compelled them to surrender them again, besides losing one of their own in addition. Nor did they remain in possession of the battle-field. That honor rested with the British troops and the gallant Canadian militia. The latter fought for their country with illustrious valor, and behaved with all the coolness and courage of the best veteran soldiers. The loss of the American army, also, was the most severe, being 930 killed and wounded, and 300 prisoners; while that of the British, prisoners included, only amounted to 870 men. Generals Brown and Scott had been severely wounded during the battle. Drummond, also, was wounded in the neck, but remained upon the ground, nevertheless, till the enemy had retreated.

"The active command of the American army now devolved upon Ripley, who was directed by Brown to make a fresh demonstration against the British position, at day-break on the following morning. But a reconnaisance soon convinced Ripley that Drummond was fully prepared to receive him on precisely the same ground, and he therefore declined giving battle. Fearing to be at-

tacked in turn, Brown now determined on retreat; and, having, on the 27th, set fire to Street's Mills, destroyed the bridge over the Chippewa Creek, to check pursuit, and thrown his heavy baggage, tents, and provisions into the river, retired on Fort Erie, while Drummond's light troops, cavalry, and Indians followed rapidly in pursuit."*

I have not reviewed any of the campaigns in Lower Canada—the determined measuring of strength with strength, the splendid pitting of courage against courage at Chateauguay and Chrysler's Farm—since there is no reason to suppose that Indians took part in them.

That the Indian sighs for *contemporary* prominence as a warrior becomes apparent from the memorial lately addressed by the tribes to the Government, soliciting the right of formation of a native regiment; a memorial with which Mr. O. A. Howland, Mr. E. M. Chadwick, Mr. W. Hamilton Merritt, and other citizens have not merely shown a generous sympathy, but to which, with admirable singleness of purpose, they have lent their active countenance as well.

* In the original recapitulation of the British forces, MacMullen fails to chronicle the presence of Indians, but this reference would indicate that some were engaged. He particularly mentions, besides, the fact of there having been 600 Indians amongst the army giving battle at Chippewa.

HIS PRINCIPAL PASTIMES AND DIVERSIONS.

Lacrosse—as is well known—is the national game of the Indian of our own day. The agile form with which Nature has gifted him brings an essential pre-requisite to success in a contest, in which the laggard is at heavy discount.

Though a white team frequently boasts two or three individual runners, whose speed will outstrip that of a corresponding number on the side of the Indians, it ought, I think, to be conceded that an Indian aggregation will, in general, comprise the greater number of fleet members. But, while the Indian cannot justly be said to yield to the white in this respect, he lacks, obviously, that mental quick-sightedness which, with the latter, defines—as it were intuitively—the exact location on the field of some friend; and, with unerring certitude, calculates the degree of force that is required to propel the ball, as well as the precise direction its flight shall take, so as to insure its reposing on the net of such friend. In the numerous *mêlées*, begotten of the struggle amongst a horde of contestants for the possession of the ball, the Indian testifies, in more marked degree even than the white, to a stubborn doggedness and a hardy indifference to personal injury.

The worsting of the Indian in the majority of these competitions is due to the white's submitting to be governed by system—to his recognition of a directing mind in the captain. The Indian, on the other hand, is nothing, if not mentally restive—bending, with poor grace, to restraining influences of any kind.

The Indian has been hymned by poet, and lauded by historian as the hunter *par excellence;* but to look to the altered state of the Six-Nations for the truth of the inspiring commendation—to hope to sustain the proud encomium through a glimpe of *their* present environment—would be idle.

Where the Indian's slender means do not place beyond his power the purchase of the needful sporting appliances—the common exigency of his situation—as circumstanced to-day, his quarry is not apt to be forthcoming; and while some of them engage, in an aimless and fitful fashion, in hunting, it is, of necessity, followed with much weakened ardor, and, too often, bootless issue. In this degenerate day, forsooth, the incitements he has to indulge the pastime are of such slight potency—while so rare are the opportunities for its practice, so remote the prospect for deriving from it satisfaction or pleasure, let alone exhilaration—that he is moved, generally, to its pursuit by the hope of realizing a paltry gain from the few prizes he may secure.

Though his reputation as a hunter has thus mournfully declined, the Indian, nevertheless, is well-skilled in tracking rabbits during the winter season, the youth, in particular, finding here an agreeable recreation (I deprecate, with meekness, the hasty ire of the sportsman, when, in guilelessness of soul, I classify this with hunting).

This lessening of the facilities, and narrowing of the occasions—the cessation of adequate motive—for resorting to the chase may, in time, correct the indolent temper the Indian so faithfully nurses; for it will not be denied that his former full-hearted pursuit of the pastime, in obedience, largely, though it was to resistless calls of Nature, is mainly responsible for this disfiguring trait. Hunting, of course, in its very nature, enforces a certain activity; but it is an activity barren of solid, lasting results, and, viewed in this light, dangerously akin to indolence.

His passion for it, perforce, subdued, the Indian may take up with advantage, and apply himself with less distraction to, farming or industrial callings.

As an artist in wood-carving—his proclivities in no way assisted—his powers undeveloped by training—the Indian, I should say, stands almost without a rival. He will produce elegant and dainty specimens of this kind of work, usually directing his skill to the embellishment of walking sticks, and such-like articles.

He would do well, I think, to allow his talent in this line to take a wider range; since, by doing so, he would not only bring about larger sales to enrich his not over-filled money-chest, but would, at the same time, extend his fame as an artist.

Pencil and brush in the hand of the Indian are often made to limn exquisite figures, and trace delightful landscape-work. I am confident that, with appropriate training, he would acquire a high reputation with this class of performance also.

The Indian woman shows marvellous aptness at bead-work; though her productions can scarcely be said to excel in the matter of a tasteful or just association of colors. Oftentimes, indeed, the execution in this department is palpably faulty—the conception glaringly perverse.

The Indian's proficiency as a canoeist goes, of course, without saying. He will adventure himself with confidence in a bark of the frailest construction; which he will control and guide in safety —with surpassing judgment and skill. He will dispel the fears of some questioning and faithless fellow-voyager—a limp, nerveless subject, to whom the unwonted motion (tremor generated by his own incaution) comes as a perturbing factor in his experience, has brought an uneasy suggestion of peril—some novice, who, in view of his comrade's

delightful unconcernedness, his sublime disregard of danger, quickly reasserts the courage that had waned.

Should a second Indian, however, be admitted into the canoe, upon whose hands time hangs idly, this graceless interloper, this mean dastard strives presently, and by no means fruitlessly, to counteract the reassuring effect the pilot's bearing had begun to have upon the anxious passenger. He heralds his unholy purpose by standing up in the bottom, and producing the two-fold manifestation of swaying body and grinning feature. Hastening to the planned *dénouement*, he proceeds, by adroit and seasonable stabs at the equilibrium, to evolve out of that all too responsive, abject creature of his will an oscillatory movement, before which pales signally that which, innocent of stimulus, which *a priori* attaches to that order of craft.

On that really "Grand" River—his once undivided heritage—the Indian has excellent facilities for perpetuating his skill in this highly technical, if modest, branch of nautical science. I, for one, though, will blithely note the passing from the scene—the accelerated retreat from the haunts of men—of the grim, conscienceless practical joker, who descendeth basely on the pleasure-seeker him to disconcert and to molest.

EDUCATIONAL FACILITIES: MISSION ENTERPRISE.

The New England Company, a philanthropic corporation—a society, rather, formed of a number of philanthropic units—having their headquarters in Great Britain, have established, and maintain, in addition to the Mohawk Institute, which is on surrendered lands, primary schools on the Reservation itself for the education of Indian youth.

The Mohawk Institute is a foundation which contemplates the reception, as boarders and pupils, of Indian children of either sex, who have reached a certain standard of proficiency.

Its aim truly is an elevated one—the throwing back upon the Reserve of adults fortified with knowledge such as should pave the way to success in any walk of life that might be open. Broad-minded and efficient, the Reverend Robert Ashton has, for more than twelve years past, with skill and vigor, controlled the destinies of the Institute. In the substantial instruction imparted, and the sterling morality inculcated dwell the strongest argument for its founding, the most transparent justification for its continued subsistence.

In dealing with the subject of the missionaries to the Indian, I refer to those only of whom I have had a personal knowledge; and it is with no thought of

St. Paul's (Church of England). (Opp. p. 108)

Kanyungeh, "Sour Springs.

denying to others the achieving of gratifying results that I have alluded to none outside of the Anglican body.

The Venerable Archdeacon Nelles, though not the pioneer missionary among the Indians, was identified with them for a longer time, perhaps, than any other. His work amongst them covered nearly half a century; and a solicitude for their welfare always actuated him. His province, during the latter part of his life, was chiefly the superintendency of the New England Company's secular fields of operation; though his association for years with that time-honored structure, the old Mohawk Church, must help to keep him alive in the recollections of the community.

The Reverend Adam Eliot—a co-worker with Archdeacon Nelles—was a man of a singularly gentle and lovable disposition. In his contact with his charges, such influence as he exerted was sure to be on the side of the good. He moved about with the savor of a quiet and godly life ever cleaving to him—a life, radiating forth, as it were, to circle others in the folds of its benign influence. His incumbency of the missionary office left, as I believe, its abiding mark on the Reserve.

The Rev. R. J. Roberts was the first English Church missionary having a permanent residence

on the Reserve—a circumstance, no doubt, extending much the scope of his usefulness. He was filled strongly with the missionary spirit, as well as high zeal for the furtherance of the cause with which he was allied. Poor health seriously handicapped him; though I am satisfied he leaves behind him, in the memories of numberless Indians, a monument to his earnestness and capacity which is not to be despised.

The Reverend James Chance was one of the old English type of clergyman—cheery, genial, and whole-souled. Had he planned nothing higher than the infusing of some of his own geniality into the Indian nature, his would have been no unworthy part. The keen spiritual husbandman, he strove so to break up the fallow ground that the harvest of souls might be the more bountiful.

Of the Episcopal mission-field at the north-east angle of the Reserve there have been two native occupants—the Reverend Albert Anthony, and the present diligent and worthy pastor, the Reverend Isaac Bearfoot.

THAYENDANAGEA.

It may reasonably be thought that any study, though an unambitious one—to constitute a fairly representative chronicle of the Indian's doings—should include an attempt to trace the career of Thayendanagea—Chief Joseph Brant.

Brant's character and acts have engaged the ability and eloquence of so many authors of repute for their due commemoration that the humble tribute I feel competent to offer could not possibly cause further honor or glory to attach to his name. Lest my omission, however, to make even cursory mention of him here should be construed as a reluctance to proclaim my belief in his possession of those splendid qualities—military, social, and personal—which have formed the theme for this well-attuned eulogium, I venture a fragmentary sketch of his life.*

Brant, above all others of the Indian race, deserves an abiding-place in the hearts of the slender remnant of his countrymen, surviving in our midst; and he is no less entitled to be held in enduring

* For the facts which go to make up—the experiences entering into—Brant's career, the author, as will be seen, has been almost exclusively indebted to Mr. Stone's thoroughly exhaustive work, and Mrs. Carey's carefully-prepared compend. The estimate of his disposition and character offered, he, with their aid, and that of other painstaking, conscientious analysts, himself hazards.

remembrance by all those who continue to profess allegiance to Great Britain.

Joseph Brant was born in 1742. He was the son of Tehowaghwengaraghkin, a full-blooded Mohawk of the Wolf Tribe. While Joseph was a mere lad, his father died; and, shortly after, the mother married a respectable Indian, called Carrihoga, whose Christian name was Barnet, by corruption, Brant. It is reported that the future brave war-chief was first known by the appellation of "Brant's Joseph," and, in process of time, by inversion, "Joseph Brant." In the *London Magazine* for July, 1776, it is stated that he was the grandson of one of the five sachems who visited England in 1710, during the reign of Queen Anne.*

When only thirteen, he entered the war-path, at the memorable battle of Lake George, where General Hendrick held the command, that gallant officer being slain in the engagement.

This victory over the French laid the foundation of the fame of Sir William Johnson (the General Superintendent of Indian Affairs) with whom Brant served.

Brant, no doubt, had warlike instincts implanted in him by nature. "I like," he once said, in after-life, "the harpsichord well, the organ better, but

*Stone's Life of Brant.

the drum and trumpet best of all, for they make my heart beat quick." From all accounts, he must have been, in addition, a lad of uncommon enterprise, giving early promise of those eminent qualities, which were developed in the progress of a life of varied and important action.

About the year 1760, after engaging with Sir W. Johnson in several campaigns of the bloody French War, he was placed by his patron in an Institute in Lebanon, Connecticut, called the Moor School, to receive an English education. After leaving this seminary, where he attained considerable proficiency in the rudiments of education, he, again engaging in active warfare, was employed in the war with Pontiac and the Ottawas.*

In the year 1765, he married the daughter of an Oneida chief, and settled in his own house in the Mohawk valley. Here, for some years, he spent a quiet life, acting as interpreter between his people and the whites, and lending his aid to missionaries in teaching the Indians; becoming noted, as well, for his hospitality.† About this time the conversion and civilization of the Indians engaged much attention. Sir W. Johnson, and the Rev. Mr. Inglis drew the attention of the Society for the

* Stone's Life of Brant.

† Mrs. Carey's brochure.

Propagation of the Gospel to the necessity of having missionaries of the Church of England resident among the Mohawks. In 1770, the Society ordained a missionary exclusively for the Mohawks, with his residence at Fort Hunter. The Rev. John Stuart was the clergyman selected for this arduous and self-denying work. Capt. Brant assisted Mr. Stuart in the translation of a portion of the New Testament. Dr. Stuart writes concerning this labor as follows:—"During the winter of 1771, I first became acquainted with Capt. Brant. He lived at the Mohawk village, Canajoharie, about thirty miles distant from Fort Hunter. On my first visit to the village where he lived, I found him comfortably settled in a good house, with everything necessary for the use of his family, which consisted of two children—a son and a daughter. His wife dying soon after, he came to Fort Hunter, and resided with me a considerable time, in order to assist me in making additional translations for the Indian prayer-book." Dr. Stuart further intimates that the work accomplished in the way of translation consisted of the gospel of St. Mark, part of the Acts of the Apostles, and a short history of the Bible, with a concise explanation of the Church Catechism.*

*Stone's Brant.

In the winter of 1772-3, Brant married the half-sister of his deceased wife.

It was about this time he commenced to imbibe serious religious impressions. "He became a thorough going English churchman; entertained a high respect for missionaries, and for the Word of God, and attended the celebration of the Eucharist regularly. From his serious deportment and the anxiety he manifested for the civilization and christianization of his people, great hopes were entertained by his religious friends of his future usefulness to the Church. The camp, however, is not the best university for the development of the Christian graces. Seldom has the military hero thrown aside the sword for the pen or the pulpit. Brant was always a high-minded, generous man, and, as such, set a noble example to his people. Had it not been for the counteracting influence of his war education, no doubt his after-life would have exhibited more of the Christian than the military hero."*

"In the year 1771 commenced the upheaving of those elements which terminated in the revolutionary war between Great Britain and the American Colonies. The Indians, being a powerful body, both parties deemed it politic and necessary to ne-

*Mrs. Carey's brochure.

gotiate for their services. Brant, from his attachment to his late noble patron, Sir W. Johnson, (who died in 1774), determined, with his warriors, to adhere to his son-in-law, Col. Guy Johnson; and when the Colonel fled northward to avoid American capture, Brant, with his principal men, followed.

"At this period, Col. Johnson appointed him his secretary.

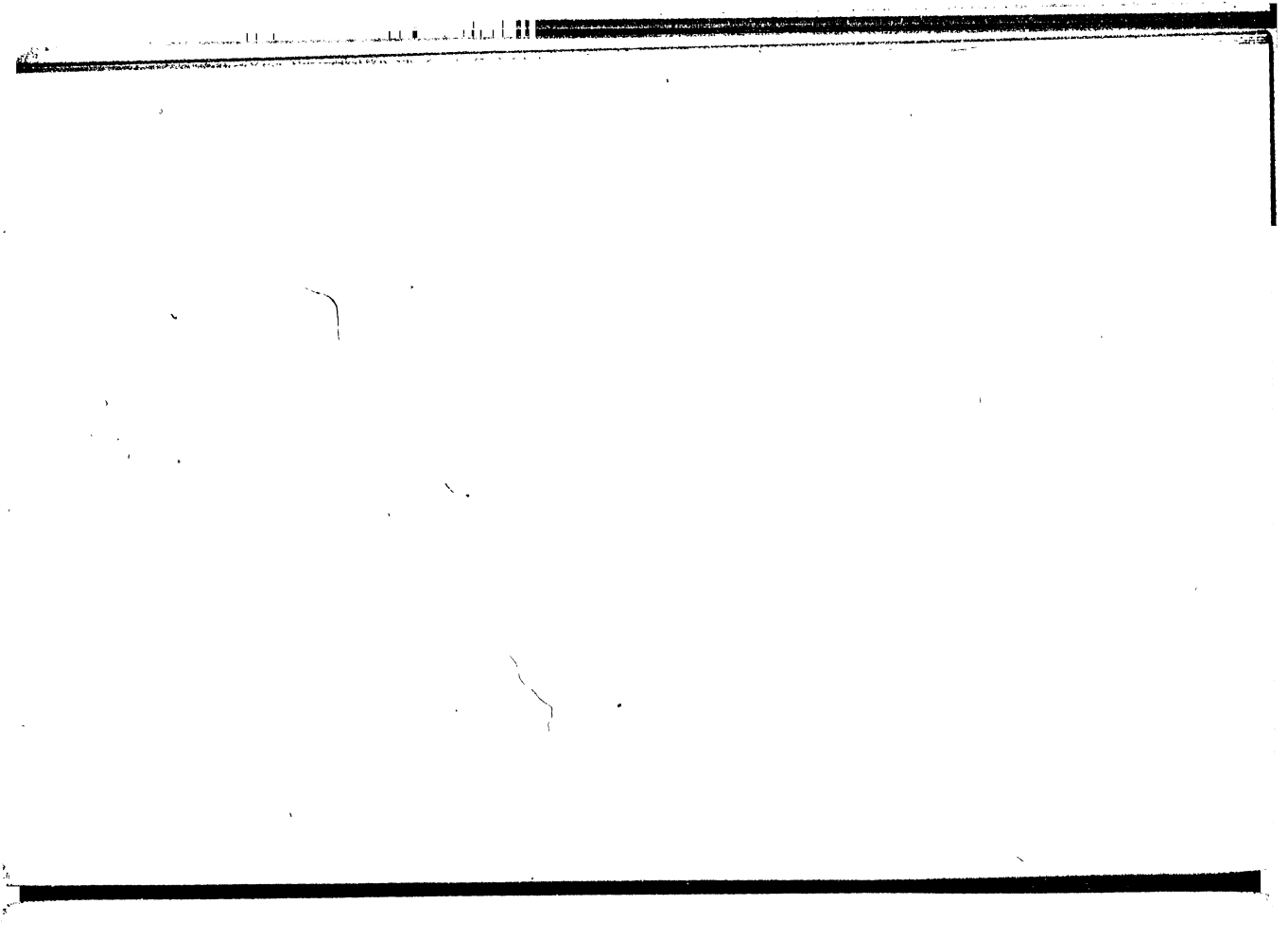
"Brant, at this juncture, took a decided stand in favor of the Royal cause, and, through all the subsequent campaigns of this deadly strife, evinced his strong and sincere adherence to the British Crown.

"About this time, he was made principal war-chief of the Confederacy, although it is not quite clear how he arrived at the dignity.

"In the autumn of 1775, he embarked, with Captain Tice, for England. During his visit there, he figured at a grand masquerade ball, dressed in the brilliant costume of his nation. His novel and striking appearance drew towards him much observation from the ladies. An amusing incident here happened. In the midst of the festivities, the Mohawk Chief flourished his war-club, and, raising the war-whoop, so frightened his admirers that they rushed wildly out of the room, tumbling downstairs in the greatest confusion. This visit

Brant Monument at Brantford. (Opp. p. 116.)

For the benefit of such as have not been given a chance to scan the monument, it is in place to intimate that the masterly design, which is revealed by the bas-reliefs, can be but faintly gathered—their exquisite craftsmanship but imperfectly judged—from any impression it is practicable to produce, by photography, or otherwise, of this stately feature of Mr. Percy Wood's effort.



confirmed him in his attachment to the British Crown."*

"In the month of June, 1877, Brant ascended the Susquehanna from Oghkwaga, where he had lain comparatively quiescent during the spring, to Unadilla, attended by some seventy or eighty of his warriors. He stated that his object was to procure provisions, of which his people were greatly in want. The visit continued two days, during which time the Indians were well supplied with provisions; and, on their departure, were permitted to take away some live cattle and sheep.

"The Indian forces of Captain Brant continuing to increase at Oghkwaga, and the anxiety of the people becoming greater, with every report from that quarter, General Herkimer determined to repair thither, and obtain an interview. For this purpose, the General despatched a messenger to that place, and invited the chief to meet him at Unadilla—moving forward himself, at the same time, at the head of about three hundred of the local militia. The precise object of the General in seeking this interview with Brant, remains to this day more a matter of conjecture than of certainty.

"Brant and Herkimer had been near neighbors and personal friends before the troubles came on;

* Mrs. Carey's brochure.

and it is possible the General still cherished a belief that he might yet detach the dusky warrior from the cause he had embraced.

"It was a full week after the arrival of General Herkimer at Unadilla, before Captain Brant made his appearance. He came to the neighborhood of the General's encampment, accompanied by five hundred warriors. Having halted, he despatched a runner to General Herkimer, with a message desiring to be informed of the object of his visit. General Herkimer replied that he had merely come to see and converse with his brother, Captain Brant.

"After the return of the messenger, an arrangement was made by which a meeting was effected. Soon after the adjustment of the preliminaries, the Chief of the Mohawks himself appeared on the edge of the distant forest, and approached the place that had been designated for the meeting, accompanied by Captain Bull (a Tory) William Johnson, son of Sir William (by Brant's sister Mary) a subordinate chief of the Mohawks, an Indian woman, and also by about fifty warriors. After some little parleying, a circle was formed by General Herkimer, into which Brant and the General entered, together with the other Indian Chief, and two of Herkimer's officers. After the interchange of a few remarks, the chieftain, keeping an eagle-eye

upon his visitor, inquired the reason of his being thus honored. General Herkimer replied, as he had done to the *avant-courier*, 'that he had come to see him on a friendly visit.' 'And all these have come on a friendly visit, too?' replied the chief. 'All want to see the poor Indian; it is very kind,' he added, with a sarcastic curl of the lip. General Herkimer expressed a desire to go forward to the village, but the chief told him he was quite near enough, and that he must not proceed any further.

"The General next endeavored to enter into a conversation with the Mohawk touching the difficulties with England, in order to ascertain his feelings and intentions; the conference now becoming earnest and animated, although the chief had, at first, given evasive and oracular answers.

"Captain Cox, who was in the suite of General Herkimer, then made a few remarks. His manner, or some of the expressions uttered by him which have not been preserved, gave offence to the chief.*

"He was exceedingly irritated; and, by a signal to the warriors attending him at a short distance,

* One authority has it that the ruffling of the Chief's temper was outgrowth of the subjoined dialogue: Brant (to Captain Cox)—"Are you the son-in-law of old George Clock?" Cox retorting—"Yes, and what is that to you, you —— Indian."

they ran back to their encampment, and, soon afterwards, re-appeared with their rifles, several of which were discharged; while the shrill war-whoop rang through the forest. Meanwhile, however, by explanations, or otherwise, the chief was soothed, and his warriors were kept at a proper distance; although the demand of General Herkimer for the surrender of sundry Tories was peremptorily refused. The conference ended by an agreement between the parties to meet again at 9 o'clock the following morning.

"The next morning, General Herkimer called one of his most trusty men aside, Joseph Waggoner by name, for the purpose of communicating to him, in confidence, a matter of great importance, respecting which the most profound secrecy was enjoined. He then informed Waggoner that he had selected him and three others to perform a high and important duty, requiring promptness, courage, and decision. His design, the General said, was to take the lives of Brant and his three attendants, on the renewal of their visit that morning.

"This was a most reprehensible scheme, for, Indian though he was, there is no act of perfidy chargeable upon Brant; and he had met Herkimer on his own invitation. A betrayal of his confidence, under those circumstances, would have

brought a stain upon the character of the Provincials, which all the waters of the Mohawk could not have washed away.

"Fortunately, however, the design was not carried into execution. Whether the wary chieftain entertained any suspicions of foul play is not known. But certain it is that his precaution and his bearing, when he arrived at Herkimer's quarters, were such as to frustrate the purpose. As he entered the circle, attended as before, he drew himself up with dignity, and addressed General Herkimer as follows:—'I have five hundred warriors with me, armed and ready for battle. You are in my power; but as we have been friends and neighbors, I will not take the advantage of you!'

"Saying which, at a signal, a host of his armed warriors darted forth from the contiguous forest, all painted and ready for the onslaught, as the well-known war-whoop but too clearly proclaimed.

"The chief continued his discourse by advising the General to go back to his own home; thanked him for his civility in coming thus far to see him, and told him that, perhaps, one day, he might return the compliment.

"Meantime, he said he would go back to his village; and, for the present, the General might rest assured that no hostilities should be committed by the Indians.

"Brant afterwards turned proudly away, and buried himself in the forest; while General Herkimer struck his tents, and retraced his steps to the valley of the Mohawk."*

Of the events of the year 1777, the siege and attempted relief of Fort Schyuler, or Stanwix—operations which culminated in the bloody battle of Oriskany—were, undoubtedly, the most important.

The Royalists would appear to have been worsted in this engagement—the Indians suffering direfully—though the commander of the colonial army, General Herkimer, succumbed to wounds received in the battle.

The reverse, however, did not lead to the immediate abandonment of the siege of the Fort; which was kept up for some two weeks, at the end of which time it was unexpectedly raised, and the British forces drawn off from the locality.

In the three succeeding years, we find Brant repairing regularly to his old haunts in the vicinity of Oghkwaga and Unadilla; where he employed his command in desultory, though spirited, attacks upon stray bands of the local militia. His underlings—foulest, dreadest offspring of these forays—while horribly breaking the repose, and savagely preying upon the security; while furiously ravag-

* Stone's Life of Brant.

ing the homes, and ruthlessly pillaging the property, of prosperous settlers; too often, in defiance alike of remonstrance and entreaty from their leader, annihilated, root and branch, distracted households. Into the vortex of this promiscuous slaughter families even of Royalist adherents were sucked.

There was a specially sharp tussle between the militia and a mixed body of regular troops and Indians, on the upper branch of the Cobleskill, near Springfield, in June, 1778. In this attack, while all males were made prisoners, Brant successfully diverted the fury of his followers from the women and children.

One of the most frightful massacres which have been preserved to us in the annals of Indian warfare —said to be second only in ferocity to that occurring at the Vale of Wyoming*—took place during the invasion of Cherry Valley in this year. It is necessary to say that this movement was controlled by Colonel Walter Butler, of Butler's Rangers notoriety; Brant holding a subordinate rank only during the vengeful affray.

About the most painful incident was the destruction of the entire family of a Mr. Wells; and for it, Brant was, by many, in a measure, deemed

* The presence of Brant on this occasion has been now definitively disproved.

responsible. Of this deplorable tragedy, and of the major outrage itself, Mr. Stone says: "It is certain that his (Brant's) conduct on that fatal day was neither barbarous nor ungenerous. On the contrary, he did all in his power to prevent the shedding of innocent blood; and, had it not been for a circumstance beyond his control, it could not have been said of the Wells family that 'of his kindred nor man, nor child, nor thing of living birth had been left by the Indians.'

"Brant asserted (and there is no reason to question his veracity) that, on the morning of the attack, he left the main body of the Indians, and endeavored to anticipate their arrival at the house of Mr. Wells, for the purpose of affording protection to the family. On his way, it was necessary to cross a ploughed field, the yielding of the earth in which, beneath his tread, so retarded his progress that he arrived too late."

But this is not all. Entering one of the dwellings of that village, he found a woman engaged in her domestic duties, of whom he immediately inquired:—"Are you thus employed while all your neighbors are murdered around you?" The woman replied:—"We are in favor of the king." "That plea will not avail you to-day," replied the warrior; "they have murdered Mr. Wells' family,

who are as dear to me as my own." "But," continued the woman, "there is one, Joseph Brant, if he is with the Indians, he will save us." "I am Joseph Brant!" was the quick response, "but I have not the command, and I know not that I can save you; but I will do what is in my power." At the moment of uttering these words he saw the Senecas approaching. "Get into bed, quick!" he commanded her, "and feign yourself sick." The woman obeyed. He put the Indians off with this pretext. Upon their departure, by a shrill signal he rallied a few of his Mohawks, and directed them to paint his mark upon the woman and her children. "You are now probably safe," he remarked, and departed.*

Brant is said to have hatched a most elaborate device for securing freedom to an unfortunate civilian captured at Cherry Valley.

"Among the prisoners was a man named Vrooman, with whom he had been formerly acquainted.

"Vrooman, being in his company, Brant sent him back a couple of miles, ostensibly to procure some birch-bark, expecting, of course, to see no more of him. After several hours, Vrooman came hurrying back with the bark, which the captain no more wanted than he did a pair of goggles.

* Stone's Life of Brant.

"Brant said he sent his prisoner back on purpose to afford him an opportunity for escape, but he was too big a fool to grasp the situation; and he was, consequently, compelled to take him along to Canada."*

The reality and strength of Brant's submissiveness to the promptings of lenity were desperately tried—the outflow from that living store of compassion, withstanding the fell contagion, detached from the rampant infamy, of the hour; reproving his clansmen's virulence and heat, their tumult and their wrath—stood in grievous danger of being blocked, by an extraordinary rencounter during the war.

It seemed to be generally known that he was a Freemason; and one well-to-do Provincial who had been taken captive sought to trade upon the circumstance. Conducted into the Chief's presence, he gave the sign of the order. It transpired, afterwards, that he did not belong to the craft; still, Brant—passing by his colossal effrontery—though greatly incensed, resolved to protect him.

I will be pardoned for presenting a final example, of the many history can be shown to afford, of Brant's mental revolt against the deeds of atrocious savagery, to which the Indian auxiliaries lent

* Annals of Schoharie County.

themselves—in which they so fiercely revelled. In the year 1780, he was directing an expedition against a number of armed colonists, at a point not far from the Niagara frontier. Among others resisting strenuously his march, was one Captain Alexander Harper—ancestor, by the way, of the founders of that high-class and widely-famed serial, "Harper's Monthly."

Harper, and a small party with him, were captured, in an encounter, by Brant's detachment; and it became necessary to conduct the prisoners to Fort Niagara, of which a Captain Powell, who, unknown to Harper, had, some time previously, married the latter's niece, was then in command. This young lady had, not long before, though not through Brant's instrumentality, or even with his connivance, been abducted by Indians, when making an incursion upon Cherry Valley. It appeared, also, that Brant and Harper, at a less troublous period of their own, and of local history, were particular friends—that they had, in fact, been schoolmates.*

There were two formidable encampments of savages between Brant's first halting-place and the Fort. Consequently, there were needed no nice ad-

* The foundation for this narrative has been got from Ketchum's sketch of Brant, and is confirmed by Stone.

justing—no tedious casting—of the horoscope to foretell that the alert and eager braves, should indiscreet exposure of his human booty to their gaze be permitted, would espy, in that defenceless and forlorn group, material of an excellent grade, upon which to actively humor their nature's exhaustless longing for scalps. But slim prevision would then suffice him to be certified that—prompt to exemplify their all-absorbing, passionate concern for the adornment of their belts with such inspiring regalia—they would, inevitably, unless won from their ghastly project, baulked in the wanton onslaught, gratify, to the full, their peculiar appetite on the hapless captives.

Brant, thereupon, evolved an ingenious, and highly promising scheme for disappointing the Indians. This most indulgently arranged for their cupidity's contemplating an equally grateful, though less demon-rousing, spectacle; with sagacity decreed that their avid tastes should be engrossed, with as animating, if not so tragic, a diversion.

At a resting-stage of the journey with his prisoners to Niagara, he despatched a courier to Powell, to communicate the suggestion that there should be provided for the warriors, at a well-judged distance from the Fort—out of the stores

which it contained—a plenteous collation, from which media—not less acceptable than reliable—for surcharging the atmosphere with an easy conviviality, warranted to impart a disarming hilarity to the company, should not be altogether banished; an enticing repast, from which well-attested fluid provocatives of self-sought, friendly oblivion should not be too harshly or unfeelingly excluded. This part of the plan accomplished, all that would be left for the prisoners to do, in effecting their escape, would be to run the gauntlet of a few infirm old women and guying youths.

The judiciously-conceived arrangement was, joyful to relate, carried out with complete success.

Enough now has been cited to sustain the view that Brant was as diligent and firm in bridling, as he was swift to reprobate, excess amongst the tribes under his command, or exposed to his influence; that in the hope—freighted, surely, with a modest comfort, yet cherished with intenser ardor by reason of its very extravagance—that the lustre of British arms on the continent, which, as an officer invested with high authority, he was, personally, under sacred obligations to maintain, might be never so faintly compromised, he dissuaded his people from giving rein to—nay, put his stern interdict on—those hideous practices, into which Indians in the

past were so prone to be betrayed, and to which they were so frequently incited by merciless chiefs. Fearlessly, indeed, can it be affirmed that, amid the wild horrors, the appalling tragedies, either actually enacted by his tribesmen, despite his vehement protests, or which their ungovernable impulses rendered ever imminent, Brant evinced an unvarying mildness of mood; a cementing, harmonizing medium, thrusting himself, besides, as need arose, freely and disinterestedly between warring elements within the Royalist camp. Laboriously pressing aside the bristling stubble his followers' mad proclivities caused to be everywhere protruded in his path, he persistently pursued a humane course; graciously upraised the deprecating arm—manfully deflected the unpitying blow.

Viewing his military career during the contest, as the unquestioned, supreme leader of the Indian contingent of the British army, one may, without doing violence to truth, or at all impugning history, recognize in him—interposing thus to control the attitude of these allies toward opponents-in-arms, non-combatants, or helpless captives—the apostle of clemency; designate him "personifier of mercy"—no barbarous upholder, no callous abettor he—of the traditional cruelty of the Indian.

In 1785, Brant paid his second and last visit to England. The adjusting of the claims of the Mohawks against the Crown, and a demand for indemnification for losses accruing during the war, formed the object of the chieftain's mission. A cordial reception awaited him among his old military associates. With the King and Royal Family he was a great favorite. In his presentation to His Majesty he proudly refused to kiss his hand, gallantly remarking, 'I am a king myself in my own country; I will gladly kiss the Queen's hand.'

"Returning to his Canadian home, this celebrated chieftain was unwearied in his exertions to benefit his people. Brant, with his people, supposed the land allotted them was conveyed in fee, by a perfect title; in this they were greatly disappointed. The chieftain used his best efforts to obtain for his people this absolute title to their new territory, but without avail. Council after council, conference after conference, with quires of MS. speeches, attest the sleepless vigilance with which he watched the interests of his tribe; and his ability in asserting and vindicating their rights." *

"The sad necessities of war transplanted the Six-Nations to a primitive forest; and, being in a tran-

* Stone's Life of Brant.

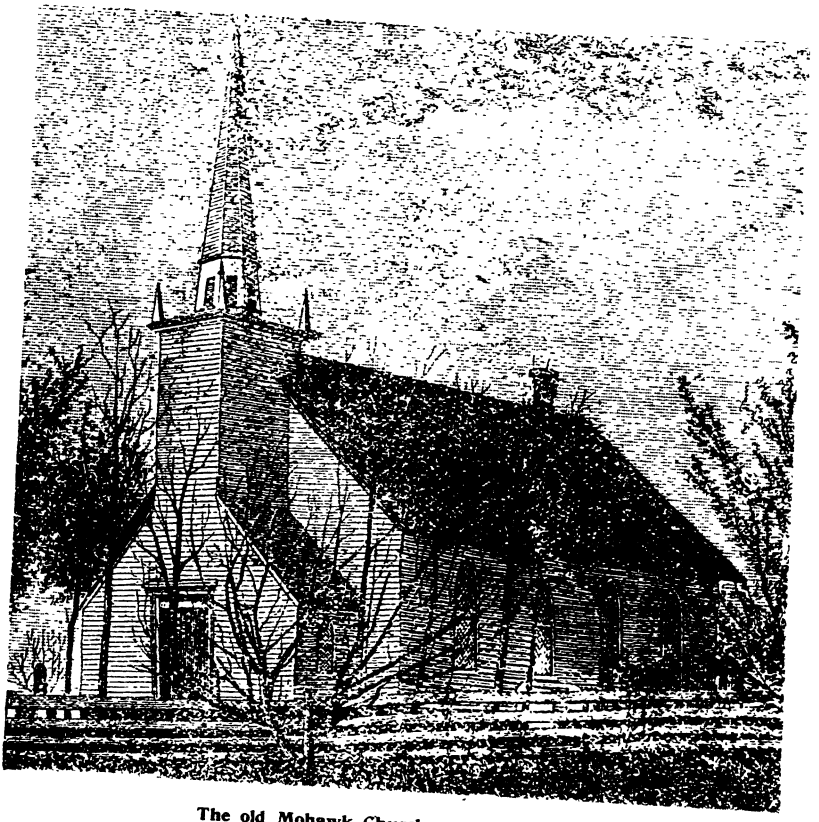
sition state—neither hunters nor agriculturalists—it formed the object of the chief to draw them from the chase to cultivate the ground.

"The Mohawk Chief well knew what alone could prove the basis of an industrious community. One of Brant's first stipulations with the Commander-in-Chief was the building of a church, a school-house, and a flouring-mill.

"With great exertion and scanty means, the church was built. This monument of Brant's devotion to the Church of England was erected on the banks of the Grand River, a short distance from where now stands the flourishing town (now city) of Brantford. This venerable house of God, now nearly a hundred years old (in 1876) was the first Protestant Church in Canada. These noble red men procured for the old Mohawk Church the first 'church-going bell' that ever broke the stillness of a Canadian forest." *

During the ominous ferment that was imported into the years between 1790 and 1795 by the noisy, pertinacious complaints of the western Indians over the hemming in of the tribes, which was threatened by the maintenance of the national boundary for the newly acknowledged country, Brant, representing affiliated bodies which had obtained foothold in

* Mrs. Carey's brochure.



The old Mohawk Church, near Brantford (Opp. p. 132.)

(Showing Brant's Tomb in the foreground, to the right).

This was the first Protestant edifice erected within the bounds of the territory afterwards set apart for the Province of Upper Canada.

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the Canadas, discharged, with consummate address and skill, the delicate and high office of counsellor and intermediary. In the campaigns against Generals St. Clair and Wayne, into which the fierce umbrage that enkindled, the ugly friction developed by, the discord vindictively expanded, he is reported, besides, to have actively engaged.

Brant always displayed conspicuous bravery; and was, furthermore, an able and resourceful commander.

He was a Mohawk of the Mohawks, and was the exemplar, in his own person, of that intense and unflinching loyalty, which—transmitted to—has assuredly been bound up with the life of, every Indian, who has since dwelt under the ægis of the Crown.

He died at the Village of Wellington Square (now Burlington) at the head of Lake Ontario; and —following exhumation from that ancient hamlet —is buried in the graveyard of the old Mohawk Church, near Brantford, a building instinct with memories of the departed prowess of the Indian; and, with pleasing appropriateness, standing on the original delightful Reserve Brant full loyally wrested for his people.*

* It is said that no very amicable verbal contest was waged between the negotiants over the question, as well of the locality as the extent of the site.

THE POLITICO-LEGAL STATUS OF THE INDIAN.

Was it a wise—a politic—thing for Parliament to brand the Indian as a minor in the eye of the law? Facing, to-day—for us the solemn, for him, the vital—corollary, could one ever so feebly endorse an intention in that quarter, ever so lightly favor a wish, to fasten on him, in perpetuity, the blighting stigma? Or, could one any more heartily approve a spirit in the commonalty, which would have him accept—endure beyond recall—the biting and the coarse reproach of a relationship, that, virtually shaping the direction, and limiting notably the extent, of his productive service, closes to him tempting and wide avenues of usefulness; deprives him of likely occasions for exertion. A relationship that—distasteful because insulting—which I here inveigh against for having, with the Indian, imprisoned choice; deposed volition—a polity I cordially arraign, as that which, to the student's perceptions, has identified with it many of the drear ideals, revives some of the harsh processes, of an antique bondage; which, assailing, crushes out promising and bright germs of nobility, while it robs of inspiring motives to action; which destroys guaranties, undermines sources, of strength—besieging the seat of hope, goes far to extinguish

a manly, sober purpose, shatter a seasonable, healthful pride; a relationship—a polity—which, all along suppressing in the Indian anything like self-assertion, thus far have been well-nigh fatal to his self-respect. Wayward and unstable, though credible tradition and clamorous event unite, I fear, to picture him, why deny the Indian amplest chance to learn the true value—feel the full need—of self-reliance? Why withhold from him any—the smallest—encouragement to strive after that precious acquisition, that priceless possession, faith in himself?

Is the Indian to be forever doomed to hover, pining and dejected, round the threshhold of fruition? Ought he to be longer miserably harried by the prickings and the prods of inclination—longer left impotent to silence the tuggings of desire? Nursing prospect of his worldly advancement, of legitimate improvement; revolving plans for his material enrichment, must he be always cheated—his reachings forth eternally rewarded—by vision of the locked and guarded portals of content?

The Six-Nations Indians—I should have premised—have, for some ten years past, enjoyed, in common with certain other tribes, an embryo franchise—that of a vote under appropriate restrictions, at Federal elections, with the principle of a

dual exemption from taxation and legal sequestration (in which feature, coupled with the denial to them of the fee in the land, and their incompetency, in consequence, to alienate or mortgage their interest, is perceived the pivot and base of their statutable position) adhered to.

It should be added that the dead weight which is appended to the Indian's condition by the circumstance of the white's having no solid recourse against him, in connection with some possible repudiation of, or neglect to fulfil a contract—seen to be an intrusive postulate—furnishes an all-powerful deterrent from the latter's contracting with one at all. Another unique provision—which was fortunately, and none too prematurely, made to disappear at the instance of the present incumbent of the Indian Office at Brantford—was the curtailment, as sweeping as it was illogical, of the circle of recipients, by will, of bequests of personalty.*

* Apropos of the subject of Indian wills, in Johnson *vs.* Jones, 26 O. R. 109, it was declared by Judge Rose, that an Indian—whether male or female—cannot now be trammelled in his or her adoption of this expedient for disposing of personal property; while he inclined to the belief that, where the possessor of such has not formally indicated his *ante-mortem* preference in the premises, the rights of adverse claimants to the estate would become matter of inquiry by the Superintendent-General, rather than the

Yet not without force might it be said, that to harbor the idea of the Indian's mental or moral elevation following upon his closer assimilation with the white—on the *complete* removal from him of the badge of political serfdom, which he has, till lately, unequivocally borne, his full deliverance from that noxious thraldom—all of which would ensue from his attaining broader citizenship, would be indulging naught else than a wild chimera.

Would there supervene—one could fairly ask—on consigning to the limbo of discarded and inutile systems the disabling *régime* that now governs—an epoch that should witness the shaking off by the heavy, phlegmatic red-man of to-day, of his dull lethargy, his lifeless mien ; and the casting behind him of all former sloth and unproductiveness ; with the substitution therefor of a wholesome, genuine activity—an activity to be directed to honorable or pregnant purpose, expressed in useful and commendable endeavor? Might it not, further, be the acme of a vain expectancy—the veriest optimism—to predict, through such substantial

Court. Failing a devise of it by will to some relative within the bounds of consanguinity enacted, devolution of the Indian's personal or life interest in *real* estate becomes arbitrarily predestined by the Statute.

change in the Indian's political condition, the incoming of an age, when his moral equipment should include an integrity of robuster form; that should be marked by a hopeful, liberal accession to his character of resolution and energy, of steadfastness and industry; when, supremely owning, he should rigidly obey, the dictates of honesty and uprightness? And who—it might be thought—but shallow visionary would foresee, as a result of his altered estate, a season in the Indian's experience, when should be illustrated the greater, more lasting sacredness of the marriage-relation; be discredited the lax, uncertain tenure of the less exalted tie, and into desuetude lapse its faulty standard?

Might it not be open, too, to serious question that the extension to him of the larger boon would introduce an era that should be enriched by a fuller domestic inter-communion and harmony—herald a time when should be accepted a kindlier, more gracious definition of the woman's province—one granting her freedom to embrace a sweeter and a brighter lot than that which assigns to her the menial's place, guarantees for her mere slavish labor?

It might, moreover, be contended that the withdrawal from the Indian of the Government's pro-

tecting arm, in any more decided way than has been attempted—implying, though it might, the recognition of his position as no longer that of a needy annuitant, but as one of absolute equality with the white before the law—would wholly fail to carry blessings in its train. Many, indeed, might hasten to declare that the innovation could not but present countless openings for the aggrandizing schemes of members of the more enterprising, forceful race; who should lure him into all sorts of disastrous negotiation; that, by dint of the experiment, the Indian would be exposed, at every turn, to base intrigue, tortuous chicane, at the hands of dark-dealing whites — as its ruinous climax, whelmed, maybe, in respect of his few earthly possessions, in the flood of shameless rapacity to be loosed at their command.

I combat strongly, though, the doctrine of an obvious ascendancy of the white over the Indian in the matter of sagacity and cunning which this portrayal supposes; and boldly assert that it cannot at all convincingly be made out. One may, on the contrary, readily conceive of a successful application of the extraordinary astuteness that stamps the Indian's present trading-relations with the white—the deft inventiveness, so fertile in telling artifices, hitting on admired expedients, to circum-

vent a creditor—to the wider field for their display, to be opened up by his freer and more frequent contact with the outside world, which his all-round enfranchisement would involve.

But—dishonoring such Cassandras, too insistent with their offices, and adopting the more sanguine view (although I readily admit that remedial projects must be of a tentative kind, any suggested change wrought out with watchful prudence, with the utmost caution) one can hardly estimate the transforming power which the Indian's enfranchisement, the simple knowledge in his breast that it could, at no distant period of life, be claimed, might have upon his character. The stripling, who is now either a listless wanderer over the confines of his Reserve; or who finds his highest occupation in putting in desultory work for some white neighbor on the farm: who looks upon elementary education as useless—something to be gone through, perforce, and with as little murmur as possible—would, if enfranchisement were assured him at maturity, esteem mental training in its true light, as that which should qualify him to fill avocations, and enjoy offices from which he is now practically debarred; and in which he might hope to achieve a fair degree of honor and success. Applying a trite figure, mere consciousness of his

eligibility to ensnare and capture any station—cover and bring down any office—in the country would minister to a worthy ambition; would so spur him on to develop his powers of mind as, with dignity and credit, to uphold the position he might be chosen to occupy.

I must not be taken as saying that there is anything in the Indian's bald situation—his inherited status under the Act—which, leaving out of consideration the discounting of the facilities for starting on a similar footing with the white in the race, which the immoderate control, the tantalizing surveillance asserted through it effect, makes for his exclusion from *all* offices of public emolument or trust.*

To emphasize the objectionable, no less than unjust, way in which the Indian's quasi political isolation—his enforced renouncing of honorable responsibilities—have reacted upon the Anglo-Saxon element in the population (putting aside, for the nonce, their untoward effect upon himself, the moral stunting—deterioration—they promote, to say

* In Reg. ex rel. Gibb vs. White, 5 P.R., 315 the proposition was conceded that an Indian, *who had abandoned his Reserve, and who possessed the necessary property qualification*, might hold the office of Reeve of a township. The *sine qua non* framed by the Court from this brace of contingencies ought, it strikes me, to give pause to reckless gainsayers of the general statement.

nothing of the separative doctrine which they sanction, the sectional manacles they rivet) a strikingly typical state of affairs prevails in the County of Brant. Time and again has it been the subject-matter of Grand-Jury presentments there that the cost of inter-Indian litigation, and of the prosecution of Indian criminals in the Superior Courts has to be defrayed from the coffers of a community for whom the causes have, at most, but distant concern, without the semblance even of an offset, in the privilege of impressing material for the juries to try them from the ranks of the more nearly interested populace themselves.

Returning to the deeper phases of the problem, experience of specific orders of humanity who have been long congregated and lodged together (I disclaim drawing more than a remote parallel) has, with some distinctness, taught that a civilization, not absolutely divorced from wholesomeness and vigor, may encouragingly ensue upon apparent eclipse amongst them of morality and virtue, of goodness and of worth; that a society, not quite divested of independence and usefulness, may emerge, presently, from some pandemic of grossness and of turpitude, theretofore permeating it like the cankerous chambers in the honeycomb; that a stock, not destitute of sturdiness or capacity, rehabilitated, may spring

from those heinous founts—but not while echoes of repression should be given back, not while emblems of servitude remain to be doffed.*

Examining, then, the true kernel of the difficulty, the gravamen, if I may so say, of the Indian's complaint against fortune—withholding from him the proprietorship of the land—the position, in this particular, of the New Zealand Maori (than which, in point of physical build and stamina, latent mental capacity, and proved expertness in war, no race, it is well to recollect, that has been reclaimed from primitive barbarism, so closely resembles the Six-Nations, while there is little reason to suppose the latter less deficient in judgment, less capable of self-restraint than their antipodean fellows) is much more tolerable than theirs. With *them*, the watch-word—comprehending what the event in this hemisphere has harshly inverted—which, having once adopted, they declined to relinquish throughout the whole course of the negotiations with the Colony over the sovereignty of the land, was "Ourselves the substance, the Government the shadow." There, the Government are mere lessees of the land reserved for the Maoris, who are guaranteed full right of occupancy and control; although it

* As witness the renewing agencies at work on the infected mass of the first emigrants to Botany Bay and Van Diemen's Land.

was carefully stipulated that no other should step into the Government's shoes. The Maoris, too, enjoy uncontrolled dominion over, full liberty of traffic in, their mineral and forestric wealth.

The successive framers of *our* Statute, through their treatment, generally, of its much-flouted subject—that unfriended outcast, denuded equally of pith and sensibility, whom that Statute, with aggravating frankness, with curt asperity, defines to be not a "person" within its meaning and purview (a declaration seeming to embody a pre-judgment of his position, instead of serving any purpose of convenience) the architects, I repeat, of this mediæval code have—with respect to the more complex concerns of life, the sterner and severer demands upon the reflective, self-electing creature, not without warrant for the conjecture, I allow—insinuated as the universal heritage, as indelible shortcomings, of the Indian, a dwarfed intellectuality, shallow and contracted judgment. To these—with a quota still of justice—they would appear to superadd a trio of unprized attributes: mental flaccidity, stagnating will-power, imperfect mental equipoise.

Its pervasive principle, therefore, will be found to be a suggested incapacity in him for regulating his own conduct aright—for maintaining, unless

safe-guarded, extended intercourse, sharing close companionship, with the white; the plausible groundwork on which it rests, his supposed inability to steer, unaided, a creditable course through life; unshielded, traverse its thorn-strewn, arduous way. The legislation, as we find it amassed in the Indian Act, would seem to have been enacted chiefly with a view to minimize disaster, expected to follow from the Indian's too closely hugging certain abnormal predilections; to avert mischance, prophesied to wait upon his too fond indulging of certain racial propensities, which have been already, perhaps, sufficiently hinted at.

Failing not to appreciate the evolution—detect the manifest trend of the law; losing sight of none of the many important considerations that may militate against, if not, in the judgment of some, invalidate, my theory—the tangible immunities, the extensive protection conferred—I do, nevertheless, aver that the ruling legislation, obstructing, as it does, the normal and grateful currents of life, detracts hugely from its buoyancy; abridges woefully its zest. In the main, leaving, as it were, the impress of a nature obdurate and implacable, of a temper austere and frowning, it operates at once to grind and to dispirit—tends even to debase. A searing, numbing influence, its effect has always been, and,

so long as its maleficent reign subsists, must continue to be, to narrow the range of thought, and impede the springs of action—stun creative instinct; while it unmistakably hinders true progress; arrests and deadens effort; starves ambition; hampers free movement; chills the flame of enterprise; restrains worthy activities.

A shadow, all-encompassing, dread, it withers ennobling aim; as it blasts each roseate hope of an ameliorated, a less abject estate. A subduing and remorseless force, it quenches each swelling aspiration after a higher and more tolerable destiny; whilst barring all approaches to the coveted, cheering goal—a Titan's form, opposes, with Titan's strength, each soul-stirring resolve to no longer rest under the galling imputation of a partial manhood.

I firmly believe the Indian craves ardently his thorough emancipation from subjection—a right that should be conceded to him by the Central authority, urged only though it were by that silent, yet potent and weighty, appeal, the unswerving devotion of his forefathers—their support at junctures grave, disturbing, staunchly as unfailingly extended to—Britain's Crown.

Turbulent and headstrong, truculent and vicious history proclaims the untutored Indian to have been.

Since testing lèss feverish methods, fronting less violent passes, of existence—in a vast, a mournful array of cases—all but barren appears his attempt to re-stock the moral arsenal; spiritless ever has been—falteringly proceeds—the task, under milder and gentler, calmer and staider auspices, of strengthening his moral fibre. Dragging are the steps, and few the Indian has taken, insecure and weak the footing he maintains, in the effort to walk alone; puny seems his struggle against the fell tyranny of unworthy impulses, of besetting ills.

That he may rise from the dismal slough, and release his penned-up energies—peradventure breast the encircling wave, stem the advancing tide; that he may grasp a happier fortune, claim a lustier life, the Indian desires—nay, fervently longs—to break free from the tutelage which, enwrapping, sternly detains his spirit. Eagerly, gladly would he bring—an earnest suppliant proffer—the general Government the aid of his counsels, feeble though such may seem, if measured by his present status—aid (albeit narrow then its scope) that, erstwhile, was not despised; but was, rather, a mighty bulwark of the British throne: irrepressible, unceasing, profound is his yearning to assert—it may be on the honor-scroll of the nation's fame—his descent from a vaunted ancestry.

APPENDIX.

As indicative of the seemingly measureless credit competent judges have been willing to bestow upon the Indian, as an orator, Daniel Webster has educed this lofty panegyric on a speech of Logan—the Cayuga put forward by me in the section devoted to that subject, as one of those lending themselves to establish firmly the position there taken,—"I challenge all the orations of Demosthenes and Cicero, or those of any more eminent orator, if Europe has produced more eminent, to furnish anything that could equal this passage." Laudation as unstinted of this effort, which, it should be noticed, comprised a somewhat extended deliverance, comes from the statesman, De Witt Clinton. I transcribe some of the sentences: "I appeal to any white man to say if he ever entered Logan's cabin hungry, and he gave him not meat; if he ever came cold and naked, and he clothed him not. During the course of this long and bloody war" (Lord Dunmore's campaign against the Indians) "Logan remained idle in his cabin, an advocate for peace. Such was my love for the white that my countrymen pointed, as they passed, and said, 'Logan is the friend of the white man.' I had

even thought to have lived with you, but for the injuries of one man. Colonel Cresap, the last spring, in cold blood, and unprovoked, murdered all the relations of Logan; not even sparing my women and children. There runs not a drop of my blood in the veins of any living creature. This called on me for revenge. I have sought it. I have killed many. I have fully glutted my revenge. For my country I rejoice at the beams of peace; but do not harbor a thought that mine is the joy of fear. Logan never felt fear. He will not turn on his heel to save his life. Who is there to mourn for Logan? Not one.

And of Cornstock, a Shawnee, it was said by a prominent Virginian, "I have heard the first orators in Virginia, Patrick Henry and Richard Henry Lee; but never have I heard one whose powers of delivery surpassed those of Cornstock."—(*Vide* p. 40.)

Hon. Gideon Granger, Postmaster-General under Jefferson and Madison, was accustomed to dilate with great enthusiasm, on a speech of Red Jacket's at Hartford, Conn., in 1797.

He says, "Such was the astonishing effect produced on the part of the auditory who did not fully understand him that their souls seemed to be engrossed and borne away by the orator with perfect delight. His figures of speech were most appro-

priate, yet so sublime and beautiful that the English language was not rich enough to allow of his doing himself justice.

"He held his audience for an hour with an uninterrupted stream of burning and pathetic eloquence, which will live and reverberate over our mountains and valleys while truth and valor appeal to the human heart.

"He concluded with this stately peroration, 'We stand, a small island in the bosom of the great waters. We are encircled; we are encompassed. The Evil Spirit rides upon the blast, and the waters are disturbed. They rise over us; we disappear for ever. Who then lives to mourn us? None. What marks our extermination? Nothing. We are mingled with the common elements.'" *(Ibid.)*

Of the force with which a sweet-scented hospitality appeals to the Indian, as to some principle deep-infixed in his unschooled breast, testimony as pointed as it is agreeable is borne by the selection of a name for Governor Simcoe; who, in this regard, charmed everybody with his open-handedness, during his various sojourns at Navy Hall, near Niagara. Feelingly was the universal judgment upon his kindly condescension, his uninvidious *bonhomie* voiced by the epithet, "Deyonguhokrawen," (One whose door is always open.)—(*Vide* p. 72.)