

Brief History of the Robinson Huron Treaty of 1850



Robinson Huron Treaty
LITIGATION FUND

www.robinsonhurontreaty1850.com

The Robinson Huron Treaty is part of the long-standing treaty relationship between the Lake Huron Anishinaabek and the British Crown. That relationship was strengthened at the Treaty at Niagara in 1764, tested during the Mica Bay Affair in 1849 and renewed at the Treaty Council at Bawaating in 1850.

1764 | The Treaty at Niagara

The Lake Huron Anishinaabek have always governed Anishinaabeikiing (the territory) in accordance with the sacred laws of Creation necessary to maintain the complex web of interdependent relationships upon which all living things rely on for survival. This deeply interconnected nature of the world means people must rely on one another to thrive. Anishinaabek governance through the Council Fire system is fundamentally based on principles of *Respect, Responsibility, Reciprocity and Renewal*. It was within this framework that the Anishinaabek entered into treaty relationships with other nations, including the British Crown.

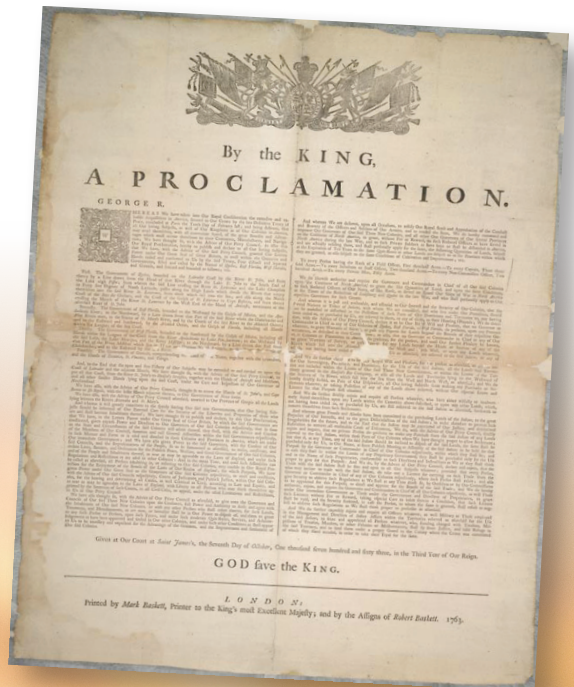
The Royal Proclamation of King George III issued on October 7, 1763, became a crucial part of the Covenant Chain relationship forged at the Treaty at Niagara in the summer of 1764. At the Treaty at Niagara, Sir William Johnson, on behalf of the British Crown, presented the Anishinaabek with the Great Covenant Chain belt and in the accompanying speech asked “the Chipaweighs at St. Mary’s” to hold one end of the belt while he would hold the other end at the King’s Council Fire in Albany, and “to look upon this Belt as the Chain which binds you to the English, and never let it slip out of your Hands.” The “Chipaweighs at St. Mary’s” is a reference to the Anishinaabek Council Fire at Bawaating, a central and long-standing site of Anishinaabe governance, which is where the Treaty Council was held in 1850.

For nearly a hundred years before the Treaty, and for years after, successive representatives of the Crown, from Sir William Johnson to William Benjamin Robinson, strictly performed the Covenant Chain Alliance protocols at annual Council Fires, participating in mutual gift exchanges to reaffirm their solemn promise to respect the autonomy and title of the



Anishinaabek and renew their longstanding treaty relationship. These shared protocols were strictly followed in what became Upper Canada in the decades leading up to the Treaty Council of 1850, with one exception; the Colonial Government of the United Province of Canada's unilateral actions beginning in 1845 which culminated in the Mica Bay Affair in 1849.

At the Treaty at Niagara, Sir William Johnson, on behalf of the British Crown, presented the Anishinaabek with the Great Covenant Chain belt and in the accompanying speech asked “the Chipaweighs at St. Mary’s” to hold one end of the belt while he would hold the other at the end at the King’s Council Fire in Albany.



**Top: Pontiac and Robert Rogers
(Library of Congress, Washington, D.C.)
Bottom: The Royal Proclamation of King George III**



1849 | Shingwaukonse's Vision and the Mica Bay Affair

In 1845, the Colonial Government began unilaterally issuing mining permits in the Treaty territory, contrary to the Covenant Chain Alliance, including the Royal Proclamation. The Anishinaabek saw these as direct challenges to their jurisdiction and control of the territory and in the ensuing years the Anishinaabek, lead by the principal spokesperson Chief Shingwaukonse, clearly articulated their vision for a thriving nation in a rapidly changing world.

Over the next four years, Chief Shingwaukonse of Garden River and Chief Nebenaigoching of Batchewana sent several memorials and petitions to the Crown, and travelled many times to meet the Governor General in person. They explained the history of the Covenant Chain Alliance and made clear demands of the Crown to respect Anishinaabek autonomy, jurisdiction and territory. They rejected the ongoing illegal use and occupation of Anishinaabeikiing in the strongest possible terms. They insisted that the Crown pay compensation for the wealth being extracted from their territory and sought a Treaty that would provide them with the ability to benefit from these new uses of the land.

In a speech that was reprinted in the *North American and United States Gazette* on September 26, 1848, Chief Shingwaukonse is reported as saying to Col. T.G. Anderson at their Council Fire meeting at Bawaating that year:

Top: Mica Bay, Lake Superior (Mica Bay mine site, London Illustrated News, 23 February 1850)

As a result, Chiefs Shingwaukonse and Nebenaigoching, along with their lawyer Macdonell, led a party of Anishinaabe warriors to Mica Bay, where they shut down the mining operations.

The Great Spirit, we think, placed these rich mines on our lands for the benefit of his red children, so that their rising generation might get support from them when the animals of the woods should have grown too scarce for our subsistence. We will carry out, therefore, the good object of our Father, the Great Spirit. We will sell you these lands, if you give us what is right. At the same time, we want pay for every pound of mineral that has been taken off of our lands, as well as for that which may hereafter be carried away.

In the Fall of 1849, the Crown appointed Commissioners Alexander Vidal and T.G. Anderson to meet with the Anishinaabek along the shores of Lake Superior and Lake Huron and to inquire into the terms upon which a treaty could be made. When the Commissioners held Council Fire meetings at Bawaating they further aggravated the Anishinaabek's frustrations. As a result, Chiefs Shingwaukonse and Nebenaigoching, along with their lawyer Macdonell, led a party of Anishinaabe warriors to Mica Bay, where they shut down the mining operations. When news of the incident reached Toronto, the Colonial Government (with the reluctant and conditional approval of the Governor General) dispatched 100 members of the Toronto Rifle Brigade to Mica Bay to "quash the insurgency." The troops, however, failed to make it to Mica Bay as the steamship they hired was shipwrecked along the coast of Lake Superior and forced them to walk back to the Hudson's Bay Company's Fort in Sault Ste. Marie where they stayed the winter.

The Mica Bay affair was a demonstration of the Anishinaabek's continued application of their laws with respect to unauthorized intrusions into their territory. It indicated their willingness and ability to exercise their jurisdiction in their territory and showed the Crown that there were consequences for failing to make good on its repeated promises to do justice to Anishinaabek claims; promises that the Governor General had made personally, and publicly, just that summer when he met with the Chiefs in person.

On September 3, 1850, Treaty Commissioner Robinson and the Governor General Lord Elgin travelled to Garden River to meet the Lake Huron Anishinaabek delegates for the opening ceremony.

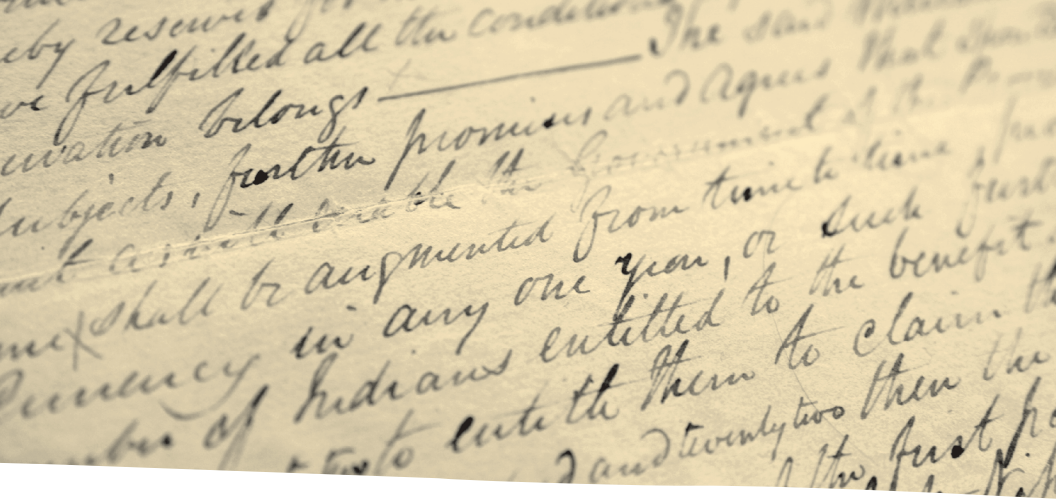
1850 | William Benjamin Robinson and the Treaty Council at Bawaating

After shutting down the mine at Mica Bay, Chiefs Shingwaukonse and Nebenaigoching, along with their lawyer Macdonell, were illegally arrested in Sault Ste. Marie and taken down to Toronto for court proceedings. While in Toronto, the Chiefs and Macdonell met with William Benjamin Robinson.

Through a lifetime of experience in the fur trade, the mining sector and the treaty-making process, Robinson had developed excellent relations with the Anishinaabek and even spoke Anishinaabemowin. Robinson was also from one of the most prominent families in Upper Canada, the youngest of three brothers, all of whom had extensive careers in provincial politics. In a political and diplomatic landscape governed by personal relationships, Robinson had the confidence of the Government, the mining sector, and the Anishinaabe.

In August of 1850, preparations were underway for the Treaty Council. The Governor General authorized the Commissary to issue 20 Flags, 10 Medals and a Nest of Brass Kettles. These presents, along with several others, would be distributed by Robinson at the Treaty Council. Throughout the last-half of August, Robinson, along with the Governor General Lord Elgin, the Superintendent General of Indian Affairs and several other Crown delegates travelled up to Garden River and Bawaating where preliminary meetings and discussions took place.

On September 3, 1850, Treaty Commissioner Robinson and the Governor General Lord Elgin travelled to Garden River to meet the Lake Huron Anishinaabek delegates for the



opening ceremony. As their boats arrived the Anishinaabek greeted them with volleys of gunshot. They then met at the house of Chief Shingwaukonse where he, Chief Tagawinini and the Governor General formally addressed each other to affirm their attachment and trust in Robinson to speak on behalf of the Crown as the Treaty Commissioner. This officially opened the Treaty Council which continued for several more days. The minutes of what was said by the Chiefs were recorded by the Crown, but those records have since been lost.

On September 9, 1850, Robinson and the Lake Huron Anishinaabek reached agreement and the written version of the Treaty was executed. The annuity for that year was paid at the Treaty Council in Bawaating.

From 1851 to 1854 the annuity was paid out in goods to the Chiefs for their respective communities. Due to some factors within the Provincial Government, it wasn't until 1855 that the annuity payment was made in cash to individuals.

The decision to host the Treaty Council at Bawaating is significant because it meant it would be hosted by the Anishinaabek Council Fire and not the Crown's Council Fire.



Top: Original Treaty document
Right: Coins courtesy of 1850



Anishinaabek governance through the Council Fire system is fundamentally based on principles of *Respect, Responsibility, Reciprocity and Renewal*. It was within this framework that the Anishinaabek entered into treaty relationships with other nations, including the British Crown.

Painting by Hans Matthews

www.robinsonhurontreaty1850.com

 facebook.com/RobinsonHuronTreatyAnnuity1850

 twitter.com/1850RHTreaty