In a recent (1996) paper, Paul Williams has written about Aboriginal Oral Traditions. In it, he has observed that there are "some aspects of Ontario Indian oral tradition that remain unsolved mysteries." As an example, Williams has pointed to the Gun Shot Treaty of "1791" at the Bay of Quinte. He remarked that this Treaty "guaranteed that all Indians would always be able to hunt within the sound of a gunshot from any lake or river, and would be able to camp within sixty-six feet of their shores or banks." However, he further stated that there is "no written record of any such promise" and that the documents "confirming the tradition" of the Treaty "remain elusive." He speculated that "Maybe" the documents "do not exist--and maybe the Treaty was not as the tradition recalls."2

In June 1995 additional documents pertaining to the Gun Shot Treaty became available in the provincial Archives of Ontario by an acquisition of private papers, called the A.E. Williams/United Indian Bands of Chippewas and Mississaugas Papers.3 Written documents, based on Aboriginal oral tradition, pertaining to the Gun Shot Treaty of 1792 at the Bay of Quinte are in these Papers. These written documents are in Ojibwa and in English. The purpose of this research note is to draw attention to the existence of these documents in the Ontario Archives.

Although, as Williams has pointed out, references to the Gun Shot Treaty or Treaties, can be found in both the primary and secondary literature, these are not always consistent and are based on fragments of historical knowledge. Moreover, most of them are based on observations by Euro-Canadian observers and not on the Aboriginal oral traditions. I first became aware of the significance of the Gun Shot Treaty of 1792 through a paper given to me by Elder Norm Miskokomon, a citizen of the Walpole Island First Nation. Norm Miskokomon passed away earlier this year at Bkejwanong, meaning in English, the place where the water divides, or Walpole Island.

In 1927 the Miskokomon family at Bkejwanong (likely in response to the charges against Fred Ermatinger for selling muskrat pelts), prepared a paper on their Aboriginal and Treaty rights in relation to International Treaties, their free trade and border-crossing rights and their Territories. This paper also includes a number of historical references to Aboriginal oral traditions of Treaties. One of these is the Gun Shot Treaty of 1792 made by Lieutenant Governor, John Graves Simcoe and Sir John Johnson, then Superintendent General of Indian Affairs at the Bay of Quinte on Lake Ontario. Some of the information referred to in the Miskokomon paper is not contained in the written record of the government of Canada on Treaties and is not readily available in published form.

The documents pertaining to the Gun Shot Treaty of 1792 deserves to be published and made available to interested researchers for additional study and publication. It also warrants close scrutiny as it may well be a product of the oral tradition of the First Nations. It is possible that the written record exists in British Imperial records, either in the Public Record Office or in the various collections of private papers in Britain.

Lieutenant Governor John Graves Simcoe (1752-1806) arrived at Quebec to take up his new duties on November 11, 1791. He remained at Quebec through the winter of 1791-1792 and then in the Spring travelled to Montreal and then Kingston. He was accompanied by his celebrated wife, Elizabeth Posthuma Gwillim (1766-1850), the English heiress. They arrived in Kingston and stayed there, and in the immediate vicinity, for the next twenty-three days. Simcoe left Kingston in the government's schooner for Navy Hall at Niagara on July 23, 1792.

It was sometime during these twenty-three days of July, the traditional time of Treaty-making with the British Crown, that Simcoe and Sir John Johnson (1752-1830), son of Sir William Johnson, then Superintendent General of Indian Affairs, met with the Aboriginal Nations to negotiate and to enter into the Gun Shot Treaty of 1792. Johnson did not leave the colony, from Montreal, for England until July 22, 1792.
Although Simcoe seemingly did not include an account in the official record or in his private papers, his wife, Elizabeth, provided an account of their stay in the area. The First Nations were waiting for King George III's representative to speak with him about the solemn promises of the Crown. Elizabeth Simcoe observed the following from an ethnocentric perspective:

**Tues. [July] 3rd**--There are Missisage [Mississauga] Indians here. They are an unwarlike, idle, drunken, dirty tribe. I observe how extremes meet. These uncivilized people saunter up and down the town all day with the apparent nonchalance, want of occupation and indifference that seems to possess the London beaux in Bond Street....

**Sun. 8th**--The Governor went to church and took the oaths preparatory to acting as Governor....

**Tues. 10th**--The [Executive] Council [of Upper Canada] met. I walked this evening. Some Indians arrived from a distance. They fired a salute with muskets, which was returned with a cannon [This, as a welcome, symbolized the beginning of the Treaty negotiations].

**Wed. 11th.** The Indians came to dance before the Governor, highly painted and in their war costume, with little clothing. They were near enough to the house for me to hear their singing, which sounded like a repetition in different dismal tones of he', he', he', and at intervals like a savage whoop. They had a skin stretched on sticks imitating a drum, which they beat with sticks. Having drank more than usual, they continued singing the greatest part of the night. They never quarrel with white people unless insulted by them, but are very quarrelsome amongst themselves. Therefore, when the women see them drunk they take away their knives, and hide them until they become sober....

On July 26, 1792, Alured Clarke (1745-1832), then Lieutenant Governor of the Province of Lower Canada, wrote to Simcoe from Quebec City, about the Gun Shot Treaty, as follows:

By a paper from the Indians at the Bay of Quinte, presented to Sir John Johnson, Supt. Indian Affairs, at a conference held immediately before his departure for England, and by him communicated to me, they appear extremely anxious to have the deeds which have been promised and appear necessary to put them in the unequivocal possession of their lands. The matter now rests with the government of Upper Canada, and I am persuaded from the knowledge you already have of this
business, and in order to set these people's minds at ease, as well as those settled at Grand River, You will take the earliest opportunity to do in their behalf, what you may think proper.  

The Gun Shot Treaty was more than a sharing of the use of land:

When King George the 3rd sent out John Graves, [sic] Simcoe, as his representative to govern Canada in 1792 he made a treaty with the Indians at the Bay of Quinte, called the Gun Shot Treaty, [...] Thousands of Indians were present including the principal Chiefs of the different tribes. The Gov' r [Governor] stated although the Gov't [Government] wanted the land it was not intended that the fish and game rights be excluded or that they were to be deprived of their privileges of hunting, trapping and fishing as it was a source of their living and sustenance. These provisions were to hold good as long as the grass grows and water runs, and as long as the British Gov't [Government] is in existence. According to the ruling of the Gun Shot Treaty, the Indians to have first rights to all creeks, rivers and lakes, 16 feet on both sides of the said creek, 66 feet on both sides of all rivers and 99 feet around all lakes and island[s] on said lakes. This land mentioned is their inheritance where they can camp and abide while pursuing their occupation of fishing and trapping and while occupying said land [...] no white men can order them off....  

The Gun Shot Treaty was also remembered in the oral tradition of the various First Nations who were in attendance at the Council meetings and at subsequent Treaty meetings at the same place of Council Fire, at the Bay of Quinte. For example, Shaw-Wun-Dais (b. c. 1795-1875), or John Sunday remembered the Gun Shot Treaty in his evidence presented to the British Imperial Select Committee on Aborigines (British Settlements) on March 17, 1837. This evidence was presented, as follows:

136. Do the Chippeway Indians border immediately upon the British possessions in Canada?-- Yes.

137. What Is the tenure upon which they hold their lands? - They are not certain of holding their land; they cannot get any writings at all.

138. They do not hold their lands under any official document or written grant, but solely by what is called the royal word? - Yes, that is exactly the case.

139. That is by a promise from the Crown that they shall be permitted to hold it, which is called the "Royal word"?-- Yes, it is only that.
140. Are the Indians satisfied with that mode of holding their lands?—No, it is that they complain of.

141. What change in that respect do they desire?—The Indians wish to get a title to the land, that they may not be driven away from it. Perhaps you will allow me to say a little about the reason why it is so. Fifty-two years ago, Sir George Johnstone [John Johnson] went up to make a treaty with the Indians, and the Indians agreed to give up their lands for what Sir George Johnstone offered for them. The Indians gave up to Sir George Johnstone all the lands he wanted, but not the islands and the points of the river; the Indians reserved them for their wigwams. Some of the islands they reserved for themselves for planting corn, and the points of the river for their wigwams. Well, as it is, there is nothing in writing, and they are afraid they may be driven away. I remember, 25 years since, now, the governor asked for their land another time, and the Indians gave it to them, and the governor gave his word that it should not be taken away, but he wished to see something in writing to hold our lands by, that we might not be driven away.

142. Then the Committee understand, from your statement, that you wish to have a regular charter or a deed of settlement?—Yes.

143. The Committee conclude that the object of your tribe in desiring this charter or deed of settlement is to obtain an exact definition of the lands which belong to you, and to obviate encroachments on the part of other persons?—Yes, that is what we wish.

144. Now, are we at present to understand the insecure state of your reserves and settlements discourages you from cultivating and improving these possessions?—Yes, certainly. Last winter all the chiefs met together to talk about this; they said now we must settle here, and by-and-bye, after we sow wheat, and it is almost the time of harvest, the white men will come and say, 'We want this land,' and so the Indians will lose it; that is what the Indians are afraid of, that it will be always so. Now the Indians wish they had a title, so that they could hold their lands from generation to generation in their families; that is what the Indians wish to get. 16

The following documents are from the A.E. Williams Papers in the Ontario Archives. An "Extract" of the Gun Shot Treaty, in an English translation, is quoted in full below:
Extract

Gun Shot Treaty 1818

When King George III sent out Simcoe as his Representative to Govern Canada he made a treaty with the Indians at the Bay of Quinte, called the Gun Shot Treaty. Thousands of ["Indian", stroked out] Indians were present including all the principal Chiefs of the different tribes. The governor stated although the Govt. [Government] wanted the land it was not intended that the fish or game rights be interfered with as these belong to the Indians who derived their living from them. These promises were to hold good as long as grass grows and water runs. Memo found in the Dept. of I.A. of Upper Canada in 1866.

Transcripts of the original documents of the Gun Shot Treaty of 1792, in Ojibwa, followed by the English translation, are transcribed below:

Gun Shot Treaty:

Netum na tah me sing qua yah quain dah mong. Ke kee Kedo nod. ge ka ta ge me sho mis. ki ya neen dush ne me sho mis. Emah seh (One-gahmeng [also in Ojibwa, "Onegaming," meaning a place of portage17]. (Port Hope) ne rum ke dah she ke ge too noh ke me sho mis. me dush e meh keh deh ghe ah sheeh mod enh since ge bah quod, enewh ne me sho me sun. Ne dush ke ya go emah. Kah dah she me nah pun enh o nah wendah mah gam in. Ne nah wind dush tah ya ke kein dah ge nong. Ne te ghe dush ta bna yain deh min keen kah ke nah. Keo dah pe nah mon. Emah ke doghe be egun ming. 1 Ne tum ne tah me sing o nun do dah meh ge ning. sah ke me sho mis nah kee e ke do. Ne nenegah shomis. Ke nah do dah moon sah ke dab keem. Che peh ge de neh meh we yen. Ke kee noon dawh mah. Kah ah ke do you. me nik ka ah goo jing owh kee gis. Ki ya me nik ka gah pe me ji nong enewh ge-be-non. Ki ya me nik ka gah ge ke gwain mashshk. A peech dush one no pe dong. onh ne me sho mis. Ke pah go san dah mo win. Ki ya ewh ke nah ween dah mah ga win. Kah neen no mug Kehah ye nah be see. owh ke eke dood. Ke nab qua son seh ewh a ghe kah go san ne me yen. No sa. Ah pe je mah ne me no pe don nah ghe shaw wa he. Me yen ne mod ne dah be no je em. Me ["sah owh" stroked out] sah o-owe me nik ka pah ge te nah moon non. A qua nag ["ph" stroked out] pah shke ge gun No pe ruing. E newh dush neen me ne sun. neen wan e newh. ne de shko nah nun. Ki ya na yah she won. Ki ya sah (se non) ["ke e ge nun" stroked out]. E mah che dah ghe he ne dab nan je ga yon. Ki ya go ne nee jah ne sug. ne gaun ka ni be mah de
ge jig. Che tah ghe ka wod Capt. Paudash oge ke do non.

2 Ne tum ma gwah tah ghe wah pe ga se ka yon. E mah ah yah nwah te noong, Ne ge mah dwa kah no nig owh ke che o ge mah. Ah ba pe kah ge gween. Che neh qua shko dah de yong. Emah Port Hope, Me dush ke pe mah gah yon. ke nah qua shkah nog dush owh o ge mah Keh ween dush neen a tah. Ke me she no nog o ge mog, Ki ya ke me she no nog ah ne she nah baig. pah noon dah gig ewh ke ge do win, Ke che o ge mah o ge keto win. O owh dush ke eke doo, Ne ne gah ne se [above "nis"] doog. Me sah o owe a ghe pah go san ne me non, me no weh ke dah keem che pah ge de neh mah we yen,

Ke de mah ge se mah. ne do shke ne geem wah be noong pah ah yod. pah kah da nog. ki ya go kah wah ke do go nog. Ne dush ewh wain je pah go san ne meh non. Che pah ge te nah mah we yen ketah keem Pah be ga ne ge mequain don. Ke woh ween dah mah ga win. keh ghe nish ko bong e bon ma we ghew, nah yashknd kah eke do wod ke me sho me se nah nig. ke nah quato nondush, one dush ne gee kid-do min. ["ph" stroked out] puh ge de nab mo nab dab sah-ke-ge-go-se-non. A she pah go sa ne me ning. kah neen ne ke ["nah" stroked out] nah ne ["pe" stroked out] sa see ewh ah pe, kah dood. Me dush go ka yah be kah e ghishko nah mah bon. me ne sun. Kah ya na yah she won. ["O" stroked out] kee e ghe kah go. Pah ah ne kah no tah mah we yah gid. Ewh ah pe. Me dush owe kah eke dood. ouh o ge mah. tah me nwan dum ke-ge-che-go-se-non me dush go ka yah be nah soh. Kah eke dood ke mah mo yah nad Kede bah gad enewh ke gisoon. Kah ya enewh ge be non. Kah na me nik ka gah ge keeg ma ghushk, we keh che ish gwah sa ne noog ne ge go win. ["4" stroked out] 3 Capt. Paudush me no nab ne go ding ge kah gwa de na owh ke che o ge mah. Me dush ewh one sing ke ah too dah mah gad. owh ke-che-o-ge-mah. Me go me no nah mah ["p" stroked out] Port Hope. Kah dah ghe ke ge dood. owh Ah-pish kah yaushkke. Na-se-ge-gah-bowh dush ke e ghe ne kaw go. Kah eh ne Kah no tung ewh ["af" stroked out] ah pe. Ene dush kah eke dood. Owh-o-ge-mah. Ne-ne-gah-ne-se-dook. Me nah wah sah ge wah ge bah ge sah ne me go wah. Ke-ki-che-go-se-non. Che pah ge de nah mah wong ["wod" above], ah ke. Abe. pe che mall ge wah nah ne mo the go se owh O ge mah. Ne dush kah e ke do yong. ah how, sah peh ge de nah mah weh dah ke ge che kose non. a she pah go sa
ne me nung. Ka yah be ne ge me gwain don keh e ghe wish ko bah ne ow nung. O ke ge do we ne naun. Ke ka ta me sho one se nah nig. Mge a nah ko ne ga min dush ka yah be ish.

Ko nah mong. me ne sun. Ki ya na yah she won Ki ya go. Ko mah ewh me sick one ge wa ["yog" stroked out] Kah me gog. ne ge ish ko non no pe ning. Me dush owh Kah eke dood o-ge-mah. Kah ge che one nwan dam sah ke ge che go se non. me dush owh go nah sob kah e she mah mo yeh waid. Ke te bah e gah e newh. Ke se soon. Kah ya se be non. Ki yah me shushk. Me nik ke ah yah me guk. Che pe me sag. Ke mah ween dah mah ga win. we kah che ish gwah sase noog nedah gwe e go win.--

Ne ewh ish gu ach ke e do dah mah gad owh Ke-che o-ge-mah. ewh ah pe pa ["boouk" stroked out] boong 1818. Ne mah ne keh dan dum dush me gwain dah men o wah ween dah mah ga win. Owh ke me sho mis kah weesh ko bah ne nig. o ge ge to win. Ewh ah pe. ah no. kah ween. ne ge me ne go se. oge pe e gun. kah ya neen. Ka ge me gi one nah mah bon e mah ["jing" stroked out] jeeng, no goom dush ke keh gwa jim Che wan dah mo non ["ewh" stroked out] en ewh a yah sen. Me sah o nowh ah yah een a dah mah nin. Me ne sun. Kee ya ne yoshi won. ki ya (aah ge soon). Ki ya ewh nen ge wa keh me jog ah ke. Ka yah be a yog no pe ming. Ah neen Ki ya me nik Kah nah non do mid. Owh Re-che-o-ge-mah. Che we do keh nog. ewh. Kee-be-wah-yum-bah-kum-me-ge-sid ma we ghaw. Kah ween ka go ne gis she mah mo geh nom nee ga se. owh o ge mah. Neh sa o nowh ah yah een a dah mah rain. Neen nah sind sah ah yah we yong ["yon" above]

Kah o ge to yong ewh bargain

Capt. Paudaush
"Nott.
"Cowe
Wm. Crow"

Another related document is also quoted in its entirety below:

1 ke kah gwa jinn dush ["onowh" stroked out] wa go nan enewh ah yah sen. me sah ewh pa ghig ah yah ee kay e dah mah ["mon" above] bon. Ne seh e mah geish ko ne mah ["nom" above] ben en ewh na yah she won. emah te de ba nake che gum gah meeng. A she ne se to dah mong. Port Hope.-----

2. Ne no wah dush e mah Port Hope ke ge ge doong me dush e mah kah dah ghe kang. Ne nah wah dush ne de she ta bwa
yan dum keen kah ke nah ke o deh pe nah ["mon" stroked out] min.---

Me dush emeh P [Port]. Hope Kah deh she ne min no tah go gid. owe dush ke e ke dood. ["Ne" stroked out] ne ni gah ne se doog. me sah me nowah a ghe pah go san ne mem na goog.

Ke the keem me nah wah. che pah ge de nah mah ne yen ["yag" above], ah pe che mah ke nah won ne no tah go se we Ke e Ke dood. Ke te mah ge se nog. ne dush ke ["ke" stroked out] ne ge mag. nah be noong pah ah yah jig pah Kah ta wog.

Kah ya go ah nind Kah web ke do so nog.---

Ah neesh me sah me nah wah ke nah gwatah mon neen dush go. Me sah dush go Ka yah be emah keen nan gidah nan dah mo non. ewh ween tah ma de win. nain ge dush e ke do yon. Ewewh ah yah sen. Ewh dush Kah ge go Ke ge me ghe se o ghe be e gun. Kah ya neen che ge one ji ne nab mon. Ne ge che wah we ghan dunn dush neen. Kah ya go e ["gewh" stroked out] gewh ah nind pa mah de gejig.------

Last treaty at Port Hope

Ne dush ewh ["e o" stroked out] ish dwach. Ne go ["e mah" stroked out] me no wah e mah Port Hope. neen dush go ah yah we yon Kah o ghe to yon ewh bargain, ah peh na dush nan ji kah shke to you. e Ke do you, neen ne de bon dah non ne me sun eke do you.

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Ah pe sah dush kah me no nah ["wag swod" stroked out] wa ge nod. egah kah be ge ge to jig Colonel Claus me no nah owh Colonel. Gibben ne rum
dush gah eke dood ["do wod" above], tab ke che mi no nah wa ge. Ke-ge-ke-se-nah. me dush ewh ke eke dood ke ["ow o" stroked out] e she no ong ewh se be. ne no wah ma ["ghashk" stroked out] shaw sh ko sun.

Ke ja en ewh ke ge soon. Ke ah ko nah bah e-bon dah mong o ["noweoh" stroked out] no ewh me sah ewh a ghe ween dah no non wah bon dah e non wah she shaw na ne me non. Neen ["ah" stroked out] sah ["ge?" stroked out] dush go ah yah we you kah kah ghe to you. ewh bargain.

Captain Paudaush
" Nott
"Cowe
Wm. Crowe"
A third document is outlined and transcribed, in full, below:

3rd Award.

Ewh owah ween dah mah go we ne nah egewh Robinson Treaty-ah-ne-she-nah-baig Owh Dominion of Canada. o gee she mah Kaan ewh we no wah mah yah nish Kah go wod ewh te bah e ga win egewh Provinces of Ontario and Quebec.

[this paragraph is crossed out]

(port Hope)

1818

One-gah-meeng [Onegaming]

Ke ge ge do owh we ke che o ge mah. Ki ya ween owh-we Ah ne she nah bake ge ge do. Ke ah Ke dood Ke pah ge de nah moon sah ewh-we ne dah Keem au-do dah mo we yen. (Ke mah mo yah min sah ewh-we. ["A" stroked out and "Ah" above also] Nah zhe shaw-wa ne me yen.) [everything in the round brackets is stroked out]

Ki ya dush Ka me nwah be je to you no sa.

Ke mah no yah min sah wah zhe shaw wa ne me yen. Ki ya. ne dab be noje ning

Ewh-we dush me nik. nah. ah shko ne mort Kah ke nah nyah she won. me ne sun. Ko mah Ki ya me nik maze wa Kah me gog. Ki ya sah-ge-won. Ewh-we ne ne jah nis Ka ["ne" stroked out] me nwah be je wod. ["Ki ye" stroked out] ewh-we dush wah zhe shaw-wa ne me yen. Che ah gwe yen me nik Ka ah go ching ke zis. Ki ya ne nik Ka pe me je nong. se ["p" stroked out] be won.

Ah zhe dush ne wah bah don. wah ne to you. me nik. kah zhe wah ween ["d" stroked out] dab wah we yen.

Me ge te ze mug. Ween. Ke ge te mah ge ze wog. ewh-we ah pe. Kah ween Ka goge k noah mah de win Ke ah yah se noon Noon gom dush ween. ne wah sa yah

bun dab mah. ne do ["shke" stroked out] shke ne ge mug. Ki ya ["an" stroked out] a no nak Ke Kan dah so nog me dush ewh-we no goom Ke zhe guk wan je Ke kan dah mon ewhnee. ["m" stroked out] a zhe mah je do dah we yen. Ke weesh Ko bun ewh-we. Ke de Ke do win. ["y" stroked out] wah yash Keed.
woon goom dush ne mah nah dum, me gwain dah mon ewh-we.
ke wah ween-dah mah ga win.
Capt. Paudaush’

The following, also from the Williams Papers, is a transcript of the English translation of the Paudaush oral tradition of the Gun Shot Treaty, or more properly, Treaties:

Gun Shot Treaty

First Council that we all [are] sure of. Between our great Grand Fathers, was held at Port Hope. The Governor [Governor] or Supt. [Superintendent] General had come to make a treaty with my Grand father. And the promise that he gave to my Grand father was very sweet, of course this was before our time. And my belief is that you have taken every thing down, or written every thing that took place at that time in your minute-Book.

1. When the Governor first asked our Indian people, to ["let me have" stroked out] surrender [interpolation in English of the Ojibwa word] their land. he said my dear Children, I want to ask you to ["let me have" stroked out] surrender your land to me. As you have already heard what I said ["promised" stroked out] ["before" stroked out] or promised before.

As long as you ["can" stroked out] see the sun in the sky, as long as the Rivers flow. and as long as grass grows, the Reserve shall be yours, what ever you will Reserve. And my Grand father did not wait long. he got up and said. Great father. I do agree to surrender [share] my land to you as your promise is very sweet & the blessing that I will enjoy and my children after me as long as they live forever. I will surrender [share] ["my" stroked out] on the main-land, viz--we shall make a bee line from as far as you can hear a shot gun (from the shore up) this line shall leave me part of the main land: all the points [peninsulas]. Islands and all the mouths of Rivers. these shall be reserved for my hunting and fishing ground, and my children after me or the rising generation as long as they live.

2 The following statement was made by Capt Paudaush again. another time while I was fishing it was very calm. All at once I heard somebody speaking to me. when I looked I saw it was the Governor. (SGIA [Superintendent General of Indian Affairs]), and he commanded me to rise and ["go" stroked out] to go and arrange to meet him at Port Hope. And I got up and went to Port Hope with a lot of other Chiefs and warriors who
"me" stroked out] wanted to hear what their great father the Governor was going to say.
	his is what ["and" stroked out] he (Governor) said. My dear Children. I come to ask you again to surrender your land to me for my people that are coming [coming] from the East they are on their way coming [coming]. they are very poor, and hungry and some of them are starving, and this is why I ask you to surrender your land to me. and I remembered your [above "the"] promise you made to my grand father long ago, which was very sweet, the first time that our fore fathers met. and I got up and spoke to him. Reminding him of the bargain that the Gvnt. [Government] made with my grand father I am willing to surrender [share] the land ["the" stroked out] to you. and the others spoke and ["said we will" stroked out] agreed to surrender [share] the land to our great father. (At that time we had plenty of every thing.) And I made the same bargain as my Grand father, viz to Reserve, part of the main land. all the points, mouths of Rivers. and Islands. And I could ent [could not] have made a mistake that time. I had an interpreter (Kah dood) was his name. ["that time" stroked out] And this is what he said (the interpreter). Our great father is very glad. and thanks us very much. and he makes the same promise as the governor did to our grandchildren long ago. viz. below as long as ["the rises" stroked out] we see the sun. and as long as the River flows, and grass grows. ["(and" stroked out] (that the supplies of clothing and blankets etc. from the Govnt. [Government] shall never be stoped [stopped]) ["as long as this would last" stroked out] as long as we live.

3 the following statement was again made by Capt. [Captain] Paudaush another time. This ["is" stroked out] was the third time the governor came to us for land. same place. Port Hope. ["Kah dab" stroked out] The meeting was called by Chief ["Ahpishto" stroked out] Ah-pish-ki-yoshk. And Na-si-ge-kah-bowh. was the name of the Interpreter that time. And this is what the Governor [Governor] said. My Dear Children. once more your great father has come to ask you to surrender your land to him.

3. We all agreed to grant his request, and we said Hurrah. let us surrender our land to our great father. And again I remembered the promise the Govnmt. [Government] made with ["our" stroked out] my Grand father ["long ago" stroked out]. which was very sweet. And we again decided to make the same agreement with him---to Reserve a part of the main land the
Points and mouths of Rivers and Islands. And this is what the Governor said. Your great father is very glad. And ["he" stroked out] I thank you very much. And I promise to ["Reserve" stroked out] that these Islands. Points. Mouths of Rivers. and part of the main land. ["and that" stroked out] shall be reserved for your hunting and fishing purposes, and that the supplies of Clothing. blankets &tc. from the Govrnt [Government]. shall never stop. and that this promise shall be good. as long as the Sun lasts. and Rivers flow and as long as the grass grows. And that was the last time that the Govrnt [Government]. asked for land. that was in the winter of 1818. And I am astonished, disappointed. when I remember the promise made by the Govrnt [Government], his [Lieutenant Governor, John Graves Simcoe]. words were very sweet. At that time he did not give me any writing to keep in my hands but I know all. and now you ask me what I am always talking about: These are the things I ment [meant] viz. Islands. and all points, and mouths of Rivers and part of the main land. that are Reserved for our hunting and fishing purposes. And how many times ["have" stroked out] has the Govr [Governor], asked me to assist him ["the Govr [Governor]." stroked out] And I always granted his request and I never realized any thing for it. These are the things I ment [meant]. And we are ["those" above] the ones that make the treaty, or bargain, they call it.

Capt. Paudash
"Nott
Capt. Cow
Wm. [William] Crow

1. You ask me about the things, and this is one of the things I ment [meant]: that I reserved all the points along the shore which we understand at Port Hope.

["1 You ask me what I meant by these things" stroked out]
2 And the second time the meeting was held at Port Hope. and my beleaf [belief]. I am sure that you wrote every thing that took place at that council.

It was at Port Hope where the Governer [Governor] spoke and said My Children I ask you again once more to surrender your land to me. furthermore ["stating that" stroked out] my people are on their way from the East--they are very Poor. and hungry and some of them are starving.----
And again I agreed to surrender the land to him myself, that's why I believe that you have every thing written. and that you have the agreement: and the promise in your possession, and why I mention these things, because you did not give me any writing Re the surrender, and the Promise. but I am happy, so is my people to know the surrender, and the promise, because its something we can never forget.--- Last Treaty at Port Hope.

this is the last time we met at Port Hope. and I was the one that made that bargain that they often here me say that I own all the Islands.---

And they were pretty well satisfied with the bargain.

Colonel [William] Claus and Coil [Colonel] Gibbins [Givins] and this is what they said. Your Great father will be very well satisfied with the bargain. And they mentioned the promise viz. the Rivers. ["Points." stroked out] grass, and the Sun. as long as you see these, you shall enjoy that blessing.

Those that made the treaty. Or bargain Capt. Paudash "Nott "Cow Wm [William] Crow

The implications of the Gun Shot Treaty of 1792 have continued to this day. The failure to recognize and respect the Treaty(ies) in terms of First Nation citizens' rights to their lands and waters as well as their hunting, fishing and trapping rights, has been a stain on the honour of the federal and provincial governments in Ontario since 1792. The purpose of this paper is to draw the attention of scholars to the Gun Shot Treaty of 1792 and these new documents which have only come to light in the past year. The significance of the Gun Shot Treaty(ies) in the Aboriginal history of Ontario will be examined and interpreted in the years to come. It will have a great impact on the future relationship between First Nations and non-Aboriginal people in Ontario.

Notes

3. A.E. Williams/United Indian Bands of Chippewas and Mississaugas Papers, F 4337, Provincial Archives of Ontario, Toronto, Inventory, dated October, 1995. I wish to express my thanks to Mr. lan Wilson, Archivist of Ontario, and his colleagues, for drawing my attention to the Williams Papers in 1995. The papers were acquired through a private dealer who was handling the estate of the late A.E. Williams, an insurance adjuster who lived in North York, Ontario. They were acquired by the Ontario Archives on the last day of the political regime of the NDP government of Bob Rae. It is unlikely that these papers would have been acquired by the draconian right wing regime of Michael Harris, which government was responsible for the events at Ipperwash two months later. The papers have been microfilmed on four microfilm reels MS 2604-2607 and are now available by Inter-Library loan. The Gun Shot Treaty of 1792 is in F 4337-11-0-8. I also wish to express my thanks to Dr. Rhonda Telford for her assistance in drawing my attention to other historical references to the Gun Shot Treaties.

4. The historiography on the existence of a Gun Shot Treaty(ies) is not a clear subject. A number of secondary sources have noted the existence of the Gun Shot Treaty entered into on the northern shores of Lake Ontario immediately after the close of the American Revolution in the late eighteenth century, from 1793 to 1797. All the sources highlight two main points: the Treaty document or proceedings of the Council is (are) missing from the historical record and (2) the Treaty discussions and agreements were only about land which was to be "surrendered" by the First Nations who were present at the negotiations. This was clearly not the case. Other subjects were discussed and Treaties were made on them. The historiography has tended to obscure the Gun Shot Treaty of 1792 and its significance. For example, Peter S. Schmalz, in his *The Ojibwa of Southern Ontario*, stated that Robert Prescott, governor in chief of Canada, in a letter to Peter Russell on 9 April 1798 complained that 'the land purchased from the Mississaugas was most undoubtedly in an awkward predicament since some of the treaties did 'not express a single Boundary.' A frantic attempt was made to clarify the situation by interviewing those who were involved. The interpreter Nathaniel Lines, who was a witness to the negotiations, stated that a 'blank deed' was signed by all parties. This was the famous 'walking Treaty' or, as some called it, the 'Gun Shot Treaty.' Captain W.R. Crawford claimed he had negotiated the surrender with the Mississaugas on 9 October 1783 for the land
'from Tonaito or Onagara to the River in the Bay Quinte within eight leagues of the bottom of the said Bay, including all the Islands, extending from the Lake back as far as a man can travel in a day.' When Alexander Atkins attempted to survey the area, he found that the Ojibwa were unhappy not only with the treaty but with others made in the area as well. Further treaties were made to correct the error. But years later even Captain T.G. Anderson of the Indian Department still maintained that, of the area under consideration, there remained unsurrendered 'a hundred miles of the richest farm land in the province.'

Professor Donald B. Smith, in his *Sacred Feathers, The Reverend Peter Jones (Kahkewaquonaby) and the Mississauga Indians*, has noted that

... Captain William Crawford, a Loyalist officer who had accompanied the Mississaugas on several raiding parties during the Revolutionary War, obtained all the lands from the Tonita River, a tributary of the St. Lawrence below Gananoque, to a river in the Bay of Quinte 'within Eight Leagues of the Bottom of Said Bay.' For this vast tract, with its loosely described southern boundary, the Indian leaders asked for and obtained clothing for all members of their bands, guns for those without them, powder and ammunition for their winter's hunting, and 'as much coarse Red Cloth as will make about a Dozen Coats and as many Laced Hats.'

More purchases followed, each of which confirms that the Mississaugas believed they were granting the use of the land. Once the British promised presents 'as long as the sun shines, the waters flow, and grass grows,' the Indians allowed them the use of as much land as they needed.

Professor Robert J. Surtees in his paper on "The Williams Treaties," commissioned for, and published by, the federal Department of Indian Affairs in 1986, has provided historical background to the events of the period from 1783-1792. He has written that

Two considerations inclined British officials in Canada to seek extension of these agreements. First there was the desire to provide for an unbroken line of settlement along the shore of Lake Ontario between the Trent River and the head of the lake; second, it was also considered advisable to have an alternate route to the interior, other that the Ottawa River or the Lake Erie-Detroit River-St. Clair River. Such an alternative was possible by travelling the Humber River-Holland River-Lake
Simcoe route (known as the Toronto Carrying Place) to the east end of Georgian Bay. Such a route would have military and commercial uses.

The northern and western most portion of the Toronto-Georgian Bay route was apparently secured by a treaty arranged in 1785 by John Collins, [note #7 to Florence B. Murray (editor), Muskoka and Haliburton, 1615-1875, Toronto: The Champlain Society, 1963, 99] the deputy-Surveyor General who arranged for passage between the Narrows at Lake Couchiching and Matchedash Bay via the Severn River. The remainder of that route, from present Toronto to Lake Simcoe and the lands of Lake Ontario's north shore became the object of negotiations in 1787-88, when Governor Dorchester directed Sir John Johnson, the Superintendent General of Indian Affairs to take such steps with the Indians concerned, as may be necessary to establish a free and amicable right for Government to the interjacent Lands, not yet purchased, on the North of Lake Ontario, for that purpose as well as to such part of the Country, as may be necessary on both sides of the proposed communication from Toronto to Lake Huron. [Ontario, Third Report of the Bureau of Archives for the Province of Ontario, 1906, p. 453]

It was this direction that brought Sir John to meet an arranged gathering of the Mississaugas at the head of the Bay of Quinte in September, 1787. About 626 persons were present; another 391 [NAC RG 10, Volume 15, page 97] gathered at Toronto at the same time. The latter gathering was represented at Quinte by selected chiefs, and the two groups between them were recipients of L2000 worth of goods dispensed by Johnson [note: NAC M.G. 19, Claus Papers, Volume 4, page 168. Johnson to Claus, October 19, 1787.] An account of that meeting by the Indian trader, John Long, noted that Sir John showed the Indians a map by which he desired to have the land 'from Toronto to Lake Huron' [note: John Long, Voyage and Travels of an Indian Interpreter and Trader, London, 1791, pp. 177-178.] Another reconstruction of the affair by Percy Robinson, contends that Johnson took a surrender of the right of transport from Toronto to Matchedash Bay as well as blocks of land (10 miles square) at each end. Robinson's principal source explaining the events of the decade before, is a letter written by Johnson in 1798. In that letter Sir John did not mention land other than the Toronto-Matchedash area, but it would seem that he did speak to the assembled Indians about the land on the north shore of Lake Ontario between Quinte and Toronto. Long's account says he did; his instructions said he was supposed to; and according to the invoice of goods given out at the time, the Mississaugas who had
gathered at Quinte on September 23, 1784 "Made a formal Cession of Lands on the North side of Lake Ontario to the Crown." Also, this land cession was described more specifically by the Land Board for Nassau in 1790, when it issued instructions to survey the 'Land lately purchased by Sir John Johnson from the Mississaga Nation on the North Side of Lake Ontario in the District of Nassau from the head of the Bay of Quinte to Toronto."

Sir John's distribution of presents at this council was later interpreted as payment for lands. These gifts of ammunition, arms and tobacco, however, were rather designated as a present to the Mississaugas as a reward for their fidelity to Britain and for 'services' during the late American War." Specific payment for the land was to come later. It would seem, however, that a deal was provisionally arranged at Quinte.

Notwithstanding Sir John's denial of having put anything on paper at the time, a deed of sorts has been found and identified as having been drawn up at the Quinte Carrying Place in 1787. It was witnessed by three chiefs--Wabikane, Neace, and Pakquan--and by John Collins, Louis Kotte and Nathaniel Lines. It does not contain a description of the lands to be sold, but simply leaves blank spaces which evidently were to be filled in later after proper surveys could determine an accurate description. According to the interpreter, Nathaniel Lines, who recounted the event some eight years later, the land in questions was the north shore of Lake Ontario. Others suggest that the land descriptions to have been inserted at a later date were to include the region of the Toronto-Matchedash purchase. It is likely that Sir John’s hurried visit to Quinte in 1787 did not allow sufficient time to ascertain the precise bounds, particularly in terms of depth, that the government wanted or that the Mississaugas were prepared to offer. In any event those details could be delayed until the following year when payment could be made. The requisitions for supplies to make that payment clearly indicate that two separate purchases were intended. These being the north shore of Lake Ontario and the Toronto-Matchedash lands. That little trouble was anticipated was reflected in the concurrent despatching of surveyor Alexander Aitken, to conduct a survey of the Toronto site.

Aitken and the provisions arrived at Toronto on the Seneca on August 1, 1788. He was joined a few days later by Lord Dorchester, Sir John Johnson and Colonel John Butler. Dorchester and Johnson remained at Toronto only until the goods had been distributed to the Mississaugas who had gathered for that purpose. However, not all the expected Bands arrived on time. Thus, Butler remained behind to meet those who were expected from Lake Simcoe and Pawastink (Port
Hope), and also to reach some agreement regarding the depth of the cession on the Lake Ontario shoreline. Again from fragmentary evidence, we can observe that Butler was successful in coming to an agreement about the depth of the tract. He later reported from Niagara that while at Toronto, after the Lake Simcoe and Port Hope Indians arrived, he called all the chiefs into a council and proposed that they surrender the land between Toronto and the Bay of Quinte ‘as far back as Lake la Clay (Simcoe) and the Rice Lake’ Having secured their agreement, ‘after 2 or 3 meetings,’ he then proposed that the depth be a straight line beginning 15 or 16 miles back from Toronto. Running the depth in a straight line cost an extra twenty-five guineas to two chiefs, Wabikane and Porqua. The actual depth was in fact determined by the surveys completed in 1791, when the surveyor, Augustus Jones, reported having done surveys to eleven townships, beginning with the eastern boundary of the District of Nassau and extending two miles west of Toronto.

This issue of the north shore and the Toronto-Matchedash section appeared to have been settled at this point. The Indians, at least according to Butler’s reports and Johnson’s understanding were satisfied; and the government was content also with having secured a solid line of settlement between Cataraqui and Toronto, as well as the communications link between Toronto and Matchedash Bay. But there were some clouds on the horizon. First, Aitken had been prevented by Wabikane from completing a full survey of the Toronto site. It was only through the intervention of Nathaniel Lines that Aitken was permitted to begin at the Etobicoke River rather than the Humber River. And, being left alone after the departure of Butler and Lines, he feared to run his survey more than 2 3/4 miles inland, for Chief Wabikane cautioned him against crossing the stream located at that point. Second, one group of Indians, apparently those from Matchedash, claimed that they had not received payment for their lands. According to Butler, this resulted because Sir John had given the goods to the wrong people. More serious than any of these, however, was the absence of a territorial description in the deed of surrender prepared at Quinte in 1787. As a result, the problem did not become so much from anger on the part of the Indians, but rather from anxieties expressed by White administrators and by settlers who were concerned about the security of their tenure in lands covered by the 1787-88 agreements.

This concern was increased greatly in 1794. Pressured by Lieutenant-Governor Simcoe regarding the imprecision surrounding the land cessions, Lord Dorchester declared the blank deed taken in 1787 to be invalid.
Enquiry has been made relative to the purchase at Matchedash Bay, a Plan...has been found in the Surveyor General’s Office, to which is attached a blank deed, with the names or devices of three chiefs of the Mississauga Nation, or separate pieces of paper annexed thereto, and witnessed by Mr. Collins, Mr. Kotte, a Surveyor, since dead, and Mr. Lines, Indian Interpreter, but not being filled up, is of no validity, or may be applied to a land they possess; no fraud has been committed or seems to have been intended. It was, however, an omission which will set aside the whole transaction, and throw us entirely on the good faith of the Indians for just so much land as they are willing to allow, and what may be further necessary must be purchased anew, but it will be best not to press that matter or shew [show] any anxiety about it.

However, Professor Surtees’ account does not recognize either the oral tradition or the events of the Gun Shot Treaty at the Bay of Quinte at the council meeting in July, 1792.

5. The Miskokomon papers were shared by the Miskokomon family with Nin.Da.Waab.Jig. in the Fall of 1994 and copies were shared with the author of this paper. It is entitled “Treaties between the Whites and Indians, of Chippewa [Ojibwa], Ottawa, and Pottawatomie [Potawatomí] Tribes,” dated March 24, 1927. I am most grateful to Elder Norman Miskokomon, formerly a member of the Walpole Island First Nation Heritage Committee, for shannng this information with me. This paper enabled me to identify the Gun Shot Treaty of 1792 from the Williams Papers.


7. The event is unrecognized in the historiography or in the documentary collections or in the archival records that are currently available in the public domain. See, for example, *The Correspondence of Lieut. Governor John Graves Simcoe*, Collected and edited by Brigadier General E.A. Cruikshank, Volume I, 1789-1793, Toronto: Ontario Historical


14. The Miskokomon paper is dated March 24, 1927. The first part of this description of the Gun Shot Treaty is also contained in the A.E. Williams papers, referred to above, which are now in the Provincial Archives of Ontario.


17. It should also be noted that the place of portage was also a place of both water and fire. It was a place of meeting for important councils and holding council fires. For example, other places of Council Fires include: Niagara, Detroit, Amherstburg, St. Anne Island, Lake Ontario at Fort Ontario near present-day Oswego, Burlington Heights, Walpole Island among others.

18. An effort is currently being made to provide an English translation and interpretation of the Gun Shot Treaty of 1792, quoted above.

19. There is no concept of the English word "surrender" in Ojibwa. The Aboriginal understanding in concept and language would have been the word "share."