Document generated on 10/12/2024 5:44 a.m.

Ontario History

Chief of this River
Zhaawni-binesi and the Chenail Ecarté lands

Rick Fehr, Janet Macbeth and Summer Sands Macbeth

Volume 111, Number 1, Spring 2019

URI: https://id.erudit.org/iderudit/1059964ar
DOI: https://doi.org/10.7202/1059964ar

See table of contents

Publisher(s)

The Ontario Historical Society

ISSN

0030-2953 (print)
2371-4654 (digital)

Explore this journal

Cite this article

Fehr, R., Macbeth, J. & Sands Macbeth, S. (2019). Chief of this River: Zhaawni-binesi and the Chenail Ecarté lands. *Ontario History*, *111*(1), 19–35. https://doi.org/10.7202/1059964ar

Article abstract

The narratives of European settlement in Canada have largely excluded the presence of Indigenous peoples on contested lands. This article offers an exploration of an Anishinaabeg community and a regional chief in early nineteenth century Upper Canada. The community known as the Chenail Ecarté land, and Chief Zhaawni-binesi, have become historically obscure. Through the use of primary documents the authors explore the community's history, its relocation, and Chief Zhaawni-binesi's role in the War of 1812 and in community life. Ultimately, the paper charts the relocation of the community in the face of mounting settler encroachment. The discussion attempts to increase knowledge and appreciation of Indigenous history in Southwestern Ontario.

Copyright © The Ontario Historical Society, 2019

This document is protected by copyright law. Use of the services of Érudit (including reproduction) is subject to its terms and conditions, which can be viewed online.

https://apropos.erudit.org/en/users/policy-on-use/

érudit

This article is disseminated and preserved by Érudit.

Érudit is a non-profit inter-university consortium of the Université de Montréal, Université Laval, and the Université du Québec à Montréal. Its mission is to promote and disseminate research.

https://www.erudit.org/en/

Chief of this River

Zhaawni-binesi and the Chenail Ecarté lands

by Rick Fehr, Janet Macbeth, and Summer Sands Macbeth

The marginalization of the Anishinaabeg[1] population on the Chenail Ecarté treaty land coincides with the Crown's desire to settle European immigrants on arable farmland in the early nineteenth century. Chief Zhaawni-binesi's life was bound with the events that happened on the Chenail Ecarté as the settler population pushed the Anishinaabeg to neighbouring Walpole Island and to Sarnia, on the St. Clair River. Our intent is to give Zhaawni-binesi's legacy new dimension and to dispel the obscurity that many Ojibwe, Potawatomi, and Odawa historical figures face. As Anishinaabe historian Alan Corbiere says, the Anishinaabeg made up the majority of combatants during the War of 1812. Yet, they do not receive anywhere near the level of attention as General Brock, Tecumseh, John Norton, or Laura Secord.[2] The effect of this obscurity erases the Anishinaabeg from the popular consciousness.[3] By connecting Zhaawni-binesi to the War of 1812 and to the Chenail Ecarté land, both Indigenous and non-Indigenous people living in the region can better appreciate Anishinaabeg biography on a land that is often celebrated for its European settler heritage and history. This is a significant point as it highlights the fact that the Anishinaabeg have never left the Chenail Ecarté homeland. Even though local settlers now know the tract in question as the town of Wallaceburg and Sombra Township, Ojibwe and Odawa peoples still call it home. This paper charts the period of Anishinaabeg self-determination on the Chenail Ecarté treaty land beginning in 1796 and its erosion through the rise of settler occupation following the creation of the Baldoon settlement in 1804.

Clarification of Zhaawni-binesi's Name

In the spring of 1804, two land surveyors, Thomas Smith and Augustus Jones, travelled to the Chenail Ecarté

[1] Anishinaabeg refers collectively to the Council of Three Fires: The Ojibwe (Chippewa), Odawa, and Potawatomi.

[2] Alan Corbiere, "Anishnaabeg in the War of 1812: More than Tecumseh and his Indians," *Active History*, 10 September 2014, < http://activehistory.ca/2014/09/anishnaabeg-in-the-war-of-1812-more-than-tecumseh-and-his-indians/> Accessed on 23 July 2017.

[3] Corbiere, "Anishnaabeg in the War of 1812..."

[4] Library and Archives Canada (LAC), Thomas Douglas 5th Earl of Selkirk fonds, R9790-0-8-E :

Abstract

The narratives of European settlement in Canada have largely excluded the presence of Indigenous peoples on contested lands. This article offers an exploration of an Anishinaabeg community and a regional chief in early nineteenth century Upper Canada. The community known as the Chenail Ecarté land, and Chief Zhaawni-binesi, have become historically obscure. Through the use of primary documents the authors explore the community's history, its relocation, and Chief Zhaawni-binesi's role in the War of 1812 and in community life. Ultimately, the paper charts the relocation of the community in the face of mounting settler encroachment. The discussion attempts to increase knowledge and appreciation of Indigenous history in Southwestern Ontario.

Résumé: *Les descriptions de la colonisation européenne du Canada excluent largement la présence des peuples indigènes des territoires contestés. Dans cet article, nous allons explorer une communauté Anishinaabeg et un chef régional du début du XIXe siècle dans le Haut-Canada jusqu'à présent restés obscurs. Il s'agit de la communauté connue sous le nom de Chenail Ecarté et du chef Zhaawni-binesi. Grâce aux sources principales, les auteurs vont explorer l'histoire de cette communauté, son déplacement, ainsi que le rôle joué par le Chef Zhaawni-binesi dans la guerre de 1812 et dans la vie communale. Les auteurs vont aussi suivre la route du déplacement de la communauté face à l'empiètement des colons. Cet article vise à accroître les connaissances et l'appréciation de l'histoire autochtone du Sud-Ouest de l'Ontario.*

lands in Upper Canada.[4] Their job was simply to find dry land. The need for dry land underscored the disaster that would strike the nearby Scottish settlement of Baldoon in the following months. That year, as the settlement was being built, constant rains and flood waters prevented its completion. Approximately one-third of the Scottish Highland settlers died within a year.[5] The settlement was built at the intersection of the Sydenham River and Chenail Ecarté River drainage basin. The surveyors headed north of Baldoon (see Image 1) to the Chenail Ecarté land, which had been entered into a treaty with the Anishinaabeg in 1796. The treaty covered a twelve-square-mile section of land which included the southern portion of the Sydenham River,[6] close to its mouth where it fed the Chenail Ecarté; it included the forks of the Sydenham, the east and north branches, and the St. Clair River bordered the treaty land on the west. The treaty continued the spirit of mutual military alliance building enshrined in the 1764 Treaty of Niagara, between the Crown and Indigenous allies in the

14,836, Survey of the Chenail Ecarté by Thomas Smith and Augustus Jones.

[5] Two well-known studies of Baldoon detail the community's rise and ultimate collapse, they are A.E.D. MacKenzie's *Baldoon*, Phelps Publishing Co., 1978, and Fred Coyne Hamil and Terry Jones, "Lord Selkirk's Work in Upper Canada: The Story of Baldoon," *Ontario History*, 58:1 (1965), 1-12. Much of the primary source material charting the collapse is in the manuscript collections of Lord Selkirk, the settlement founder (LAC, Thomas Douglas 5th Earl of Selkirk fonds, R9790-0-8-E), and Alexander McDonell, the farm manager (LAC, MacDonell of Colachie family papers, R4029-0-2-E).

[6] *Jongquakamik* in Nishnaabemwin, and at the time known as Bear Creek, for the regional Chippewa

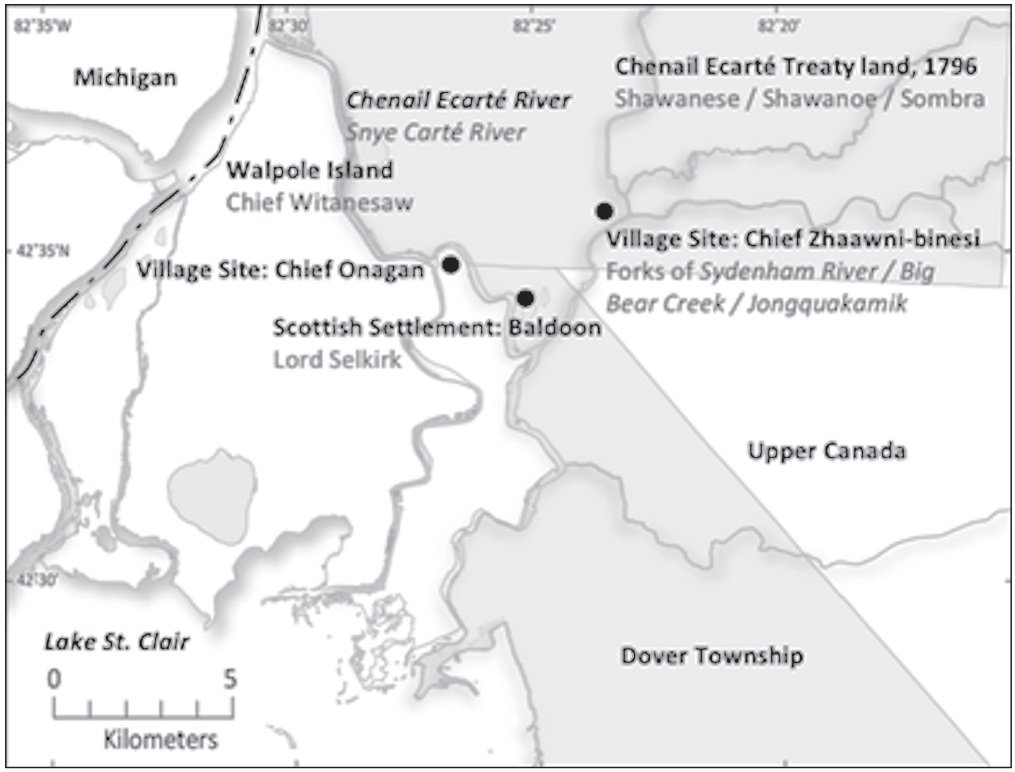


Image 1: *Map of the Baldoon settlement and southern portion of Chenail Ecarté treaty land. Maps used in this article are for illustrative purposes only.*

Great Lakes region and Ohio valley.[7]

At the time, at least three Anishinaabeg villages were on the Chenail Ecarté land: an Odawa village on the Chenail Ecarté River, an Ojibwe village on the St. Clair River, and a village at the forks of the north and east branches of the Sydenham River. When Smith and Jones arrived at the forks of the river, they thought to record a census of the Ojibwe living there at the time. The second name on the list is "Shawanibinisi—Yellow Bird."[8] Zhaawni-binesi[9] is a more appropriate spelling in contemporary Nishnaabemwin orthography. As the name of this individual was recorded, either Smith or Jones likely misheard the first part of the name. Zhaawni refers to south while Zaawaa refers to yellow, hence "Yellow Bird" instead of "Southern Bird." This simple mis-

Chief Kitsche Maqua (fl. 1780 - 1803), primarily on the east branch of the Sydenham River. Kitsche Maqua was known to have signed documents with a beaver doodem.

[7] John Borrows, "Wampum at Niagara, The Royal Proclamation, Canadian Legal History, and Self-Government," in *Aboriginal and Treaty Rights in Canada*, ed. Michael Asch. Vancouver: UBC Press, 1997.

[8] LAC, Thomas Douglas 5th Earl of Selkirk fonds, R9790-0-8-E : 14,836, Survey of the Chenail Ecarté by Thomas Smith and Augustus Jones.

take in translation gave Zhaawni-binesi a different English name. It is not uncommon that Indigenous peoples would have had English names that were not a direct translation of their Indigenous names. However, the case of Zhaawni-binesi created confusion a century after his death when people began re-translating Yellow Bird into Nishnaabemwin.[10]

The History of the Chenail Ecarté Treaty

The Crown's main architect of the 1796 Chenail Ecarté treaty was Colonel Alexander McKee. McKee was previously responsible for negotiating the 1790 McKee treaty, allowing for settlement across much of Southwestern Ontario from the Windsor region to London. The 1796 treaty was quite different in tone from its 1790 predecessor. Within McKee's correspondence, he made it clear that the 1796 treaty was established specifically for the settlement of Indigenous allies loyal to the Crown who were waging war with the American colonists to the south. In the months following the treaty, McKee wrote to Superintendent General of Indian Affairs, Sir John Johnson, "already there is a considerable village of Ottawas at that place and there is every reason to suppose the Shawanese, Mingoes, Nanticokes, Munsies & Chippawas (Ojibwe) will fix themselves there also and commence cornfields as soon as the weather will permit."[11]

The Crown's intention of settling Indigenous allies in the Chenail Ecarté evaporated shortly after McKee's death in 1799. The years that followed detail a policy reversal. The Chenail Ecarté treaty land was gradually opened for European settlement at the complete exclusion of the Ojibwe, Odawa, and allied nations to the south and in Michigan. Within two years, military officers all but ignored the intent of the Chenail Ecarté treaty and instead saw Indigenous settlement on the land as a strain. Captain Hector McLean was the commander of the Detroit garrison. McLean complained that the Indigenous population at Chenail Ecarté stressed already diminished military resources, "...the number of Indians constantly encouraged to come in from all distant quarters, exceeds that of any former period of my command."[12] McLean's

[9] After discussions with Reta Sands, a fluent Nishnaabemwin speaker and Elder from Walpole Island, and mother of co-author Summer Sands-Macbeth, "Zaawaa-binesi" translates as "Yellow Bird." Both Reta and Ojibwe Linguist Richard Rhodes offered "Zhaawni-binesi" as "Southern Bird." These two closely related names fit the contemporary orthography.

[10] This confusion has occurred on at least two occasions. In 1942 when artifact collector Milford Chandler purchased a naval flag carried into battle by "Sewa Benashe" (See image #3), and in Greg Curnoe, "Ozow~bineshiinh / Yellowbird," Deeds/Nations, ed. Frank Davey and Neal Ferris, (London Chapter, OAS Occasional Publications, 1996), 93 - 94.

[11] LAC, British Military and Naval Records, R11,517-0-6-E, C 2,849 : 450-451, Colonel Alexander McKee to Sir John Johnson, 20 January 1797.

[12] LAC, British Military and Naval Records, R11,517-0-6-E, C 2,850, Vol 251 : 151, Captain Hector McLean to Captain James Green, 18 July 1798.

sentiments echo the treaty's intent, yet his fear was that an Indigenous population would soon overrun the Chenail Ecarté. He was concerned that their dependence on the government would make the Indigenous population "effeminate and indolent." Officers such as McLean set a foul tone for the Crown's treatment of the Indigenous allies who had been at the front end of American aggression.

Zhaawni-binesi does not appear as a signatory to the 1796 treaty. However, a likely version of his name appears as "Shepanesse" in the 1796 receipt of annuities immediately following the treaty. One woman and three children accompanied him.[13] His presence as chief first appears in 1806. This was a time when the previous generation of principal chiefs of the region were elderly or had already passed on. This was the case with Kitsche Maqua, for whom Big Bear Creek, later the Sydenham River was named.[14] Documents suggest chief Witanesaw died toward the end of 1806 or early in 1807.[15] In 1806, Zhaawni-binesi wrote a letter in which he identifies himself by his English name Yellow Bird, to Baldoon farm manager, Alexander McDonell.[16] In the letter, Zhaawni-binesi complained that settlers from Baldoon have left their cattle to roam free. The cattle had found their way to the forks of the Sydenham River where they had destroyed the chief's cornfields. Zhaawni-binesi demanded restitution, or the cattle would be killed. McDonell responded by offering flour and potatoes as restitution.[17] The 1806 letter is significant because it connects Yellow Bird to the forks of the Sydenham River. The beaver doodem used by Zhaawni-binesi in various documents concludes the letter (see image 2).

Pressure to Abandon the Baldoon Settlement

Records often describe life on the Baldoon settlement as having been a near constant struggle. While the settlement founder, Lord Selkirk, and farm manager Alexander McDonell argued back and forth about community management, the social order was unravelling. A man named Doctor George Sims administered Baldoon for some time. Sims noted to Lord Selkirk that a sorry lot with red and tired eyes made up Baldoon.[18] He also noted that some of Baldoon's sheep had been beaten about the

[13] LAC, Daniel Claus Papers, MG 19, F1, Vol. 7, C-1479 : 270, Return of Indians Present at Treaty of Purchase, 2 September 1796.

[14] Frontier Mission: Papers of the Moravian Mission to the Indians in Upper Canada, 1791-1810, translated and edited by Frederick Dreyer, Christian Frederick and Anna Maria Denke, 28 May 1806.

[15] LAC, MacDonell of Colachie family papers, R4029-0-2-E Vol. 2 : 80, Alexander McDonell to Lord Selkirk, 27 Jan 1807.

[16] LAC, MacDonell of Colachie family papers, R4029-0-2-E Vol. 1 : 168-169, Yellow Bird to Alexander McDonell, 2 October 1806.

[17] LAC, MacDonell of Colachie family papers, R4029-0-2-E Vol. 1 : 168-169, Yellow Bird to Alexander McDonell, 7 October 1806.

[18] LAC, MacDonell of Colachie family papers, R4029-0-2-E Vol. 2 : 63, Dr. Sims to McDonell, 8 July 1808.

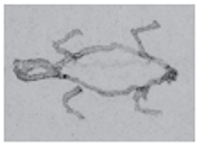
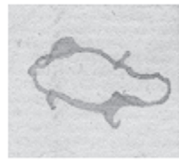
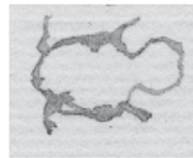
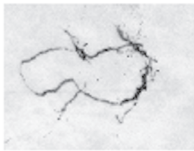
 1. 1806 "Yellow Bird" Chief of Bear Creek Loc: Forks of Bear Creek	2. 1807 "Sawanabenase" Treaty of Detroit Loc: Detroit	3. 1815 Pa'a naa see Treaty of Springwells Loc: Rouge River, Michigan	 4. 1819 Shawwahnipenise e Provisional Agreement Loc: Amherstburg	 5. 1825 Shaw wa ni penance Provisional Agreement Loc: Amherstburg
 6. 1827 Shawanipenessie Huron Tract Treaty Loc: Amherstburg	7. 1833 Shaweny Penency Land transaction. Loc: Sarnia	8. 1834 Shaweny Penincy Receipt of treaty annuity. Loc: Sarnia	9. 1834 Shaweny Penency Receipt for potatoes and seed corn. Loc: Sarnia	

Image 2: Occurrence of Zhaawni-binesi and documents with Beaver
1. LAC, MacDonell of Colachie family papers, R4029-0-2-E Vol. 1 : 168 - 169, Yellow Bird to Alexander McDonell, 2 October 1806. 2. National Archives and Records Administration (NARA) Catalog, https://catalog.archives.gov/id/596331, Treaty Between the Ottawa, Chippewa, Wyandot, and Potawatomi Indians (Treaty of Detroit). 3. NARA, Washington DC, Ratified Treaty between the U.S. Govt. and the Wyandot, Delaware, Seneca, Shawnee, Miami, Chippewa, Ottawa, & Potawatomie Indians at Spring Wells near Detroit, RG11, September 8, 1815. 4. LAC, Daniel Claus and Family Fonds, Claus Papers, Vol. 11. MG 19 F1 : 186 – 190, "Articles of Provisional Agreement, 1819". 5. LAC, Treaties, Surrenders, and Agreements, RG10, Vol. 1843, IT 087, Indian Affairs Consecutive No., 27-1/4 : 2 – 8, "Provisional Agreement, 1825. 6. LAC, "1827 Huron Tract Treaty," RG10 Vol. 1843, IT 091, Indian Affairs Consecutive No., 29. : 2 - 4. 7. LAC, "Copy of Lease from Sundry Indian Chiefs . . . 24th August 1833," RG10 Vol. 54, Department of Indian Affairs: Office of the Chief Superintendent in Upper Canada, 1831-1850 : C-11018 : 57780 - 57782. 8. LAC, "Receipt for the Land Payment to the St. Clair Indians - 1834," RG10 Vol 55, Department of Indian Affairs: Office of the Chief Superintendent in Upper Canada, 1831-1850 : C-11018 : 58161 - 58162. 9. LAC, "Receipt of the Indians for seed from W. Jones," RG10 Vol. 55. Department of Indian Affairs: Office of the Chief Superintendent in Upper Canada, 1831-1850 : C-11018 : 58415.

head so severely that their eyes were dislodged from their heads.[19] Several community members and some of the skilled labourers hired to run the Scottish settlement abandoned Baldoon completely.

A small number of the disaffected community members moved directly north of Baldoon to become farm labourers for the Anishinaabeg living on the Chenail Ecarté. In 1809, a man

[19] LAC, MacDonell of Colachie family papers, R4029-0-2-E Vol. 2 : 85 Dr. Sims to McDonell, 18 September 1808.

named James Stewart wanted whiskey to help convince the Indigenous hosts to outright sell their land.[20] McDonell was obstinate in this request. It is possible McDonell was morally against the influence of liquor in land transactions. However, it is more likely that he wanted to be responsible for claiming the Chenail Ecarté tract for the resettlement of Baldoon. After several settlers died from exposure and illness during their first winter at Baldoon, Selkirk was enthusiastic about relocating his settlers north of the boundary line between Dover Township and the Chenail Ecarté tract. He stated to Upper Canada Lieutenant Governor Peter Hunter that the land rose slightly there and was sheltered from marshes.[21]

Lord Selkirk was not alone in his desire of the Chenail Ecarté lands. Moravian Missionary the Reverend Johann Schnall was also looking to settle a village of Christian Ojibwe in the same vicinity. Yet Schnall noted that the government was in the process of securing the Chenail Ecarté tract for the Baldoon settlers in 1805.[22] This did not happen, however, as Selkirk sought clarification if the government would require the Ojibwe to surrender. The reply from the Surveyor General's Office stated quite clearly that they had set the land apart for the Indigenous allies. The settlement could not be relocated until the government had appropriated the Chenail Ecarté tract from the Indigenous peoples for this purpose.[23] Selkirk also asked if McDonell could personally obtain a surrender from the chiefs of the land in the Chenail Ecarté tract. This too was impossible because McDonell was not an official Crown representative permitted to enter into treaty negotiations. This was not the last time Baldoon settlers fought to claim land on Anishinaabeg territory. Indeed, many of the settlers and their descendants became the founders of the town of Wallaceburg in the 1830s. Before this occurred, however, war between the Indigenous nations, America, and Britain would tip the scales in favour of British settlement.

Zhaawni-binesi and the War of 1812

Historical accounts almost always cast the Battle of the Thames in October 1813 as the tragedy in which British General Proctor abandoned the battlefield and left the Indigenous warriors outnumbered in the face of the Kentucky Militia. The battle is almost singly referenced for the death of Tecumseh, the Shawnee war chief from the Ohio Valley. While Proctor's retreat and Tecumseh's death have reached legendary status, historians

[20] LAC, Thomas Douglas 5th Earl of Selkirk fonds, R9790-0-8-E, Vol. 11 : 35, McDonell to Selkirk, 4 December 1809.

[21] Michigan Pioneer Historical Papers (MPH), Vol. 23 : 432-433, Lord Selkirk to Lt. Gen. Peter Hunter, 1 February 180.

[22] Frontier Mission: Papers of the Moravian Mission to the Indians in Upper Canada, 1791-1810, Translated by Frederick Dreyer : 795 Rev. Johann Schnall to Rev. George Heinrich Loskiel, 10 January 1805.

[23] MPH, Memorandum by Surveyor General's Office to Lord Selkirk, Vol. 23 : 435, 22 May 1805.

know little of any of the other Indigenous combatants. Documentation on the presence of non-Indigenous combatants is recorded in militia rolls and personal narratives where they exist. The Department of Indian Affairs also recorded Indigenous veterans as Deputy Superintendent George Ironside later documented them. However, there exists little documentation that elaborates on the contributions of regional Indigenous peoples.

The fact that primary documents actually work to diminish Indigenous presence makes the task of elucidating such narratives more difficult. For instance, a map drawn by Thomas Smith of the forks at the Sydenham River in 1812 indicates, "Orchards and Old Graves, apparently a place of Rendezvous of the Natives in former times."[24] Zhaawni-binesi lived at the forks during this period, and indeed his wife gave birth to a daughter named Omazhenaw at the village site in 1814. It is against this thread of historical obscurity that Zhaawni-binesi's presence is explored.

Details of Zhaawni-binesi's role at the Battle of the Thames may not have been recorded in the years following the battle. However, successive generations discuss his involvement, and memorabilia support his participation. Department of Indian Affairs (DIA) investigation documents, from the late 1870s, include brief records of Omazhenaw's recollections of the war. The DIA investigated factionalism on Walpole Island as resources meant to accommodate the descendants of the original 440 members of the 1827 Huron Tract Treaty became stretched. It is important to note that Zhaawni-binesi was one of the signatory chiefs to the Huron Tract Treaty. The result of these investigations offers considerable genealogical and biographical information regarding Zhaawni-binesi and his role in the War of 1812. In her testimony to Indian Affairs investigators, Omazhenaw stated, "I believe myself to be about sixty-five years of age, I was born at a place called Bear Creek, near the present site of the village of Wallaceburg. My father's name was Sha-wan-i-pi-ne-sie..."[25]

Omazhenaw identified Philip Kyoshk as one of her sons. The forty-one-year-old man stated that his grandfather was one of the community members who relocated to the Upper Reserve at Sarnia. However, Omazhenaw moved back to Walpole Island shortly after Zhaawni-binesi's death. Kyoshk also stated that his grandfather fought in the War of 1812 and was awarded a medal from King George IV.[26] A subsequent letter to Prime Minister John A. Macdonald, titled "The petition of the daughters of Makutaikijigo, Osawaib, and Shawani-pi-ni-sie of Walpole Island," proclaimed their rights as members of the Huron Tract Treaty. In the petition, the daugh-

[24] LAC, Selkirk Collection, MG 19 E1, Vol. 38 n.p., Thomas Smith, "Sawanese Township," 1812.

[25] LAC, RG 10 Vol. 2022, n.p Affidavit of Omahzenaw to Department of Indian Affairs, 11 December 1879.

[26] LAC, RG 10 Vol. 2022, n.p Affidavit of Philip Kyoshk to the Department of Indian Affairs, 11 December 1879.

Image 3: *British Naval Flag, said to be given to Tecumseh, by General Isaac Brock. National Museum of the American Indian (NMAI), 23/730 (Photo by Roger A. Whiteside, NMAI), https://collections.si.edu/search/detail/edanmdm:NMAI_245809?q=tecumseh&fq=online_media_type%3A%22Images%22&fq=online_media_type%3A%22Catalog+cards%22&record=5&hlterm=tecumseh, British wool cloth flag said to have been given to Tecumseh (Shawnee, 1768-1813) by the British in 1812.*

ters, including Omazhenaw, stated, "Our Fathers fought for the British in the War of 1812, and the Government made fair promises to protect and maintain our rights, for the sake of our loyalty to the Majesty the Queen."[27]

One other document suggests Zhaawni-binesi served an active role in the Battle of the Thames. In 1942, Milford Chandler, a well-known collector of Indigenous material culture, purchased a blue British naval flag that was said to be Tecumseh's flag, from Walpole Island (see Image 3).

The flag, on loan from the Museum of the American Indian (NMAI) in Washington, D.C., was displayed at the Woodland Cultural Centre in Brantford, Ontario, in 2012. The index card offers the following description:

> Wool bunting British flag. Said to have been given to Tecumseh when he was made Brigadier General. It was carried in the Battle of the Thames in 1812 (sic) by Sawa Benashe (Yellow Hawk) and handed down as an heirloom. It was purchased by the collector in 1942 from the Potawatomi heir, at Walpole Island. Ex. coll: Milford G. Chandler.[28]

The NMAI further claims that Sawa Benashe is "probably Yellow Hawk/Othaawaapeelethee, Shawnee, ca. 1728-ca. 1820." Documents suggest Othaawaapeelethee discussed religion with the Reverend David Jones at Chillicothe, Ohio in 1773.[29] No known records exist indicating that Othaawaapeelethee

[27] LAC, RG 10 Vol. 2022, n.p. The petition of the daughters of Makutaikijigo, Osawaib, and Shawani-pi-ni-sie of Walpole Island to the Department of Indian Affairs.

[28] NMAI, 23/730 (Photo by Roger A. Whiteside, NMAI), http://www.nmai.si.edu/searchcollections/item.aspx?irn=245809&objtype=advertising/logo%20items.

[29] The Reverend David Jones, A Journal of Two Visits Made to Some Nations of Indians on the West

participated in the war or had descendants living on Walpole Island in 1942. In fact, he would have been approximately eighty-five years old at the time of the Battle of the Thames in 1813, and likely 86 years old when Omazhenaw was born near Wallaceburg. While not impossible, the circumstances invite an alternative explanation. The evidence points to Zhaawni-binesi as a more likely candidate as the bearer of Tecumseh's flag in the fateful battle. Zhaawni-binesi's English name Yellow Bird translated back into Nishnaabemwin would correspond to "Sawa Benashe." Affidavits from his daughter and grandson clearly state that he fought in the war and that his family moved back to Walpole Island after his death on the Upper Reserve in Sarnia. Through census records it can be shown that his descendants continue to reside on Walpole Island, including co-author Summer Sands-Macbeth, Zhaawni-binesi's 6th great granddaughter.

The Chenail Ecarté and Zhaawni-binesi in the Post-War Period

The post-war period saw a cessation of hostilities with the United States in the Upper Canada frontier and a renewed effort on the part of the Crown to acquire Indigenous land. The first post-war treaty was signed in 1815 between Indigenous nations in Ohio, Indiana, and Michigan with the United States. Commonly known as the Treaty of Springwells, it signaled an end of hostilities between the United States and Indigenous allies of Britain. The treaty included the name Pa' a na see, or the Bird as one of the signatories. Historians might normally ignore this name as a candidate for Zhaawni-binesi, except for the inclusion of the beaver doodem (see Image 2) and the proximity of his signature to another chief (Pashe ski ka quash cum) from Walpole Island.

The years following the war offer definitive proof of Zhaawni-binesi's presence and influence. In 1819 and in the years that followed, Governor Peregrine Maitland, along with the Indian Affairs administration, charted a course to acquire the land north of the Thames River, east of the St. Clair, and inland from Lake Huron. The 1827 Huron Tract treaty eventually opened the land for settlement. In the process, this treaty created four reserves: Kettle Point and Stoney Point (Aux Sauble) on Lake Huron, the Upper Reserve (Sarnia) at the mouth of Lake Huron, and the Lower Reserve south of Sarnia on the St. Clair River (see Image 4). The government held meetings to determine the terms of the treaty as early as 1818. The minutes of the first meeting indicate chiefs of the various nations in the region were gathered. They included leaders from the Chenail Ecarté and Bear Creek. Documents identify[30] one of the chiefs as Shawshawwanipenisee. This name might refer to Zhaawni-binesi, but the minutes do not include a doodem for this name,

Side of the River Ohio, in the Years 1772 and 1773, Burlington, 1775.

[30] LAC, MG 19 F1 Vol. 11 : 95-96 Reel C-1480, "Minutes of a Council held at Amherstburg the 16th Oct 1818 . . ." October 16, 1818.

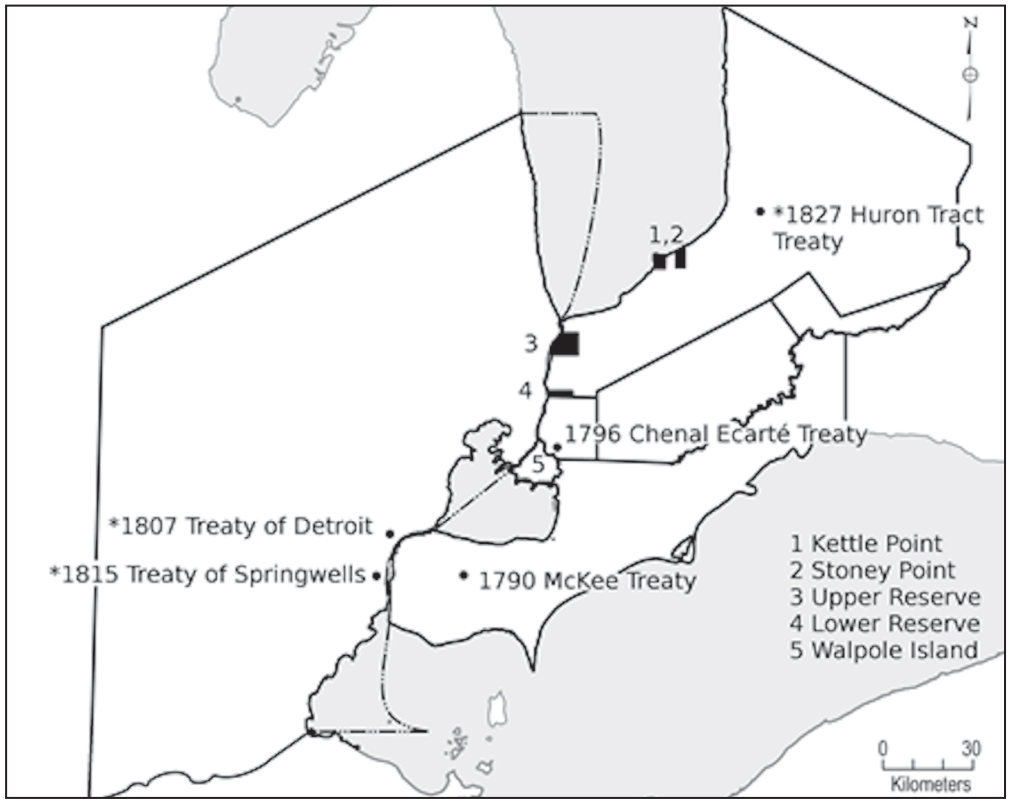


Image 4: **Treaties Zhaawni-binesi was a signatory to.*

and the additional prefix leaves open the possibility of it being somebody else entirely. As the chiefs laid out their demands in the meeting, the second request was to extend the boundary of the Chenail Ecarté tract (referred to in the minutes as "Shawanoe Reserve") by one mile north and four miles east.[31] This land was later known as the Lower Reserve.

Within a year, the Crown entered into a provisional agreement to settle the Huron tract along with the lands that would be reserved to the Indigenous nations. The agreement identifies Zhaawni-binesi as Shawwahnipenisee, alongside the beaver doodem as the second signatory (see Image 2). There is one noticeable difference in language in the 1819 provisional agreement with reference to the Lower Reserve. Whereas the chiefs refer to the land adjacent to the Huron Tract as the Shawanoe Reserve, the Crown identified it as Shawanoe Township.[32] The change in language was deceptive to the chiefs who were signatories to the provisional agreement. However,

[31] *Ibid.*

[32] LAC, Daniel Claus and Family Fonds, Claus Papers, Vol. 11. MG 19 F1, : 186-190, "Articles of Provisional Agreement, 1819".

settlers, who were living on the land, welcomed the move.

In 1820, the government incorporated the Chenail Ecarté tract as a township and Governor Maitland renamed it Sombra. This action was an about face from the intent of the 1796 treaty. However, Crown administrators and settlers gradually accepted the transition, as they saw great potential in obtaining a piece of the Chenail Ecarté tract. The process of granting land patents to settlers was formalized and the effect at the community level was tumultuous for the Indigenous population. At a speech in Amherstburg in 1821, unnamed Ojibwe chiefs reiterated Colonel McKee's and the late John Askin's original promise that the settlement in the Chenail Ecarté tract was to remain theirs. Further, they stated that the influx of settlers had been disastrous to their community, "We have since then been ill treated by the settlers who are now there, many of us have had our Corn destroyed and our Camps set fire to."[33]

Settler aggression toward the Indigenous population diminished the community's ability to maintain a traditional lifestyle and ushered along the relocation of the community. Anishinaabeg presence on traditional territory required sustainable hunting, trapping, gathering, hunting, and fishing practices. The Anishinaabeg could not sustain these activities in the face of the greater social dysfunction in the form of settler encroachment. Yet, this dysfunction worked to solidify Crown possession as settlers petitioned for individual lots in great numbers. The repositioning of the Chenail Ecarté tract as a township allowed the Crown the ability to reward settler veterans for their involvement in the War of 1812. This was particularly the case for several members of the Kent and Essex Highland Militia, many of whom had connections to Baldoon. Many of these militia members settled throughout the tract either as farm labour for the Indigenous peoples or as patent holders to the newly established township. In the minds of Crown negotiators, they had settled the Chenail Ecarté question post 1820 with its designation as a township. This is reflected by the complete exclusion of Shawnoe "Reserve" in the provisional agreements leading up to the 1827 Huron Tract treaty, and the treaty itself. Zhaawni-binesi's involvement in the treaty and its provisional agreements foreshadows the relocation of the Chenail Ecarté Ojibwe and Odawa from the mainland to Walpole Island. In the case of Zhaawni-binesi and his family, the relocation from Walpole Island to Sarnia, where he most likely died in 1834.

Zhaawni-binesi and the Chenail Ecarté Tract in the Post Treaty Era

Treaty negotiations between the Crown and the Ojibwe and Odawa across Southwestern Ontario culminated

[33] Burton Historical Collection (BHC), George Ironside Papers, L5: 1816-18, 1820-28, np., Detroit Public Library, Speech delivered by Chippewa Indians to Daniel Claus, Superintendent of Indian Affairs, 27 June 1821.

in the 1827 Huron Tract Treaty. This treaty allowed for European settlement to commence on an area of land covering more than two million acres. Meanwhile, the Ojibwe and Odawa had four sections of land reserved for their sole use, including Stoney Point (Aux Sauble), Kettle Point, the Upper Reserve (Sarnia), and the Lower Reserve. The treaty identified 440 individuals living on the land at the time of the treaty, and these people and their descendants were to receive perpetual annuities. The land reserved for the Indigenous citizens was less than one percent of the land that was opened for settlement,[34] and right from the beginning major disputes regarding annuities were present. In particular, Zhaawni-binesi, and the Anishinaabeg community on Walpole Island and the Chenail Ecarté, grieved the steady decline of equipment that would allow them to maintain traditional activities. These activities required access to water, hunting grounds, and maple sugar orchards. Their complaints note the government withheld or reduced the number of lead sinkers for fishnets, ammunition for guns, and brass kettles for collecting maple sap.

These grievances highlight the latter years of Zhaawni-binesi's life, and they reveal the Indigenous peoples' struggle against the push toward a European hegemony by a colonial government. Additionally, the government's affiliation with the Indigenous people was rapidly changing from a military-based relationship to a civil one. The continual encroachment on the mainland restricted access to the Ojibwe and Odawa, whose habitation was largely focused on the island delta. The islands would later become the Walpole Island First Nation. The Huron Tract Treaty set in motion the British settlement of a vast amount of territory north and east of Chenail Ecarté tract. Three years after the Huron Tract Treaty, the community on the Chenail Ecarté tract and Walpole Island expressed their dissatisfaction to the Crown. Writing from the island, the principal chief signatory to the complaint was "Shawiny Penency." The complainant resisted attempts not just to relocate them from the mainland portion of the Chenail Ecarté tract, but from the islands completely. The first Indian agent for the community, William Jones, wanted to relocate the Anishinaabeg in the area to Sarnia. He promised the Ojibwe and Odawa houses, agricultural instruction, a blacksmith, and education in return. The offer was a poor replacement for their homeland. In a letter detailing a speech, which Zhaawni-binesi was present for, a counter proposal was offered to remove white farmers from the islands. The speaker is unknown, but the counter proposal requested that the government simply leave the Anishinaabeg alone to do what they have been doing successfully without the government's assistance,

> If cattle, utensils and a blacksmith are furnished we shall not want to have houses nor people to instruct us in cultivating the ground nor rations; for land is already

[34] Joan Holmes & Associates, Inc. : 3, Ipperwash Commission of Inquiry Historical Background, 25 June 2004.

> cleared by the Great Spirit. We think it hard that our Father wants to remove us from our nations residence, where all our deceased Relations and Friends are buried.[35]

The speech expresses the heightened pressure on the Anishinaabeg to completely leave their homeland. Although the Anishinaabeg placed a strong counter proposal, it was little match for the Crown's demands as the Anishinaabeg quickly took a backseat to European settlement. William Jones's continual emphasis is on promoting European agricultural techniques, education, and protecting the Indians from the influence of whiskey. The agent gave little notice to the maintenance of traditional activities that required the Ojibwe and Odawa to move over more extensive territory. This is evidenced when the Anishinaabeg on the Chenail Ecarté sent complaints regarding the declining number of brass kettles. The kettles, used for sugaring, had been a vital part of the treaty annuities.[36] Similarly, a decrease in ammunition and access to hunting grounds within the traditional territory increasingly marginalized the Anishinaabeg in the early 1830s.

William Jones focused his efforts to relocate the Chenail Ecarté band almost exclusively on Zhaawni-binesi. Jones was continually at odds with two principal chiefs from Walpole Island and Sarnia, Pashegeeghegwashkum and Wawanosh, respectively.[37] In the correspondence between Jones and Indian Affairs, a lucrative promotion was presented to Jones if he could convince the population to move.[38] Jones was offered a land grant on the reserve, and the possibility of advancing to the role of Assistant Superintendent of Indian Affairs if he carried out the move successfully. Jones also conveyed the feeling that Zhaawni-binesi was not as opposed to the move as some of the others, but the thought of abandoning his home made him heartsick.[39]

While government intervention is one source of the marginalization, an apparent change in climate began in 1825. Similar to the increased water levels in 1804, the shift in climate pushed settlers from Dover Township onto the adjacent land, including the Chenail Ecarté tract and the islands. An account from an elderly citizen in Wallaceburg, in the 1870s, offers a shifting climate and continual crop failure as one of the reasons. As early as 1825, "stories told of harvest fields on which the shocks of ripened grain stood in luxuriant beauty, being flooded to the depth of several feet by a break in the levees."[40] In some cases, speculators from both the United States and

---

[35] LAC, RG 10, Vol 46 : 24,213 Speech by Indians at Baldoon, 12 August 1830.

[36] Archives of Ontario (AO) William Jones Letterbook, F 454, William Jones to Col. Givins, 3 June 1833.

[37] AO, William Jones Letterbook, F 454, William Jones to Col. Givins, 15 July 1831.

[38] LAC, Civil Secretary's letterbooks, RG 7, G 16C, Vol. 23 : 63 Zebidiah Mudge to William Jones, 14 June 1830.

[39] AO, William Jones Letterbook, F 454, William Jones to Col. Givins, 15 July 1831.

[40] Illustrated Atlas of the Dominion of Canada (Toronto: H. Belden & Co., 1881, reprinted 1973), 53-54, "Historic Sketches of the County of Kent."

Canadian side of the border got Indian deeds simply as leverage for Crown patents. Disaffected settlers quickly populated the Sydenham River and St. Clair River portions of the Chenail Ecarté tract. The settlers' presence acted as the last straw for the Indigenous population that held out on the mainland.

The history of Wallaceburg, as a predominantly white settlement, began in the early 1830s when Laughlin McDougall, a shipwright and former Baldoon settler, launched his business near the forks of the Sydenham River.[41] From this vantage in the history of the town, settlers abandoned the former Baldoon settlement because of its inhospitable climate and the reckless mismanagement of the settlement's administration.[42] Historical notes of Indigenous presence became tangential, at best, with only cursory references to Indigenous peoples returning to Walpole Island from hunting trips further inland. As for Zhaawni-binesi, knowledge of his life was nearly obscured completely. Yet, references placing his name and doodem in Sarnia in the early 1830s are present. In November 1831, Zhaawni-binesi was a signatory chief to a lease of land to Alexander McMartin,[43] and an annuity receipt with his name exists in 1834.[44] The last document we can find with his signature and doodem appears on a receipt for seed potatoes and corn (see Image 2).[45] Treaty annuities and receipts for seeds for the Sarnia Reserve following this date do not include Zhaawni-binesi's name, which indicate that he likely died during the summer or fall of 1834.

Conclusion: Zhaawni-binesi and the Move from Living Memory to The Archive

The effort to retrace the life of Zhaawni-binesi offers a particularly challenging methodology for historians of Indigenous biography. The treatment of Zhaawni-binesi's name by his Anglophone contemporaries has created a diffuse biography of a single person. As a result, there is no single person named Zhaawni-binesi, but there are at least a dozen alternately spelled versions of the same person. His contemporaries assigned him an English name, "Yellow Bird," a mistranslation of the Nishnaabemwin word for "Southern Bird." This name compounded the methodological challenges. The appearance of Yellow Bird occurred as early as 1804 and 1806 but continued throughout his life. Kahkewaquonaby (the Reverend Peter Jones and son of surveyor Augustus Jones), wrote about visiting "Old Chief

[41] Standard Press, Wallaceburg, ON, 1984, Alan and Frank Mann, Settlement on the Sydenham: the Story of Wallaceburg.

[42] Hamil and Jones, 1-12.

[43] LAC, RG 10 Vol. 54 : 57,951-57,959 Copy of Lease from the Chiefs of St. Clair to Alexander McMartin, 20 November 1831.

[44] LAC, RG10 Vol. 55. Department of Indian Affairs: Office of the Chief Superintendent in Upper Canada, 1831-1850 : C-11018 : 58415, "Receipt of the Indians for seed from W. Jones."

[45] LAC, RG 10 Vol. 55 : 58,415, Receipt for seed potatoes and corn, 30 May 1834.

Yellowbird" in 1828 at his sugar camp six miles from the mouth of the Sydenham River.[46] The meeting occurred when the Indigenous population on the Chenail Ecarté tract was under increased pressure to leave the area by the incoming settlers from Baldoon. In the midst of this continual pressure, Kahkewaquonaby counselled Zhaawni-binesi on the community's conversion to Christianity. William Jones, the nearby Indian agent, counselled on the removal of the community altogether. Zhaawni-binesi talked about colonization while speaking to a group of missionaries that included Kahkewaquonaby, when they visited his final home, in Sarnia. Zhaawni-binesi told them that

> although they had agreed to have their children instructed, that they might understand the weights and measures used by white people, and that they may be able to crib and keep accounts that the white man may not cheat them, yet that they had never engaged, and had no wish to become Christians.[47]

The first wave of European settlers to Southern Ontario endured two generations of an uncertain climate. However, they also had the benefit of a bureaucratic system that ensured the transfer of their suffering to the Indigenous population. The records, while documenting attempts to erase the presence of Indigenous peoples, now provide much of the foundation for biographical research into people like Zhaawni-binesi. Other examples of Zhaawni-binesi's contemporaries include the micro-biographies of Negig,[48] and Quakgwan.[49] Similarly, micro-histories of places attached to Zhaawni-binesi's life offer both challenges and starting points for further enquiry.[50] The particular challenge with micro-histories is the exclusion of Indigenous biography as historians paid attention to settler journals which largely focus on their own activities. The inclusion of Indigenous activities often appears as the actions of nameless individuals as witnessed by settlers. When journal entries include names, they are almost always male, they occupy higher positions of prestige, and they are more than likely considering conversion to Christianity. With this secondary material as the starting point, we worked with various collections of primary source material. A name and doodem, treaties, provisional agreements, treaty annuities, and receipts for corn, all weave a thread connecting the life of Zhaawni-binesi to his descendants today and the land they call

---

[46] Rev. Peter Jones. *Life and Journals of Kah-ke-wa-quo-na-by*, (Toronto, Anson Green, 1860), 125-26.

[47] Methodist Missionary Notices, quoted in Elizabeth Graham, Medicine Man to Missionary: Missionaries as Agents of Change among the Indians in Southern Ontario, 1784-1867, Peter Martin Associates Ltd.: Toronto, 1975, 73, Zhaawni-binesi to missionaries, 1 July 1833.

[48] Robert F Bauman, "Ne-Gig: The Little Otter, and the Maumee Council of 1800-01, the Ottawas and David Bacon, the Missionary from Connecticut," *Northwest Ohio Quarterly*, 28:4 (1956), 181-214.

[49] Karen J Travers, "Seeing with Two Eyes: Colonial Policy, The Huron Tract Treaty and Changes in the Land in Lambton County, 1780-1867" (PhD diss., York University, 2015) 320-65.

[50] Frederick Dreyer, "The Moravian mission to the Chippewas," *Ontario History*, 89:3 (1997) 181-98. Coyne Hamil and Jones, "Lord Selkirk's Work in Upper Canada...".

home. The fact that most of these references document the transfer of land from Indigenous peoples to the Crown serves as a record of colonization. The limited historical narratives from people such as Kahkewaquonaby, William Jones, James Stewart, Moravian missionaries, Alexander McDonell, and Lord Selkirk, and speeches and letters from chiefs of the Chenail Ecarté tract and Walpole Island provide a more comprehensive dimension to colonization. These accounts speak to loss of land, the erosion of self-determination, and ultimately the forced relocation of the community to Walpole Island and the Upper Reserve at Sarnia. Most, if not all of this is unknown to the general public who currently live in the region. Subsequent generations of settlers excused themselves of responsibility to the Indigenous community that predated European civilization, and only noted with ambiguity, "the hostility of Walpole Island Indians."[51]

The errors present in the archival record are not the result of benign neglect. Instead, the errors result in the near complete erasure of Indigenous biography on a landscape the world knows almost exclusively for its non-Indigenous history and presence. The historical narrative that fills its place becomes a further act of displacement against the Indigenous community and its descendants by removing their being from their homeland while they are actively living there.[52] In its place, outside of the archival records, are the memorials and sites of commemoration built on sanguine interpretations of settler history. To the temporal outsiders, in this case both the Indigenous and non-Indigenous citizens in the town of Wallaceburg, a mural celebrating William Wallace memorializes the past. The town was named after Wallace as he had fought for Scotland's independence. This mural asks the viewer to recall a skewed vision of colonization, one that casts the settler as the victim of British colonization, when in fact they were also its benefactors.

---

[51] Special Report to the *Wallaceburg Herald*, 19 October 1894, "Wallaceburg: Its Rise and Progress...".

[52] Jeffrey Wallen, "Narrative Tensions: The Archive and the Eyewitness," *Partial Answers: Journal of Literature and the History of Ideas,* 7:2 (2009), 261-78.