

## VIII

### Negotiating the 1794 Treaty of Canandaigua

#### **The Political Context, 1793-1794.**

George Washington would have preferred to relinquish the Presidency after just one term. He even asked James Madison to prepare a confidential draft for his intended 1793 Farewell Address. But disturbed conditions both within and beyond the borders of the United States made refusal of a second term seem a retreat from duty, so Washington reluctantly agreed to stay the course and try to lead his crisis-plagued nation onto somewhat firmer ground.

The United States in 1793 faced more ominous challenges than at any point since the end of the Revolutionary War. On the high seas, European navies menaced U.S. merchant ships. To the west, tribes successfully defied U.S. authority, with help from the Spanish in Florida and the British in Canada. Political conflict between seaboard and trans-Appalachian regions had meanwhile become worse than ever. Nor was it inconceivable that frontier breakaway movements would join forces with the Spanish in Florida or the British in Canada.

Few people today realize that during Washington's first term the federal government could not exercise control over vast regions that appeared on maps as U.S. territory. To the north and west, Britain maintained full control of navigation on the Great Lakes, solidified by their occupation of forts on the Lakes' southern shores. From these posts, British political influence was extended over tribes throughout a swath of territory stretching from the eastern end of Lake Ontario westward along the southern shore of Lake Erie. One possible outcome of this overt

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British-tribal collaboration within U.S. territory was establishment of a British-protected “Indian Barrier State” south of the Great Lakes. As outlined by historian Samuel Flagg Bemis,

The favorite project of British frontier diplomacy from 1791 to 1795 and at times thereafter until 1815 was to create a neutral Indian barrier state inside the recognized boundaries of the United States...Its purpose was to separate from the jurisdiction of the United States a wide area along the whole line of the Canadian frontier by constructing a nominally independent and neutral state from which both British and American troops were to be excluded. Under cover of such an artifice...British traders and the agents of the Canadian Indian Department would continue to have free play for their activities. The resulting buffer zone would shut off the United States from all contact with the Great Lakes and the St. Lawrence.<sup>1</sup>

In the Niagara sector of this strip south of the Great Lakes, British-allied Iroquois headquartered since 1780 at Buffalo Creek (modern-day Buffalo, New York) near the southern end of the Niagara River created an effective working relationship with British officers at Fort Niagara on the U.S. side of the Niagara River at its northern end. British officials encouraged the Buffalo Creek Iroquois to patrol the region between U.S. settlements in the Mohawk watershed and British forts south of Lake Ontario. Iroquois hunters would intercept U.S. citizens penetrating this zone, and escort them to the nearest British fort.

British Army Captain Joseph Brant played a leading role in promoting an area-wide British-tribal alliance. Convinced his ancient Mohawk homelands were beyond recovery, Brant still hoped he might recapture the mid-eighteenth century Iroquois role as the dominant tribal force in the midwest. Between 1783 and 1794, Brant traveled and negotiated with great

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<sup>1</sup> Samuel Flagg Bemis, *Jay's Treaty*, New York: Macmillan, 1924, 109.

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determination in an effort to keep alive the notion that tribes could rightfully claim all land west of the 1768 “Line of Property” negotiated by his brother-in-law Sir William Johnson, and that the American Revolution had changed nothing so far as tribal land rights were concerned.

This British-tribal alliance drastically constrained the options as well as the movements of U.S. officials. For example, when U.S. General Benjamin Lincoln was appointed one of three Federal Treaty Commissioners to negotiate with midwestern tribes in 1793, he sailed from New York City up the Hudson and Mohawk Rivers, then portaged to Wood Creek which flows into Oneida Lake. Proceeding down the Onondaga (or Oswego) River to British-held Fort Oswego on the southern shore of Lake Ontario, Lincoln was obliged on arrival to present his credentials to a British Army Captain. Sailing next by a British boat skirting the southern shore of Lake Ontario from Fort Oswego to the mouth of the Niagara River, General Lincoln was housed in the residence of the British Lieutenant Governor for Upper Canada, Sir John Graves Simcoe. General Lincoln, who had accepted British General Cornwallis’s sword at Yorktown in 1781, soon found himself attending a ball honoring the birthday of King George III, in the company of some twenty British ladies, several of whom were daughters of Sir William Johnson and Molly Brant, as well as about sixty British officers. This festive royal gala took place on the Canadian side of the Niagara River, but Fort Niagara on the U.S. side was under the command of a British colonel, and even tiny Fort Schlosser above the Falls at the mouth of Stedman’s (later, Gill) Creek in modern-day Niagara Falls, New York, boasted a British “corporal’s guard.”

At Niagara, General Lincoln joined his fellow Federal Treaty Commissioners, ex-Governor Beverly Randolph of Virginia and U.S. Postmaster General Timothy Pickering, who

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had arrived earlier after traveling overland from Philadelphia. While treated courteously, the three Federal Commissioners enjoyed no freedom of movement. When they requested permission to visit the Iroquois at Buffalo Creek, they were escorted by British Grenadiers up the Niagara River on the Canadian side, ferried across in a British boat, and obliged to confer with the Iroquois on the U.S. side of the Niagara River in the attentive presence of British military officers.<sup>2</sup>

Lincoln discovered that the British had replaced the portage road on the U.S. side of the Niagara River with one on the Canadian side, even though this new road was longer (ten miles as opposed to eight) and more arduous. While the British were busy turning the shore west of Niagara into a thriving and populous land corridor between Lakes Erie and Ontario, east of Niagara the Iroquois retained control of millions of acres of forest. The startling contrast between the rapidly growing Canadian and the undeveloped U.S. sides of the Niagara River amazed Patrick Campbell when he traveled overland from Upper Canada to Canandaigua, New York, in 1792. Campbell praised the refined amenities available on the Canadian side: “Here we drank tea, supped, played cards, and danced until daylight.” East of Niagara, Campbell had to cross streams on what he called “raccoon bridges” (tree trunks) and at night slept on the ground sheltered only by bark.<sup>3</sup>

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2 Benjamin Lincoln, “Journal of a Treaty Held in 1793,” *Massachusetts Historical Society Collections* 3<sup>rd</sup> Ser. 5:121-26.

3 Patrick Campbell, *Travels in the Interior Inhabited Parts of North America in the Years 1791 and 1792*, Toronto: Champlain Society, 1937, 182.

**Pennsylvania’s Advance toward Lake Erie.**

Until the spring of 1794, forts on the southern shores of the Great Lakes marked the southern limit of a formal British presence. Then the British Canadian Governor General, Lord Dorchester (Sir Guy Carleton), ordered the reconstruction and garrisoning of a Revolutionary War-era fort at the rapids of the Maumee River, some fifty miles south of Lake Erie. Meanwhile the State of Pennsylvania decided it was time to end British monopolization of the Great Lakes, by establishing a fort garrisoned by Pennsylvania militia on the southern shore of Lake Erie at Presque Isle, right in the middle of the swath of territory south of Lakes Ontario and Erie over which the British and their tribal allies had for a decade maintained effective control. The early months of 1794 thus saw aggressive moves by both sides, apparent preliminaries to a resumption of full-scale warfare between the United States and British-allied tribes. The peninsula-port of Presque Isle (modern Erie, Pennsylvania) was the strategic center of the so-called Erie Triangle, which had been acquired by Pennsylvania from the federal government on March 3, 1792. On modern maps, the Erie Triangle is that portion of northwestern Pennsylvania that extends above the straight east-west line that forms Pennsylvania’s northern border until it reaches the State’s northwest corner. Since the Triangle had been conveyed by the federal government to Pennsylvania ostensibly free of aboriginal occupancy rights, Pennsylvanians were understandably eager to begin developing their potentially valuable Great Lakes port. On April 8, 1793, the Pennsylvania Legislature had passed an Act authorizing the surveying of a town at Presque Isle, and offering free land to settlers who took up actual residence there before January 1, 1794. Because of security concerns, a survey was in fact not even begun by December of

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1793. So the deadline for taking up residence was moved forward to May 1, 1795,<sup>4</sup> and at the same time the Legislature authorized the raising of State militia to protect the surveyors and first settlers at Presque Isle.

Pursuant to the Legislature’s December authorization, Pennsylvania’s Governor Thomas Mifflin on March 1, 1794, sent Captain Ebenezer Denny his commission as commander of the “Allegheny Company” of Pennsylvania militia charged with protection of the commissioners employed to lay out the town of Presque Isle. These commissioners, who included the surveyor Andrew Ellicott and the financier Albert Gallatin, were expected to begin work in early May, by which time Denny was to have established a military post to protect them in their work. “In the present state of our Northern frontier,” Mifflin advised Captain Denny,

you will deem it a duty peculiarly incumbent on you, to avoid giving any occasion of offence to the peaceable Indians, or to the British garrisons which are in that quarter. You will endeavor, in case any intercourse should necessarily or accidentally take place with them, to conciliate and cultivate a good and friendly understanding, and you are, above all things, to remember, that the objects of your appointment are strictly those of protection and defence, and that any act of aggression or hostility, committed against any person or persons, in amity with the United States, or committed against any person or persons whomsoever out of the jurisdiction of Pennsylvania will be unauthorized and punished,

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<sup>4</sup> ASPIA1:506.

according to law.<sup>5</sup>

Pennsylvania's actions severely embarrassed the federal government, which had no desire to be coerced into war by the belligerent policy of an individual state. U.S. Secretary of War Henry Knox therefore inquired of U.S. Attorney General William Bradford whether Pennsylvania's plan to send State militia into the Erie Triangle could be considered a violation of the Constitution. Bradford had been U.S. Attorney General for only two months when Knox on March 31, 1794, asked him for an Opinion regarding "whether this measure of Pennsylvania is not incompatible with the Constitution of the United States."<sup>6</sup> Before becoming U.S. Attorney General, Bradford had been Pennsylvania's Attorney General from 1780 to 1791, then served on the Pennsylvania Supreme Court from 1791 to 1794. He became the second U.S. Attorney General on January 27, 1794, succeeding Edmund Randolph whom Washington appointed U.S. Secretary of State following Thomas Jefferson's resignation in December of 1793.

In the resulting Opinion, dated April 3, Pennsylvanian Bradford concluded that Pennsylvania's legislation was Constitutional, but only in a technical sense. In an early use of the phrase "strict construction" of the Constitution, Bradford argued cautiously that

By the Constitution of the United States, it is provided, "that no State shall, without the consent of Congress...keep troops or ships of war in time of peace" etc. This restriction on the power of keeping troops, I am of opinion, is not *absolute*, but that the qualification intended by the terms "in times of peace," extends to *it* as well as to that of keeping *ships*

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<sup>5</sup> ASPIA 1:503-04.

<sup>6</sup> ASPIA 1:523.

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of war. There is, therefore, I apprehend, nothing in the Constitution which prohibits the several States from keeping troops *in time of war*.... The *spirit* of a prohibition to keep troops in time of peace, seems to imply, that the troops raised and kept in time of war, ought to be raised, kept, and employed with reference to the objects of that war. It is easy to perceive that the dangers which the people of the United States intended to guard against by this prohibition, will exist, if on every breaking out of Indian or other hostilities, the members of the confederacy may raise troops, and build ships of war for any object but that of repelling such hostilities. But, although these consequences are evident, I cannot find in the instrument itself, any thing which prohibits the States from stationing and employing the troops which they have a right to keep in time of war, in such manner as they please, so that it be within their respective limits, and do not interfere with the federal arrangements. I consider all those clauses in the Constitution, which restrict the powers of the several States, as subject to a *strict construction*; and, that these prohibitions are not to be extended by implication, nor the natural and obvious meaning of the words to be enlarged by a consideration of inconveniences which may possibly result from adhering to it.<sup>7</sup>

Bradford tried to steer a course between those who accurately saw Pennsylvania's actions as provocative and dangerous and those who felt the State was acting within the letter of the Constitution. Bradford agreed with both these points of view, and pleaded for a negotiated resolution of the impasse. Technically, Pennsylvania was acting defensively in garrisoning the Erie Triangle, because it was within the acknowledged boundaries of the State. Practically, Pennsylvania was unilaterally declaring offensive war by sending troops into enemy-held territory without federal authorization. The issue was therefore both dangerous and sensitive.

By the end of April, Captain Denny and the seventy men under his command had reached Pittsburgh, where low water delayed their progress up the Allegheny. Meanwhile rumors reached Denny that Cornplanter, many of whose fellow Senecas still lived in the Erie Triangle, might

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<sup>7</sup> ASPIA 1:523-24.

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lead armed resistance.<sup>8</sup> On May 1, tensions increased further when one of Denny's men, "a white man by the name of Robertson" who "perhaps was a little intoxicated... killed a friendly Indian" of the Delaware tribe near Fort Franklin (modern-day Franklin, Pennsylvania), above Pittsburgh on the Allegheny River at the mouth of French Creek.<sup>9</sup> "The Indian came into a house where Robertson was, and wanted to put himself nigh the fire. Robertson ordered him out of the house; the Indian refused. Robertson pushed him. He seized Robertson, and they both fell on the floor. Robertson sprang up and dragged him to the door." Outside, the quarrel continued. "Robertson returned soon after into the house, his nose bleeding. The Indian, he said, had struck him there, but he had settled him with a blow of a stick."<sup>10</sup> The repercussions of this fatal quarrel would be felt for months, and it would figure prominently at the Canandaigua treaty conference that fall.

By mid-May, Captain Denny finally reached Le Boeuf (modern-day Waterford, Pennsylvania) above Fort Franklin on the southward-flowing French Creek, and some twenty miles south of Presque Isle on Lake Erie. At Le Boeuf, Denny heard that the British were "determined to oppose progress of the State troops from Le Boeuf to Presque Isle...[being] fixed in making an opposition to the first party that should attempt opening a road from Le Boeuf to Presque Isle, by sending a number of Indians and English to cut them off."<sup>11</sup>

Responding to such reports, Governor Mifflin decided to call up one thousand more

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<sup>8</sup> ASPIA 1:505.

<sup>9</sup> ASPIA 505.

<sup>10</sup> *Pennsylvania Archives*, 2 Ser., 6:738.

<sup>11</sup> ASPIA 1:505.

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Pennsylvania State militia to reinforce Captain Denny's seventy-man force in securing the Erie Triangle. But when President Washington learned of Mifflin's intention to escalate the conflict by a more than tenfold increase in the size of Pennsylvania's Erie Triangle "defense" force, he immediately requested that Mifflin back off. "The President of the United States, on mature reflection," Secretary of War Knox informed Mifflin on May 24, "is of opinion that it is advisable to suspend, for the present, the establishment at Presque Isle." The explanation Knox offered was "the high probability of an immediate rupture with the Six Nations, if the measure be persisted in" due to "the recent murder of one of their people."<sup>12</sup>

Mifflin complied at once, rescinding his order calling up one thousand State militia. But in an aggrieved letter dated May 25, 1794, Mifflin informed the President that only "your interposition and request" could have induced him to rescind orders "which, I could not, on any less authority, venture to supersede" and reminding Washington that Pennsylvania had unfettered title to the Erie Triangle, all aboriginal occupancy rights there having been "fairly acquired."<sup>13</sup> Mifflin further indicated that he considered the Presque Isle settlement postponed for at most a few months. For this reason, he instructed Captain Denny to "remain at Le Boeuf, until further orders."<sup>14</sup>

With each passing week, Governor Mifflin grew more upset that Pennsylvania's Presque Isle initiative had been interrupted by federal intervention. Mifflin expressed only veiled

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<sup>12</sup> ASPIA 1:519.

<sup>13</sup> ASPIA 1:506.

<sup>14</sup> ASPIA 1:506.

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annoyance with President Washington, but was openly critical of Secretary of War Knox. On June 14, Governor Mifflin informed the President that the suspension of the Presque Isle settlement had occasioned resentment among Pennsylvanians, and archly reminded him that not only was the federal government under a “Constitutional obligation...to protect all its members in the enjoyment of their respective territorial rights” but “the General Government was, in this instance, peculiarly bound to maintain the title and occupancy of the State, as vendor, for a valuable consideration, of the property in question.” Indeed, continued Mifflin, “may it not be asked, what law of the Union does, nay, what power is there to pass a law which could control the Commonwealth in the legitimate exercise of her territorial jurisdiction?”<sup>15</sup> Mifflin concluded by emphasizing that “any great delay” in proceeding with the Presque Isle settlement would cause Pennsylvania burdensome expense and provoke strong popular opposition.

### **General Chapin’s Intervention.**

While this war of words continued in Philadelphia (where both the federal and Pennsylvania State governments were then located), authorities in northwestern Pennsylvania were contending with what looked increasingly like real war. On June 11, reports reached Pittsburgh that Cornplanter’s followers “appeared very surly, and had not planted any corn on the [Allegheny] river, at their towns” evidently in anticipation of engaging in military action that summer, and that they had already been supplied by the British with a number of cannons.<sup>16</sup>

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<sup>15</sup> ASPIA 1:508.

<sup>16</sup> ASPIA 1:509.

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The task of finding a resolution for this crisis was initially assumed by General Israel Chapin. As Deputy Temporary Superintendent of Northern Indian Affairs since 1792, Chapin had managed to establish good relations with the Iroquois at Buffalo Creek as well as with British officials in Canada. Chapin first hoped to meet with Cornplanter at Fort Franklin to discuss the crisis, but then was urgently summoned to Buffalo Creek. Here on June 18, Chapin learned first-hand that Cornplanter had become dangerously alienated from the United States as a result of Pennsylvania's advance into the Erie Triangle. He had in the past, he acknowledged, spoken of President Washington as a "Father." Now he could only bring himself to describe Washington as a "Brother" and a "Friend." Cornplanter in short had repudiated his subordinate alliance with his U.S. "Father" and declared independence. He had not yet declared war, but this was implicitly the next step. The United States was still a "Friend" but could quickly become an enemy if Pennsylvania persisted in its present course. "You wish to be a free people in this country, who have come from the other side of the water and settled here; and why should not we, whose forefathers have lived and died here, and always had possession of the country?"

Cornplanter noted that the Pennsylvania militia's advance toward the Erie Triangle had already resulted in one death. "The other day," Cornplanter reminded Chapin, "a very unfortunate circumstance happened. One of our nephews (of the Delaware nation) was killed...by a party of warriors, who were going on to Presque Isle, without giving us any notice whatever....You are sensible this must be very bad, to have a man killed in time of peace, one who was sitting easy and peaceable on his seat....The establishing a garrison at Presque Isle may occasion many accidents."

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Cornplanter presented Chapin with a map indicating the portion of the Erie Triangle he wished to retain for his community. Cornplanter's map would have allowed his followers to continue occupying "the Cassewago settlement" while Pennsylvania would retain the rest of the Erie Triangle.<sup>17</sup> Denouncing as "unjust" the Continental Congress treaties of 1784 and 1789, which had purported to extinguish all aboriginal occupancy rights in the Erie Triangle, Cornplanter through Chapin told Washington,

Brother: The Great Spirit has so ordered, that every nation shall have some one to be at their head. You are to look over your people, and settle all difficulties; and we, the Six Nations, expect that you will not be unmindful of us, but see that we have justice done, as well as your own people.... You know our demands; we ask but for a small piece of land; and we trust, as you are a great man, you can easily grant our request.... We, the Six Nations, have determined on the boundary we want established, and it is the warriors who now speak.... You have the map on which the boundaries are marked out which we want established.... We want room for our children. It will be hard for them not to have a country to live in after that we are gone.

Brother: It is not because we are afraid of dying that we have been so long trying to bring about a peace. We now call upon you for an answer, as [the Continental] Congress and their commissioners have oftentimes deceived us; and if these difficulties are not removed, the consequences will be bad.

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<sup>17</sup> ASPIA 1:516. Cornplanter's map has not been found, and the location of Cassewago and the precise nature of his proposed division of the Erie Triangle are unknown.

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Until the President had had an opportunity to consider his request that the Senecas be allowed to retain a portion of the Erie Triangle, Cornplanter asked General Chapin to “exert yourself in removing those [Pennsylvania] people off our lands. We know very well what they are come on for, and we want them pushed back.” Specifically, Cornplanter requested that Chapin, accompanied by British agent and interpreter William Johnston, go immediately to Presque Isle and “remove those people back over the line which we have marked out upon the map.”<sup>18</sup>

Realizing the seriousness of the situation, General Chapin agreed on the spot to do as Cornplanter desired, and set out immediately for Presque Isle with Johnston and “sixteen chiefs and warriors.” The party of eighteen traveled “in a row boat”<sup>19</sup> from Buffalo Creek to Presque Isle, arriving on June 24. They expected to find the Pennsylvania militia at Presque Isle, rather than twenty miles inland at Le Boeuf. But Chapin, Johnston and the Iroquois walked to Le Boeuf on June 25, and on June 26 a formal conference was held with Andrew Ellicott and Captain Denny.<sup>20</sup>

Chapin gave Ellicott and Denny a summary of the discussions held at Buffalo Creek on June 18, and Cornplanter’s map indicating the portion of the Erie Triangle he wanted to retain was also presented. In reply, Ellicott and Denny stated, “We cannot, consistently with our duty, remove from hence” unless and until ordered to do so by Pennsylvania authorities. Ellicott and

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<sup>18</sup> ASPIA 1:521.

<sup>19</sup> ASPIA 1:516.

<sup>20</sup> ASPIA 1:515. For Chapin’s Journal recounting some details of the trip to Le Boeuf, see New York Historical Society, *Henry O’Reilly Papers* 10.

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Denny did however promise to pass Cornplanter's request on to State officials in Philadelphia.<sup>21</sup>

As promised, Ellicott two days later relayed Cornplanter's request to Governor Mifflin along with a scathing commentary. "With this letter," Ellicott wrote Mifflin,

you will receive a copy of their message, presented by General Chapin and Mr. Johns[t]on, to Captain Denny and myself, with our reply to the same. I leave to yourself to consider the propriety of a British agent attending a considerable number of Indians, with a superintendent of Indian affairs of the United States, to order the people of Pennsylvania to remove from those lands which had been ceded to them by treaty, by the King of Great Britain, and since that time regularly purchased from the Six Nations, and punctually paid for.

Ellicott added sardonically that

The objection made by Mr. Brandt, to General Chapin, that the establishment at Presque Isle would cut off the communication between the Six Nations and the Western hostile Indians, and thereby diminish their joint strength, is the strongest argument that can be

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<sup>21</sup> ASPIA 1:517

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urged in favor of that establishment.<sup>22</sup>

In a letter to Secretary Knox written at Le Boeuf on June 26, General Chapin summarized what had transpired, and then suggested,

In this critical situation, would it not be best to have commissioners appointed to treat with the Six Nations, that all difficulties may be settled which subsist between them and the United States, especially those that regard the State of Pennsylvania? And it is the wish of the Six Nations that this treaty should be holden at their council fire at Buffalo Creek.<sup>23</sup>

The idea of convening a full-dress federal treaty conference with the “Six Nations” originated in this June 26, 1794, letter from Chapin to Knox, relaying the wishes of his Iroquois traveling companions, and presumably those of British agent William Johnston as well. Chapin himself fully endorsed the idea. He had by this time conferred with the Iroquois at Buffalo Creek, and with Pennsylvania’s surveyor Andrew Ellicott and Captain Denny at Le Boeuf, and been unable to budge either party. Chapin therefore quite properly sounded an alarm and suggested the appointment of federal “commissioners”---without mentioning any names.

Chapin, Johnston and their sixteen Iroquois companions retraced their route and at Buffalo Creek on July 4, 1794, reported what had happened at Le Boeuf. Cornplanter thanked them for their efforts, and restated his demand for a partition of the Erie Triangle. Addressing President Washington, he remarked simply, “Brother: If you do not comply with our request, we shall determine on something else, as we are a free people....You must not suspect that any other

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<sup>22</sup> ASPIA 1:515-16. “Mr. Brandt” is the Mohawk Captain Joseph Brant.

<sup>23</sup> ASPIA 1:521.

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nation corrupts our minds; the only thing that can corrupt our minds, is not to grant our request.”<sup>24</sup>

On July 13, three weeks after writing Secretary Knox to suggest appointing federal commissioners to tackle the Erie Triangle controversy between Cornplanter’s southern Seneca community and Pennsylvania, General Chapin wrote New York’s Governor Clinton urging him to appoint State commissioners to meet with the Cayuga and Onondaga tribes to negotiate the sale of their New York State reservation lands. “Sir,” General Chapin began,

I have lately returned from Buffaloe Creek. I Counciled with the Indians Several days respecting the party proceeding to Presque’isle to Erect a Garrison, etc.

They were much disturbed at the proceedings of the Pennsylvanians and were determined to prevent their measures at all events. And they Complained with regard to the purchase of the Lands, that it was never understood by them in General that the Land was ever sold at all.

But with some difficulty I satisfied them so that they remain Quiet untill they hear the President’s Voice Respecting the business.

Among other matters, the Cayugas and Onandagos appeared Desirous to make Sail of their Lands. You will recolect they were anxious the Commissioners should meet them on the business at Buffaloe Creek but I believe they may be persuaded to meet at Geneseo River.

They appeared to be willing the Treaty should commence Sooner than the time Stipulated, and in my oppinion the Sooner the business is Completed the better. I mention this as the Indians requested me to make the matter known to you. And I doubt not but Your Wisdom will direct Such measures as will be best Calculated

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<sup>24</sup> ASPIA 1:522.

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for the good of the State, and will give Satisfaction to the Indians.<sup>25</sup>

Chapin had discussed both Pennsylvania's Erie Triangle crisis and the sale of these New York State reservation lands with chiefs of the "Six Nations" at Buffalo Creek, and taken what he considered appropriate steps to deal with matters which he viewed as distinct, one being a federal and the other a New York State responsibility.

### **Pickering's Canandaigua Strategy.**

On July 7, President Washington returned to Philadelphia after a three-week visit to Mount Vernon. On July 17, Secretary Knox reported to Governor Mifflin that the President had decided to "nominate a commissioner, for opening a treaty with the Six Nations, at the Genesee river, on the fifteenth day of September next." Regarding what would be discussed, Knox informed Mifflin that "the validity of the Pennsylvania title" was acknowledged by the federal government, but that Pennsylvania might voluntarily choose to yield something since "under the present circumstances, it must occur to you, sir, that the peaceable accommodation of the heart-burning of the Six Nations, is an object of great importance." The federal government would not indeed, could not compel Pennsylvania to yield up any portion of the Erie Triangle to Cornplanter's community, but Knox certainly hoped that Mifflin might be willing to consider a compromise. Knox urged that Pennsylvania at least send a commissioner, but Governor Mifflin

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<sup>25</sup> *Henry O'Reilly Papers*, 10.

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refused, making clear that Pennsylvania was not prepared to offer any concessions to Cornplanter. Iroquois “heart-burning” about the Erie Triangle was not Pennsylvania’s problem.<sup>26</sup> So the federal government proceeded with plans for a treaty with the “Six Nations” that would be boycotted by Pennsylvania, even though Pennsylvania’s determination to rid the Erie Triangle of all Senecas was the reason a treaty conference had been deemed necessary.

On July 25, Secretary Knox informed General Chapin that

Your ideas of a Conference are adopted....Colonel Pickering will be the Commissioner to be assisted by you in all respects. You are therefore immediately to notify the Six Nations of Indians that their father the President of the United States is deeply concerned to hear of any dissatisfaction existing in their minds against the United States and therefore invites them to a conference to be held at Canandaigua...for the purpose of amicably removing all causes of misunderstanding and establishing permanent peace and friendship between the United States and the Six Nations.<sup>27</sup>

Because of the grim context in which it was decided to convene the Canandaigua conference, Federal Treaty Commissioner Pickering’s public Instructions were vague. Something of what Pickering’s confidential Instructions would have included can however be gleaned from Secretary Knox’s July 21<sup>st</sup> letter to Pennsylvania Governor Mifflin. Replying to Mifflin’s urgent inquiry about how long Pennsylvania would be expected to defer its settlement at Presque Isle, Knox predicted that the settlement might still go forward before the Pennsylvania Legislature’s May 1, 1795, deadline because a conference with the “Six Nations” was now scheduled to open at Canandaigua in September, and

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<sup>26</sup> ASPIA 1:522.

<sup>27</sup> G. Peter Jemison and Anna M. Schein, eds., *Treaty of Canandaigua 1794*, Santa Fe: Clear Light, 258.

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As the object will be not only to prevent them from engaging in hostilities against us, but also to procure an acquiescence in the settlement proposed [at Presque Isle], it may be naturally expected that their objections to the purchase will stand very forward....Our commissioner will...use his best endeavors to quiet the discontents. He will not be authorized to make any concessions injurious to the title, nor to give expectations of any further compensation from your State. If he cannot accommodate the dispute under the influence of the United States, by proper explanations, he will report the result, as the basis of ulterior measures.<sup>28</sup>

In other words, Pickering was expected to offer “explanations” to Cornplanter and secure his acknowledgment that all Seneca “Indian Title” within the Erie Triangle had been properly extinguished, and warn him that “ulterior measures” would follow if he persisted in obstructing Pennsylvanians in the enjoyment of their just rights. The United States might offer some inducements to secure Cornplanter’s acquiescence, but Pennsylvania would not be expected to agree to anything other than a brief postponement of its planned Presque Isle settlement.

Herein lay the challenge for Federal Treaty Commissioner Pickering. Must he simply tell the sixteen hundred Iroquois assembled at Canandaigua that Cornplanter’s community was going to be forcibly expelled from the Erie Triangle if they did not leave in time to allow Pennsylvania to have Presque Isle up and running by May 1, 1795? Or could he in some fashion constructively redirect the treaty conference? Pickering didn’t divulge a plan to Knox or Washington before departing for Canandaigua because he didn’t have one yet. But Knox and Washington realized that, after four years of trial and error in Iroquois negotiations, Pickering now had sufficient mastery of the issues to enable him to aspire to redefine the treaty conference, and may have

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<sup>28</sup> ASPIA 1:523.

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even encouraged him to do so.

Washington, Knox and Pickering did determine jointly that the treaty conference would not be held at Buffalo Creek, as requested by the Iroquois, because of the impossibility of excluding British influence there. Redirection of the conference in ways favorable to U.S. interests would presumably be easier to accomplish in the absence of British advisers, who were happily supporting the new Cornplanter-Buffalo Creek united front in opposition to the United States. But notwithstanding his personal credibility with the Iroquois, Pickering would not have been able to persuade such a large number—approximately one third of the total surviving Iroquois population—to travel to Canandaigua had it not been for U.S. General “Mad” Anthony Wayne’s triumph over midwestern tribes on August 20, 1794. When Pickering arrived at Canandaigua on September 19, incomplete word had just arrived of a major U.S. success in the midwest. Also awaiting Pickering was a message summoning him to meet the chiefs at Buffalo Creek. Pickering replied that the Iroquois must come to him at Canandaigua, and was confident they would agree, in view of the new military situation in the midwest.

General Wayne’s victory in the Battle of Fallen Timbers, fought amidst tornado-topped trees near modern-day Toledo, confirmed U.S. control of the Ohio region. Even before August 20, officials in Canada had begun anticipating a possible British withdrawal from U.S. territory, because U.S.-British peace negotiations were already underway in London which would lead to the signing of the “Jay Treaty” on November 19, 1794, eight days after the signing of the Canandaigua Treaty. The same British Canadian officials who in the early months of 1794 had strongly encouraged tribal defiance of U.S. authority south of the Great Lakes, by August were

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hedging their earlier assurances of aid to tribes in U.S. territory. This British reversal induced many Iroquois who might otherwise have stayed away to make the journey to Canandaigua to see what Pickering would propose.

His hand strengthened by British waffling and General Wayne's victory, Pickering was also benefited by the fact that Knox and Washington were urgently preoccupied: Knox by military developments in the midwest, and Washington by the Whiskey Rebellion, which broke out in western Pennsylvania on July 15, 1794. Washington in fact took the unprecedented step of deciding to assume active personal command of quelling the Whiskey Rebellion. Accompanied by Alexander Hamilton, Washington left Philadelphia on September 20 to lead a force of more than ten thousand U.S. troops through western Pennsylvania. Word of General Wayne's victory, which reached Washington enroute, helped discourage the rebellion, and thereby assisted Washington's efforts, as it did Pickering's. Washington returned to Philadelphia on October 28.

Pickering accepted the daunting challenge of coming up with a solution to the Erie Triangle dilemma because it offered him an opportunity to accomplish an important national objective gratifying to Knox and Washington, and simultaneously an opportunity to advance his own personal Iroquois agenda. The central thrust of Pickering's strategy was an attempt to reinstitute the U.S.-resident, U.S.-dominated "Five Nations" concept of the Iroquois Confederacy formalized in Philadelphia in 1792, and thereby overturn the competing British-dominated Buffalo Creek-headquartered "Six Nations" concept of the Iroquois Confederacy. Both the British and the U.S. concepts included the pivotal Buffalo Creek-headquartered Iroquois, while excluding groups considered beyond influence. The British-promoted "Six Nations" concept of

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the Iroquois Confederacy thus excluded the pro-U.S. Oneidas at Oneida Lake and included, in addition to the Buffalo Creek Iroquois, Joseph Brant's Mohawks and other Iroquois at Grand River above Lake Erie. Conversely, the U.S.-promoted "Five Nations" concept of the Iroquois Confederacy, which was strictly limited to U.S. territory, excluded Joseph Brant's Mohawks and other Iroquois at Grand River, and included the pro-U.S. Oneidas at Oneida Lake, as well as Cornplanter's southern Senecas and the Buffalo Creek Iroquois.

The final text of Pickering's Treaty employed the term "Six Nations" because this was the term used by Iroquois chiefs. But the Treaty also made clear that it referred neither to the historic pre-Revolutionary "Six Nations" nor to the current British-affiliated "Six Nations." The absence of the Mohawk tribe was the Treaty's most obvious indication that this was a U.S.-based document, and dealt principally with future prospects for Iroquois tribes and "Indian friends united with them" resident on U.S. soil.

General Chapin had suggested that federal commissioners be appointed to address a problem he had been unable to resolve, concerning Cornplanter's southern Senecas and Pennsylvania officials. This problem had to do with the southern Seneca settlement at Cassewago, a portion of the Erie Triangle, and a treaty conference limited to Cornplanter's southern Senecas could logically have been called to deal with this problem, on the model of the 1790 Tioga conference with the Geneseo Senecas. The main reasons for inviting other Iroquois groups to Canandaigua were the support Cornplanter's desire for Cassewago had received from British-influenced Iroquois headquartered at Buffalo Creek, and Pickering's desire to promote a U.S.-resident Iroquois Confederacy to counter the British-patronized Iroquois Confederacy.

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The great obstacle in Pickering's path was the fact that Cornplanter's southern Senecas, though clearly on U.S. soil, were currently resistant to U.S. direction. Pickering's solution to this challenge was to revive a variant of Sir William Johnson's mid-eighteenth century strategy. Ever since they first met at Tioga in 1790, the Buffalo Creek Seneca leader Red Jacket had been urging Pickering to think of himself as the new Sir William Johnson. In 1790, Pickering could not fathom what Red Jacket meant. Four years later, Pickering was eager to seize Sir William's mantle.

To advance Britain's imperial interests, Sir William had tried to circumvent the Iroquois Confederacy's historic insistence on unanimous, consensual decision-making by promoting a more centralized, majoritarian decision-making structure, which he could control more effectively. When he felt it necessary, Sir William could usually induce his friends in the central Confederacy leadership he had fostered to override the desires of anti-British Iroquois elements. At Canandaigua, Pickering similarly orchestrated an Iroquois agreement that repudiated the interests of a particular Iroquois group, Cornplanter's southern Senecas. To reach this goal, Pickering dispensed favors to all Iroquois groups present at the treaty. Even to Cornplanter's southern Senecas, though their central desire for a partition of the Erie Triangle remained firmly off limits.

Hoping to placate Cornplanter, Pickering dwelt at length on the May 1<sup>st</sup> murder of Cornplanter's Delaware "nephew." At the outset of the conference, Pickering announced his intention to "take the hatchet out of the head of the deceased, and bury it in the earth, preparatory to the treaty." Two days later, Pickering as promised

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performed the ceremony of burying him after the Indian custom, and covering the grave with leaves, so that when they passed by they should not see it any more. He took the hatchet out of his head, and *in words* tore up a large pine tree and buried the hatchet in the hole, then covered it thick with stones and planted the pine tree on the top of it again, so that it should never more be taken up. He wiped the blood from their beds and the tears from their eyes, and opened the path of peace, which the Indians were requested to keep open at one end and the United States at the other, as long as the sun shone.<sup>29</sup>

But Pickering offered no apologies for Pennsylvania's armed advance into the Erie Triangle, which had led to this unfortunate death.

Like Sir William, Pickering had learned to bend Iroquois ceremonials to his own ends. He had also learned to think big. In notes made at Canandaigua in the days preceding the treaty conference, Pickering avowed his hope that it might rival Sir William's master stroke. "Sir William Johnson held a treaty at Fort Stanwix in 1768," Pickering recorded in his private journal, "and drew a new line, including them all---to put an end to disputes. The U. States would now do the same."<sup>30</sup> Sir William had negotiated a single long north-south line separating areas of colonial from areas of direct royal authority over tribes. At Canandaigua, Pickering hoped similarly to draw a series of lines around the now-scattered Iroquois tribes within New York State.

### Cornplanter Loses, Red Jacket Wins.

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<sup>29</sup> William Savery in Jemison and Schein 270.

<sup>30</sup> TPP 62:97-98.

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Sir William had fought hard to eradicate French influence from Iroquois counsels. Sir William's would-be U.S. successor sought similarly to eradicate British influence. At Canandaigua, this was represented by a Britisher confusingly named William Johnston, who had been assisting General Chapin to resolve the Erie Triangle crisis, and to this end had even traveled in the same rowboat with Chapin from Buffalo Creek to Presque Isle. Johnston thus had good reason to be at Canandaigua, and Cornplanter "rose to vindicate his coming, being privy to the great uneasiness it had given Colonel Pickering."<sup>31</sup> But Pickering, recalling his frustrations at British hands in 1793, took full advantage of the new military situation resulting from General Wayne's triumph and peremptorily ordered Johnston off the treaty grounds. He described his presence at Canandaigua as "an insult to him, to their friends the Quakers, and to the fifteen fires," according to the eyewitness account of the Quaker William Savery, who further recorded that Pickering proclaimed, "That the intrusion of this man into our councils betrayed great impudence, and was a fresh proof of British insolence," and insisted "it was totally improper to go on with the business while a British spy was present." Pickering announced that

either this man must immediately be sent back to those who sent him, or he, Pickering, would cover up the council fire; for his instructions from General Washington were, to suffer no British agents at the present treaty.

The Indians appeared in amazement at the warmth with which the commissioner delivered himself, and said, when he sat down, the council fire grows warm, the sparks of it fly about very thick. As to Johns[t]on, he appeared

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<sup>31</sup> Savery in Jemison and Schein 273.

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like one that was condemned to die, and now rose and left us.

The Iroquois conferred among themselves, after which Cornplanter again protested Pickering's attempt to "shove Johns[t]on off." Cornplanter explained that Johnston was at Canandaigua because he had invited him. Cornplanter also pointedly told Pickering that the Iroquois had learned a great deal from Johnston and other British officials about how the Iroquois had been misled by the Continental Congress's Treaty Commissioners in 1784 and 1789 concerning the provisions of the 1783 U.S.-British Treaty of Paris as they pertained to tribal land rights, and observed, "if I had kindled the council fire, I would suffer a very bad man to sit in it that he might be made better." Perceiving that Pickering was immovable, Cornplanter then asked that Johnston at least be furnished "with provisions to carry him home." The Iroquois also composed a letter for Johnston to take back with him to Joseph Brant, in which they "expressed their sorrow that Johns[t]on could not be permitted to stay" and described themselves as "a poor, despised, though independent people...brought into suffering by the two white nations striving who should be the greatest." In the aftermath of Johnston's expulsion, Savery noted that "the disposition of the Senecas appeared rather more uncompromising than heretofore." The Senecas even considered demanding that the conference be moved back to Buffalo Creek.<sup>32</sup>

Red Jacket appeared to Pickering his best hope of getting the conference back on track, not only because of Red Jacket's prominence within the Iroquois Confederacy as a whole but even more saliently because he had for years been a rival of Cornplanter for Seneca leadership. The recently achieved solidarity between Cornplanter's southern Senecas and Red Jacket's

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northern Senecas posed the greatest threat to Pickering's plans and, since Cornplanter could not be appeased, attacking Cornplanter's credibility and winning over Red Jacket became the objectives of Pickering's private consultations at Canandaigua. Rumors began swirling that Cornplanter had personally profited from earlier land transactions with Pennsylvania and the United States. On November 6, according to Savery, the chiefs were "surprised to find that Cornplanter, Little Billy, and others, had received two thousand dollars worth of goods from Pennsylvania at Muskingum, and two thousand dollars at Philadelphia. Their minds being much disturbed, they broke up the conference."<sup>33</sup> In final negotiations, Red Jacket replaced Cornplanter as the most prominent Seneca speaker.

Prior to the conference, Pickering had contemplated reservationizing the Senecas. "Perhaps the Senecas will be satisfied with a stipulation that their settlements...shall never be disturbed," Pickering mused.<sup>34</sup> Concluding during initial consultations that the time was not yet ripe for this approach, Pickering adopted the alternative of describing a perimeter boundary around an undivided Seneca territory of several million acres, where the Senecas would be acknowledged by the federal government to possess aboriginal "Indian Title." The Seneca boundary Pickering proposed included much land taken from the Senecas in 1784 and therefore involved departing from what Knox and Washington had expected. Knox, Washington and

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<sup>32</sup> Jemison and Schein 274-75.

<sup>33</sup> Jemison and Schein 286.

<sup>34</sup> TPP 62:97-98.

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Pickering had all assumed prior to his departure for Canandaigua that Pickering would defend the line drawn by Continental Congress Commissioners in 1784. Knox and Washington considered this line binding on the Iroquois, despite Iroquois complaints that it was unilaterally imposed and inherently unjust. Prior to arriving in Canandaigua Pickering also seems to have given no thought to the possibility of altering this line. But at Canandaigua Pickering learned that some seven hundred Senecas still lived in the region denied them by the Continental Congress in 1784. So Pickering decided that while the entire Erie Triangle must continue to be off limits because of Pennsylvania's adamancy, the region within New York State west of the 1784 -89 line but east of the Erie Triangle might possibly be "relinquished" to the Senecas, in a manner somewhat parallel to that authorized by the President and his Cabinet in 1793---but not actually done---for tribes in the midwest.

"Why may it not be relinquished?" Pickering reasoned in his pre-conference notes. "The U. States cannot hold it, because it lies eastward of the cessions made to them by Massachusetts and N. York. The Indian cession therefore to the U. States must be a nullity. And the U. States are under no sort of obligation to extinguish the Indian claim to it for the sake of the State or its assigns having the preemption right."<sup>35</sup> Pickering's thinking here departed from that expressed by all members of Washington's Cabinet in their February 25, 1793 discussion regarding already extinguished "Indian Title" where state and/or private interests were implicated; and from the long-held views of Knox and Washington regarding the effect of the 1784 Treaty. Boldly disregarding this background, Pickering meditating alone at Canandaigua theorized that the

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Continental Congress could not have extinguished “Indian Title” in this area because it was within the bounds of a state rather than in federal territory. That the 1784 extinguishment of Seneca occupancy rights had been a “nullity” because it was done by the Continental Congress without the involvement of Massachusetts or New York State was a new idea. The Senecas had fought for the British, and the Continental Congress had imposed a punitive peace settlement on them in accord with the Articles of Confederation. What fee title holder would benefit was a question distinct from the power of the Continental Congress to extinguish the “Indian Title” of tribal enemies. But, aware of the seriousness of the current crisis, Pickering at Canandaigua felt free to entertain original thoughts and act on them.

As the Canandaigua conference neared completion, and it became apparent that the Treaty he had drafted would depart from the 1784-89 line, and therefore from what he, Knox and Washington had expected, Pickering on November 7, 1794, took the precautionary step of writing Secretary Knox informing him that, “I supposed the day before yesterday that the treaty was closing very satisfactorily; the Chiefs not objecting to explicit relinquishments of all the lands belonging to Pennsylvania, including Presqu’Isle: but yesterday they uncovered the mystery that had veiled their proceedings---they were desirous of a fresh confirmation of their lands.”<sup>36</sup> Pickering portrayed himself as responding to last minute pressure from the chiefs, and even assured Knox that he was “never more weary of Indian negotiations: more than the patience of Job is required, to endure their delays, their trifling and their drunkenness.” But

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<sup>35</sup> TPP 62:97-98.

<sup>36</sup> TPP 60:206-07.

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weeks earlier Pickering had decided to do what he here assured Knox he was doing belatedly and reluctantly. Prior to the opening of formal talks, Pickering had decided to offer a “relinquishment” to the Senecas of the region “lying between the meridian line from Buffalo Creek and the Eastern Line of the Triangle granted to Pennsylvania”<sup>37</sup> if an Iroquois majority could be induced to abandon their support for Cornplanter’s claim to the Cassewago settlement in the adjoining Erie Triangle. And on October 28, 1794, a week and a half before writing his November 7<sup>th</sup> letter to Knox, Pickering had publicly proposed a boundary line that restated the 1784-89 Continental Congress line four miles east of the Niagara River as far as Buffalo Creek, but then departed from it to “relinquish” to the Senecas the tract within New York State between the southern sector of the 1784-89 line and the Erie Triangle.<sup>38</sup>

Five days later, on November 2, Red Jacket, speaking on behalf of the Buffalo Creek Iroquois, accepted Pickering’s proposal on the condition that the Senecas were guaranteed, in addition to the region southwest of Buffalo Creek and east of the Erie Triangle, a strip of land embracing the Niagara River shoreline from Cayuga Creek to Buffalo Creek. Upset by this turn of events, Pickering reminded Red Jacket that, “When I came from Philadelphia, it was not expected I would relinquish a hand’s breadth of land.” Now he was offering the Senecas a large tract southwest of Buffalo Creek. Having already departed so far from his Instructions, under no circumstances would he consider relinquishing more.<sup>39</sup> Stimulated rather than awed by this

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<sup>37</sup> TPP 62:97-98.

<sup>38</sup> Jemison and Schein 278.

<sup>39</sup> William Savery, *Journal*, London: Charles Gilpin, 1844, 86.

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ultimatum, Red Jacket rejoined cleverly, “You told us, when you left Philadelphia, it was not expected by the President you would release a foot of land. We thank him for having left you at liberty to give up what you please.”<sup>40</sup> If Pickering had already yielded up so much land not comprehended by his instructions, could he not add one more small piece?

Red Jacket’s unanswerable logic may have been the real reason for Pickering’s complaint to Knox on November 7 that he was “weary.” “Annoyed” would have been a better description of Pickering’s mood as it dawned on him that he had been outmaneuvered by Red Jacket. But before agreeing that the Senecas could have a strip of the strategically vital Niagara River shoreline, Pickering felt he needed a legal rationale. Obliging, the Senecas supplied one. As recounted by Pickering, “The Senecas brought forward one of their elderly men who was present at running the line from the Creek at Johnson’s Landing place on Lake Ontario to Niagara River above Fort Schlosser. The description of this line described in the Treaty is founded on his information”<sup>41</sup> ---which turned out to be inaccurate.

Pickering’s willingness under pressure from Red Jacket to yield the Niagara shore strip left Cornplanter furious that Pickering wouldn’t even discuss the Erie Triangle, which from Cornplanter’s point of view was at least as vital. But Pickering knew he could not bargain away one inch of the Erie Triangle. Red Jacket’s diplomatic coups came in areas that Pickering thought were negotiable, which the Erie Triangle most definitely was not.

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<sup>40</sup> Savery 88.

<sup>41</sup> Letter, Pickering to Knox, December 26, 1794, TPP 62:196.

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Pickering was aware that “very few, perhaps three or four families” of Senecas lived on the Niagara shore strip. This led Pickering to suspect that the British were behind Red Jacket’s eagerness to obtain it.<sup>42</sup> But instead of being made anxious by this thought, Pickering reasoned that the Niagara shoreline could be readily reacquired once the British withdrew from Fort Niagara, since “as soon as we should possess Niagara, it would be ceded of course. This has since been declared to me by a very sensible and influential war chief: ‘As soon (said he) as you get Niagara, that strip will be yours.’”<sup>43</sup> Again Pickering succumbed to wishful thinking.

Pickering’s bonus “relinquishment” of the Niagara shoreline was the price Red Jacket exacted for his willingness to sacrifice the interests of Cornplanter’s southern Senecas. Red Jacket’s northern Senecas were prepared to abandon their land bridge to the midwest along the southern shore of Lake Erie if they could acquire a stronger link to British Canada. By insuring U.S. control of the Ohio region south of Lake Erie, “Mad” Anthony Wayne’s August 20, 1794

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<sup>42</sup> Letter, Pickering to Knox, December 26, 1794, TPP 62:195A.

<sup>43</sup> Letter, Pickering to Knox, November 12, 1794, TPP 60:207-9. Red Jacket was not the “very sensible” chief who assured Pickering that the Niagara shore strip would be easy to take back. As Red Jacket emphasized in his speeches of November 2 and 4, he wanted the Senecas to keep the shore strip forever. “Whatever is done, we regard as final and permanent,” Red Jacket said on November 2, adding on November 4, “We wish to be the sole owners of this land ourselves.” (Savery in Jemison and Schein 282, 285)

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victory had diminished the importance of the midwest in the eyes of the Buffalo Creek Iroquois, but intensified their desire to insure more reliable access to British Canada through the Niagara region. Cornplanter's determination to secure part of the Erie Triangle for his community thereby became a secondary casualty of General Wayne's midwestern triumph.

Writing to Secretary of War Knox on November 12, Pickering confided that "Cornplanter continued his opposition to the last: but finding himself unsupported, has joined with the other chiefs and signed the treaty. When I return, I shall give you the true character of that Chief."<sup>44</sup> Scornfully dismissing Cornplanter's six-month crusade to salvage a portion of the Erie Triangle for his community, Pickering took pride in having won over a majority of the chiefs and isolating Cornplanter.

The Canandaigua Treaty affirmatively delineated what Pickering believed to be the remaining land rights of the "Six Nations" in New York State, and also contained a renunciation by the "Six Nations" of *all other* land claims anywhere within the United States, which just happened to include the Erie Triangle. The Canandaigua Treaty thus accomplished its first and foremost objective without even referring to it, a feat that set the tone for the evasiveness that characterized the explanations that followed the Treaty's completion.

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<sup>44</sup> TPP 60:207-09.

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