



*Tbayedanega,
Joseph Brant
the Mohawk Chief.*

The Grand River Mohawks, Legal Posterity
"Which them (*Canojaharie, Tikondarago, and Aughugo*) and their posterity to enjoy forever."

Benjamin Doolittle UE, 2022
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The Grand River Mohawks, Legal Posterity

In 1779, Sir Frederick Haldimand, Captain-General and Commander-in-Chief of the Province of Quebec, ratified a pledge to the mohawk of the three villages, and five years later, in 1784, Frederick Haldimand issued a proclamation concluding the transaction of that pledge. Setting the Grand River Territory apart prior to confederation. On December 24, 1791, Canada was required to confirm the Haldimand proclamation to uphold the honor of the crown. The Canadian government pledged its faith to the Mohawks of the Grand River and Bay of Quinte. The proclamation (*an imperial instrument*) of 1784 has never been formally denounced.

Four Corners of the Instrument and Legal Posterity, Who is technically named?

- **HALDIMAND PLEDGE OF 1779**, Ratified promise Mohawk of Canojaharie, Tikondarago, and Aughugo
- **HALDIMAND PROCLAMATION OF 1784**, Transaction closing promise to Mohawk posterity
- **DORCHESTER'S PROCLAMATION OF 1789**, Mark of Honour to discriminate posterity
- **SIMCOE PROCLAMATION OF 1796**, Heritage registry to ascertain standing in transaction

The Pledge of 1779 was the original intention, only three Mohawk villages were named, and the Six Nations were not included in this document, which leaves the Haldimand Proclamation of 1784 that established the Haldimand Tract. This transactional instrument does include the Five Nations, however, because they are noted as "such others" of the Five Nations they are named as third-party to the transaction.

The term "*Such Other*" or Stranger refers to a person who is not a party to a particular transaction. In *Kirk v. Morris*, 40 Ala. 225 (Ala. 1866), it was observed that the word "*stranger*" was substituted for the words "or some other person." However, both were intended to mean the same thing, namely, a person not a party to the suit, who acts for the benefit of the defendant in attachment.

Additionally, there is a little known flaw in the Haldimand Proclamation, it does not name anyone in a natural capacity to inherit the interest, this flaw was fixed by Lord Dorchester's Order-in-Council of 1789 to attach a mark of honor to posterity and the Simcoe Proclamation of 1796, wherein, descendants from the three mohawk villages could register their heritage to ascertain a true beneficiary connection to the ratified Haldimand pledge of 1779. From the Simcoe Proclamation of 1796 ... "*to the end that their posterity might be discriminated from (the then) future settlers in the parish registers and rolls of the militia of their respective district, and other public remembrances of the Province, as proper objects, by their persevering in the fidelity and conduct so honorable to their ancestors, for distinguished benefits and privileges;" but as such registry has not been generally made; and as it is still necessary to ascertain the persons and families upon the lands now about to be confirmed to them.*"

"Which them (Canojaharie, Tikondarago, and Aughugo) and their posterity to enjoy forever."

HALDIMAND PLEDGE OF 1779

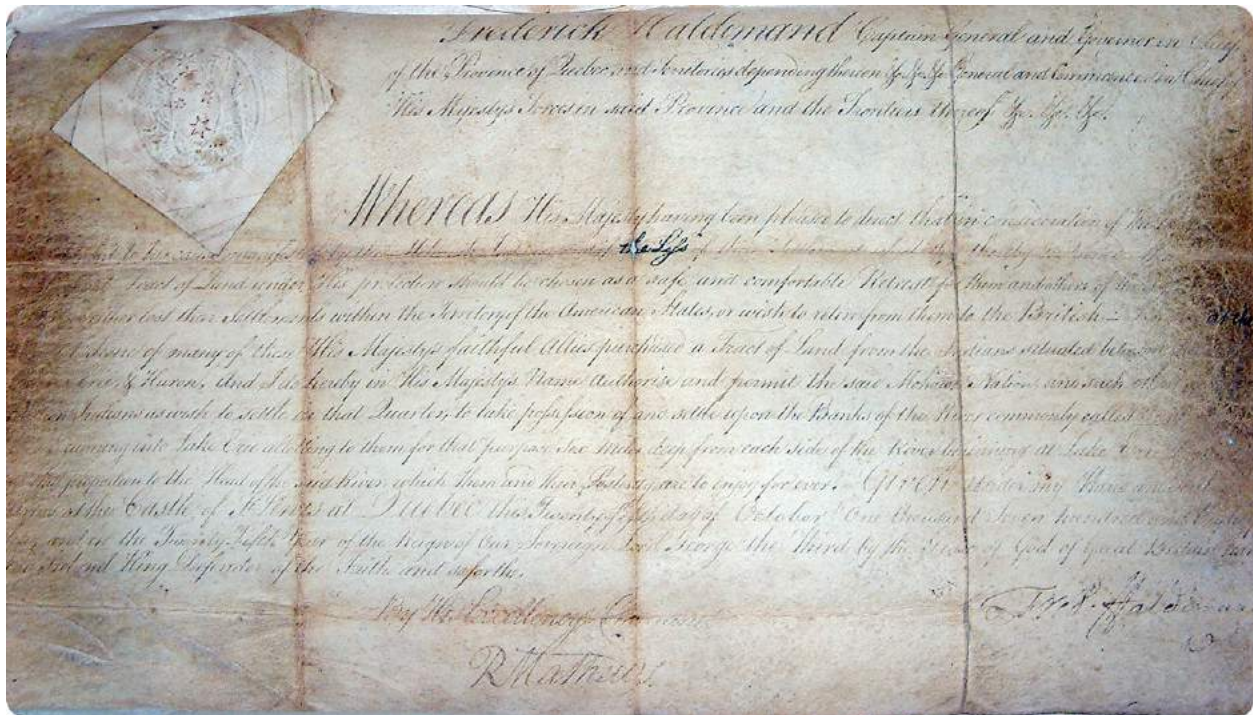
By His Excellency General Haldimand, Esq., Captain General and Commander-in-Chief of the Province of Quebec, and upon the frontiers of Quebec, etc.

Some of the Mohawks of the Villages of Canojaharie, Tikondarago, and Aughugo, whose settlements than had been on account of their steady attachment to the King's service and the interests of Government ruined by the rebels; having informed me that my predecessor, Sir Guy Carleton, was pleased to promise, as soon as the present troubles were at an end, the same should be restored at the expense of the Government, to the state they were in before the wars broke out, and said promise appearing to me just, I do hereby ratify the same and assure them the said promise, so far as in me lies, shall be faithfully executed, as soon as that happy time comes.

GIVEN UNDER MY HAND AND SEAL at Quebec the 7th day of April, 1779.

FRED HALDIMAND

HALDIMAND PROCLAMATION OF 1784



(SEAL) FREDERICK HALDIMAND, Captain General and Governor-in-Chief of the Province of Quebec and Territories depending thereon, &c., &c., &c., General and Commander in Chief of His Majesty's Forces in said Province and the Frontiers thereof, &c., &c., &c.

Whereas His Majesty having been pleased to direct that in consideration of the early attachment to His cause manifested by the Mohawk Indians and of the loss of their settlement which they thereby sustained that a convenient tract of land under His protection should be chosen as a safe and comfortable retreat for them and others of the Six Nations who have either lost their settlements within the Territory of the American States or wish to retire from them to the British. I have at the earnest desire of many of these His Majesty's faithful allies purchased a tract of land from the Indians situated between the Lakes Ontario, Erie and Huron, and I do hereby in His Majesty's name authorize and permit the said Mohawk Nation and such others of the Six Nations Indians as wish to settle in their quarter to take possession of and settle upon the banks of the river commonly called Ouse or Grand River, running six miles deep from each side of the river, beginning at Lake Erie and extending in that proportion to the head of the said river, which them and their posterity are to enjoy forever.

Given under my hand and seal at arms at the Castle of St. Lewis, at Quebec, the twentyfifth day of October, one thousand seven hundred and eighty-four, and in the twenty-fifth year of the reign of Our Sovereign Lord George the Third by the Grace of God of Great Britain, France and Ireland, King, Defender of the Faith and so fourth.

By His Excellency's command.
FREDERICK HALDIMAND
R. MATTHEWS

[Jackson v Wilkes, seal, natural capacity, flaw, no body politic, competition]

DORCHESTER'S PROCLAMATION of 1789

At the Council Chamber at Quebec, Monday 9th November 1789.

Present,

His Excellency the Right Honble Lord Dorchester.

The Hon^{ble} William Smith, Esquire, Chief Justice.

Hugh Finlay,)	George Pownall,)	
Thos. Dunn,)	Henry Caldwell,)	
Edwd. Harrison,)	William Grant,)	
John Collins,)	Francois Baby,)	Esquires
Adam Mabane,)	Charles De Lanaudiere)	
J. G. C. Delery,)	Le Cte. Dupre)	

His Lordship intimated to the Council, that it remained a Question, upon the late Regulation for the Disposition of the Waste Lands of the Crown, whether the Boards, constituted for that Purpose, were authorized to make Locations to the Sons of Loyalists, on their coming of full Age and that it was the wish to put a Mark of Honour upon families who had adhered to the Unity of Empire, and joined the Royal Standard in America before the Treaty of Separation in the year 1783.

The Council concurring with His Lordship, it is accordingly ORDERED,

That the several Land Boards take Course for preserving a Registry of the Names of all Persons, falling under the aforementioned, to the End of their Posterity may be discriminated, from future Settlers, in the Parish Registers and Rolls of the Militia, of their respective Districts, and other Public Remembrancers [sic] of the Province, as proper Objects, by their preserving in the Fidelity and Conduct, so honourable to their Ancestors, for distinguished Benefits and Privileges.

And it is also Ordered, that the said Land Boards may, in every such Case, provide not only for the Sons of those Loyalists, as they arrive to Full Age, but for their Daughters also, of that Age, or on their marriage, assigning to each a Lot of Two Hundred Acres, more or less, provided nevertheless that they respectively comply with the general Regulations and that it shall satisfactorily appear, there has been no Default in the due Cultivation and Improvements of the Lands already assigned to the Head of the Family, of which they are Members.

Williams C.C.

Attached to this was a "Form of militia roll for the western districts to discriminate the families before mentioned" This included: "N. B. Those Loyalists who have adhered to the unity of the Empire, and joined the Royal Standard before the Treaty of Separation in the year 1783, and all their children and their descendants by either sex are to be distinguished by the following capitals affixed to their names: U. E. alluding to their great principle the unity of the Empire."

Dorchester's original intent was clear: that the letters UE become a Mark of Honour in various recorded situations. In reality, few Loyalists used the initials themselves. Probably the only time they used the postnominal initials (UE or UE Loyalist) was on the land petitions they sent in. The letters rarely if ever appear in parish registers or later militia rolls, perhaps due to a lack of official encouragement. This concept of distinguishing Loyalists and their children from other settlers became most evident in the land granting process.

SIMCOE PROCLAMATION OF 1796

Upper-Canada.

BY HIS EXCELLENCY JOHN G. SIMCOE. ESQ. LIEUTENANT GOVERNOR AND MAJOR GENERAL OF HIS MAJESTY'S FORCES, &c. &c. &c.

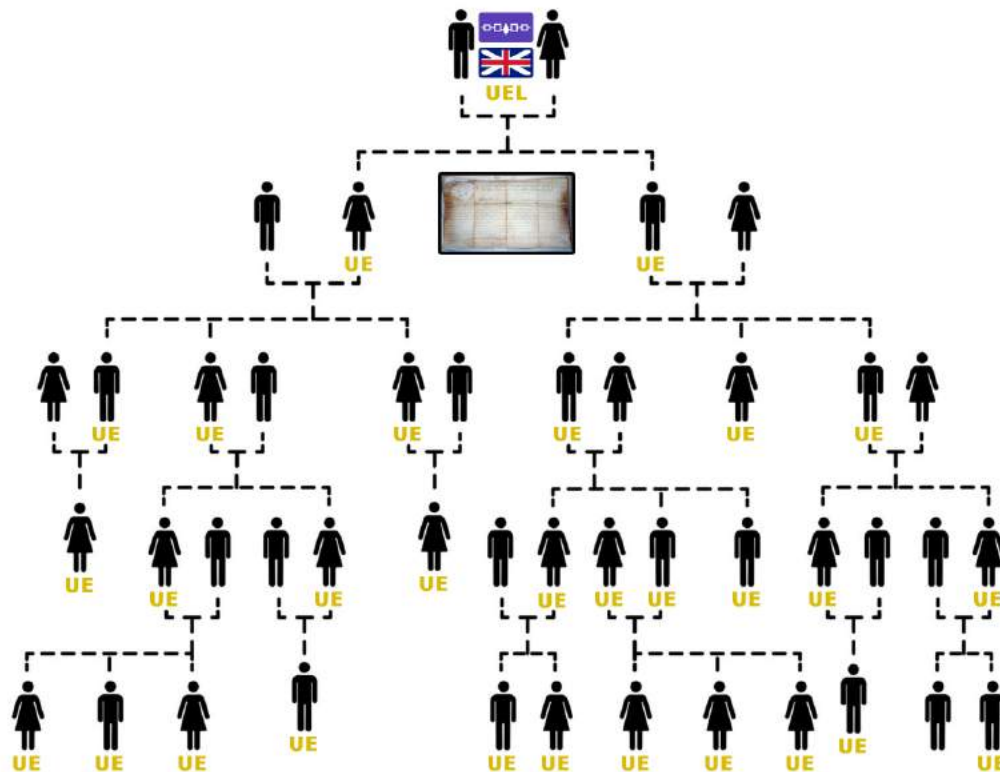
WHEREAS it appears by the minutes of the Council of the late Province of Quebec, dated Monday the ninth day of November 1789, to have been the desire of his Excellency Lord Dorchester the Governor-General "To put a mark of honor upon the families who had adhered to the Unity of the Empire, and joined the Royal Standard in America before the treaty of separation in the year 1783, and for that purpose it was then Ordered, by his Excellency in Council, that the several Land Boards (should) take course for preserving a registry of the names of all the persons falling under the description aforementioned, to the end that their posterity might be discriminated from (the then) future settlers in the parish registers and rolls of the militia of their respective district, and other public remembrances of the Province, as proper objects, by their persevering in the fidelity and conduct so honorable to their ancestors, for distinguished benefits and privileges;" but as such registry has not been generally made; and as it is still necessary to ascertain the persons and families upon the lands now about to be confirmed to them, without the incidental expenses attending such grants: - Know KNOW YE, that I have thought proper, by and with the advice and consent of the executive council, to direct all persons, claiming to be confirmed by deed under the seal of the province of their several possessions, who adhered to the unity of the empire and joined the royal standard in America, before the treaty of separation in the year 1783, to ascertain the same oath before the magistrates in the michaelmas quarter-sessions assembled, now next ensuing date of the proclamation, in such manner and form, as the magistrates are directed to receive the same; - and all persons will take notice that if they neglect to ascertain, according to the mode above set forth, their claims to receive deeds without fee, they will not be considered as entitled, in this respect, to the benefit of having adhered to the unity of the empire and joined the royal standard in America before the treaty of separation in the year 1783. Given under my hand and seal at arms, at the government house at York, this six-day of April, in the year of our Lord, one thousand seven hundred and ninety-six, and in the thirty-sixth year of this Majesty's reign.

JOHN GRAVES SIMCOE.

GOD SAVE THE KING!

By his Excellency's Command,
E. B. LITILEHALES.

DIAGRAM OF UEL POSTERITY, BY MARK OF HONOR UE



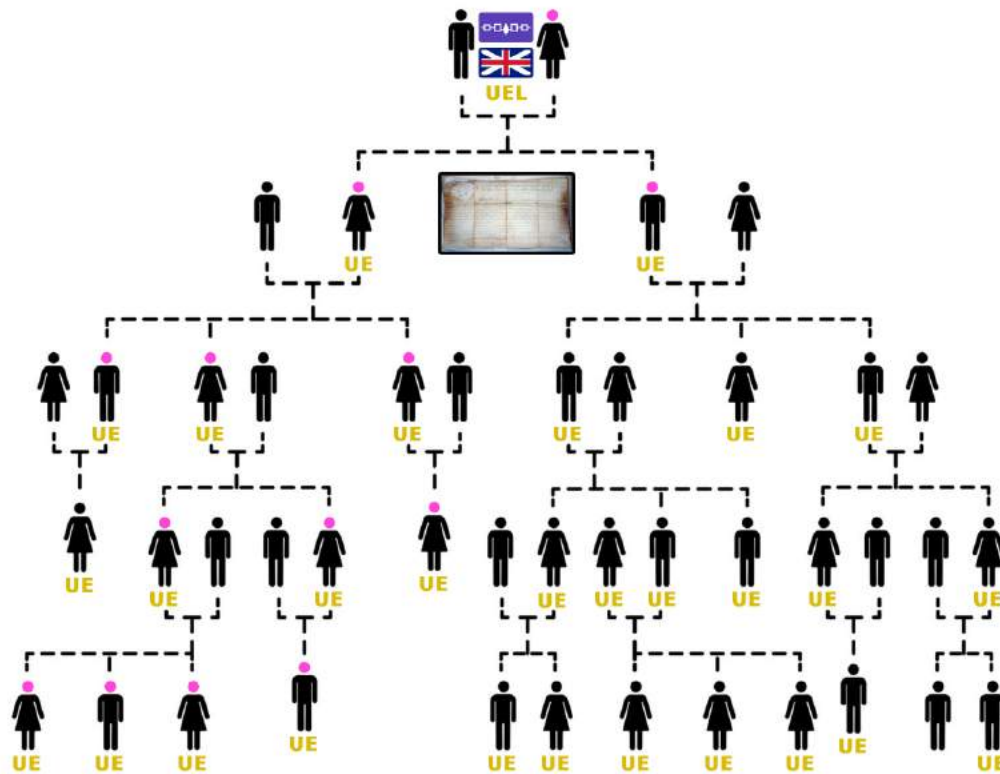
Lord Dorchester and the Mark of Honor, UE: On November 9, 1789, in Council at Quebec City, particular recognition was given to the First Loyalists. The Dorchester Resolution, approved by Council, defined the UE Loyalists as those who had adhered to the Unity of Empire and joined the Royal Standard in America. In 1796 the Simcoe Proclamation issued the heritage registry for these first loyalists.

- Put a Mark of Honour upon the Families of the **UE** Loyalists; ...;
- Accompanying the resolution to be laid before King George III in London was the following:

N.B. Those Loyalists who have adhered to the Unity of the Empire, and joined the Royal Standard (in America) before the Treaty of Separation in the year 1783, and all their children and their descendants by either sex, are to be distinguished by the following Capitals, affixed to their names: **UE** Alluding to their principle *The Unity of the Empire*. **In the covering letter**, Lord Dorchester explained: Care had been taken to reward the spirit of loyalty and industry, to extend and transmit it to future generations. Today, to ascertain descendants of those First Loyalists are entitled to use these initials. Very simply, the general guidelines are as follows:

- Either male or female, as of 19 April 1775, a resident of the American colonies, and joined the Royal Standard prior to the Treaty of Separation of 1783, or otherwise demonstrated loyalty to the Crown, and settled in territory remaining under the rule of the Crown; or ...;
- a member of the (*descendants of Mohawk of Canojaharie, Tikondarago, and Aughugo*) Six Nations of either the Grand River or the Bay of Quinte Reserve who is descended from *one whose migration was similar to that of other Loyalists*.

DIAGRAM OF UEL POSTERITY, BY MARK OF HONOR UE AND CLAN AFFILIATION

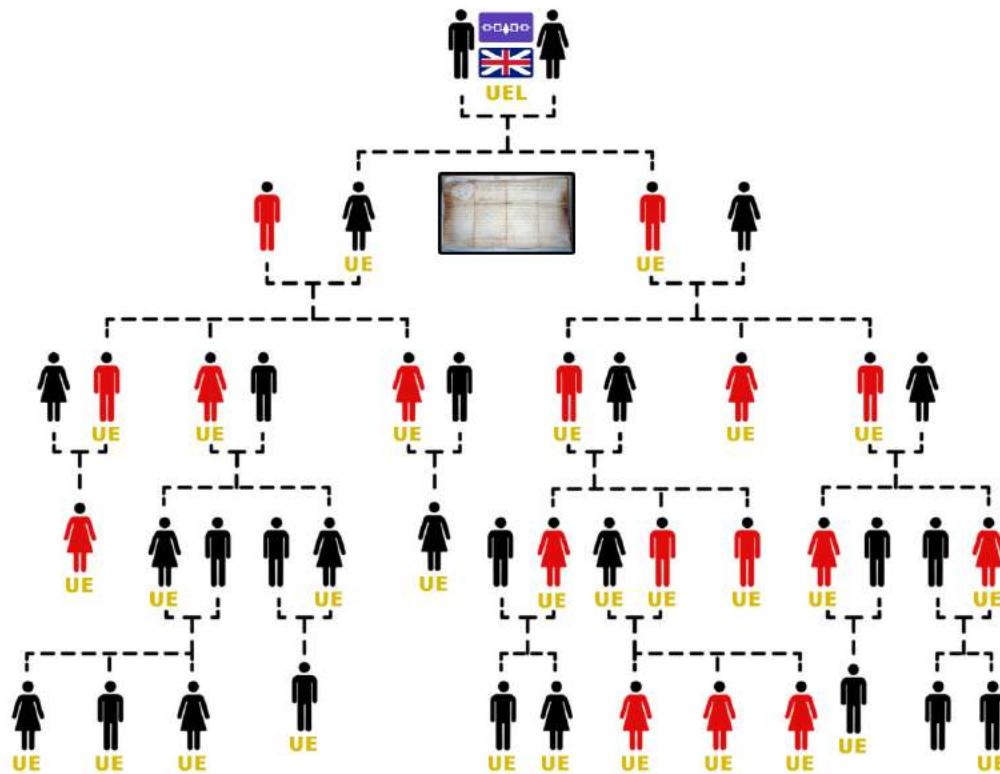


Matrilineal Society, following the female uterine family line, designates the clan of a particular offspring.

“Approximately 1,000 years ago, Peacemaker was born on the northern shores of Lake Ontario in an area that today is called Tyendinaga, Mohawk Territory. When Peacemaker crossed the lake, he went to a place called Ganondagan where he met a powerful woman named Tsikónhsase. Tsikónhsase was influential in perpetuating the wars between the Seneca, Cayuga, Onondaga, Oneida, and Mohawk Nations. The Peacemaker travelled to her lodge and shared the message of peace, power, and a good-mind with her. Tsikónhsase lived at the intersection of many paths. She was known for utilizing her supply of corn to feed travelling warriors. Corn was served to the warriors as bread or mush or soup, and used as a tool to manipulate them into war. She would now use it as a tool for peace. When Peacemaker recognized her strength, he saw that she was influential in stopping the wars between these nations. She is also called the Queen of Peace. Her acceptance of this great message led Peacemaker to bestow her with the authority to confirm, and if necessary, depose chiefs from their title and role. (She instructed the headwoman to reflect and choose an animal totem to represent their clan) Tsikónhsase was now the head matriarch, the Clanmother of Clanmothers.”

- https://www.oct.ca/-/media/PDF/resources/2021_Restorative_Journey_Resource_EN.pdf

DIAGRAM OF UEL POSTERITY, BY MARK OF HONOR UE AND INDIAN ACT STATUS (PRE-BILL C-31)



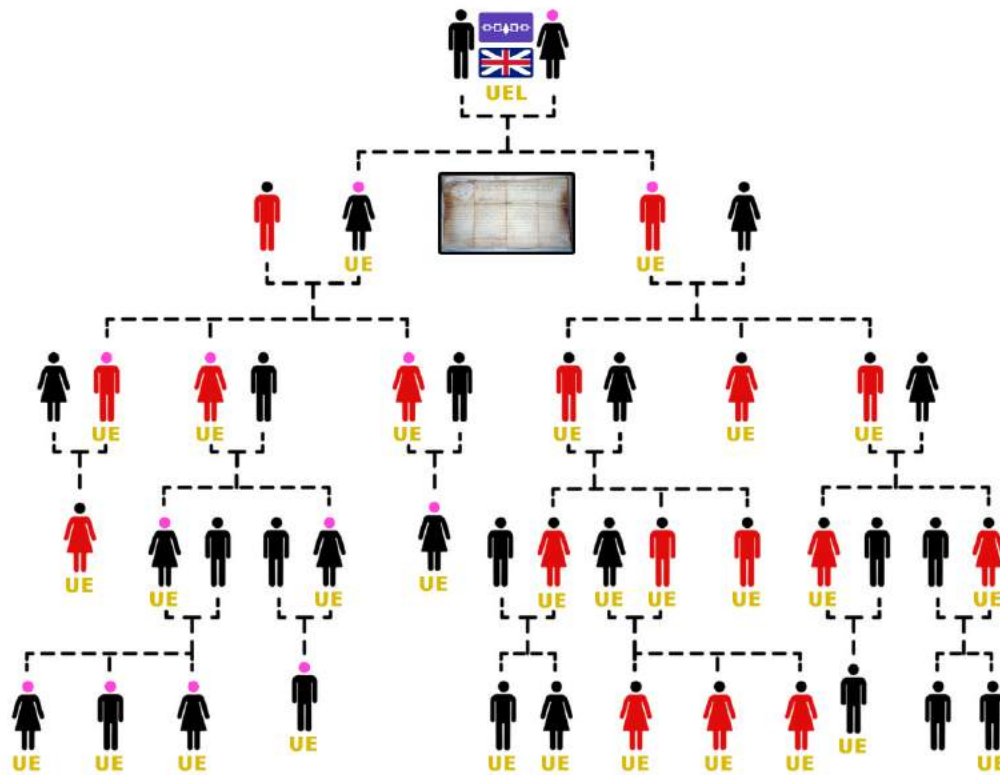
INAC INDIAN STATUS, When the Canadian government amended the Indian act in 1924 to repeal the section respecting traditional forms of government, immediately the Canadian government declared the Six Nations Iroquois Confederacy and traditional governments dissolved. In direct contrast to customary Matrilineal clan designation, the Canadian Indian status is then passed down by the paternal line. Before the passage of Bill C-31 women would be stripped of Indian Status if they married non-Indians. Estate property would be passed over her children to her non-Indian prior children, or estate and land holdings absorbed by the non-Indian male.

“Was the lands governed under the Haldimand Treat not given to the Mohawks and others?” ... “Are [they] real mohawks (maternal line) or are they INAC Mohawks (paternal line)?” ... “What difference does it make who is at the negotiation table and whom the government deals with...” - Member of the Six Nations Elected Council (February 21, 2007, letter, Turtle Island News)

“INAC paternal Mohawk or the true maternal Mohawk is this: Under INAC I am registered as Oneida under my father who I understand was registered as Oneida under his father. But if my father and grandfather had been registered under their mothers as they should have been what would their true nation really be? The same with my mother. She is registered as a Mohawk under her father who was likely registered as a Mohawk under his father but again if they had both been registered under the mother as they should have been what would their true nation be? I claim to be Mohawk under my mother but am I truly a Mohawk given my mother gained her Mohawk status through her father who gained his Mohawk status through his father? Confusing for sure” - Same Member of the Six Nations Elected Council, 2022 (May 15, 2022, re: Natural capacity of band council and Feb 21 letter)

THREAD OF ARIADNE I give you the end of a golden string, Only wind it into a ball: It will lead you in at Heavens gate, Built in Jerusalems wall.” - William Blake - “Jerusalem”

DIAGRAM OF UEL POSTERITY, BY MARK OF HONOR UE, CLAN AFFILIATION, AND INDIAN ACT STATUS (PRE-BILL C-31)



Please take a moment to describe the illustration, in your own words. If you have questions write them down and send them to info@grandback.org

WHICH THEM (CANOJAHARIE, TIKONDARAGO, AND AUGHUGO) AND THEIR POSTERITY ARE TO ENJOY FOREVER v. UNITED EMPIRE LOYALIST ASSOCIATION OF CANADA

“Some of the Mohawks of the Villages of Canojaharie, Tikondarago, and Aughugo, whose settlements than had been on account of their steady attachment to the King’s service and the interests of Government ruined by the rebels” ... “I do hereby ratify the same and assure them the said promise, so far as in me lies, shall be faithfully executed” ... “in consideration of the early attachment to His cause manifested by the Mohawk Indians and of the loss of their settlement which they thereby sustained that a convenient tract of land under His protection should be chosen as a safe and comfortable retreat for them and others of the Six Nations who have either lost their settlements” ... “I do hereby in His Majesty’s name authorize and permit the said Mohawk Nation and such others of the Six Nations Indians as wish to settle in their quarter to take possession of and settle upon the banks of the river commonly called Ouse or Grand River, running six miles deep from each side of the river, beginning at Lake Erie and extending in that proportion to the head of the said river, which them and their posterity are to enjoy forever.” ... “To put a mark of honor upon the families who had adhered to the Unity of the Empire, and joined the Royal Standard in America before the treaty of separation in the year 1783, and for that purpose it was then Ordered, by his Excellency in Council, that the several Land Boards (should) take course for preserving a registry of the names of all the persons falling under the description aforementioned, to the end that their posterity might be discriminated from (the then) future settlers in the parish registers and rolls of the militia of their respective district, and other public remembrances of the Province, as proper objects, by their persevering in the fidelity and conduct so honorable to their ancestors, for distinguished benefits and privileges”



Example of Modern Loyalist Certificate, The United Empire Loyalists' Association of Canada was incorporated on 27 May 1914. **Proof of legal posterity**, although modern society lacks continuity from 1784/1796 to 1914. The society is Canada's only federally recognized genealogical society and the certificate is a valid proof of claim. Proven descendants can use this certificate to apply a loyalist coronet to a personal coat of arms, and can be registered with the Canadian Heraldic Authority under the governor-general's office. This is legal proof of real interest in the Pledge (1779) Proclamation (1784) as true legal posterity and falls outside of the purview of the Indian Act.