

THE REDMAN'S APPEAL FOR JUSTICE

The Honourable Sir James Eric Drummond, K.C.M.G., C.B.,
Secretary-General of the League of Nations, Geneva.

Sir,

Under the authority vested in the undersigned, the Speaker of the Council and the Sole Deputy by choice of the Council composed of forty-two chiefs, of the Six Nations of the Iroquois, being a state within the purview and meaning of Article 17 of the Covenant of the League of Nations, but not being at present a member of the League, I, the undersigned, pursuant to the said authority, do hereby bring to the notice of the League of Nations that a dispute and disturbance of peace has arisen between the State of the Six Nations of the Iroquois on the one hand and the British Empire and Canada, being Members of the League, on the other, the matters in dispute and disturbance of the peace being set out in paragraphs 10 to 17 inclusive hereof.

2. The Six Nations of the Iroquois crave therefore invitation to accept the obligations of Membership of the League for the purpose of such dispute; upon such conditions as may be prescribed.

3. The constituent members of the State of the Six Nations of the Iroquois, that is to say, the Mohawk, the Oneida, the Onondaga, the Cayuga, the Seneca and the Tuscarora, now are, and have been for many centuries, organised and self-governing peoples, respectively, within domains of their own, and united in the oldest League of Nations, the League of the Iroquois,

for the maintenance of mutual peace; and that status has been recognised by Great Britain, France and the Netherlands, being European States which established colonies in North America; by the States successor to the British Colonies therein, being the United States of America, and by the Dominion of Canada, with whom the Six Nations have in turn treated, they being justly entitled to the same recognition by all other peoples.

4. Great Britain and the Six Nations of the Iroquois (hereinafter called "The Six Nations") having been in open alliance for upwards of one hundred and twenty years immediately preceding the Peace of Paris of 1783, the British Crowns in succession promised the latter to protect them against encroachments and enemies making no exception whatever, and King George the Third, falling into war with his own colonies in America, promised recompense for all losses which might be sustained by the Six Nations in consequence of their alliance in that war and they remain entitled to such protection as against the Dominion of Canada.

5. Pursuant to such alliance and to his promise of protection and recompense King George the Third, about the year 1784, acquired the territorial rights of the occupants of certain domains bordering the Grand River and Lake Erie, over which the Six Nations had exercised suzerain rights, and lying northerly of the boundary line then recently fixed between him and the United States of America, such rights of the occupants being so acquired by His Britannic Majesty to induce the Six Nations to remove to that domain as a common home-land in place of their separate ancient homes on the south of the line. Thereupon the Six Nations (excepting certain numbers of those people who elected to remain), at the invitation of the British Crown and under its express promise of protection, intended as security for their continued independence, moved across the Niagara and thereafter duly established themselves and their league in self-government upon the said Grand River lands, and they have ever since held the unceded remainder thereof as a separate and independent people, established there by sovereign right.

6. The Six Nations crave leave to refer, in support and verification of their status and position as an independent State, and of their recognition as such, to (inter alia) the following documents, facts and circumstances:—

The Treaties between the Six Nations and the Dutch.

The Treaties between the Six Nations and France.

The Treaties between the Six Nations and the British and particularly the treaty between the Mohawk and others of the Six Nations electing to become parties thereto, and the British under date of October 25th, 1784.

The Memorial of His Britannic Majesty's Government in support of the claim of the Cayuga Nation being one of the components of the Six Nations against the United States of America filed the 4th December, 1912, in the Arbitration of outstanding Pecuniary Claims between Great Britain and the United States.

In regard to the said Memorial, lastly referred to, the Six Nations desire particularly to note (inter alia) the following passage contained in the said Memorial:—"The Six Nations were recognised as independent nations and allies by the Dutch and afterwards by the English to whom the Dutch surrendered their possessions in 1664."

7. The Six Nations have at all times enjoyed recognition by the Imperial Government of Great Britain of their right to independence in home-rule, and to protection therein by the British Crown—the Six Nations on their part having faithfully discharged the obligations of their alliance on all occasions of the need of Great Britain, under the ancient covenant chain of friendship between them, including the occasion of the late World War.

8. Because of the desire of Great Britain to extend its colonial domain, and of the Six Nations to dispose of domain not deemed by them at the time as of future usefulness, the British Crown prior to 1867, the year in which the Dominion of Canada was established, obtained from the Six Nations cessions of certain parts of their Grand River domain for purpose of sale to British subjects, retaining, by consent of the Six Nations, the stipulated sale moneys for the cessions, but in express trust for the use of the Six Nations and the British Crown at the same time promised to pay to the Six Nations the interest moneys annually earned by those funds; but subsequently the Imperial Government of its sole accord handed over to the Dominion Government such funds, but for administration according to the terms of that trust and promise, and the fund is now in the actual possession of the Dominion Government, the beneficial rights remaining as before in the Six Nations.

9. The circumstances and causes leading up to the matters in dispute and the said matters in dispute are set out in the next following paragraphs.

10. The Parliament of the Dominion of Canada, in or about the year 1919, enacted a measure called an Enfranchisement Act amendatory of its Indian Act so-called, imposing or purporting to impose Dominion rule upon neighbouring Red men, and the administrative departments undertook to enforce it upon citizens of the Six Nations, and in the next year those departments undertook to apply Canadian laws for the tenure of private property to the remaining territory of the Six Nations which had long before been sub-divided by and among the people thereof; and mortgages of proprietary title to those private parcels under those laws have recently been taken by authorised Officials of the Dominion from certain citizens of the Six Nations, tempted by loans of the public funds of Canada and, under cover of Canadian laws, but in violation of Six Nation Laws, administration over such titles and parcels has since been undertaken by various departments of the Dominion Government at the instance of the Mortgagees.

11. The Dominion Government is now engaged in enforcing upon the people of the Six Nations certain penal laws of Canada, and, under cover thereof, the Dominion Government is violating the Six Nation domain and has wrongfully seized therein many nationals of the Six Nations and cast them into Canadian prisons, where many of them are still held.

12. Large sums of the Six Nations' funds held by the Dominion Government have been misappropriated and wasted without consent of the Six Nations and misappropriation thereof is still being practised by the Dominion Government and accountings thereof, asked for by the Six Nations, have never been made.

13. All the measures aforesaid have been taken without the consent of the Six Nations, and under protest and continued protest of the duly constituted Council thereof, and with the manifest purpose on the part of the Dominion Government to destroy all de jure government of the Six Nations and of the constituent members thereof, and to fasten Canadian authority over all the Six Nations' domain, and to subjugate the Six Nation peoples, and these wrongful acts have resulted in a situation now constituting a menace to international peace.

14. The Dominion Government for the manifest purpose of depriving the Six Nations of means for self-defence, has withheld for three years last past moneys earned by the said trust funds, and is now disbursing the principal thereof, together with such earnings, for such objects as it sees fit, and has ignored

the request of the Six Nations, recently made upon it, that the said funds in its hands be turned over to the Six Nations; and the Dominion Government, after firm opposition by the Six Nations to these aggressive measures, and for about two years last past, has been using these trust funds to incite rebellion within the Six Nations, to furnish occasion for setting up of a new Government for the Six Nations, tribal in form but devised by the Dominion Parliament and intended to rest upon Canadian authority under a Dominion Statute known as the "Indian Act."

15. To the manifest end of destroying the Six Nations Government, the Dominion Government did, without just or lawful cause, in or about December of the year 1922, commit an act of war upon the Six Nations by making an hostile invasion of the Six Nations domain, wherein the Dominion Government then established an armed force which it has since maintained therein, and the presence thereof has impeded and impedes the Six Nations Council in the carrying on of the duly constituted government of the Six Nations people, and is a menace to international peace.

16. The aforesaid acts and measures of the Dominion Government are in violation of the nationality and independence of the Six Nations, and contrary to the successive treaties between the Six Nations and the British Crown, pledging the British Crown to protect the Six Nations; and especially in violation of the treaty pledge of October 25th, of the year 1784, of the same tenor, entered into between King George the Third of Great Britain and the Six Nations, hereinbefore referred to which, never having been abrogated by either party, remains in full force and effect and all of which were and are binding upon the British Crown and the British Dominion of Canada; and the said acts and measures were and are in violation as well of the recognised law of Nations, the Six Nations never having yielded their right of independence in home-rule to the Dominion of Canada, and never having released the British Crown from the obligation of its said covenants and treaties with them, but they have ever held and still hold the British Crown thereto.

17. In the month of August of the year 1921, the Six Nations made earnest application to the Imperial Government of Great Britain for the fulfilment on its part of its said promise of protection, and for its intervention thereunder to prevent the continued aggressions upon the Six Nations practised by the Dominion of Canada, but the Imperial Government refused.

18. The Six Nations have within the year last past and with the acquiescence of the Imperial Government of Great Britain, negotiated at length through its Council with the Government of the Dominion of Canada for arbitration of all the above-mentioned matters of dispute, when the Six Nations offered to join in submission of the same to impartial arbitration, and offered also to treat for establishing satisfactory relations, but those offers were not accepted.

19. The Six Nations refrained from engaging the armed Canadian troops, making the invasion aforesaid, in reliance on protection at the hands of the League of Nations under the peaceful policies of its covenant and they continue so to rely.

20. The Six Nations now invoke the action of the League of Nations to secure:—

- (1) Recognition of their independent right of home-rule.
- (2) Appropriate indemnity for the said aggressions for the benefit of their injured nationals.
- (3) A just accounting by the Imperial Government of Great Britain, and by the Dominion of Canada of the Six Nations trust funds and the interest thereon.
- (4) Adequate provision to cover the right of recovery of the said funds and interest by the Six Nations.
- (5) Freedom of transit for the Six Nations across Canadian territory to and from international waters.
- (6) Protection for the Six Nations hereafter under the League of Nations, if the Imperial Government of Great Britain shall avow its unwillingness to continue to extend adequate protection or withhold guarantees of such protection.

The Six Nations invoke also the action of the League of Nations to secure interim relief as follows:—

- (a) For securing from the Dominion of Canada for unrestricted use by the Six Nations, sufficient funds for the purposes of this application from the moneys of the Six Nations held in trust as aforesaid, the balance of which, as admitted by the Dominion Government, approximates seven hundred thousand dollars, but which in truth largely exceeds that amount.

(b) For securing suspension of all aggressive practices by the Dominion of Canada upon the Six Nation peoples pending consideration of this application and action taken thereunder.

Done in behalf of the SIX NATIONS this Sixth day of August, in the year One Thousand nine hundred and twenty-three.

DESKAHEH,

Sole Deputy and Speaker of the Six Nations Council.

