

## *The Treaty of Canandaigua and the Oneida Annuity Payments*

The Treaty of Canandaigua (see Figure 1)<sup>1</sup> was signed between members of the Six Nations and the government of the United States of America on November 11<sup>th</sup>, 1794. This remarkable treaty was a building block for future relations between the Oneida and the U.S. and represents one of the few times the new American government recognized the sovereignty of the Oneida and others of the Six Nations. In addition, the promise of a special annuity payment would be made to the Six Nations. That provision gave birth to the Oneida annuity payment, which is paid each year. Although this treaty is over 200 years old, its validity and strength continues to endure today and will likely continue to influence diplomacy for centuries to come.

Following the American Revolution, it was necessary for the years of bitterness and wounds of the war to come to a close. Carrying on with the dominant European tradition, representatives of the U.S. Federal government met together with the Iroquois delegates to sign a peace treaty. Although written treaties were not a traditional way of establishing peace for the Iroquois, treaty making was not a new concept to them. Several treaties had previously been made with the American and European governments. Prior to 1794, treaties had confirmed that the Six Nations would be able to live in their lands undisturbed by the citizens of the United States. However, the Iroquois were still facing the ever growing encroachment of non-Indian people which amounted to a violation of the previous treaties and George Washington sent Timothy Pickering to

negotiate another treaty with the Six Nations and maintain the peaceful and friendly relationship.<sup>2</sup>

Article two of the treaty states: “The United States acknowledge the lands reserved to the Oneida...to be their property: and the United States will never claim the same, nor disturb them, or either of the Six Nations, nor their Indian friends, residing thereon, and united with them, in the free use and enjoyment thereof...”<sup>3</sup>

In addition to the recognition of the sovereignty of the Six Nations, article six of the Treaty of 1794 solidified the birth of the Oneida annuity payments. Every year since 1794, the Oneida have received the amount of \$1,000. In the early 1900s the amount dispersed to the Wisconsin Oneidas began to increase until in 1937, the amount peaked at \$1,800. From its inception until the mid 1900s, the annuity payment was distributed equally to all tribal members in the form of a per capita payment.<sup>4</sup>

Although the amount distributed was never a significant amount when divided among all tribal members, it invoked a mixture of feeling in those who received it. While most people viewed the act with a kind of reverence because of the level of commitment it showed on the part of the United States Government, many people expressed their frustrations with the task of

retrieving such a small payment. Oscar Archiquette was a leader among the Oneida for a number of years, and commented on the process of retrieving payment for the annuity. Noting that each tribal member was receiving about 50 cents per year, Archiquette said “*it costs us more than 50 cents when we go after our Annuity Money...*” According to Archiquette, in about 1936 or 1937 the government started sending checks (See Figure 2)<sup>5</sup> to the Oneida and they no longer had to travel to retrieve their annuity payment.<sup>6</sup>



Figure 1: The 1794 Treaty of Canandaigua which is housed at the National Archives in Washington DC. Two pieces of cloth were attached to the document, one signed by George Washington making it law.



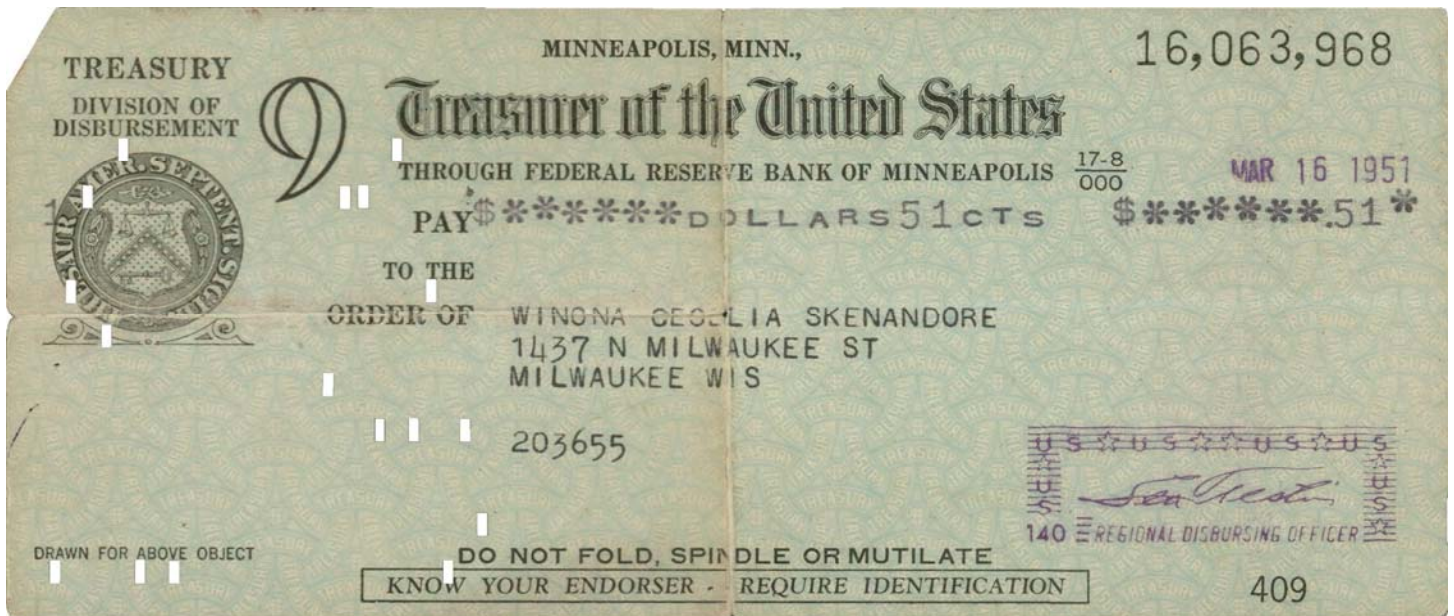


Figure 2: This annuity check was made payable to Winona C. Skenandore of Milwaukee Wisconsin and is dated March 16<sup>th</sup>, 1951. Checks like these were discontinued in the mid 1900s. If the full \$1,800 annuity were distributed to tribal members today, each tribal member would receive approximately 11 cents.

Several times in the past the Federal Government has tried to negotiate a settlement to discontinue these payments with a distribution of one large sum. All of the Six Nations have long been opposed to any settlements because it is feared that the treaty would be deemed invalid after termination of the annuity payments.

During the late 1950s and 1960s payments by the Federal Government to the Oneidas became irregular and action was taken to reclaim several missed payments. November 30<sup>th</sup>, 1950, a lawsuit was filed with the Indian Claims Commission to receive all annuity payments that were never issued. In 1974, 1995, and again in 2004, lump sum payments were awarded to the Oneida Tribe of Wisconsin based on the missed payments and their accumulated interest.

The annuity payments continue to the present and each year these funds are accumulated in an account that is monitored by the Oneida Trust Committee.

## Sources:

<sup>1</sup> Figure 1: From <http://www.oneidaindiannation.com/about/sovereignty/26839539.html> Accessed October 2009.

<sup>2</sup> Jemison, G. Peter and Anna M. Schein, eds. *Treaty of Canandaigua 1794: 200 years of Treaty Relations between the Iroquois Confederacy and the United States.* (Santa Fe: Clear Light, 2000), p. 30.

<sup>3</sup> Jemison and Schein, p 296.

<sup>4</sup> Cornelius, Carol. *U.S. Continues Annuity Payments to the Oneida Nation of Wisconsin from 1794 Canandaigua Treaty to the Present Day.* (Oneida Cultural Heritage Department, No. 22), p 5.

<sup>5</sup> Figure 2: Annuity Check from the Collections of The Oneida Cultural Heritage Department, Green Bay, WI.

<sup>6</sup> Oscar Archiquette to Floyd Lounsbury, February 1<sup>st</sup>, 1939, Guy Elm, translator. Collections of The Oneida Cultural Heritage Department, Green Bay, WI.

