

A HISTORY OF INDIAN TREATY NUMBER FOUR
AND GOVERNMENT POLICIES IN ITS IMPLEMENTATION
1874-1905

A Thesis
Presented to
The Faculty of Graduate Studies
The University of Manitoba

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts

by
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February 1973



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PREFACE

I wish to thank especially my adviser, Rev. V. J. Jensen, for his invaluable assistance and encouragement in the writing of this thesis. The advice and criticism of Professors W. Smith, J. Jackson, G. A. Schultz, and J. Townsend were helpful and much appreciated. My research was made easier by the helpful staff of the Manitoba Provincial Archives, the Provincial Archives of Saskatchewan (Regina), the National Archives, and the Manitoba Provincial Library. I am grateful as well to typists, Mrs. D. Litowitz, Mrs. F. Kolesar, and Mrs. G. Matskiw. Finally, I am indebted to my encouraging and understanding wife, Iris, who helped me a great deal in successfully completing this thesis.

ABSTRACT

This thesis is a historical analysis of Treaty Number Four from the time of its signing in 1874 until 1905 when the area covered by this treaty became part of the newly-formed province of Saskatchewan. Both dates are significant. In 1874, the Indian people inhabiting the western part of present-day Manitoba and the southern part of Saskatchewan were a real force with which the Canadian government had to contend; in 1905, due to the influx of a large agrarian population the southern part of the Northwest Territories was transformed into the provinces of Alberta and Saskatchewan. The Indian population affected by Treaty Number Four, which had remained relatively constant at about four to five thousand was no longer an important factor in Canadian politics and life.

Treaty Number Four, like other treaties of the Northwest was required to satisfy Indian claims to the land and to provide them with the means to make a better life. Settlement demanded that the government extinguish the Indian titles and clear the natives from the desired areas. The government, by establishing reserves under the treaty scheme wanted at the same time to meet Indian needs for their own welfare and that of the new inhabitants.

To do this, the government employed the "old Bible-plough" approach. The various church denominations set out to Christianize the Indians, thereby substituting their so-called primitive religion or paganism with a more enlightened formal religion. Government agencies tried to gain Indian co-operation to institute

farming systems. This would make the Indians economically independent.

The final chapter is a review and assessment of various agencies and policies in dealing with education, economics, and other cultural aspects of the native people. It deals with the general Indian Affairs policies as they affected the social development of the native people under Treaty Number Four.

ABBREVIATIONS

The listed abbreviations were used as follows:

P. A. C. for Public Archives of Canada

P. A. M. for Public Archives of Manitoba

P. A. S. (Regina) for Public Archives of Saskatchewan

INTRODUCTION

When Manitoba was created a province in 1870, there remained a vast area to the north and the west called the Northwest Territories, a region mainly devoid of white settlements and still unorganized. The Indian population of the territories west of Manitoba consisted of the Assiniboines, the Plains Crees, and the Saulteaux. Alexander Morris, Lieutenant Governor of Manitoba and the Northwest Territories, in an official report requested that the area to be covered by Treaty Number Four to be dealt with immediately. He divided that region into two main tracts. The first one extended from the Qu'Appelle Lake to the international boundary, northward to the South Saskatchewan River and westward to the Cypress Hills. In this tract, he estimated the population to be made up of 600 Saulteaux and 800 - 1,000 Plains Crees. The second area extended eastward from the first to the westward boundary of Treaty Number Two and northward to the Saskatchewan River and included about 1,000 Saulteaux and Cree.* In the same report, he estimated the Assiniboine population to be 2,000 souls.¹

The estimated area ceded by this treaty was seventy-five thousand square miles.² Most of the land to the north was of the

¹Morris Papers, Ketcheson Collection, letter from Alexander Morris to the Minister of the Interior, Ottawa, July, 1873, Public Archives of Manitoba.

²Begg, Alexander, The Great Canadian Northwest, J. Lovell and Sons Printers, 1881, p. 54. See Appendix II.

*See Appendix I.

parkland type which receded into the prairie type to the south. Alexander Morris, writing to Prime Minister Alexander McKenzie early in 1874, described the area as follows:

This region . . . is a beautiful country with a very mild climate (illegible). There is an abundance of excellent coal and fine grazing and arable land. ³

Although the climate may not have been as mild as Morris pictured it, the land was indeed arable and suitable for agricultural settlement. The land in the river valleys with its abundance of water and timber would be particularly appealing to land seekers.

The Assiniboines, a Souian tribe, and the Crees, of Algonquian stock, were established Plains people. The Assiniboines had long been allied with the Crees and are sometimes credited with having taught the latter the art of horsemanship and the ways of the Plains Indians.⁴ The Saulteaux, also of Algonquian stock, resided to the northeast of the Plains Crees and were friendly with them.* All of these Indians also acquired some food, clothing, and ammunition through the fur trade.⁵ This was particularly true prior to 1870 when the Hudson's Bay Company had a legal monopoly of trade with the Indians, and the fur trade was

³Morris Papers, op. cit., March 16, 1874.

⁴Mandelbaum, D. G., Anthropological Papers, New York, American Museum of Natural History, 1940, Vol. XXXVII, part II, page 165.

⁵Sharp, Paul F., Whoop-Up Country, Minneapolis, Historical Society of Montana edition, 1960, page 43.

*See Appendix III.

still important. After 1870, with the coming of competition and the wider use of liquor in trade, the industry impoverished all the Indians rather than supplied them with goods. In the competition for buffalo robes and furs, free traders paid little attention to the Indians' needs or welfare.⁶ This trade caused indiscriminate slaughtering of the buffalo in particular and caused alarm among residents of the Canadian Northwest during the 1870's.⁷

The Crees, who had developed into a Plains tribe during the eighteenth and nineteenth centuries were the most numerous tribe to be treated with in 1874. During the third quarter of the century, their population was depleted because of two main factors -- war and epidemics, the latter being the more devastating. According to Leechman, smallpox struck the Indians several times even as late as 1869.⁸ War parties against the neighbouring Blackfoot had always taken their toll of young men. The abundance of buffalo on the prairies until the 1860's indicates that the prairies could have sustained a much larger population, but even

⁶ Morris Papers, Lieutenant Governor's Collection, letter from Edward McKay, a former employee of the Hudson's Bay Company and a trader on the Plains, directed to Alexander Morris by Pascal Breland, a prominent Half-Breed. May 21, 1873, P.A.M.

⁷ Ibid., Feb. 2, 1875. The Half-Breeds from the Qu'Appelle region along with several Cree and Saulteaux chiefs petitioned the Northwest Territories Council to protect the buffalo by passing ordinances against wintering on the Plains for buffalo hunting.

⁸ Leechman, D., Native Tribes of Canada, Toronto, W. J. Gage and Co., 1957, p. 106.

then trade was to strike at the very heart of the buffalo and reduce it to a dismal few. In the eastern-most part of this treaty area, the buffalo had practically disappeared by 1874, but the Indians were still able to hunt it near the Cypress Hills and across the international border. Even before 1874, there were signs that the coming of European civilization and wanton killing for trading purposes had diminished the buffalo population to the extent that the Plains Indians were often reduced to starvation and destitution.⁹

By 1873, most reports of traders, missionaries, and other residents of the Northwest indicated that conditions were far from satisfactory for the Indians. Partly because of the wide use of liquor as a trading commodity and partly because of the reduction of the buffalo, the Indians were quickly being demoralized and impoverished. Early in 1873, Edward McKay wrote:

The state of matters on the plains is most critical and dangerous, and demands immediate attention of the Government, the Indians are in great distress, and beg of the Government official information regarding their future welfare. ¹⁰

In an official memorandum to the Minister of the Interior, Morris, too, pointed out the rapid diminishing of the buffalo and the

⁹Roe, F. G., The North American Buffalo, University of Toronto Press, 1951, p. 148. This is an excellent treatise on the subject.

¹⁰Morris Papers, Lieutenant Governor's Collection, 'The State of Affairs in the Northwest', memorandum sent to the Lieutenant Governor of the Northwest Territories, P.A.M.

destitution of the Indians.¹¹ Two Half-Breeds sent on separate missions in 1873 substantiated the claims that much unrest was evident in the Northwest due partly to the lack of food and partly to trading practices.¹² The so-called 'war-like' Indians of the Plains were sufficiently uneasy that Pascal Breland, a prominent Half-Breed from the White Horse Plains was sent on a good-will mission west of Manitoba and along the South Saskatchewan River. Breland was sent by Alexander Morris

. . . pour les informer qu'ils ne sont pas oubliés (sic) par la Reine, ni par ses serviteurs Canadiens. Vous êtes autorisé à les dire au nom de la Reine qu'un de ses serviteurs officiels (sic) les visiterons (sic) l'été prochain. 13

The Indians also viewed the invasion of their territory by Half-Breeds with misgivings.

The Indians do not approve of the Half-Breeds hunting in the Plains and would view with disfavour any emigration of Whites or Half-Breeds until they have been visited and treaty arrangements concluded. 14

¹¹ Morris Papers, Ketcheson's Letter Book Collection G, letter to the Minister of the Interior, August 26, 1873, P.A.M.

¹² These two Half-Breeds were James McKay and John Norquay who played important roles in the Northwest and in Manitoba. During the early period of the history of the Northwest, the word 'Half-Breed' normally referred to descendants of English-speaking and Indian parents. The word 'Metis' referred to children of French-speaking and Indian parents. In this thesis, the word 'Half-Breed' will be used to refer to either group since 'Metis' and 'Half-Breed' are now used interchangeably.

¹³ Morris Papers, Ketcheson's Letter Book G, letter to Minister of the Interior, August 26, 1873, P.A.M.

¹⁴ Morris Papers, Lieutenant Governor's Collection, Secretary of Northwest Territories Council to Morris, March 9, 1874, P.A.M.

With the ceding of land by the Hudson's Bay Company to the Dominion government in 1870, the Indians' apprehension became more acute. The government had manifested designs of settling part of the Northwest in the area along the South Saskatchewan River and near Prince Albert. These plans came in direct conflict with the Indians' communal use of land for hunting and fishing. There were admirable examples of this conflict in the United States where the Indians had yielded to 'manifest destiny' expressed in terms of land-grabbing treaties, and often re-inforced by the musket.¹⁵ In 1874, the situation was ripe to persuade the Indians to give up their land, so that Canada could expand settlement westward. Before the government deemed it expedient to act, the Indians could have heard the click, click of the telegraph. Long before this, there had been clamouring from various people including government officials such as Lieutenant Governor Morris for the extinguishing of the Indian titles to their lands in the Northwest. By 1873, land beyond the western and northern boundaries of Manitoba had been claimed in the name of the Great Mother, the Queen.¹⁶

¹⁵Billington, R. A., Westward Expansion, New York, The Macmillan Company, 1967.

Jackson, Helen, A Century of Dishonour, Minneapolis, Ross and Haines, 1881.

¹⁶Treaty Number Two extended beyond the Manitoba boundary and had been signed in 1871. Many people, including Lieutenant Governor Morris and members of the Northwest Territories Council, received a more favourable hearing from Prime Minister McKenzie than that received from former Prime Minister John A. Macdonald. No doubt Prime Minister McKenzie with his Clear Grit view of western expansion was favourable to settling this area.

After the Canadian government acquired the Northwest Territories from the Hudson's Bay Company, lawlessness and disorder prevailed in the region. The Hudson's Bay Company had relinquished its role as law giver and had ceased even to police the fur trade. Not only were there more illegal hunting and trading practices, but crime went unpunished since there was no legal machine to curb such practices.¹⁷ Archibald McDonald, chief trader at Fort Ellice, substantiated this point when he wrote:

Rest assured that it will be for the benefit of both the company and the government that troops be sent up here before the end of March. 18

He also stated that Indians had raided stores for supplies at Touchwood Hills and Fort Pelly. In May of 1873, the following information was sent to Lieutenant Governor Morris:

The whole country and people are in a restless state. The laws against liquor and poison are utterly ignored, in consequence of being no executive government. 19

Free traders, including Americans, were among the worst violators of the law in the Canadian Northwest Territories.

¹⁷ Poisoning of animals and the use of liquor as a trading commodity had been banned, but traders in the Northwest continued to use them.

¹⁸ Morris Papers, Lieutenant Governor's Collection, February 11, 1873, P.A.M.

¹⁹ Ibid., May 21, 1873. This information given by Edward McKay was substantiated by most of the reports coming out of the Northwest.

In fact that the laws are infringed openly and boastingly [by] Americans and American Half-Breeds are constantly trading on British Territory, and opposing British subjects with contraband goods and liquors. 20

In an official and confidential communication in March, 1874, Alexander Morris, writing to the Minister of the Interior said:

The affidavit gives some idea of the extent of the liquor traffic, and mentions that poisoning of fur-bearing animals is carried out to a large extent, in one case 500 wolves having been killed by one party. 21

One of the more glaring examples of atrocious crimes committed by traders concerns the killing of a group of Indians in the remote west. In the spring of 1873, twenty-six Assiniboines were murdered and "the body of the chief was treated with peculiar barbarity, it having been impaled on a stake, and then placed on a high hill."²² Although the names of the ringleaders were known in this killing, little had been done by 1874 to bring them to justice. The problems brought about by free traders were only one factor which caused the resident Indians to view their position with misgivings.²³

The Sioux, considered traditional enemies of the Saulteaux Indians, had moved northward in search of the buffalo, in search

²⁰ Morris Papers, Lieutenant Governor's Collection, May 21, 1873, P.A.M.

²¹ Morris Papers, Ketcheson Collection, confidential memorandum to Minister of the Interior, March 28, 1874, P.A.M.

²² Ibid.

²³ Sharp, Paul E., op. cit., Chapter 4 is an interesting account of this massacre.

of military help, and in flight from the United States army after the Minnesota War of 1862. They caused concern to the residents in the Northwest and in Manitoba. The Crees and the Assiniboines viewed their encroachment with uneasiness but were too weak to do very much, so they put up with them.²⁴ In March, 1873, anticipating trouble from the Indians and urged on by a petition from the citizens of Palestine (now Gladstone, Manitoba), Lieutenant Governor Morris wrote to Sir John A. Macdonald,

In view of possible complications and to give confidence to settlers in outskirts of province please authorize company volunteer militia of Palestine under command of Thomas Cory and telegram authority to Col. O. Smith to equip and arm them without delay.²⁵

This message came only ten days after Morris had requested the authority to send a scout to the Northwest to ascertain if "Little Knife, a Sioux chief, was in fact organizing a raid against residents of the British territories."²⁶ Shortly afterwards, the views of the citizens of Palestine were supported by a petition from High Bluff.* The Sioux wanted to stop the boundary survey but received little support from the Indians in British territory. The most important aspect of the presence of the

²⁴This situation was reported by several people, including Edward McKay, in a report to Alexander Morris, May 18, 1873.

²⁵Morris Papers, Ketcheson Collection, telegram to Sir John A. Macdonald, March 20, 1873, P.A.M.

²⁶Ibid., March 10, 1873.

*See Appendix IV.

Sioux in the Northwest was that it helped to put pressure upon the federal government to bring about law and order in the Northwest. The presence of the American traders and the American Sioux demanded law enforcement.

Closely associated with the need of a Canadian police force in Indian territory was the need to treat with the Indians for their lands. It was commonly thought that the Indians of the Northwest would not welcome the foreign police force without having had their land dealt with. Although the Saulteaux, Crees, and Assiniboines were considered friends of the British and Canadian people, precautions were taken to forewarn the Indians of the commissioners' coming in 1874. The task of doing this was assigned to a Half-Breed, Pierre Laveillier. His mission was described as the avant garde of civilization. To appease the Indians he was directed

. . . to state that the Queen is sending a force of mounted police into the Territories for the preservation of law and order and the prevention of aggressiveness on the part of lawless American traders against her Indian subjects. 27

To ensure peace of mind among the Indians, he was to tell them that the survey line was for their benefit as well, that it was proposed to treat with them, and that the Queen aimed at dealing "fairly and justly" with them. 28

²⁷Morris Papers, Lieutenant Governor's Collection, August 3, 1874, P.A.M.

²⁸Ibid.

At the same time, the activities of the Half-Breeds and Euro-Canadians caused local officials to ask the federal government to sign treaties with the Indians. The Half-Breeds who had left Manitoba after 1870 had settled in the Lake Qu'Appelle region and westward along the South Saskatchewan River. With the resurgence of the Riel question in 1873, they were far from content. Morris reported that feelings were bad among the Half-Breeds; they wanted to keep settlement out and Morris feared that the problems of 1869 could be repeated.²⁹ The Half-Breeds, like the Sioux, were considered intruders by the Indians. The Half-Breeds in this unorganized territory refused to recognize the authority of the Northwest Council and set about to establish their own council. On June 4, 1873, Morris wrote a letter to the Half-Breed leaders stating that they were wrong in assuming that no law existed in the Northwest. He said, "En reponse je dois vous dire, que vous etes dans l'erreur en supposant qu'il n'y a pas de lois en force dans les Territoires du Nord Ouest."³⁰ When he wrote the letter, it is true that Canada extended its jurisdiction over the Northwest Territories and laws existed for the land. For example, a law had been recently passed to control liquor, but there was no machinery to enforce this law adequately. A letter of Morris' reporting Charles Bell's return from the Northwest sums up the

²⁹ Morris Papers, Ketcheson Collection, Letter from Morris to Sir John A. Macdonald, September 20, 1873, P.A.M.

³⁰ Ibid., Letter Book G, June 4, 1873. Letter to John Fisher, President of Council, meeting held May 5, 1873.

situation as follows:

He, (Mr. Bell) just returned from the Territories, and reports to me that a very bad feeling exists among the Indians, as also that the Half-Breeds at Lake Qu'Appelle, claimed that there is no visible Government there and no policy, and that they did not wish strangers to enter the country. ³¹

From the point of view of the Indians inhabiting the territory south of the South Saskatchewan River, it was urgent that action be taken immediately. The presence of American traders, the surveyors, the Sioux, the settlers, and the Half-Breeds, accompanied by a reduction of food supplies and lawlessness caused uneasiness and hardships among the Assiniboines, the Plains Cree, and the Saulteaux. Pascal Breland himself stated that the Indians were in a state of distress but were not prepared to give their lands in return for gifts.³² Morris writing to the Minister of the Interior in 1873 stated:

In view of the fact that no treaty has been made, although the Indians of the country for some time past have been led to believe that a commissioner would be sent to explain all matters connected with the land question, they regard these new settlements

³¹ Morris Papers, Ketcheson Collection. Charles Bell was employed by the Geological Survey Branch and had just returned from the Northwest Territories where surveying of the land had already begun in 1873. He subsequently became a noted Canadian historian. The letter was dated October 23, 1873, P.A.M.

³² Pascal Breland was sent on an official mission to the Northwest by Alexander Morris with the approval of the federal government to investigate conditions and to appease the Indians.

with suspicion, and are, at the present time, in a very unsettled frame of mind. ³³

Pasqua, a Saulteaux chief, in 1873, also sent word to Lieutenant Governor Morris that his band was ready to negotiate with the government. Morris simply promised that the Great White Mother was anxious to treat them with kindness and justice. This kind of promise gave the Indians some grounds for believing that they would be treated equitably by the government which was still refusing to deal with the Indians at this time because it had been government policy not to treat with the Indians, even those who wanted a treaty, until their lands were required and would prove beneficial.³⁴ In 1874, Pa-pay-wais, a Cree chief, representing nearly one thousand Indians from the Cypress Hills wanted "to exchange his land for the food and clothing of the white man."³⁵

There is no doubt that the Indians constituted a real threat to the peaceful settlement of the Northwest. The Plains Crees, often described as a warlike tribe, disliked the coming of the surveyors and resented the transfer of what they consid-

³³Morris Papers, Ketcheson Collection, writing to A. Campbell, Minister of the Interior in charge of Indian Affairs. He wanted to impress upon the government once again that a treaty was essential. This time he cited the similar views of Rev. Nesbitt of Prince Albert, August 4, 1873. P.A.M.

³⁴Morris Papers, Lieutenant Governor's Collection, A. Campbell writing to A. Morris in July, 1873, said, "If I am right in believing that their lands are not at present required for the purpose of settlement, then it would be wise not to go on with the treaties which you have been urging upon us." P.A.M.

³⁵Morris Papers, Ketcheson Collection Letter Book J. Letter from A. Morris to Minister of the Interior, July 25, 1874, P.A.M.

ered their lands by the Hudson's Bay Company to the Canadian government.³⁶ The resentment was re-inforced by the Hudson's Bay Company's having received £300,000 for land which the Indians thought was theirs. By 1874, there were many signs that the Indians wanted a settlement with the Canadian government.

The Minister of the Interior, although sympathetic to Morris' appeals, was not supported by Macdonald's cabinet to authorize Morris to treat with the Indians in these parts of the Northwest. The government expressed the idea that it would be better to pay the chiefs small salaries to keep them under control and happy rather than negotiate a treaty.³⁷

In 1874, Alexander Morris was able to convince the new administration of Alexander McKenzie that treaties ought to be signed with the natives of the west. In March, 1874, Morris requested David Laird, the new Minister of the Interior, to take prompt action in matters concerning the Northwest. Then he advised McKenzie that a treaty would be necessary during the summer of 1874. He also requested that a police force escort the negotiators so that the warlike Indians, particularly the well-armed Plains Crees, would be held in check. Permission was finally granted to Morris to send Breland to tell the Indians that the Queen's representatives would meet them in September, 1874, to treat with them for their lands.

³⁶Macdonald Papers, Reports of several prominent people, including Charles Bell, give an excellent description of the conditions in the Northwest and of the Plains Crees inclination to be troublesome, 1874, p. 12-45, P.A.C, M.G. 27, I, D 10.

³⁷Morris Papers, Ketcheson Collection, Letter from A. Campbell to A. Morris, October 19, 1873, P.A.M.

CHAPTER I

TREATY NEGOTIATIONS

In August, 1874, a deputation of government officials and employees and a number of Half-Breeds escorted by a police force set out from Fort Garry to Qu'Appelle Lake where the Indians were to assemble. The Queen's Commissioners were headed by Lieutenant Governor Morris, a brilliant lawyer, politician, and experienced negotiator. The Half-Breeds were to act as interpreters and use their influence among the Indians. Charles Pratt, a Cree who had been educated in Winnipeg, was also taken on the trip to act as interpreter and to use his influence on behalf of the government. It was common practice for the government to use native people in some capacity to influence the general native population to acquiesce to its will.* Some of the Indians had requested that someone from Red River such as Pascal Breland ought to represent them, but their wishes were not complied with. Breland remained a government representative as did James McKay who knew the situation and the plight of the Indians. Consequently, the Indians, of a non-literate society, negotiated and signed a treaty which was to be binding forever without the benefit of proper explanation. Morris claimed that the treaty had been explained fully, but many

* See Appendix V for Morris' report of treaty negotiations. The roles played by various peoples are discussed therein.

Indians subsequently claimed that they did not understand it.¹
The police force was there to support the government negotiators.
As Morris later stated, the police played an important role in
bringing about a beneficial and binding treaty.

The Indians were represented by recognized chiefs and
spokesmen who felt they were representing their people in dealing
for their lands with the representatives of the Queen.² At the
negotiating camp there was much friction among the Indians so
that they were never able to show a united effort in presenting
their proposals and in sustaining a strong front for a prolonged
period of time. During the negotiations some of the Crees were
escorted out of the negotiating tent by some of their own soldiers.
According to Morris, the Sauteaux of Fort Pelly and the Crees
were disposed to treat with him after certain demands had been
made or explained away. Their chiefs, Cote' and Loud Voice, how-
ever, were under surveillance of the Sauteaux from the Qu'Appelle

¹For example, Pasqua, a Sauteaux chief of the Qu'Appelle
region, claimed that he did not understand the treaty. Morris
Papers, Letter Book K., letter from Dickieson, Indian Commissioner
in the Northwest, to the Minister of the Interior, June 7, 1876, P.A.M.
It is conceivable that the treaty was not clearly understood by
the Indians since many terms were open to interpretation.

²In Treaty Number Four, the commissioners dealt with
chiefs and headmen recognized as such by their bands. In the
original treaty, the official number of Indian signatories was
thirteen. This was less than one-half the number of bands which
eventually received reserves under this treaty.

area who were not disposed to treat with the government negotiators.³ Even the more well disposed Indians, using Loud Voice as their spokesman, refused to negotiate until the marquée tent was moved closer to their encampment and away from the Hudson's Bay Company land reserve.*

Traditionally, the European powers, when discovering or conquering new territories, had assumed jurisdiction over the native inhabitants. Formally, the Indians were considered subjects of the Crown, the status referred to by Alexander Morris at the negotiations. In practice at the governmental level, they were considered to be merely wards of the State which felt itself to be responsible to elevate them to the more 'advanced civilization' of the white man.⁴ This could have created a dilemma, but the Indians were not able to conceive of their dual status. They had always believed they were possessors of their lands, they had conducted their own governmental affairs at the band level, and the Canadian

³Coté was a Half-Breed who qualified as an Indian chief since he was of Indian blood and was reputed to have followed the ways of the Indians. Several bands of Indians of Treaty Number Four area were actually Half-Breed by blood. Canada, Sessional Papers, No. 11, p. XXXIV. Loud Voice was a prominent Cree shaman.

⁴The white population of Canada generally felt that the Indians were a less advanced racial group who professed a pagan religion. Government officials and church leaders saw themselves as liberators of the Indians. Canada, Sessional Papers, Department of Indian Affairs Report, 1901, p. 222. Indians not professing the Christian faith were listed as pagans in census returns. Canada, Sessional Papers, No. 27, Census Returns, 1901.

*See Appendix V.

government had not yet established its governmental institutions in the Northwest. There is no doubt that the Canadian government did not consider the Indians as sovereign nations except when dealing with them for their lands.⁵ Even then the Indians were not considered independent people.

Treaty Number Four, like all other treaties between the Canadian government and the Indians, appeared to be "bona fide". Considering the format and the content of the treaty, it appears as if the Indians were treated as equal nations and as if their leaders had assumed the rights to reach an agreement on behalf of their people with another government.

The most fundamental issue of Treaty Number Four was the formal and complete transfer of ownership of the lands of the south-eastern portion of the Northwest Territories to the Canadian government. The secondary issue was the peaceful settlement to be reached by the contracting parties for the natives' absolute and permanent surrender of their lands.

At the negotiations for this official transfer of land at Qu'Appelle Lakes in 1874, the questions raised by the Indian chiefs and the answers given by Alexander Morris involved protracted negotiations which revealed the complexity of the problems associated with the Indian land policy. The main questions were:

⁵In 1873, government officials were directed not to use the word 'nation' in reference to Indian groups. Consequently, in the negotiations, the term was avoided. See Appendix VI.

Who owned the land and what degree of ownership did each contracting party claim?

In the past these questions had never come into focus because the land policy of the Imperial government and the use made of the land by the Hudson's Bay Company had never come in conflict with Indian interests. In 1670, the Hudson's Bay Company had acquired the rights to the land of the Northwest Territories through a Royal Charter from the King of England. This grant confirmed the right of possession by the Crown of any lands its subjects discovered or conquered. In 1818 when the 49th parallel was agreed upon as the international boundary between the British Territories and those of the United States of America, the sovereignty of Britain was recognized through this vast region. Since the Hudson's Bay Company's main interest was in fur trade and not in settlement, it was able to acquire land for trading posts without opposition from the Indians with whom it carried on trade. The questions regarding ownership of the land became relevant prior to and during the negotiations of Treaty Number Four. The discussion on the position of the Hudson's Bay Company illustrates the complexity of these questions.

The Indians never accepted the notion that the title to their lands was vested in the Crown by virtue of discovery or conquest. Pascal Breland in his report of November 17, 1873, indicated that this view was expressed when he writes,

Alors le chef sus nommé (sic), accepte au nom de toute (illegible) les dits présents, mais qu'il les

accepte (sic) que comme présents, et non à d'autre titre ne voulant par là compromettre ni leurs terres ni aucun de leurs droits, ni de leur nation. Que ceci soit bien entendu me dit-il. 6

The Indian chief in question was Loud Voice. The Indians claimed absolute right to the lands which they occupied as hunting grounds. To them this right emanated from the powers of the Great Spirit.

The Canadian government claimed the right of jurisdiction over all Indian lands in the Northwest. The Indians could dispose of their lands only through that government by virtue of its purchase of the Territories from the Hudson's Bay Company in 1869.⁷

When the Indians persisted in discussing the Hudson's Bay land grant at Qu'Appelle, Alexander Morris stated unequivocally that the land belonged to the Queen and that she could dispose of it as she saw fit. At the opening of the third day's conference, he said, ". . . all the ground here is the Queen's."⁸ During the negotiations on the fourth day, he stated:

⁶ Morris Papers, Lieutenant Governor's Collection, November 17, 1873. P.A.M.

⁷ A precedent had been established by the Royal Proclamation of 1763. See Shortt and Doughty, Documents Relating to the Constitutional History of Canada, Vol. I, Ottawa, King's Printer, 1907, p. 167.

⁸ Provincial Committee on Minority Groups, Chairman, Premier T. C. Douglas, The Treaties, March, 1961, p. 18.

If the Queen gives them (the Hudson's Bay Company) land to hold under her, she has a perfect right to do so, just as she will have a perfect right to lay off lands for you if you agree to settle on them. 9

He was referring to the Hudson's Bay land reserve which that company was to receive as part settlement for surrendering its rights in the Northwest in 1869. The Company had proceeded to survey their lands before the Indians had been treated with in 1874.

The Indians, knowing that the Company had also received a large sum of money in the settlement, adamantly refused to discuss any question before resolving the Hudson's Bay Company land policy. The Gambler, a Saulteaux of the Fort Ellice area and one of the main representatives, stated that the disturbing issue was the surveying done by the Company which had not received the Indians' consent to take the reserve. Upon refusing to discuss any other issue he said: "I cannot manage to speak upon anything else; when the land was staked off, it was all the company's work."¹⁰ The Indian chief stated that he did not know when the land was surveyed and wanted to know if the Hudson's Bay Company had done it. Commissioner Morris avoided the survey questions by claiming that he was not aware that the Hudson's Bay Company had done any surveying and that he had found out at Qu'Appelle that the surveying

⁹Provincial Committee on Minority Groups, Chairman, Premier T. C. Douglas, The Treaties, March, 1961, p. 21.

¹⁰Ibid., p. 21.

had been authorized by the Queen.¹¹

The Indians recognized that the Hudson's Bay Company was indispensable to them and that they had traded with it successfully, but when it came to the land question their spokesmen continued to vent strong feelings against the Company. The Gambler accused it of outright thievery and of being authoritarian. As he said:

The Company have stolen our land. The Queen's messengers never came here, and now I see the soldiers and the settlers and the policemen. I know it is not the Queen's work, only the Company has come and they are the head, they are the foremost.¹²

Although the facts do not completely substantiate the quotation, it nevertheless indicates the feelings of the Indians. When Lieutenant Governor Morris queried: "What did the company steal from you?"¹³, the Gambler answered: "The earth, trees, grass, stones, all that which I see with my eyes."¹⁴ The Indians did not recognize some of the terms of the agreement of 1870 whereby the Hudson's Bay Company received land in return for the termination of its two hundred year old charter.

¹¹It seems that Morris deliberately deceived the Indians on this point because it was common knowledge that the Hudson's Bay Company land reserves and other parts of the Northwest not yet ceded by these Indians had been surveyed by 1874. To the Indians, size was not the issue, but rather the authorization of the grant.

¹²Provincial Committee on Minority Groups, op. cit., p. 22.

¹³Ibid., p. 22.

¹⁴Ibid., p. 22.

Morris, to meet the Indian argument, stated that the Great Spirit, the maker of the earth, made the land for all to use alike. Then, he claimed, the Queen held the right to the lands under the Great Spirit. Since the Crees had willingly shared their lands with the newly-arrived Saulteaux, and since these tribes were willingly accepting the Half-Breeds, did it not follow that the Euro-Canadians should also be welcomed? As Morris put it:

There were other Indians here and the Chippewas came here, and they used the wood and the land, the gifts of the Great Spirit to all, and we want to try and induce you to believe that we are asking for the good of all. 15

Morris' main objective was to acquire the Indian lands, place the Indians on reservations, and open their lands to settlement under a completely different system of land holding. Generally, the Dominion land policies such as the homestead system and the Hudson's Bay Company land grant system excluded the Indians.

Pasqua stated that the Indians wanted the £300,000 that had been paid to the Hudson Bay. This was the last argument presented by the Indians on the land question during the fourth day without getting any commitment from the Queen's representative. Morris merely promised them that they would be dealt with justly.

The Indians also attempted to make the Commissioner sign an agreement which would have restricted the activity of the Hudson's Bay Company to its posts, but Morris would hear nothing

¹⁵Provincial Committee on Minority Groups, op. cit., p. 22.

of the kind. He contended that the Hudson's Bay Company had trading rights in the Northwest Territories and that he could not change their position since their rights were "written with a higher hand than ours, and we have not power to write anything, or to add anything, to what is written and remains in the Queen's house beyond the sea."¹⁶

The Indians did not actually question the trading rights of the Company, but they were highly displeased with the land grants. When Morris repeated that the Indians would suffer if no agreement were reached because of a trivial question like the Hudson's Bay Company land question, the Indians yielded to the Lieutenant Governor's wishes. It was, in fact, anything but a trivial matter — the matter had been sensed as highly significant by the Indian leaders, but they allowed it to go by default.

The negotiations of the Qu'Appelle Treaty clearly indicate that the federal government did not recognize the absolute ownership of the land by the Indian tribes. Why then did government officials deem it necessary to carry out the treaty?

In 1874, the Plains tribes, in particular the Plains Crees and the Blackfoot, were considered powerful and warlike, their lands would soon be in great demand, and Canada, a relatively weak nation, was in no position to risk war with these tribes.¹⁷

¹⁶ Provincial Committee on Minority Groups, op. cit., p. 26.

¹⁷ Macdonald Papers, Charles Bell Report, April 14, 1874, p. 17, P.A.C. A. Morris also maintained this view in letter to A. Campbell, Minister of Justice. See Morris Papers, Ketcheson Collection, October 18, 1873. P.A.M.

Most government officials felt that treaties in the Northwest Territories would meet their objectives. The Canadian government, as representative of the Crown, claimed jurisdiction and ownership of the Northwest Territories, its officials always conceded to the Indians the right to occupancy of the soil.

If the Indians possessed only the right of occupancy and the actual ownership of the lands was vested in the British Crown, then one may say that the Indians received presents, reserve lands, annuities and other gifts as "token of their general good conduct and behaviour."¹⁸ Although the Indians claimed absolute ownership of their lands, they were merely surrendering forever the right to occupy the vast regions which already fell under the jurisdiction of the federal government. It was a right already being usurped by settlers.

Commissioner Morris never admitted that he was purchasing land by treaty. His basic approach throughout the negotiations was that the Queen knew the plight of her red children, that she was concerned with their present and future state and was prepared to treat them liberally and justly. At the first day's conference he stated:

The Queen loves her Red children; she has always been friends with them; she knows that it is hard for them to live, and she has always tried to help them in the

¹⁸ Provincial Committee on Minority Groups, op. cit., p. 33.

other parts of the Dominion.¹⁹

This type of general promise was used constantly. It was always a question of the Queen wishing to do something for the good of her red children through her liberality and generosity. When the Indian chiefs tried to make him be specific, he managed to evade their questions. Kan-oo-ses, a Cree from Qu'Appelle, during the last day's conference asked him the following questions:

Is it true you are bringing the Queen's kindness? Is it true you are bringing the Queen's messenger's kindness? Is it true you are going to give my child what he may use? Is it true you are going to bring the Queen's hand? Is it true you are bringing the Queen's power? 20

Morris answered such questions very evasively by saying, "Yes, to those who are here and those who are absent such as she has given us."²¹ When the Indian chief asked him if his children would be taken care of if in need, he said, "The Queen's power will be around him."²² The Indians, apprehensive of their future, wanted the assurance that something concrete would be done for their welfare, but Morris would not commit the Queen beyond the specific promises that he made.

¹⁹Provincial Committee on Minority Groups, op. cit., p. 16. Morris used the word 'Queen' to present a concrete figure to the Indians. Constitutionally, treaties had to be carried out in the name of the Crown. Morris was thus able to present his negotiations on behalf of a person whom the Indians seemed to hold in high esteem and at the same time fulfill the legal requirements.

²⁰Ibid., p. 29.

²¹Ibid., p. 29.

²²Ibid., p. 29.

The Indians were assured of a limited supply of farming implements and livestock once they settled on their reserves. Their hunting and fishing rights were to be honoured on their ceded lands as long as these remained unoccupied. The Queen's negotiator claimed that the Queen was anxious to have her 'red children' eventually learn the 'cunning' of the white man; it was imperative that a school system be established to 'elevate' the Indians to a 'higher' civilization.²³ Therefore a school was promised to the Indians as soon as they settled on reserves and were prepared for a teacher. No other specific details were given.²⁴

To help the Indians sustain themselves through hunting and fishing during the transitional period, the government promised them a limited quantity of goods such as shot, twine, and powder. Originally, Morris promised the group of natives who agreed to the treaty terms one thousand dollars to be paid annually for twenty years.²⁵

The cash payment of annuities, a practice borrowed from the Americans, was guaranteed to the Indians forever.²⁶ Annuities

²³ Provincial Committee on Minority Groups, op. cit.

²⁴ Ibid., p. 20.

²⁵ Alexander Morris was able to reduce this sum to \$750 claiming that the Indians of the Northwest Angle had received the sum of \$1,000 as they were more numerous. Morris' action indicates that he was ready to sacrifice the interests of the Indians in order to reach the best possible terms for his superiors.

²⁶ The annuities were considered as part of a civilizing influence as the Indians were supposed to learn how to use currency.

were nominal sums of money paid to the rank and file and the Indian chiefs. Besides higher annuities, the chiefs and headmen were told that they would receive a suit every three years.

At the negotiations, the Indians requested higher payments than those given to the Saulteaux at the Northwest Angle Treaty, but Morris claimed that it was not fair for them to request more than what had been given to their kindred to the east. Morris asserted that he himself would apply to become an Indian if their demands could be granted. By claiming that the government had used the Saulteaux land to the east for four years without paying for it and by stating that only 2,000 Indians were represented at Qu'Appelle in comparison to 4,000 at the Northwest Angle, Morris was able to convince the Indians to settle for less.

Prior to 1873, the government had intended to pay the Indians more for their lands, but the Minister of the Interior had received correspondence from the United States Department of the Interior indicating the relatively low settlement that the American government had effected with their Indians.²⁷ Upon receipt of these letters the department advised Morris to bargain for a low settlement.

Morris told the Indians during the negotiations that "the Government will try to prevent fire-water from being sent among you."²⁸ He also stated that the Queen had sent her policemen

²⁷Morris Papers, Letter from the Department of the Interior, Washington, D.C. sent to the Canadian government, July 26, 1873. A telegram concerning the same matter was sent August 4, 1873. P.A.M.

²⁸Provincial Committee on Minority Groups, op. cit., p. 18.

to protect her red children. The fact is that the police force escorted the negotiators so that the Indians would be held in check. During the negotiations when the Indians placed some warriors in the negotiating tent, the Commissioners retaliated by placing their own guard there as a show of force.²⁹

The specific promises made to the Qu'Appelle Indians were so meagre that they did not reflect the general objectives and promises stated by the Queen's Commissioner. Lieutenant Governor Morris, acting on the advice of his superior in Ottawa, attempted to get the Indians' signatures as cheaply as possible. In order to do that he charmed the Indians by claiming that, he and the Queen had only the Indians' good at heart.

Actually, responsible government had been established in Canada; Morris held his position at the pleasure of the Canadian government and it was this government which had the greatest interest in making the Indians believe that they were about to exchange their lands for means of achieving a new way of life.

²⁹In requesting a police force Morris said it would be required to keep Indians at peace during negotiations. According to an eye-witness report of unknown authorship, the police removed forcibly, C. Racette, a Half-Breed who claimed to be a leader of the Assiniboine Indians from Fort Pelly and who attempted to influence the Indians negatively.

CHAPTER II

THE TERMS OF THE TREATY

A. Analysis of the Treaty*

There were four main aims stated in the treaty: 1) the desire of the Queen to use the land surrendered for whatever purpose she desired such as settlement and trade; 2) the wish to obtain Indian consent for such designs; 3) the need for peace and treaty; and, 4) the wish to notify the Indians, "of what allowance they are to count upon and receive from their Majesty's bounty and benevolence."¹

The Commissioners were very careful in describing exactly the boundaries of the surrendered territories; that is,

Commencing at a point on the United States frontier due south of the Northwestern point of the Moose Mountains, thence due north to said point of said Mountains, thence in a northeasterly course to a point two miles due west of Fort Ellice, thence in a line parallel with and two miles westward from the Assiniboine River to the mouth of the Shell River, thence parallel to the said River, and two miles distance therefrom, to its source; thence in a straight line to a point on the western shore of Lake Winnipegosis due west from the most northern extremity of Waterhen Lake, thence east to the centre of Lake Winnipegosis, thence northwardly through the middle of the said lake (including Birch Island) to the mouth of Red Deer River, thence westwardly and southwestwardly along and including the said

¹Provincial Committee on Minority Groups, op. cit., p. 32.

* See Appendix VI for the text of Treaty Number Four.

Red Deer River and its lakes, Red Deer and Etoimami, to the source of its western branch, thence in a straight line to the source of the northern branch of the Qu'Appelle, thence along and including said streams to the forks near Long Lake, thence along and including the valley of the west branch of the Qu'Appelle, thence along and including said river to the mouth of the Maple Creek; thence southwardly along said creek to a point opposite the western extremity of the Cypress Hills; thence due south to the international boundary; thence east along said boundary to the place of commencement. 2

Over five and three quarter million acres were surrendered. What the Indians were surrendering was very explicit, "yield us to the Government of the Dominion of Canada for Her Majesty the Queen and her successors forever, all their rights, titles and privileges, whatsoever to the lands . . ."³ At the negotiations, Commissioner Morris carefully avoided the name 'Government of the Dominion of Canada'. It is clear, however, in the preamble that Morris was negotiating for the Canadian government and not for the Queen.⁴ The words 'forever' and 'whatsoever' made it abundantly clear that the natives could not go back on their word and could not claim any right to any part of the ceded land in the future. Not only did the Indians agree to surrender their

²Provincial Committee on Minority Groups, op. cit., p. 33,

³Ibid., p. 33.

⁴The distinction subsequently made some difference when the Indians attempted to negotiate with the Governor General whom they recognized as the Queen's representative. He, however, had no authority to implement policies on their behalf.

rights to the land encompassed within the given boundaries, but they agreed to yield any rights "whatsoever to all other lands wheresoever situated within Her Majesty's Northwest Territories."⁵

Eventually the only right the Indians were to have to land would be the reserves to be set aside on their behalf by the Queen through her Commissioners. In Treaty Number Three, the commissioners promised "to lay aside reserves for farming lands"⁶ and for their benefit. These reserves were to equal 640 acres per family of five. In Treaty Number Four this clause was less explicit. The same amount of land was to be reserved, but the purpose of these lands was not defined.

In Treaty Number Three the reserves, approved by Government representatives, were to be "set aside where it shall be deemed most convenient and advantageous for each band or bands of Indians."⁷ No such open clause in favour of the Indians is to be found in the subsequent treaty. Here the commissioners were to choose the location of the reserve after consulting the Indians to be affected. This clause in effect gave government officials the right to make the final decision in locating a reserve. The Indians could only suggest where they wished to reside. With the question of school lands, Hudson's Bay Company reserves, and

⁵Provincial Committee on Minority Groups, op. cit., p. 33.

⁶Ibid., p. 12.

⁷Ibid., p. 12.

the Canadian Pacific Railway land grants, this indeed became an important clause as the choice of reserve location by the Indians would become restricted.

At the Qu'Appelle Treaty, the settlers' right to a piece of land was also guaranteed against Indian claims. The clause "Her Majesty retains the right to deal with such settlers (that is, settlers within the boundaries of reserves) as she shall deem just, so as not to diminish the extent of lands allotted to the Indians."⁸ Justice meant in practice that the settlers would stay where they were whether they were squatters or not, and the Indians would have to go elsewhere.

The government retained the exclusive right to purchase or expropriate any part of the reserves for any public works of whatever nature. The government promised only due compensation of "an equivalent in land as money for the area of the reserve so appropriated."⁹ The land could also be sold "for the use and benefit of the said Indians."¹⁰ This clause meant that the land could be taken from the Indians and sold for a price which the Indians were not in a position to determine. Although the monies to be received from such sales were supposed to be invested or expended on behalf of the natives, land alienated from the Indians

⁸ Provincial Committee on Minority Groups, op. cit., p. 33.

⁹ Ibid., p. 34.

¹⁰ Ibid., p. 33.

was not generally done for their benefit. From the Indians' point of view this clause was misleading.

Although the Canadian government agreed to compensate the Indians for their alienation from their reserve lands, these lands were merely held in trust for them by the Queen. The terms of this treaty on the reserve land question recognized Indian title to the land no more than the Dominion government had recognized their ownership of their paternal lands.

Hunting and fishing rights were granted to the Indians subject to government regulations and the need of the areas used by the Indians for mining or other purposes. These terms were so general and indefinite that the Indians' rights were subsequently highly restricted by legislation. For instance, the Indians were not excluded from fishing regulations if they wished to carry on commercial fishing. Fishing privileges in effect applied only to the customary small scale fishing as carried out by the Indians.

It was proposed in 1873 by government officials not to provide "such expensive presents as farming animals, agricultural implements, and waggons."¹¹ The commissioners agreed to supply the Indians with certain implements, draught animals and cattle as soon as they had started to work the land on the reserve. It was generally conceded that the buffalo would not last very long, and the government would have either to feed the Indians or to make

¹¹ Morris Papers, Lieutenant Governor's Collection, June 5, 1873, P.A.M.

agriculturalists of them. Lieutenant Governor Archibald, who originated the supply of farming implements to the Indians, signed an affidavit stating that these items were to remain the property of the Canadian government.* Contrary to Indian belief, these goods were not their property.¹²

One of the difficulties in the distribution of these implements was in their use by several band members. For example, the Chief was responsible for distributing a plough among ten families. The Indians were dissatisfied because they were required to settle down before they could acquire implements. Although the government in many cases distributed more cattle, oxen, and implements per band than required by treaty, there were still too few implements for successful farming.**

There were two main annuities to be paid to the Indians: those paid to each member of the band and those paid to the chiefs and their headmen. Since Morris agreed that the annuities to be paid under Treaty Number Four ought to be similar to those of Treaty Number Three, one ought to consider the factors involved in reaching the figures under Treaty Number Three.

The terms of Treaty Number Two, an Order-in-Council of August, 1873, and information received from the Department of Interior of

¹²By treaty negotiations, the Indians were under the impression that the implements were to be given as compensation. Since they were merely on lease, much confusion subsequently arose.

*See Appendix VII.

** See Appendix VIII.

the United States government were the main determining factors which convinced the Canadian government officials to pay the nominal sum of five dollars per head per annum. Subsequently, two dollars were added to satisfy the Indian claim of outside promises. This sum was used for Treaty Number Three.

A. Campbell, Minister of the Interior, advised Lieutenant Governor Morris that an Order-in-Council at Ottawa gave "the Commissioners power to go as high as \$15.00 per head as cash payments, and as high as \$7.00 per head as an annuity to each Indian."¹³

On July 18, 1873, H. Spragge, Superintendent of Indian Affairs, requested information from the United States government regarding the payment of annuities and presents to the Indians. The Indians in question were the Chippewas residing from the Lake Superior region to Pembina, in what is now Minnesota and North Dakota. The answer given on July 31, 1873 shows that the figures were relatively low. For example, the commissioner states that the Red Lake and Pembina bands were to receive one hundred thousand dollars and annuities of five thousand dollars during the pleasure of the President and goods for eight and four thousand dollars were to be given to the bands respectively for fifteen years. In other words, the letter sent to the Canadian government did not spell out the treaties in their entirety.

¹³ Morris Papers, Ketcheson Collection, Alexander Campbell to Alexander Morris, August 5, 1873. P.A.M.

To get more information about the payment of annuities H. Spragge telegraphed H. P. Clum, the acting American Commissioner of Indian Affairs. Subsequently the following information was received:

<u>BAND</u>	<u>NUMBER IN BAND</u>	<u>ANNUITIES</u>	<u>AVERAGE PAYMENT PER HEAD</u>
Lake Superior	1195	\$12,000	\$10.87
Bois Fort	5125	11,000	2.10
Red Lake	1078	15,000	9.00
Pembina	547		14

Comparing the information sent from Washington in the letters referred to above and the actual terms of the three treaties involved, the information is extremely misleading. For example, large sums of money (\$30,000 for the Bois Fort Band) were given to the Indians as cash settlements. Provisions were also made for construction of schools and houses for the chiefs, the supply of a blacksmith, teachers, and a saw mill.

The Minister of the Interior interpreting the figures he received from Washington as being much lower than those of the Order-in-Council wanted

To impress strongly upon the Commissioners the necessity of using every effort to secure if possible a satisfactory Treaty on more favorable terms than the maximum figures mentioned in the Order-in-Council. 15

¹⁴ Morris Papers, Lieutenant Governor's Collection, letter to H. Spragge from H. P. Clum, August 9, 1873. P.A.M.

¹⁵ Morris Papers, Ketcheson Collection, letter from Alexander Campbell to Alexander Morris, August 14, 1873. P.A.M.

This directive reinforced the Minister's views stated previously that the Commissioners ought to keep the annuities to a level comparable to those of Treaty Number Three to avoid jealousies between the various Indians. Campbell also stated that an excessive settlement would raise the expectations of the Indians yet to be treated in the Northwest. Morris was able to convince the Indians to sign for terms most favourable to the government.

The annuities to be paid to the Chiefs and their headmen were the same in amount as those of the counterpart Northwest Angle. The Chiefs and headmen of the Northwest Angle were to "receive an annual salary of twenty-five dollars per annum, and each subordinate officer, not exceeding three for each band, shall receive fifteen dollars per annum."¹⁶ The Chiefs and headmen of Treaty Number Four were not to enjoy the same status. The annuities of twenty-five dollars to a chief and fifteen dollars per headman to a maximum of four headmen to a band, were to be given as gratuities. The most important difference was that they were not to be considered employees of the Crown.

In matters of law, the Indians promised to become law-abiding citizens. Specifically they agreed not to molest any individual who would occupy their ceded lands. The government was committed to keep liquor out of reserve lands. The liquor law was to be applicable to the Indians both on and off the reserves.

¹⁶ Provincial Committee on Minority Groups, op. cit., p. 16.

Treaty Number Four gave unilateral power to the Canadian government to implement it or change some of its terms. The government was able to interpret the terms of the treaty by passing legislation which gave its agencies the power to implement its treaties. For example, the treaty stated that the Indians could choose the location of their reserves with the consent of the Superintendent General of Indian Affairs; yet not one Cree chief was permitted to settle in the southern part of Saskatchewan. In the matter of annuities, Indian agents could withhold such payments for various reasons or allegations. Not a single clause was left to interpretation by the Indians. No provisions were made for arbitration in the case of disagreement between the two contracting parties. Provisions were made to bind the Indians by law to carry out their obligations, but no such laws stated how the Canadian government could be compelled to fulfill its obligations.

Thirteen Chiefs representing some of the Cree, Saulteaux, and Assiniboine Indians of the Southern region of the Northwest Territories, now comprising southern and western Manitoba, signed the treaty on September 15, 1874. They represented about five thousand souls. Subsequently, it was necessary to obtain the adherence of the remaining bands who were not present at the negotiations and to make provisions for the consolidation of the Sioux Indians who had migrated north after the Minnesota War of 1862. Upon his return to Winnipeg, Morris was able to acquire the adherence of the Saulteaux Chiefs in the Fort Ellice area.

Wa-wa-se-ca-pow and Ota-ma-koo-ewin signed on behalf of their people.

In 1875, commissioners Christie and Dickieson, assigned to pay the annuities to the Indians of Treaty Four, were able to secure the signatures of six more Saulteaux and Assiniboine Indian Chiefs. The Indians made demands greater than allowed under the treaty, but were told "that if they declined to accept the terms of the treaty we (the commissioners) must return and report to the Government that they had broken the agreement they had made last year."¹⁷ The Chiefs claimed that they thought the signing which took place between Morris and the other chiefs in 1874 was only a preliminary to the actual signing of the treaty. After several days' negotiations Chee-Chuck agreed to sign on September 8, 1875, and the other five chiefs present at these negotiations signed the following day.

The Egg Lake Band from the northeastern part of the Territories refused to sign the treaty at the outset. This band, like several others, considered the treaty terms insufficient and again refused to confirm its agreement to a treaty in 1875. W. J. Christie, in his annual report for that year states, "We, however, took the opportunity of warning them, that although they had not accepted the terms of the treaty they were subject to the laws

¹⁷Canada, Sessional Papers, No. 9, 1876, part I, p. XXII.

as were all other inhabitants of the country."¹⁸ It was not until 1876 that this band agreed to sign its adherence to Treaty Number Four.

The majority of the Assiniboines who claimed as their hunting grounds the region between the Cypress Hills and Wood Mountains east to west and the South Saskatchewan to the Milk River north to south did not agree to the treaty until the late 1870's.¹⁹ Most of the Assiniboines were south of the boundary line or in the far west in 1874. In 1877, it was reported that only forty-four lodges had been paid and that one hundred and forty-five lodges had not signed a treaty.²⁰ Among the most prominent Assiniboine Indian Chiefs to sign an agreement were Long Lodge and Poor Man. In 1877, the official records showed that Inspector Walsh had signed and committed about 600 Assiniboines to Treaty Number Four.²¹ With the signing of an adhesion to Treaty Four by the Assiniboines, most of the Indians were considered Treaty Indians within the boundaries described in the Qu'Appelle Treaty.

¹⁸Canada, Sessional Papers, No. 9, 1876, Part I, p. XXII.

¹⁹Ibid., p. XXIV.

²⁰This information was taken from Major Walsh's report dated October 28, 1877. Canada, Sessional Papers, No. 10, 1878, p. XXXI. A lodge generally consisted of about 8 - 10 people.

²¹Ibid.

B. Interpretation of Treaty Number Four

In 1874 when the Qu'Appelle Treaty was signed, A. Morris' dream of an extension of the British Empire into the Northwest was in an embryo stage. Morris had expressed well the ambition of the eastern expansionist when he said he foresaw the West settled by a three strand rope, that is by the English, the Scots and the Irish.¹ True, westward expansion would not be carried out by only these three groups, but westward expansion with white settlers of any kind who would buy up the land was already a reality in Manitoba and parts of the Territories.

In the next ten years settlement would spread deep into the West, particularly in the fertile belt of Saskatchewan.² Within a decade the railroad, termed the greatest conveyance of civilization, would stretch deep into the West, a land which only recently had been Indian and buffalo country.

With the Canadian government rested the responsibility to clear the Indians from this area. There was no need to worry about the buffalo; United States westward expansion and an unscrupulous and destructive trade had taken care of that. The

¹Canadian Historical Association Report, 1928, p. 93, Department of Public Archives, Ottawa; King's Printers, 1929. "The Honorable Alexander Morris; the Man, His Work", by Lila Staples.

²Although settlement was sparse in the area under discussion in the 1870's and the 1880's, it was still necessary to place the Indians on reserves. This was one way of keeping the Indians peaceful, a condition important in encouraging immigration to the Canadian Northwest.

thousands of buffalo which had roamed the Canadian plains as late as the 1860's and which had supplied the Plain Indians with most of their material needs yielded once more their territory to civilization.

In 1874, Canada was but a young nation with most of its citizens emerging as strong exponents of creating a Canada from coast to coast. With Manitoba entering Confederation in 1870 and British Columbia in 1871, there remained in the minds of many Canadians only the need to fill the great void between these provinces with white settlers, people who would purchase land and supply the eastern mills with raw materials. They would also purchase the finished products of the eastern factories. But the Northwest was not exactly a void as it was still occupied by Indians.

The Indians had by the 1870's lost their source of food supply on the prairies, the small game and fish could not support the Indian population, and the coming of white settlements would leave them in a precarious position. The problem was that the Canadian people and particularly the Canadian government had to do something with these people. True, they were of a different color and took on a nebulous image of different nations, but the fact remained that they were Canadians, the subjects of the Canadian government but not citizens.

What Canada chose to do with the Indians of the Qu'Appelle Treaty and what the Indians allowed Canada to do with them from 1874 to 1905 presents an interesting story and illustrates some

of the policies pursued by the government and the reaction of the Indians, a reaction which could not be expressed in positive action because the Indians were divided, over-powered by bribery and liquor, and soon out-numbered by whites.

In 1867, when Canada became a nation, its politicians made sure that responsible government was embodied in the constitution. 'Government by the people for the people' had already become a sacred principle and was to be maintained. For the Indians, who were officially legislated as wards of the State in 1876, it was more 'government by the Canadian government for the people' because they were considered too 'uncivilized' to participate in governments. The Indians of the Qu'Appelle Treaty were to be administered by government officials. Established there in 1874 was a system of government diametrically opposed to responsible government, that is, an oligarchy.

The Indians under Treaty Four had survived for centuries under the band system, a loose form of political and social organization. Under this treaty there were two main types of Indians — the Plains and the Woodland types. Some Crees and the Stonies (or Assiniboines) were Plains Indians who had developed a form of chieftain, a police force and a warrior class because the buffalo hunt, tribal enemies, and the relatively large populations of the Plains Indians had demanded such organizations. The political and social organizations of the Woodland Cree and Saulteaux were less complex since they were more scattered and fewer in num-

ber. However, they, too, had a recognized form of leadership in a chief or medicine man. The government also recognized this leadership at the signing of the treaty in 1874, but subsequently the Indian leadership role in the implementation of the treaty, its terms and other Indian policies was overlooked for the most part. Indian participation in Canadian democracy found little room after 1874 in the Northwest. Little was expected of them in taking the initiative in carrying out treaty terms, and they were able to do little about it.

The main aim of the Indian policy of the Canadian government was to uproot the Indian from his primitive state in his hunting ground and to transplant him on a reserve where he would learn to embrace a 'higher civilization'. This policy would also free his land for settlers and large corporations. For example, the Hudson's Bay Company had left large tracts of land under the control of the Federal government which used land as part payment to the railroad companies who built in the Northwest. The government also sold large tracts of land to colonizing land companies who bought up the land at opportune times.

CHAPTER III

IMPLEMENTATION OF THE RESERVE SYSTEM

A. The Reserve System

The Reservation System was a form of isolation of Indians from Euro-Canadian settlements. The Indians under this system were supposed to be removed from the influence of the Euro-Canadian while they would learn to adapt to a new way of life under the guidance of government officials. A sedentary existence was a totally foreign concept to the natives who were accustomed to a nomadic way of life, but it was essential to the reservation system. The Woodland Indians who had been atomistic before the coming of the fur trade became even more so under the influence of that trade.¹ Since the fur trade tended to deplete the animal life of an area, the Indians were compelled to flair out for hundreds of square miles during most of the year in quest of fur or food. The nomadic life of the Plains Indians was different in that some of the time they roamed in bands after the buffalo. They also held large gatherings in areas such as the Qu'Appelle Lakes and the Cypress Hills.

Because of these deeply ingrained habits of migration, it took more than a written agreement and governmental coercion to

¹Barnow, Victor, "Chippewa Social Atomism," American Anthropologist, Menasha, Wisconsin, Volume 53, No. 5, Part 1, 1961, p. 1006-1012.

effect the Indians' settlement on reserves.

It took over a decade to convince the majority of Indians to accept a reserve and it took several more years to settle them down even partially. Ultimately it was starvation which convinced the Plains Indians, such as the Crees and the Assiniboinés, who had shown the greatest reluctance to live on reserves, to accept this mode of life.

Reserve lands were to be surveyed by government surveyors and were to be given to the Indians for their use. In the Indians' understanding this land belonged to them but according to the law, the government had control of the lands.² If an Indian had improved a particular plot, he could claim sole right of occupancy but the Crown retained the right of disposal if the Indian wished to dispose of it. Commissioner Provencher explained this policy succinctly:

Their right in the Reserve is precisely of the same nature as that which they had before the treaty over the whole territory, a right of undivided possession without the power of selling or ceding it in any manner whatever. It requires special legislation to clothe them with the rights of full property, being that which usually accompanies the act of emancipation.³

In an official report in 1875, Commissioner W. J. Christie

²Indian Affairs Documents, Black Series, # 422, 752.
Undated speech of Star Blanket, presumably to the Governor General in the early 1900's, P.A.C.

³Canada, Sessional Papers, No. 8, p. 56, 1875.

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indicated that only nine reserves were supposed to be surveyed.⁴ These were all from the Northeastern part of the recently ceded lands. Several other bands indicated that they were willing to settle, but some of the Plains Indians such as Pia-pot and Little Black Bear, both Cree chiefs, took considerable time to settle on their reserves. In 1875, at least five bands were not even ready to indicate where they would like their reserves and several others were following the buffalo in the United States Territories. By 1884, most of the reserves of Treaty Number Four had been surveyed.⁵

The Indians under Treaty Number Four could have their choice of locations for their reserves accepted by Government officials if it did not interfere with settlers' or other claims. Not one example can be found where a settler was removed because of the Indians' intention to settle at a particular place.

Originally the Indians were not to be granted land near projected Canadian Pacific Railway lines since they would interfere with the land granting scheme. For example, Coté's choice of land was not approved by the surveyor for that reason.⁶

⁴Canada, Sessional Papers, No. 9, XXV, 1876.

⁵A detailed analysis of the reserves is compiled in the text Descriptions and Plans of Certain Indian Reserves in the Province of Manitoba and the Northwest Territories, bound by J. L. Perkins Bookbinders Ltd., Regina, 1889. Originally compiled by Lieutenant Governor Dewdney for the federal government. Some of the pertinent statistics are reproduced from this book in Appendix VIII.

⁶Coté was eventually granted his reserve when it was decided to move the Canadian Pacific Railway lines south of the Qu'Appelle Valley.

To avoid international conflicts between Canadian and American Indians, the Department in the 1880's decided to remove its Indians to the Northeastern section of the ceded lands. During this period not one reservation was granted to Indians in close proximity to the international boundary or westward in the Cypress Hills regions. Several bands refused to accept this plan, but government threats, persuasion, and starvation made them remove.

The famous Chief Pia-pot, a non-hereditary Cree chief, was a case in point. This chief, with a fairly large following, was accustomed to trade at Qu'Appelle Lakes but for the most part resided in the Cypress Hills area. In 1876, Pia-pot, who was recognized as a chief by the Indians but not by the Hudson's Bay Company, was reported as not being ready to settle on a reserve as designated by government officials near Qu'Appelle. Apparently he was prepared to accept a reserve on the fringe of the plains at Little Touchwood Hills, but he never did so. He and his band continued hunting and relied on provisional help from the government in the Cypress Hills area.

During the 1881-82 winter season he camped at Cypress Hills from where he went to Indian Head the following summer. In 1882, Pia-pot, before leaving Cypress Hills, had held up the construction of the Canadian Pacific Railway until a settlement was reached. According to some sources the discussion lasted only fifteen minutes, but a nephew of the chief, contends that the

talk went on for three weeks.⁷

In any case, the government officials allowed him several concessions. His people were promised free transportation on the railway and he received several personal gifts such as a stove, discarded Northwest Mounted Police horses and a waggon.⁸ The chief, along with his wives and band, left for the Qu'Appelle region from which he was eventually forced to leave under military threat and starvation. After the sixth day of his stay in the flats, the Indians' habitual wintering grounds in the Qu'Appelle Valley, Pia-pot's band's rations were cut off by the Indian agent, and the band was compelled to go to Indian Head. Finally, in 1884, the indomitable chief agreed to reside on a reserve in the Qu'Appelle region which was surveyed in 1886.

Pia-pot was only one of the Indian chiefs of the Plains who refused to accept the terms of the original treaty and submitted unwillingly to the government policies of the time. Bribery, in the form of personal compensations, was used to induce many chiefs to settle on their reserves which were to be consolidated within a limited area in the northeast of the treaty area.⁹

⁷Saskatchewan Historical Society, Watetch, p. 49, Public Archives of Saskatchewan (Regina).

⁸This information was taken from two sources in the Saskatchewan Archives: Wood Mountain Tales, La Fleche Press, July 7, 1932 and Piapot, Saskatchewan Historical Society, Abel Watetch, p. 49, P.A.S. (Regina).

⁹Macdonald's Correspondence with Lieutenant Governors of the Northwest (Dewdney), letter from Dewdney to Sir John A. Macdonald, August 10, 1883, P.A.S. (Regina).

When friendly persuasions did not work, the two methods alluded to above were enforced.

Although the Indians had been promised the right to designate the location of their reserves this consideration was totally ignored in the removal policy carried out by the Canadian government. The removal of the Indians from the south and the southwest was carried out for three main reasons -- the easier administration of the Indians, the pressure exerted by American authorities, and obliteration of conflict among Indian tribes. In the first instance, it was felt that the Indians could remain economically independent for a greater period of time if they were located in the Northeast where there was supposed to be a greater abundance of small game and fish. It was soon evident that the area could not safely support the Indian population. Within ten years from the time of the signing of Treaty Four, Indians were dying of starvation and suffered from malnutrition particularly during the winter months. The second reason for removing the Indians from the south seemed to be justified in the early 1880's when Indians troubles involved Canada in an international dispute with the United States government.¹⁰ Thirdly, the

¹⁰ The Canadian government for fear of antagonizing the American government obligingly removed the Indians from the south. Appendix IX indicates the general location of the Indians involved in Treaty Number Four. The map shows that only one reserve had originally been granted south and west of Broadview, Saskatchewan. The international dispute in relation to the removal policy is discussed in section B of this chapter.

Crees were still involved in horse-stealing and raiding against the Blackfoot Indians. In view of this, the Crees were to be moved from the Cypress Hills area to the northeastern part of the region.

The reserves to be allocated at six hundred and forty acres for every five persons were supposed to be given to the Indians forever. There were only two conditions under which those lands could be alienated from the natives: for public works and for the benefit of the Indians. Although the Indians seldom applied for the sale of their lands, a great portion of their lands were formally surrendered under the pretext of 'their benefit'.

Interested parties such as settlers, land speculators and railroad companies could request the surrender of Indian lands at opportune times and convince government officials to act on their behalf. A great part of the Indian reserve lands of Treaty Number Four were alienated for various reasons by 1905. Usually the sales benefited the Indians very little economically but benefited the government which made a profit by selling the land cheaply to land corporations or settlers. Usually the Indians received only a nominal sum of money for their land which was purchased by Indian Affairs below the going prices.

Jurisdiction for sale of Indian lands was outlined in the Indian Act. The Superintendent General or his designated officer could with the consent of the Indians sell any reserve land. By law a majority of males over twenty-one present at a meeting under

the direction of a government agent could surrender the land. The proceeds of the land except for ten per cent could be invested or placed in the Indian Band Funds.

For example, the surrender of part of Cote Reserve near Kamsack in 1905 was described as follows by the Indian Commissioners:

I estimated that when the road allowances were taken into account there would be about 20,000 acres in the surrendered area; and deducting the approximate 6,000 acres in exchange, there would be about 14,000 acres to be paid for. This quantity at \$10.00 per acre would amount to \$140,000, five per cent of which would be \$7,000. The number of Indians in the band is about 250, so I arranged to pay them at \$28.00 per head, with the understanding that if any of the land sold for more than \$10.00 per acre, or if an actual survey of the land surrendered, or of the area to be added in exchange, differed from the estimate made, it should be adjusted when the second payment is made to the Indians within thirty days after the sale of the lands.¹¹

Under this arrangement the government was able to invest ninety per cent of the total revenue without having the Indians claim that money. The direct benefits that accrued to the Indians from surrendered lands was extremely meagre.

As the railroads and settlements moved westward the Indian reserves came into demand for settlement. In some cases the railroad companies required rights of way through reserves. This happened to Muscowequan's band when the Grand Trunk Railway

¹¹ Indian Affairs Documents, Black Series, letter from David Laird, Indian Commissioner to the Deputy Superintendent General of Indian Affairs, December 26, 1905, P.A.C.

crossed their reserve diagonally.¹² The railways also built town sites on some reserves. Then it was just a matter of time before the argument that Indians did not benefit from such arrangements arose. The settlers then claimed that lands surrounding these towns ought to be sold for the benefit of the Indians and settlement. Part of Côté's reserve was sold on that basis early in the twentieth century.¹³

As land was taken up near reserves, settlers usually applied pressure upon the Indian Affairs Department, their elected representatives or upon the Indians themselves to sell their lands. In the case of Pasqua's Reserve, the initial proposal had been to purchase what was called the "broken front" sections.¹⁴ The 'sections' consisted of about 500 acres which were owned partly by the settlers and partly by the band. According to the agent the lands "rightfully form a part of the respective farms".¹⁵ Although the Indians refused to sell even this small portion it was argued that they would benefit greatly from the sale. One of the officials of the Indian Affairs Department claimed that the

¹²Indian Affairs Documents, Black Series, letter from Deputy Superintendent General to the Governor General in Council, April 26, 1906, P.A.C.

¹³Ibid., Report from Rev. John McDougall acting on behalf of the Department of Indian Affairs to the Minister of the Interior, October 11, 1905.

¹⁴Ibid., Mitchell's report to the Secretary, Department of Indian Affairs, April 4, 1900.

¹⁵Ibid.

interest at 10% of "\$5,000, would be of great service in giving the Indians a better working equipment and also, if it could be done, in providing lumber and other building materials for the erection of a good class of house and farm buildings."¹⁶ The Indian Agent, showing little concern for the interest of the Indians, encountered considerable trouble in getting the consent of the Indians. At the first meeting he reported "a majority of eight votes out of eighteen voters",¹⁷ but the following winter the bands reversed the decision with eleven votes supporting the original vote and sixteen opposing it. The agent distinguished between the young progressive voters and the "old time element",¹⁸ blaming the latter for refusing to surrender the land on the grounds that they were retaliating against the Agent's enforcement of certain legislation. As he stated,

I have spent a good deal of time in trying to overcome the opposition which latterly developed, after the illegal dances were prohibited, and did all in my power to support the progressive element but could not carry my wishes through.¹⁹

The agent after his failure threatened the opposing Indians with reprisals by telling them "that they must expect certain consequences to follow as long as they persist in obstructing our

¹⁶ Indian Affairs Documents, Black Series, Mitchell's report to the Secretary, Department of Indian Affairs, April 4, 1900, P.A.C.

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid.

efforts for the advancement of the Indians."²⁰

By 1902, not only the broken front sections, but several other sections were required for settlement from Pasqua's Reserve. By 1905 Indian Affairs officials responded to pressures applied by Western Member of Parliament, Mr. G. A. Bulyea.²¹ The Instructor of Indian Agencies recommended that the land be sold at eight dollars per acre with 10% of the sale price going to the Indians individually. The interesting notation was that the Indians who had improved land and buildings ought to be compensated for the same by having the actual sum deducted from the principal. In effect, the Indian band was to pay for the improvements of the land of their fellow Indians. This unscrupulous device was used extensively by Indian Affairs in settling its land improvement commitments.

In the same report the Agent suggested that about 17,000 to 21,000 acres from Muscowpetung's Reserve be given up by the Indians, "on a seven dollar basis as there are fewer Indians on this reserve than on Pasqua's and the first payment will go further individually."²² The basic value of seven dollars for all reserve land plus five dollars for improved Indian land was well below the

²⁰Indian Affairs Documents, Black Series, Mitchell's report to the Secretary, Department of Indian Affairs, April 4, 1900, P.A.C.

²¹Ibid., letter from G. A. Bulyea to the Deputy Minister of the Interior, January 13, 1902.

²²Ibid., letter from Inspector of Indian Agencies to the Superintendent General of Indian Affairs, Ottawa, December 20, 1905.

estimated price of twenty-five to thirty dollars per acre of settlers' land in the area.

Considering the facts presented by this agent, it is hard to see that these reserves were to be sold for the benefit of the Indians. The money used for the payments to the Indians for surrendered lands usually came from the Management Fund which in 1906 had "an interest bearing balance of \$170,000."²³ The fund itself was made up of "a Parliamentary grant of \$14,000 a year and ten per cent of all lands and timber sales."²⁴ In effect, the sale of Indian lands benefited the Indian Affairs Department more than the Indians. As D. C. Scott, the Indian Affairs Accountant stated:

It will be seen that the last source of revenue (sale of lands and timber) is of benefit to the account as any increase in land sales will enlarge the fund so that the promotion of surrenders and sales of land is directly in the interest of the Fund. ²⁵

With this kind of attitude expressed by Indian Affairs officials, it was virtually impossible for Indians to retain a good portion of their arable lands.

As early as 1886, part of Muscowpetung's reserve was required. The Deputy Minister of the Interior directed a letter

²³ Indian Affairs Documents, Black Series, Memorandum from D. C. Scott to the Deputy Superintendent General, January 15, 1906, P.A.C.

²⁴ Ibid.

²⁵ Ibid.

to Vankoughnet, the Deputy Superintendent of Indian Affairs, stating that settlers near Moosomin wanted to purchase the land because

the settlers in the neighbourhood of Moosomin brought to the Minister's attention the fact that the Indian Reserve in question lies immediately alongside of the C.P.R., that it would be desirable in the public interest and in the interest of the Indians themselves that they should be moved back six miles from the Railway. 26

After the original purchase offer was made and Vankoughnet had apparently refused to acquire the land in question, another letter was written to the Indian Affairs Department stating that it was "an exceedingly undesirable thing that for nearly twenty miles along the line of a railway there should be an Indian Reserve if it is possible to avoid it."²⁷ Indian Agent A. McDonald, in 1891 requested that definite arrangements be made if the land were to be surrendered. He pointed out to his superior that the land in question was extremely valuable to the Indians for haying purposes and that definite plans were required,

for as the matter stands at present the only result of an appeal to the Indians would be an indefinite unsettling of their minds, which would make further transactions much more difficult, they being, as you are aware, of a suspicious nature. 28

²⁶ Indian Affairs Documents, Black Series, letter from the Deputy Minister of the Interior to L. Vankoughnet, Deputy of the Superintendent General of Indian Affairs, March 4, 1886, P.A.C.

²⁷ Ibid., letter from the Deputy Minister of the Interior to L. Vankoughnet, April 15, 1886.

²⁸ Ibid., letter from Indian Agent at Crooked Lake to Superintendent General of Indian Affairs, March 10, 1891.

The Indians apparently held fast to their lands for in 1899 no surrender had yet been effected. The lands now required for settlement became known as 'excess land' since the band population had decreased from that of 1879 when the largest number of Indians received their annuity. There is absolutely no indication that the Dominion government re-negotiated the land question with the Indians on that basis. It was again argued that the Indians would benefit if settlement expanded into their area, but no valid reason was put forth to substantiate that claim.

In 1902, the Broadview and Whitewood residents petitioned the government for the purchase of land from the Crooked Lake Reserve. The Crees of Reserves 71 and 72 were "strongly opposed to surrendering any portion of their reserves."²⁹ The opposition had extended long enough and was not critical enough that the Indian Commissioner himself, David Laird, attempted to convince the Indians to part with their lands which they were most reluctant to do. Laird in his correspondence to the central office in Ottawa quoted several chiefs.

One of them, Katahkinacoos, a councillor of Band 71, opposed Laird by saying

you then (1874 at Qu'Appelle) advised our chief and all of us to take up land and bring up our people on the land. When our chief died he left us instructions to look after the reserve. I am

²⁹ Indian Affairs Documents, Black Series, letter from David Laird, Indian Commissioner to the Secretary, Department of Indian Affairs, May 6, 1902, P.A.C.

very glad you came to ask us quietly about it. I am very pleased about it, but we cannot consent to part with any of it. That is all I have to say and you have heard what the others said about it. 30

Ka-ka-wistahaw, the Chief for Band Number 72, stated:

When we made the treaty at Qu'Appelle you told me to choose out land for myself and now you come to speak to me here. We were told to take this land and we are going to keep it. Did I not tell you a long time ago that you would come some time, that you would come and ask me to sell you this land back again, but I told you at that time No. 31

The views expressed by the Indian leaders were those of the rest of the band members generally, but the will of these Indians to hold on to their lands tenaciously was unequal to the relentless demands of those seeking these properties.

In 1904, responding to further pressure from settlers, the government again proposed to approach the Indians about the sale of their lands adjacent to the railway. A new wedge had been found to break up Indian resistance. David Laird referring to the new opportunity which offered itself in July, 1904 at the annuity payments stated,

Mr. Lash, of this office, who was in charge of the payments, fully explained to the Indians the benefit they would derive by surrendering a strip of the reserve and a portion of the proceeds received from the sale being used to

³⁰ Indian Affairs Documents, Black Series, letter from David Laird, Indian Commissioner to the Secretary, Department of Indian Affairs, May 6, 1902, P.A.C.

³¹ Ibid.

fence the reserve.³²

The crux of the problem was that the neighbouring settlers' cattle were feeding upon the Indian hay lands. Because this annoyed them it was proposed that the Indians remove and build fences — not to enclose their cattle but to keep out the neighbouring stock.

By 1906, the feeling was that at least Cowesess' band had been led to think that a surrender of ninety-five thousand acres would be for their benefit. Firstly, Pasqua's band had appeared to receive a satisfactory settlement and secondly, the priest in charge of Cowesess Reserve appeared to have collaborated with the Agent to convince the Indians. As the Agent pointed out,

Cowesess' band are largely Roman Catholic Half-Breeds, about 95% I should say, and the people are to a great extent, under the influence of the Priest, and in speaking to that gentleman on the matter, he is of the opinion that a surrender could be obtained if properly handled. ³³

The Indians on Ka-ka-wistakaw and Cowesess Reserves were to receive five per cent of the five dollar basic price on an individual basis at the time of the sale plus five per cent of the

³²Indian Affairs Documents, Black Series, letter from David Laird to Secretary, Department of Indian Affairs, September 30, 1904, P.A.C.

³³Ibid., letter from W. Graham to Honourable Frank Oliver, June 19, 1906. Officially, the band was considered to be made up of Saulteaux Indians.

revenue received by Indian Affairs upon the sale of the reserve. Chief Le Rat, branded as a non-progressive Half-Breed, had suggested that the Indians ought to receive full proceeds of the lands but he was told that this was an impossibility.³⁴

Settlement and civilization prevailed once again. Enough pressure had been exerted, and votes taken by early 1907 indicated that all three Indian bands agreed to yield township seventeen which was under their control. The Indians of Ochapawace, Cowesess', and Kahkewistahaw surrendered 90,000 acres. The benefits they received were slight, but the settlers were delighted, and the Board of Trade of the Town of Broadview lauded the Honourable Frank Oliver, Minister of the Interior, because they felt "satisfied that the surrender (of the Crooked Lake Reserves) of this portion of the reserve has been accomplished by the unceasing efforts of the Indian Department under your able direction."³⁵

³⁴Indian Affairs Documents, Black Series, letter from David Laird to Secretary, Department of Indian Affairs, Ottawa, September 30, 1904, P.A.C.

³⁵Ibid., letter from Board of Trade of the Town of Broadview to the Honourable Frank Oliver, Minister of the Interior, February 19, 1907.

B. Relocation of Some Indians of Treaty Number Four

Until the early 1880's, Lieutenant Governor Dewdney claimed that the Canadian government had adopted a policy towards its natives that was radically different from that of the United States towards its Indians.¹ In the Montana area, adjacent to the area of Treaty Number Four, the United States had already established reservations where the Indians were confined and compelled to try to make a living.

This was done primarily to accommodate settlement of a white population relatively larger than that of the Canadian plains region where settlement was still a dream. The Canadian Northwest, particularly the southern region, remained unsettled so that it was still possible for the Indians to hunt and move about freely. This was, however, creating complications. The Canadian Indians travelled unhampered across the boundary where they were accused of interfering with their settled kinsmen or of making depredations upon the ranchers' cattle; horse stealing also occurred between the Canadian and American Indians; and there was always the risk of renewed hostilities between the Blackfoot and the Plains Cree who were mainly of Treaty Four area.²

¹Indian Affairs Documents, Black Series, letter from Indian Commissioner Dewdney to Superintendent General of Indian Affairs, March 27, 1872, P.A.C.

²Ibid., Commissioner Dewdney claimed that the Crees ought to be moved north because they no longer had cause to go across the border. The buffalo was virtually extinct and the Crees had no American relatives.

Until this time, it had been customary for the Canadian government to allow the Indians to choose the sites of their reservations in their immediate locale with little interference. Surveyed reserves became the legal abode of many bands within Treaty Four, but the Indians could leave them without interference for reasons such as hunting and fishing. The choice of location for a reserve became even less restricted in the northeastern part of Treaty Four area once it was decided to move the Canadian Pacific Railway main line to a more southern region. This choice of location was given to bands in the Fort Ellice area, eastward to Rolling River Reserve, near what is now Erickson, Manitoba, northward to the Lake Winnipegosis region, and westward to the Fort Pelly area. Those Plains Indians who had traditionally gathered or traded near Fort Qu'Appelle settled along the valley.*

The Canadian government's policy as described above changed drastically after 1882 partly because the United States viewed Canadian Indians on American soil differently than Canada viewed American Indians on Canadian soil, and partly because of the troubles of 1885.³

As a result of the Minnesota War of 1862 and Custer's Wars, a large number of Sioux Indians sought refuge in the Canadian

³ Indian Affairs Documents, Black Series, dispatch to Acting Indian Agent at Fort Walsh from E. Dewdney, February 22, 1882. P.A.C.

* See Appendix IX.

Northwest. British authorities in the Northwest were not prepared to deport the first group of refugees nor were they prepared to fight them. These Indians were granted asylum under international law and subsequently the Canadian government granted them the rights of citizenship by Order-in-Council in 1873.⁴ The right to remain in Canada was also granted to the Sioux coming into Canada in 1876 although most of them were encouraged to return to the United States. The Canadian government appropriated \$2,000.00 for B. A. Legaré for his efforts in convincing Sitting Bull to leave Canada.⁵

Subsequently, the Sioux Indians remaining in Canada were given small reserve lands in Manitoba and the Northwest Territories in what is now Saskatchewan. A small group settled as far east as Portage La Prairie at Sioux Village.⁶

In 1881, the United States government requested that Indians from the Canadian Northwest be kept north of the boundary. The United States alleged depredations and thievery by the Canadian Indians prior to 1881, but during that year, they complained of "the crossing of the border by Canadian Indians on

⁴Indian Affairs Documents, Black Series, Memorandum by A. E. St. Louis, Archivist, September 4, 1951, P.A.C.

⁵Sifton Papers, Vol. 265, p. 492-94, letter to Honourable Walter Scott, M. P. from J. McKenna, Indian Affairs Office, Ottawa, April 30, 1901. P.A.C.

⁶Laviolette, G., The Sioux Indians in Canada, Regina, The Marian Press, 1944, p. 114. This book contains interesting information on the history of this tribe in Canada.

their way to drive the buffaloes away from the Agency Indians of the United States."⁷ Although the Canadian government argued that this was not an infraction of international law, it nevertheless suggested that the government would co-operate in any plan to avoid incursions by the Indians from Canada. In 1882, Fred Frelinghuysen advised Lionel Sackville West, British Minister in Washington, that the United States government had decided to use military force to compel its Indians to remain on their side of the boundary line and that it expected the Canadian government would keep its Indians north of the border.⁸

The Governor General's recommendation was that the Indians be allowed to cross the boundary for hunting and visiting purposes with the use of individual permits. The Governor General was of the opinion that only individual offenders should be arrested and that the good Indians ought to be allowed to hunt and visit freely. He also thought that the United States' policy of dealing with whole tribes in these matters was not necessary or just.⁹

It is with this policy in view that the Canadian authori-

⁷Indian Affairs Documents, Black Series, letter from A. Campbell, Acting Minister of the Interior, p. 2, September 13, 1881, P.A.C.

⁸Ibid., letter from Fred Frelinghuysen, American Secretary of State to Lionel Sackville West, February 25, 1882.

⁹Ibid., document number 28, 748-1, R. G. 10, Vol. 3739, undated correspondence from the Governor General's Secretary.

ties refused to enter into a Canadian-American agreement similar to the "agreement between the United States and Mexico providing for reciprocal crossing of the international boundary line by the troops of the respective Governments in pursuit of savage Indians."¹⁰

Indian Commissioner Dewdney concluded by saying that such an agreement would be unacceptable because there were "no circumstances which should warrant such exceptional measures being now taken."¹¹ Dewdney was in favour of the permit system for the Blackfoot Indians west of Treaty Number Four area who hunted and visited with their kindred to the south. He felt likewise about the Assiniboines but thought that the Crees, who no longer had any reason to go south, ought not to be included in a permit system and ought to be encouraged to move north.¹² The United States government seems to have been unresponsive to the plan as it was never instituted. Possibly they did not want to make exceptions to anyone, including foreign Indians, to enter Indian territory in Montana.

In March, 1882, Prelinghuysen complained to Lionel Sackville West, that twelve hundred Indians had interfered with American Indian Reservations in the Montana Territory. Since

¹⁰ Indian Affairs Documents, Black Series, Report of a Committee of the Privy Council, July 24, 1883, p. 4, P.A.C.

¹¹ Ibid., p. 2.

¹² Ibid., dispatch to Acting Indian Agent at Fort Walsh from E. Dewdney, February 22, 1882.

the American government had been forced to feed these Indians, one can understand the United States government's threat of taking dire action by removing "the intruding Indians by force, breaking up their camps and sending them across the frontier."¹³

Because of the American demand that Canada restrain its Indians from crossing the border, the coming of the railroad to Cypress Hills, the imminence of immediate settlement, and the lack of a desert-like area for Indians in southern Saskatchewan, the Canadian authorities intensified their removal policy so that most Cree Indians were cleared from the south by 1883.

The Canadian government had persistently claimed that the Northwest Mounted Police could have co-operated with the United States authorities in the West to control illegal acts committed by Indians on either side of the border, but eventually it adopted the policy that was enunciated by an Order-in-Council on April 24, 1882,

that those Indians having now returned to the United States, Your Excellency is aware that the policy of urgently pressing our Indians to leave the frontier and settle on reserves provided for them well in the interior, is being pursued with increased vigor, and with good hopes of success. ¹⁴

The Canadian government again expressed the hope of the Indians' freedom to cross the line be recognized.

The removal policy was originally applicable to the Crees,

¹³Indian Affairs Documents, Black Series, letter from Frelinghuysen to Saskville West, March 29, 1882, P.A.C.

¹⁴Ibid., April 24, 1884.

but subsequently included the Assiniboines although some were permitted to have a reserve well south of the Canadian Pacific Railway main line, a privilege not enjoyed by the Crees.* At first it was contended that the Crees no longer had any need to cross the boundary for reasons given previously — a proposition not completely accepted by Big Bear. In 1882, he proposed to visit Montana with a large group of Cree Indians for hunting purposes. It was under these circumstances that Frelinghuysen from the Department of State in Washington warned Lionel Sackville West that the President had authorized the use of military force against the Indians and confiscation of their property.¹⁵

In 1883, such action was taken against forty-seven Cree Indians whose horses were confiscated and carts burned. They were subsequently escorted out of the United States near Fort Walsh and warned "that on no pretext whatsoever must any Cree Indians re-cross to this side (American) of the line, that if found in Montana hereafter they would be considered thieves, and be severely punished."¹⁶ These actions were accepted by the Canadian government since the Indians had been warned of the consequences should they cross the line.

It was in 1883 that the Assiniboines, like the Crees, were

¹⁵Indian Affairs Documents, Black Series, letter from F. Frelinghuysen to L. S. West, June 19, 1882, P.A.C.

¹⁶Ibid., letter from Commanding Officer, H. H. Adams to Lieutenant R. F. Bates, May 30, 1883.

* See Appendix IX.

compelled to go north.¹⁷

After 1885, several hundred Indians sought refuge in the United States where they were allowed to stay for several years but subsequently deported on grounds of thievery and depredation. The Governor of Montana described the situation thus:

In default of a reservation and the restrictions of the Federal Government, they (the Crees) have been an intolerable nuisance, constantly violating our game laws, foraging upon our herds, and not infrequently looting isolated cabins. ¹⁸

Some of the Cree Indians who had sought refuge after 1885 and who had been joined by acquaintances became known as the Montana Landless Indians. From this group a number of families were deported in July, 1896. Twelve of these families chose to settle at Round Lake. The American policy was to deport as many Indians as possible without much distinction between law-breakers and law-abiding Indians. As Burton Deane, Superintendent Commander of the Northwest Mounted Police, indicated in his report,

The man 'Curly', son of 'The Gopher' or 'The Squirrel' with his hard-working wife, seems to be a very deserving Indian, and the American Officer regretted very much being compelled to deport him. ¹⁹

Although Medicine Bottle and Little-Six, two Sioux chiefs were drugged and extradited from Fort Garry to the United States

¹⁷Although the Assiniboines had been permitted to live near the boundary and to visit their relatives across the line, they also displeased American authorities. Under these circumstances, the Canadian government decided to move them north as well.

¹⁸Indian Affairs Documents, Black Series, letter to Secretary of State, Washington, January 21, 1896. P.A.C.

¹⁹Ibid., report to Indian Commissioner, Regina, July 25, 1896.

contrary to international law in 1864, British and Canadian authorities usually acted in good faith towards the Indians of the Northwest.²⁰

In dealing with the Indians in the Northwest, it often seemed as though government agencies brought British law to Indians without extending British justice, yet the stand taken by British and Canadian authorities with the American government vis-a-vis Canadian and American Indians indicate why the former encountered less difficulty. It was this attitude manifested in the negotiations over the Indians' right to cross the international border that shows why the United States required a military force to right wrongs committed by an individual or several Indians whereas the Northwest Mounted Police, a police-military organization conceived by Sir John A. Macdonald, could arrest a wrong-doer single-handedly.²¹ In the minds of American law-enforcement agencies, tribal wrongdoings were perceived. Generally, the Americans were ready to condemn whole bands of Indians for wrongs committed by individuals. In the Canadian circumstances, the authorities generally did not condemn whole bands for the breaking of the law by an individual or individuals by the band.

²⁰Laviolette, G., The Sioux Indians in Canada, Regina, The Marian Press, 1944, p. 56-57. These two chiefs, among other Sioux refugees from Minnesota territories, were wanted by American authorities as war criminals.

²¹"Sir John A. Macdonald and the Mounted Police Force for the Northwest Territories" by S. W. Horrall in The Canadian Historical Review, June, 1972, University of Toronto Press, p. 179-200 is an excellent article on the organization of this force.

Although many Indian leaders resisted the removal policy, little force was required to effect the policy as carried out to a large extent by the Northwest Mounted Police. As a consequent of the removal, a large number of Indians were crowded into the Qu'Appelle area and some were allowed to drift towards the North Battleford-Edmonton area. The policy deprived the Indians of a large area which the buffalo had left but which still sustained small game such as deer. It also deprived these Indians of a fairly good farming and ranching area; many observers felt that the Plains Indians could have more readily undertaken ranching than they did farming.

C. Administration of Indian Affairs in the Northwest

From 1874 to 1905 there were several governmental agencies which played a role in administering the business of the Indian people. The main legislative body for Indian Affairs was the Canadian parliament in which the Indians were not directly represented. The Acts passed by this body or the Orders-in-Council of the Cabinet were generally formulated and implemented by the Indian Branch of the Department of the Interior. This section of the Department was responsible for carrying out the terms of the treaties which were normally interpreted by government officials without any obligation or commitment to seek the advice of the Indians concerned.

At the local level in the Northwest Territories, a Lieutenant Governor and his Council, the staff of the Indian Affairs branch, the Commissioner of the police force and the Indian chiefs were the main official agencies for implementing government policies and treaty agreements and for maintaining law and order.

Before the signing of the Qu'Appelle Treaty in 1874, a Board of Indian Commissioners was established by an Order-in-Council to oversee the affairs of the Territories. Its main functions were to formulate the general principles to be followed in dealing with the Indians of the Northwest Territories and in Manitoba and to arrange for treaty negotiations with the Indians of the area. The policies were to be reported to the central

offices of Indian Affairs. Lieutenant Governor Morris, Lindsay Russell, Chief Land Granting Officer of Winnipeg, and S. J. Dawson, the Indian Commissioner, were the three designated board members. During its short existence this board proved unsuccessful and was abolished in 1875. Lieutenant Governor Morris always opposed his own membership on this Board since he felt the administrative duties of Indian Affairs would jeopardize the esteem in which the Lieutenant Governor was held by the Indians.

The Lieutenant Governor and his Council as established by the Northwest Territories Act of 1875 continued to play an active role in Indian Affairs. Indian Chiefs had the habit of communicating with the Lieutenant Governor in order to express their grievances, demands, or good wishes. The Lieutenant Governors generally used their favoured positions to appease the Indians in times of conflict or distress. Of all the government officials, they were held in the highest esteem among the Indians of the Northwest.¹

The Lieutenant Governor was usually also an Indian Commissioner and reported matters concerning the Indians directly to the Superintendent General of the Indian Affairs in Ottawa. Most of these annual reports contained a distorted view of the deplorable

¹The prestige of an Indian Commissioner in dealing with the Indians was referred to by Lieutenant Governor A. E. Forget in his official capacity as Indian Commissioner. Indian Affairs Documents, Black Series, Forget's report to the Honourable Clifford Sifton, January 20, 1897. P.A.C.

conditions of the native population. For example, Indian agents knew very well that agriculture was most unsuccessful among the Indians. Yet their reports indicated that the Indians were taking to farming successfully. The reports of the philanthropists, such as church officials in the Northwest, and newspaper articles often reflected the true picture of the condition of the Indian. These views were normally used by the opposition against the government. It was under these circumstances that Prime Minister John A. Macdonald asked for a favourable report from Commissioner Dewdney in the early 1880's. The Lieutenant Governors who were interested in settlement and who were responsible to the federal government most often had their official reports contradict their personal views on the conditions of the Indians. By giving these favourable reports, the government could keep expenditures at a minimum and counteract the opposition both inside the House of Commons and outside. Since the power of expenditure of the Lieutenant Governors was limited, they were forced to allow the Indians only a minimum of supplies when the chiefs came to see them. Other government officials were also expected to give the Indians as little as possible in order to encourage them to work.² These token supplies along with those of the Indian Affairs barely kept the Indians alive. This practice was followed well into the

²Indian Affairs Documents, Black Series, letter to P. J. Williams, farm instructor at Crooked Lakes from the Indian Commissioner, August 19, 1885, P.A.C.

twentieth century.

The Northwest Mounted Police force which was organized in 1873, became one of the most important agencies to deal with the Indians of the Northwest. The higher ranking officers performed duties delegated both by the Lieutenant Governor and the central office of Indian Affairs. For example, for several years Major Walsh of Cypress Hills performed the duties of Indian Agent by paying the Indians their annuities and by helping in the enforcement of justice. Captain Allen McDonald, the first agent of the Qu'Appelle Treaty, was also in charge of the police force in southeastern Saskatchewan. Among the main functions of the police were the stopping of the liquor trade; the prohibiting of inter-tribal warfare; the curbing of horse stealing; and the maintenance of peace between the settlers and the Indians.

Inter-tribal warfare had existed for several decades between the Blackfoot confederacy and the Plains Cree and their allies, the Assiniboines. It was partially through warfare which consisted mainly of small raiding parties that the young braves gained prominence in their bands. To kill an adversary through a "coup", that is by sneaking up to him and striking him on the head with a club, was one of the best ways to show one's bravery and thereby win acclaim within the tribe. When the police force came to the Northwest early in the 1870's, this type of warfare was still prevalent although it quickly died out as common practice due to the lack of buffalo and the subsequent removal of the Plains Cree

from the deep southwest. The Indians were forced to do more hunting or to beg near forts. The scarcity of food caused the Indians to engage less and less in warfare.

The demand for horses in the Northwest coupled with the traditional practice of horse stealing by the Plains Indians led to the widespread practice of this type of theft. Since the police force were concentrated in the Cypress Hills area, the southeastern boundary was left open for horse-stealing and in that area American desperadoes and Indians carried on horse stealing almost at will. When the poor settler happened to be the victim, he was in no position to follow the thieves. The police in many instances could not bring the thieves to justice.

The main sources of aggravation between the settlers and the Indians were cattle killing, timber cutting on Reserves and the social conflict around the towns. In the drier regions ranching was attempted where cattle were permitted to roam almost without care. The Indians often took the liberty of killing some animals, especially when they (the Indians) were in a state of starvation, a state not too uncommon in the 1880's. The settlers on the other hand availed themselves of timber found on Indian reserves. Although this practice was very annoying to the Indians, not much was done on their behalf as settlers claimed they did so unwittingly, and the magistrates were often sympathetic to them. As towns sprang up near reserves, social conflicts often caused further alienation between Indians and Whites. Sometimes Indians

were removed from their original reserves as happened to Côté's Reserve where Kamsack, Saskatchewan, is presently located. The Indian chiefs and their councils were recognized in certain aspects of Indian administration, but they tended to be ignored by white officials whenever it was feasible or practical.

All official responsibilities and powers of the chiefs were controlled by government legislation or officials since their decision and those of their council had to be approved by Indian Affairs officials. The Indian Act spelled out the technique to be used for the selection of chiefs. A chief was to be elected by male band members over twenty-one years of age. This was the only area in which Indians had any rights. These rights were limited in fact since their decisions had to be ratified by the Superintendent-General who could accept or reject their decisions on the advice of an Indian Agent. By Act of Parliament the chiefs were given responsibilities such as administration, policing, and carrying out of public works on their reserves, but no monies were allotted directly to them to carry out these duties. The chiefs could also be removed at the will of government officials. For example, Pia-Pot lost his chieftainship in the late 1880's. Pia-Pot had been a good chief to his people but had proved a nuisance to government officials. The powers and the prestige of the chiefs deteriorated rapidly under the reserve system which in effect meant the loss of a potentially very viable institution. Their powers deteriorated quickly because the chiefs did not enjoy

the same prestige under the reserve system as they had done in their traditional way of life. They were no longer able to accumulate wealth or gain prestige through warfare. The chiefs, like their band members, were often reduced to beggary and incompetence.

To deal more effectively with the Indians, the Northwest Territories were divided in 1877 into two Superintendencies: Manitoba and the Northwest. David Laird became the first Indian Superintendent of the western section. The Commissioner was aided in his duties by a local agent. At the outset his main duties were to pay the Indians their annuities, to provide them with presents annually and to instruct them in farming. Until 1885 there were only two Indian agents who worked among the Indians under Treaty Number Four. After the troubles of 1885, several agencies were organized and more agents were employed.

To insure greater efficiency and to effect a reduction in expenditures, the administration of Indian Affairs was reorganized in 1897 under Clifford Sifton's leadership. Under the new system, the eight agencies under Treaty Number Four and the three industrial schools at Elkhorn, Brandon and Qu'Appelle were to be under the control of an inspector who was to reside at Qu'Appelle. The inspector of each area was to be more effective than the previous two superintendents had been because he would have a smaller area to administer and would be able to inspect the agencies more carefully and frequently.

The de-centralization of the administration in the Northwest also meant the reduction of office work in the Regina office. The Commissioner would then have more time to travel about to the various inspectorates to oversee the work carried out by the Department of Indian Affairs. With the re-organization, the Commissioner's staff in Regina was reduced from nineteen members to six members with a saving of \$9,100.00.³

The local administration staff of Treaty Number Four was reduced by about 75%, a saving of \$6,800.00, for a population of 2,682 including 51 Sioux Indians. The reports said nothing about how these Indians were to be affected by the re-organization. In 1897, the greatest need for re-organization lay with the material and moral positions of the Indians themselves.

The administrators of Indian Affairs in the Northwest were generally guided in their duties by the enabling legislation of the Indian Acts. The Indian Act of 1876 enunciated the status of the native people and the policy to be followed regarding the regulation of their affairs.* The Indians of Canada, generally, did not have a word to say about this act. Although some of the clauses were inter-related with the Treaties, the Northwest Indians were not consulted in the framing and the implementation of the Act.

³ Indian Affairs Documents, Black Series, Forget's report to the Superintendent General of Indian Affairs, July 28, 1897, P.A.C.

* See Appendix X.

According to the Act, the Indians of Treaty Number Four were classified in two main groups — treaty and non-treaty Indians. The Act defined an Indian as one who belonged to a particular band, a child of such an Indian, or a woman married lawfully to such a person. A non-treaty Indian was a person of Indian descent who belonged to an irregular band and who followed the Indian way of life even if such a person had resided in Canada only temporarily. By this definition, an Indian was something less than a person until he became endowed with a greater degree of 'civilization' by engaging in farming and by becoming enfranchised. Those who tried to claim Indian status after having received their land scripts were told that they could not be Indians. Only those Half-Breeds who had lived the mode of the Indian life could be Indians. Many Half-Breeds such as Chief Gordon and Gabriel Côté were considered Indians. Many of these so-called Indians took up land scripts after 'Old Tomorrow' and his colleagues were shaken into action after 1885.⁴ All Indians of the Northwest Territories were barred from the enfranchisement privileges granted under sections 86 to 93 of the Act except by special proclamation of the Governor General. This section was not an impediment to the Indians of the Northwest since enfranch-

⁴Sir John A. Macdonald, was nick-named 'Old Tomorrow' because of his hesitation and apparent lack of concern. After some Métis and Indians had decided to do something about their plight in northern Saskatchewan, some of their demands were met, one of them being the granting of land scripts to the Half-Breeds.

isement meant the material loss of those articles which were guaranteed by treaty although these were simply a pittance as implemented by the government.

The Indian Act restricted considerably the payment of annuities to the Indians as guaranteed by Treaty Number Four. The nominal sum of five dollars per year per Indian contributed little to the welfare of the Indians but the basic issue is that the government determined unilaterally the methods of paying the annuities. Here the administrators were guided by the Act and by their personal judgement. By the Act of 1876 only a certain type of aboriginal could take advantage of annuities. By treaty arrangements the annuities were sums of money paid to Indians as members of those Indian bands which had agreed to abide by the terms of the treaty without any qualifications. By Acts of Parliament without the consultations of the chiefs who had the authority to sign the treaties the federal government proceeded to add qualifications. For example, by Section 71 of the 1876 Act

any Indian committed of any crime punishable by imprisonment in any penitentiary or other place of confinement, shall during such imprisonment, be excluded from participating in the annuities, interest money, or rents payable to the band which he or she is a member. ⁵

The Indian chiefs who had been recognized as "bona fide" leaders of their people in 1874 had absolutely no voice in deter-

⁵Canada, Statutes of Canada, Ottawa, Queen's Printer, 1876, p. 64.

mining the payment of monies to their followers. Without the consultation of this authority for withholding payments to Indians who were considered violators of the law by a white judicial system, the treaty terms as understood by the Indians were not adhered to. The fact that Indians were often judged by agents who knew very little about the due process of law and justice in general further weakened the effectiveness of this clause vis-a-vis the treaty.

Clause 72 of the Act strikes at the very core of the traditional and accepted social norms of the Indians. By this clause the government reserved to itself the right to withhold annuities from any Indian who deserted his family. A woman without children who deserted her husband to live "immorally with another man" also was not entitled to annuities. In a 'pagan' society where Christian values had not been adopted by the Indians, the natives did not consider this action justifiable. The immorality existed only in the eyes of the white society. Particularly on the Plains where polygamy was considered as one of the higher social achievements and where the incidence of marriage separations was frequent, this notion of punishment for social misdemeanor should have been outside the scope of the Department of Indian Affairs. The proper authorities to consider such intra-band problems had always been vested within the authority of the chief and his council. Since the chiefs and their headmen had signed the treaty and since their authority had always been accepted by their followers, they would seem to have been the ones who were the proper men to judge what

payment ought to be withheld.

Government officials also used the threats of withholding annuities to keep the Indians under their authority. This action was taken in 1885 when the Indians were encouraged by some of their chiefs and by some Half-Breeds to join the rebellion. When decisions to withhold annuities under Treaty Number Four were taken, generally Indians had no recourse whereby to appeal such decisions. The structure of administration, although of good intent, had serious defects. Maintenance of law and order on reserves, for example, was difficult. The chiefs had no authority or means of enforcing their wishes. There was not a sufficient number of government officials to establish authority within each reserve. Liquor legislation was never enforced satisfactorily within various reserves throughout the period under discussion. Although the chiefs were urged to influence their band members to farm, they were generally unsuccessful. The Sessional Papers of 1896 indicate that none-the-less some Indian chiefs were able to co-ordinate haying activities.⁶ The whole administrative machinery proved unsatisfactory in implementing policies which would have caused the Indians to accept a new culture.

⁶Canada, Sessional Papers, 1896, p. 428.

D. Indian Status and the Reservation Question

Our Indian Legislation generally rests on the principle that the aboriginies are to be kept in a condition of tutelage and treated as wards or children of the State. The soundness of the principle I cannot admit. On the contrary, I am firmly persuaded that true interests of the aboriginies and of the State alike require that every effort be made to aid the Red man in lifting himself out of his condition of tutelage and dependence, and that is clearly our wisdom and our duty through education and every other means, to prepare him for a higher civilization by encouraging him to assume the privileges and responsibilities of full citizenship.

In this spirit and with this object the enfranchisement clauses in the proposed Indian bill have been frames. ¹

The principles enunciated by David Laird in his remarks on the Indian Act were generally those accepted by most Canadians in dealing with the Indians. The goal of lifting the Indians from their wardship state to a 'higher civilization' caused government officials to pass legislation and initiate a few de-Indianization programs, programs which could de-tribalize the Indians mainly by attaching them to the soil and by educating them. ²

¹Canada, Sessional Papers, 1876, Part I, p. XIII.

²Ibid., p. 31-38. F. A. N. Provencher, Indian Commissioner of Manitoba and the Northwest Territories, expounded his views on civilizing the Indians and the dilemma which faced the government in establishing policies for Indians. One of the interesting recommendations which he made was that Indian children should be taught in their native language although this meant a retention of part of their culture. The idea was subsequently not used in educating Indian children.

The distribution or allocation of reserve lands to individual Indians was always closely associated with the status of the Indians. During the period under discussion the attempts made by government officials to civilize the Indians depended a great deal upon overt behaviour of the Indians and upon the government's readiness to expend funds for that purpose.³ The long-term aim of the government remained a moral one; that is, government officials felt a duty to alleviate the Indian from his dependent condition. The more pragmatic policy dictated that the government attach the Indians to the land and avoid paying welfare monies to the Indians.

By 1878 when the Indians on the reserves had not yet learned to become self-sufficient agriculturalists and had to be supported through rations, government officials in Ottawa felt that individual families ought to be given location-tickets, a form of private land-holding under the trustful eye of the Canadian government. That is, the government would still act as trustee of the land and the property would be non-transferable.

Other than attempting to civilize the Indians through agriculture, not much was done to individualize and enfranchise the Indians until after the rebellion of 1885. From this time until 1905 the process of de-tribalization was to take shape by anchoring the Indians to individual bands, by removing Indian

³Very often the Indians forced the government to feed them by raiding stores or by threatening the use of force.

tribal customs, by having the natives work the land, and by having the more self-sufficient and enlightened Indians enfranchized.

Commissioner Dewdney instructed the Indian agents thus:

Special efforts are to be made towards doing away among the Indians with the tribal system and individuality is to be encouraged as much as possible. 4

When Chief Pasqua, one of the most renowned chiefs of the plains died in 1889, it was suggested by the agent that for the sake of civilization no chief ought to replace him.⁵ The suggestion was subsequently approved by the Deputy Minister of Indian Affairs. This method of dealing with Indian leadership proved unsatisfactory to the Indians as evidenced by a letter sent to Prime Minister Wilfrid Laurier in 1896. Some Chiefs and Councillors from Fort à la Corne which was immediately north of Treaty Number Four area stated:

The Indians are sorry to hear that when any chief or headman dies, the Government are not in favour of allowing them to appoint others to fill their places.

The Indians understood at the time of signing the Treaty through verbal interpretation that they should always have Chief and Councillors. 6

After 1885 renewed efforts were made to attach the Indians

⁴Indian Affairs Documents, Black Series, letter to Indian agents, August 19, 1885. P.A.C.

⁵Ibid., letter to the Superintendent General from Indian agent Lash, March 23, 1889.

⁶Ibid., a Petition from several Indians of the adjacent area to Honorable Wilfrid Laurier, August 10, 1896.

to the soil. The government proceeded to survey the land into 40-acre lots and convinced some Indians to move onto these lots and work them.⁷ This did not, however, solve the food problem because forty acres was not a large enough amount to support a family, and the majority of the Indians were not properly equipped to farm.

Government officials by 1885 were determined to allow the Indians of the Northwest to be included in the Enfranchisement Act. This would permit professional people such as teachers as well as the more progressive Indians to become voting citizens. It also meant the elimination of their treaty rights if they chose to renounce reserve life and move into the mainstream of Canadian society. Theoretically this practice would have assimilated the Indian people. In fact, it created a rejected people, that is, a people who could not adjust to the white society and who were rejected by the reserve system. Very few of the Indian people of Treaty Number Four benefitted from the Enfranchisement Act of 1886. A handful of people such as Charles Pratt became enfranchised; the rest of the Indians, as they chased the remnants of a once-plentiful wild-life and fished in fished-out lakes, became more entrenched in their poverty and dependent on government bacon and

⁷Canada, Sessional Papers, No. 12, 1890, p. 302. Parts of five reserves were sub-divided in 1889 into 40-acre lots.

flour.⁸

The dilemma of the Indian people is well-illustrated in a letter to a chief sent to him in the care of M. H. Graham, Indian Agent at Qu'Appelle, in 1903. Apparently the chief had applied for more land and for enfranchisement on behalf of his band. First of all, he was refused enfranchisement,

As a number of your Indians still follow to a large extent the Indian customs and habits in their manner of living, the time has not yet arrived when they should be enfranchised.⁹

J. McLean, the government official from Ottawa, then went on to explain that since the band's population had decreased from 250 to 215, the Indians really did not need more land as they now had more land per capita than in 1881. Since the band was a Sioux band, one must point out that these people had received only 80 acres of land per family of five. The letter further stated that

Your request for further land will be considered when the question of enfranchisement is finally dealt with.¹⁰

Because of lack of land and the lack of technical knowledge in

⁸In 1888, the government expended \$372,000.00 for destitute Indians in the Northwest Territories. Ten years earlier \$29,400.00 had been spent for the same purpose. In the 1887-88 report, it was stated that the Indians of Treaty Number Four had received a total of 454,000 pounds of flour and 295,000 pounds of meat. Dewdney, E., Description and Plane of Certain Indian Reserves in the Province of Manitoba and the Northwest Territories, Regina, J. L. Perkins, Bookbinders, 1889, p. 21-25.

⁹Indian Affairs Documents, Black Series, letter to the Sioux Chief from J. D. McLean, March 25, 1903. P.A.C.

¹⁰Ibid.

farming, the Indians remained dependent upon government provisions and their old mode of life -- hunting and fishing. It must be pointed out here that most of the Indians of Treaty Number Four had already had to make an adjustment from buffalo hunting to small game hunting and fishing. This many of them did reluctantly and unsuccessfully. The dependence upon government support and the perpetuating of old customs meant that the Indians could not be enfranchised. Lack of political and economic power kept the Indians at a low social level. This in turn sustained the government officials' view that the Indians ought to be kept in tutelage as minors. By the beginning of the twentieth century, regardless of an Indian's social or political prominence within his band, almost every Indian of Treaty Number Four remained a ward of the state.

CHAPTER IV

THE TREATY AND INDIAN PROBLEMS

A. Education

The vehicle previously alluded to by which the Indian would eventually remove his political, economic and social shackles was formal education. This education took several forms for the various segments of the Indian population. Generally, education was geared towards the youthful groups who were supposed to reject the ways and views of the older generation.¹ Eventually the older generation would die off and the younger generation would embrace the Euro-Canadian way of life and shed the influence of their ancestors. Whatever coercion, threat, or persuasion was used to indoctrinate 'civilization' and Christianity into the young Indian minds, it remained unsuccessful partly due to circumstances and partly due to the opposition of the older generations to the type of education which was proposed by government officials and the churches for the Indian children.

Government officials' wishful thinking that the Indians once on a reserve would look across the way and emulate the white settlers in working the land was soon dissipated.² Because of

¹Canada, Sessional Papers, No. 9, 1876, p. 35-36.

²Ibid., p. 33. Provencher's claim that a government's sole duties towards Indians in the Northwest were the superintendence of real estate and the prevention of the sale of spirituous liquors soon proved to be false.

this it was decided as early as 1879 by the government that a system of farm instruction would be established for the Indians of the Northwest including those of the Qu'Appelle Treaty.³ The farm instructors, whose only qualification for the job might be political affiliation, never successfully established the Indians as self-sufficient farmers.⁴ Most of the instructors, like the farmers of the Northwest, knew nothing about dry farming which was the only successful way of working the available land on which the Indians of Treaty Number Four had settled. When the instructional system was introduced, the Indians were hardly prepared to farm and refused to abide by government regulations to remain on their reserves to work the land. Usually the instructor, along with his wife and other relatives, drew a salary and provisions while attempting to convince the Indians they ought to follow his precepts. Sir John Macdonald's view that such a system would be required for only a few years whereupon the natives would become proper farmers never materialized.⁵ Besides the many re-adjustment

³Canada, Sessional Papers, No. 65, 1880, p. 2. Four of the seventeen instructors hired were for Treaty Number Four area.

⁴Ibid., 1900, p. 559. Agency reports for Treaty Number Four area indicate that approximately 3,000 acres yielded 30,000 bushels of wheat, oats and barley.

⁵Indian Affairs Documents, Black Series, memorandum to Sir John A. Macdonald, May 22, 1882, P.A.C. The memorandum shows that the government was hopeful that the farm instruction system would be successful within a short period of time. Thus the instructors were hired for only a three year period in 1879, P.A.C.

problems, the Indian had to contend with too few tools and animals to set himself up as a successful farmer. It seems that little more of the good precepts of the farm instructors rubbed off onto the Indians than had those of the settlers.

By treaty agreement the Commissioner bound the government of Canada to provide schools for the Indians of Treaty Number Four. For the most part the Indians contended that the schools ought to be built on the reserves where the children would be in close proximity to their homes.⁶ Although the government yielded to Indian pressure to build a few day schools, as they became known, most of the government monies were spent in building industrial or residential schools which were centralized in larger towns or reserves. Those children affected by Treaty Number Four mainly attended Qu'Appelle, Elkhorn and Brandon Industrial Schools.

The principles upon which these schools were founded were based upon the Honourable N. F. Davin's report of 1879. Nicholas F. Davin was commissioned by the Department of Interior to investigate the system used in the United States. N.F. Davin based his support of this school system upon information gained from his interviews with government officials and Indian chiefs of the "five civilized tribes" after which he drew the following observation:

The happy results of Industrial schools are strikingly shown in the case of the five 'civilized' nations, the Cherokees, the

⁶ Indian Affairs Documents, Black Series, 422, 752, Speech of Star Blanket, a Cree chief, to the Governor General, undated, presumably in the early 1900's, P.A.C.

Chickasaws, Chocktaws, the Creeks, and Seminoles, who are all making undoubted progress in agriculture and in education. 7

For further evidence of the success of these schools, N. F. Davin was induced to visit the White Earth agency in Minnesota where he

found the school well-attended, and the answering of the children creditable. But the quickest and brightest were mixed bloods. 8

According to Davin the industrial school was the most fundamental and successful feature of the policy known as that of 'aggressive civilization' adopted by the United States government in its attempt to elevate the Indian to 'higher' civilization. This type of school was allegedly superior to the day school which

did not work, because the influence of the wigwam was stronger than the influence of the school. 9

The history of the Qu'Appelle Industrial School which affected most of the Indians of Treaty Number Four will be discussed in relation to some of the recommendations made in the Davin report. It was recommended that the government contract the school responsibilities to church organizations such as the Oblate Fathers who under Father Houganard opened their school at Qu'Appelle in 1884. Davin favoured Buffalo Lake over the

⁷Report on Industrial Schools for Indians and Half-Breeds, to the Minister of the Interior from Nicholas F. Davin, March 14, 1879, P.A.S. (Regina).

⁸Ibid., The White Earth agency was made up of Chippewa Indians.

⁹Ibid.

Qu'Appelle site because the former location

would have the advantage of being removed far from possible contact with whites for many years at least. 10

N. F. Davin was also of the opinion that denominational schools would be essential in order that the Indians' mythology be successfully replaced by a 'superior' faith which would be best inculcated by religious bodies. Although the religious orders, that is, the Oblate Fathers and the nuns, offered 'proper' models of life to the Indians, the difficulty of converting the Indian people to Christianity and having them renounce their 'pagan' religion is best illustrated by the following anecdote which was narrated by Father Houganard in 1916.

An elderly Indian lady who refused to embrace Christianity told of the dilemma of an old aunt who had been baptized in the Roman Catholic faith, had supposedly died, then re-appeared to her relatives to whom she told the following story:

My grandchildren, do not be afraid; the Great Spirit sent me down to warn you. When I died I went to the heaven of the Indians, but they said, 'You have been baptized and you are covered with crosses; go to the heaven of the white people.' When I got there, they said, 'Grandmother, you have the skin of an Indian; we cannot take you here.' So I warn you not to be baptized or become Christians. 11

¹⁰ Report on Industrial Schools for Indians and Half-Breeds, to the Minister of the Interior from Nicholas F. Davin, March 14, 1879, P.A.S. (Regina).

¹¹ Indians of North America - Anecdotes, 'Indian of the West', F. Houganard, reprinted from The Leader, May 27, 1961. P.A.S. (Regina).

A grandmother of some children under Father Houganard's school had come to visit the children during which time the priest attempted to convince the Indian lady to become baptized, but the lady had the following answer:

Grandson, you see me now; I am about a hundred years old. Every summer when there is a rain storm, especially a thunder storm, I go out of my tent and with only a single dress and bare-headed, I let the Great Spirit baptize me . . . and I am happy because I have been baptized by the Spirits from above. 12

Among the more constructive recommendations that Davin made were the paying of decent salaries to attract good teachers who should have a sound character and a knowledge of farming. Unfortunately, the number of pupils put under the charge of teachers was usually so great that it would have been impossible for such a teacher to function satisfactorily. Secondly, since the schools were denominational, the government, though it gave grants to the churches, had no control over the hiring of teachers who were quite often not qualified and under-paid.

The aims of the Industrial schools were to purge the Indian children of their ancestral habits by teaching them a new language and trades. According to Davin the establishment of a proper milieu was imperative. To substantiate his point he quoted a Mr. Muker, an educator of United States Indians:

Hitherto, says Mr. Muker, young men have been boarded and clothed and instructed, but in time they were off to the hunting ground. The plan now is to take young children, give them the care

¹²Indians of North America - Anecdotes, op. cit., story told by Abel Watetch, P.A.S.(Regina).

of a mother, and have them instantly in hand. Such care must go pari passu with religious training. 13

It was common belief that Indian children were inferior to Caucasians and could not cope with advanced academic courses so only English and elementary arithmetic were taught to the Indian students. The rest of the time they were subjected to routine labour and the learning of Christianity and trades.*

To appreciate the lack of success of these Industrial Schools which taught practical curricula for the education of most children, some of the problems and forces working against it must be considered. In many cases the schools were understaffed as indicated by Reverend Houganard in 1888 and attendance was irregular. He stated,

. . . fifty-two girls taught and overseen by one sister. Pupils come in any time of year . . . newcomers do not understand English and are not at all broken to discipline. 14

Since many Indians were still nomadic and unconvinced that the Industrial schools were doing any good for their children, it is understandable that many were tardy. Another problem of attendance was associated with sickness. Many children died from tuberculosis and scrofula, both contagious diseases, but both considered hered-

¹³ Davin, N. F., Report on Industrial Schools for Indians and Half-Breeds, op. cit.

¹⁴ Indian Affairs Documents, Black Series, letter from Reverend Joseph Houganard to H. Reed, November 20, 1888. P.A.C.

* See Appendix XII.

itary at the time. Perhaps most important of all is the fact that the schools did not turn out to be suitable substitutes for parenthood. Both parents and children torn apart from one another by persuasion or by police coercion and threats could not overcome their loneliness. Abel Watetch, a student of the Qu'Appelle school recalled his experience when observing a family overcome by emotion upon their reunion at the school,

Just then, I seem to feel as if something was choking me, too, as when my father brought me into the school years before, he told me not to feel lonesome as I was a motherless kid and my sister had to take me away, when my dad was leaving me. I turned away and looked around the hills and eventually I was alright again. 15

Legislation was introduced in 1894 for compulsory attendance at industrial and boarding schools. The age limit was to be eighteen years, but students were often compelled to go beyond that age. The governor-in-council had the right to apply

. . . the annuities and interest moneys of children committed to such industrial school or boarding school, to the maintenance of such schools respectively, or to the maintenance of the children themselves. 16

Although the government was responsible by treaty to wholly support schools, it used the Indians' money to do so. The unsuccessfulness of the industrial school is well summed up in the following situation sent to Right Honourable Wilfrid Laurier in 1896:

¹⁵ Indians of North America - Anecdotes, C-1. Story told Abel Watetch, P.A.S. (Regina).

¹⁶ Indian Affairs Documents, Black Series, letter from H. Reed to Assistant Indian Commissioner in Regina, July 31, 1894, P.A.C.

In regard to the Industrial Schools in this District we find that the progress made in regard to learning is poor and when the children leave these schools they are not assisted to make a start for themselves and in some cases their clothing which they receive whilst at the school is taken from them when they leave. Also in some cases after four or five years attendance at the school they return home unable to either write or speak English. 17

The policy of forced assimilation and indoctrination was further maintained through residential schools which were normally operated as mission schools. This system, instituted in the late 1880's, used essentially the same academic courses as the day schools, but there was one major difference in the minds of government and church officials; one had dictatorial control of the children for twenty-four hours a day, whereas in the other the children went home after school hours. The Indians preferred the day schools as children could be kept at home. This was unsatisfactory to the government as the children attended school less regularly and were constantly exposed to the Indian way of life which eventually deteriorated into a poverty culture. The main reasons for absenteeism were parental indifference to formal education, the family pursuit of hunting and fishing, and the people's state of poverty often sinking to starvation.

The Indian's failure to embrace successfully and generally this school system was comprehensible; the government's refusal

¹⁷ Indian Affairs Documents, Black Series, Petition to the Honourable Wilfrid Laurier from a number of Indians at Fort à la Corne adjacent to Treaty Number Four area. August 10, 1896, P.A.C.

to implement its treaty obligations was incomprehensible. In the minds of most responsible Indians the treaty implications were clear as expressed by a chief:

In the treaty we made then the Government promised to make a school for every band of Indians on their own Reserve, but instead little children are torn from their mothers' arms or homes by the police or Government Agents and taken sometimes hundreds of miles to large schools perhaps to take sick and die when their family cannot see them. The little ants which live in the earth have their young ones and wish to have them in their homes. Surely us red men are not smaller than these ants. 18

It is obvious from treaty negotiations that some of the Indians had an inkling that schools would be required to educate their children. Government officials knew that, too. Although there was much correspondence about building schools, very little was accomplished during the first quarter century of government rule over the Qu'Appelle Indians. 19

Like the rest of the clauses in the treaty, the school clause was unilaterally interpreted by the Department. For that

¹⁸Indian Affairs Documents, Black Series, address by Star Blanket to the Great White Chief, presumably the Governor General of Canada. Since the correspondence bears no date, the document number 422,752 is given, P.A.C.

¹⁹By 1900, there were 195 Indian students attending boarding schools and 71 attending 5 day schools in Treaty Number Four area. There were 225 students at Qu'Appelle Industrial School and 105 at Regina Industrial School. The statistics for Industrial Schools include students from other areas. Probably less than 75% of the total number were from the area covered by Treaty Number Four. Canada Sessional Papers, No. 14, 1890, School Inspectorate's Report, p. 369-376.

reason, the government decided when a band was ready for a school and thereupon forced the Indians to build or help build the school before it was prepared to provide a teacher. Although as early as 1879 it was recommended that a school be built on each reserve, most of the reserves never received a day school. Pasqua's reserve did not receive a school until 1884 although the reserve had been settled for a considerable time. It was practically impossible to supply these schools with qualified personnel since the salaries and the working conditions were poor. In 1873, a \$300.00 grant per annum was granted out of the Indian fund to engage teachers. The schools were to receive full grant provided there was an average of sixty scholars in attendance.²⁰ In 1882 an Order-in-Council allowed for a salary of \$300.00 per annum, plus "\$12.00 for each student over twenty-five in number and under forty-two."²¹ Still, it was reported that "the salary now offered for teachers (\$300.00) is not such as can possibly attract efficient teachers, especially in out of the way reserves and when the character of the work is taken into account."²²

There were too few children in attendance in the various schools, the Indians' interest was too low and the government policy was too feeble for the educational system to have had much

²⁰ Morris Papers, Ketcheson Collection, November 20, 1873, P.A.M.

²¹ Indian Affairs Documents, Black Series, memorandum from Indian Affairs Department, June 25, 1891, P.A.C.

²² Ibid., Report from St. John's College, Qu'Appelle, February 23, 1886.

impact in changing their 'primitive state' to a 'higher civilization', a lofty ideal expressed by many government officials who set up a poor education machine to implement it. Consequently, the new generation, except to a few, forgot their arithmetic, English, and new religion and embraced some of the old ways of their forefathers and their new way — that of a welfare state.

B. Economics

In 1883, a government official reported that gophers were relished by the Indians as food; during the course of the next few years some Indians of the Qu'Appelle region were requested to allocate some of their band money to exterminate the gophers. In the spring, as early as April, Indian crops were reported to be growing and doing well; in the fall there were usually excuses for the crops' having done poorly. When the central office in Ottawa would require austerity, it was usually applied directly towards the Indians. Bacon and flour rations would be cut down, and tea and sugar would become unobtainable luxuries for the natives. Austerity usually led to privation; privation to starvation. While this went on, the Indian Affairs bureaucracy fed by political patronage grew and government employees made sure they received their guaranteed annual provisions. Since Indian Agents kept track of the Indian provisions and those of government employees under the same account, it became difficult to say how many times government officials would avail themselves of Indian provisions. The Plains hunters, deprived of the buffalo, could not make themselves do things they held in disdain -- manual labour and fishing; many of the woodland people could no longer fish and hunt successfully; the fur trade for all practical purposes was dead; game was too scarce to provide a decent living.

Under these trying conditions the Indians were expected to adopt a new way of life and new techniques of self-sufficiency.

Morris had promised that the Queen, the Great White Mother, had sent him to see to the welfare of her red children. The immediate help promised the Indians was in the form of such things as farming implements, cattle, ammunition, and twine.

A little ammunition to kill a little game and a few nets to catch a few fish was all that could be expected in terms of food production from the allotted ammunition and fishing materials. The total sum of seven hundred and fifty dollars for hunting and fishing equipment was hardly sufficient for the Indian people of Treaty Four. Since hunting and fishing had been the sole means of livelihood for the Indians, it is not conceivable that a commission concerned for the people could have deemed it necessary to include the hunting and fishing rights clause in the treaties as a concession to the Indians. Perhaps as important was the fact that the Indians were often subject to hunting and fishing regulations which restricted their right to make a living at their particular avocations. As the Indians of Fort à la Corne adjacent to Treaty Four, stated in their petition to Sir Wilfrid Laurier:

We understood at the time of signing Treaty that we should retain any privileges we held, besides having the same opportunity of making a livelihood as the Whiteman.

We find we are prevented from fishing in the waters along our Reserves -- and also shooting game in the close season -- Nothing of this was mentioned at that time -- and we consider the enforcing of these regulations, is unjust. ¹

The most complex problem confronting officials and Indians

¹Indian Affairs Documents, Black Series, August 10, 1896, P.A.C.

in economic terms was farming. This problem was never resolved well enough to make the Indian population self-sufficient during the latter part of the nineteenth century or later. This was applicable as well to the Sioux Indians, who were generally considered more progressive and intelligent than the Canadian Indians of the Northwest.

There are several reasons that could be explored to indicate the failure of the Indians to adjust to the new life. Some areas bound by Treaty Number Four were unfit for farming and cattle-raising. The Plains Indians, in particular, were at best cool to the idea of farming; some of them rejected it completely. The new cultural traits such as religion and new occupations did not adequately replace the old cultural values.²

The Plains Indians accustomed to an easy, free, and lazy existence will not in the present generation take to farming unless compelled to do so. ³

They had been forced to leave their former location which in part was ideal for cattle-raising. Indian Affairs officials used a narrow interpretation of their responsibilities to supply the Indians with farming implements and cattle, and after 1884, many bands were stripped of their most productive land in the guise of the 'for their benefit' clause.

²Hallowell, A. I., Culture and Experience, University of Pennsylvania Press, 2nd. Edition, 1955.

³Morris Papers, Lieutenant Governor's Collection, Report of Edward McKay to A. Morris, May 18, 1873, P.A.M.

This statement generally held true for the Indians under consideration (with occasional exception) who were enticed to farm. At the outset this enticement was supposed to develop, according to the Indian Commissioner, through the Indians' observation of the settlers' success:

Indian Reserves being generally situated in the midst, or in the immediate vicinity of settlements, there is no necessity (as in the case elsewhere) to teach the several Tribes in the rudiments of the new way of life which they are called upon to embrace. 4

The following year the Commissioner in his annual report claimed that the government had no responsibility or duty to set up model farms. He therefore concluded:

. . . nothing therefore remains to be done but the superintendence of real estate and the preventions of the sale of spirituous liquors. 5

In time, it was proven that mere observation and non-participation by the government would not make an Indian a farmer. By 1879 Government policy instead was to establish model farms where the farm instructors were to guide the Indians in learning how to make a living by agriculture. Besides teaching the Indians farming, food would be produced at the local level, thereby, reducing the importation of provisions and the government would have a new patronage system. It is doubtful if the learning that was done

⁴Canada, Sessional Papers, Lieutenant Governor A. Morris, report to Superintendent General of Indian Affairs, October 30, 1875, p. 32.

⁵Ibid., Indian Commissioner Provencher, 1876, p. 33.

and the actual profits through production offset the vast expenditures of the farm-instruction system. In 1885 when Commissioner Dewdney was trying to convince Sir J. A. Macdonald to establish an agency inspectorate for the Northwest Indians, he stated:

One returns always a large area under crop in the Spring, but it does not 'pan out' in the Fall. 6

Indeed there were many glowing reports compiled by Indian agents and Commissioners especially when the Superintendent of Indian Affairs directed his commissioners to send in "a full and favourable report on the progress of Indian settlement on the Reserve."⁷ One such report among many from Indian Agent Lash read as follows:

Harvesting opened very early, the crop is very light and in some cases not worth cutting and the potatoes owing to the drought have taken a second growth, the late rains may overcome this, as there is time yet, but at present the roots do not look very encouraging. 8

Another report from the Crooked Lake Agency for July, 1890, read as follows:

I cannot report as favourably of the rye, this no doubt is inferior seed. What has grown looks well, some as high as six feet. 9

⁶Sir John A. Macdonald Papers, letter from Lieutenant Governor Dewdney to Prime Minister John A. Macdonald, February 4, 1883. P.A.S. (Regina).

⁷Ibid., Private letter from Prime Minister J. A. Macdonald, to Lieutenant Governor Dewdney, September 17, 1883.

⁸Indian Affairs Documents, Black Series, July 7, 1888. P.A.C.

⁹Ibid., Report to Superintendent-General Crooked Lake Agency, August 6, 1890.

The Indian people's disinclination to labour from dawn to dusk and the unsuitable climate for grain growing coupled initially with the lack of farming implements assured the failure of the attempts. The lack of farming implements was one of the main issues that several chiefs exposed to His Excellency, the Governor General of Canada when he visited the Sioux, Crees, and Assiniboinas at Qu'Appelle in 1881. Standing Bull's claim that he did not have enough tools to farm was echoed by several chiefs, including Strong Quill. Originally it had been proposed not to give the Indians at Qu'Appelle expensive gifts such as farming equipment, but the Lieutenant Governor conceded the point on the understanding that implements would be given to those Indians who had started to farm. But the implements were simply loaned out to the Indians, a method which was disagreeable to them as they were obliged to share in the use of them. The need for more implements was again mentioned by the Indians at Crooked Lake who confronted the Commissioner and the police force with armed resistance in 1884. To satisfy them, Dewdney purchased two breaking ploughs and two cross ploughs. In 1888 it was estimated that each Indian family received \$73.30 through agriculture and other industries with each family having an average of 2.9 acres under cultivation with an average production of 55 bushels of grain and roots.¹⁰ Except for a few individual farmers, little had been achieved by

¹⁰ Indians of North America, 'Index and Summaries',
Lieutenant Governor's Record Book M103, P.A.S., (Regina).

the turn of the century in converting the Indians to agriculture. Even those who were successful in growing crops very often had to contend with marketing problems.¹¹

The government by treaty obligation also committed itself to provide the Indians with cattle, but it was virtually impossible for the Indians to build up herds as starvation forced them to kill their animals for meat. Like farming implements, cattle remained the property of Indian Affairs except when a band built up their own herds as did Coté's band who were reported to have 397 head in 1905. From available statistics one can conclude that cattle raising was no more successful than farming.¹²

Lastly, when Indian lands were required by various interested parties, it was common practice to uproot the Indian farmer from his improved lot and home for a pittance, a practice which was hardly in keeping with the Governor-General's profession of 1881:

I want them to know for certain that having made so long a journey it shows the Queen's love who always loves her red children and was very sorry seven years ago to learn that they were hungry. ¹³

¹¹Indian Affairs Documents, Black Series, Memorandum to Deputy Minister of Indian Affairs from James Campbell, July 19, 1905. P.A.C.

¹²As an example of the relatively low agricultural productivity of the Indians of Treaty Number Four, part of the report for 1890 is included as Appendix XI. The Sessional Papers included such a report annually.

¹³Indians of North America, report on visit of Governor-General to Fort Qu'Appelle Indians, November 5, 1881, p. 13, P.A.S., (Regina).

In effect, little consideration was given to the Indian's right to occupy a piece of land which he had improved when that piece of land was within a surrendered area. In 1905 when it was suggested that part of Pasqua's reserve be sold, the agent commented thus:

I am satisfied four hundred acres of plowing and three of four dwellings and the Farm Instructor's barns is all that would be cut off by selling this land. I would suggest that the owners of this cultivation be compensated at the rate of five dollars per acre (the number of acres to be determined by the Department's surveyors), and the buildings could be valued by an officer and compensation given. 14

Such land-purchasing policies contradicted avowed government policy to encourage the Indians in working the land on an individual basis.

Besides farming the Indians could sell hay and timber from their reserves. The haying was not too profitable; the timber, like the fishing industry was limited through a permit system. Some Indian people would be hired as scouts or as Indian Affairs employees, but only on a very limited scale. One or two teachers, Indian agents here and there, and the odd wood-chopper for survey crews were employed and in most cases they were underpaid. Because of the lack of economic opportunity and because the Indians' staple food had disappeared during this period, the Indians, rather than being elevated to a 'more progressive' civilization from their hunting and fishing state, actually regressed. Many observers felt

¹⁴Indian Affairs Documents, Black Series, report to the Honourable Frank Oliver from agent at Fort Qu'Appelle, December 20, 1905, P.A.C.

that the Indians would die off.¹⁵

As early as 1881 the Indians in the Qu'Appelle region wanted to re-write the treaty so that government provisions would keep them alive and help them recover from their misery. The chiefs told the Governor General that the government's implementation of the treaty was simply not sufficient to help the Indians because the government had stopped giving such things as ammunition and had reduced annuity rations. While the Governor General told them about the virtue of work and promised to do something about their plight, the Conservative government had embarked on an austerity program in its dealings with the Indians. The Governor-General represented the Queen; the government represented the economic power of the country.

The Indians' discontent with their economic status often brought them into direct confrontation with various government officials. The government often came under severe criticism by Indian leaders themselves for its dealings with the Indians. Piapot put this problem very succinctly to the Superior General of the Oblate order in Lebreton in 1895:

In order to become sole masters of our land, they relegated us to small reservations as big as my hand and made us long promises, as long as my arm; but the next year the promises were shorter and got shorter every year until now they are about the length of my finger, and they keep only half of that. 16

¹⁵Indian Affairs Documents, Black Series, letter from James Setter, Indian missionary to Sir John A. Macdonald, March 10, 1885, P.A.C.

¹⁶Indians of North America - Anecdotes, 'Indians of the West', op. cit.

In 1884, several Indians almost staged a rebellion in the Qu'Appelle region as a result of their lack of food and their inability to communicate their problems to the Lieutenant Governor. When Superintendent Hershmer attempted to arrest some of the Indians who had forcibly taken rations from the stores, O'Soup, one of the Indian chiefs, justified their actions because they were in a starving condition, rations had been refused, and the food which had been taken belonged to them anyway.

The government authorities including Indian Agent A. McDonald and Superintendent Hershmer, understanding the determination of the Indians decided not to prosecute the offending Indians in order to avoid a direct confrontation. The Indians had shown enough determination when one of them prevented Superintendent Hershmer from entering their barricaded house by aiming a gun at his face.

Generally however, government officials and the police force could influence the Indians through their control of government funds.

It is this power that was used to sustain the Indian, to appease him and finally to subjugate him to the will of the officials holding the lowest positions in the Indian Affairs Department. How strange it must have been to former great chiefs such as Star Blanket, Pia-pot and Pasqua to be able to deal with Governor-Generals and yet submit themselves to the will of the agent so that their bands would not starve.

The quality and quantity of food supplied to the various Indian bands depended on many factors such as attitudes of the Indian towards submission and work, and that of the Indian agent

towards the Indians or towards his superior. The agent, in order to establish his authority over the Indians, would often cut off rations or replace them. When the government attempted to move the Indians westward and northward to their allocated reserves, the agents would be instructed to give rations only in those areas. A classic example of ration substitution occurred at Beaver Lake in 1882. The Indians living there had previously refused to remove to Saddle Lake. Consequently, when they begged for food, the agent ordered that 500 pounds of barley be sent to them at Saddle Lake along with 1200 pounds of chopped barley for porridge.¹⁷

Such sanctions were even applied to Indians who refused to vote for land surrendering. For example, in 1891, the agent threatened the Indian thus,

I have pointed out to the 'old-time' group that as they have willfully chosen, to defeat a project that was for the good of the Band and which would have materially aided progress being made, that they cannot expect the Department to view their opposition with anything but disfavour and that they must expect certain consequences to follow as long as they persist in obstructing our efforts for the advancement of the Indians. ¹⁸

Since the entire political machinery favoured surrender on behalf of potential votes the Indians had no recourse for justice in the face of such threats.

¹⁷ Indian Affairs Documents, Black Series, letter to the Indian Commissioner from G. H. Harpin for the Indian Agent, January 17, 1892, P.A.C.

¹⁸ Ibid., report to the Secretary, Department of Indian Affairs, Ottawa from agent Mitchell, February 16, 1901.

The distribution of rations was also directly related to the challenging of the Indians to work and to the enforcement of law. It was felt that the Indians if over-fed would not work their farms or hunt. Consequently, rations were normally reduced during the warmer seasons. In 1887 when Pia-pot requested more rations for his people, the Agent reported:

To increase it (the ration) to the satisfying point of 1 pound per soul per day of beef would mean to encourage the Indians in idle habits and over-shadow all chances of ever making them self-sufficient. 19

On the other hand, working Indians were normally provided with small rations as inducement to work. In the 1880's, since dancing interfered with farming and created many social problems, it was decided to stop the pow-wows. D. H. Hodges of the Presbyterian Church of Oak Lake said that the pow-wow was held:

. . . to the great discomfort and annoyance of many of our town's people. Moreover this repeated desecration of the Sabbath is always done by them with a Union Jack floating above them. 20

In 1886, the Indian agent of Muscowpetung's reserve claimed that he had stopped rations for all those who refused to stop dancing.

Many Indian Affairs officials such as the Indian agents who controlled the supply of provisions would gauge their success as administrators by showing how low costs could be kept. In-

¹⁹Indian Affairs Documents, Black Series, Report to Department of Indian Affairs from Indian Agent Lash, January 10, 1887, P.A.C.

²⁰Ibid., September, 1888,

spector Wadsworth in 1882 claimed:

Whilst there (at the Blood Reserve) it brought to my recollection, that it was at my visit there a year ago I fixed the flour ration at what it is $\frac{1}{2}$ pound per soul. The Indians are as contented today as they were when getting 1 lb. . . . It is from making such savings as this to the Department I have my title to increase of pay. 21

Drawing attention to the merits of economic retrenchment he went on to say "it is an honour to be the first to conceive just where and when to do it."²² His main object was to convince Ottawa to give him a raise. Some Indians would be placed on half rations or on irregular rations so that the cost would be kept below budgetary estimates. In some cases, regular bacon was replaced by old oxen, horses or dogs. Pahsung, an Indian leader upon pleading to the Governor-General alleged, "The horses that have had the scab have been given to the children to eat."²³ Another chief from northern Saskatchewan said at the same meeting,

You do not see horses because I have eaten them.
We have also eaten our dogs. That is what your work had done for me. 24

These are, perhaps, exaggerated claims, but the agent, McDonald, who was present, denied neither claim.

²¹ Indian Affairs Documents, Black Series, Letter to the Deputy for the Superintendent General of Indian Affairs from Inspector Wadsworth, June 13, 1882, P.A.C.

²² Ibid.

²³ Indians of North America, report on visit of Governor-General to Fort Qu'Appelle Indians, op. cit.

²⁴ Ibid.

The agents were also directed from the Commissioner's office or from Ottawa about the quantity of rations to be given to the Indians. These rations included the presents given at the payment of annuities, a custom which had been developed to win over the friendship of the natives. In 1888 the Commissioner directed that:

the maximum rations should consist of $\frac{1}{2}$ pound of bacon or one pound of meat, and one pound of flour. It is not intended to furnish them with tea, sugar, or tobacco except during payment time; of course, in the event of sickness a doctor's prescription would have to be carried out. 25

In 1881, the government ordered that fixed rations of 2 pounds of meat, 8 pounds of flour, $\frac{1}{4}$ pound each of tea and sugar, and $\frac{1}{8}$ pound of tobacco should be distributed on a per capita basis.²⁶

Lieutenant-Governor David Laird in a letter to Ottawa saw the Canadian government's position in this light:

The Government, I feel convinced have to make up their minds to one of three policies, vis. to help the Indians to farm and raise stock, to feed them, or to fight them. 27

During the greater part of time covered by this paper, the government chose to help the Indians at farming a little, to feed them a little, and to fight them a little.

²⁵Indian Affairs Documents, Black Series, directive from Dewdney to Indian Agents, February 25, 1888. P.A.C.

²⁶Ibid., letter from the Assistant Indian Commissioner to Indian Agents, June 21, 1881.

²⁷David Laird Papers, letter from David Laird presumably written in 1878. P.A.S.

The fundamental problem for the native people of the Northwest during the last part of the nineteenth century was adjusting to a new way of life. For many, it was starvation, sickness, and death. The principle of survival of the fittest was no doubt applicable to these people who had given away part of a continent for a pittance. Many settlers who came to the West experienced hardships, but eventually became successful, received government assistance, or moved to another area.

In the writings relating to the Northwest, no evidence is found to indicate that Indian Affairs employees were subject to economic deprivation; nor does one find much evidence that corporations protected by government patronage were ever forced out of business. Most government employees coming to the Northwest were guaranteed a fairly substantial income and monthly provisions. Practically every household necessity such as soap, and a wide variety of foods were provided. All agents and farm instructors were provided with comfortable houses, generally constructed by friends of the government. At the outset, it was common practice for farm instructors to employ members of their immediate families to help them in training the Indians. In 1888 Ottawa recommended that such practices cease in order to cut down expenses. It was not uncommon to pay dismissed employees two or three months wages after they had left the government's service.

Corporations such as Baker Co. enjoyed the patronage of the government for most of the time under discussion. Cameron, an Ontario Member of Parliament, in his attack on the Conservative

government alleged that bacon was provided to the Indians in order to sustain the business of this company. Statistics showed that beef could be purchased at almost half the cost of bacon.²⁸ Considering that the Indians disliked bacon as they were not accustomed to that kind of meat and that beef would have promoted local business, it is hard to understand the logic in purchasing bacon.²⁹

One of the over-riding issues during the Liberal administration of 1896 to 1905 was patronage. The correspondence of Clifford Sifton, Minister of Interior, indicates that in most cases the main concern was in satisfying Liberal associations or supporters rather in helping the Indians, which was supposed to be the raison d'être of the Department of Indian Affairs. This period stands out because it clearly indicates the conflict of interest which was vested within the authority of the minister in charge of the Department of Interior and that of Indian Affairs. In 1897, Clifford Sifton stated that in Indian land surrenders it was

²⁸Indians of North America, 'Index and Summaries',
op. cit., p. 21.

²⁹It could be argued that bacon kept better without refrigeration than did beef, but most of the rations were distributed in the winter. In Treaty Number Six area, the Indians were fed mainly beef by treaty concession. Moreover, bacon was detrimental to the health of those who had suffered from consumptive diseases. Indian Affairs Documents, Black Series, report from Indian Commissioner Dewdney to the Superintendent General, April 28, 1884, p. 5, P.A.C.

impossible to throw land held by Indians open for settlement immediately on a proposition to that effect being made, even in cases in which it is clear to the Department that it is the general interest as well as in the interest of any particular band themselves that such land should be thrown open. 30

During a period when Indian power in the Northwest had deteriorated to nothing, it was understandable that Indian interests were sacrificed for settlement. The tremendous influx of settlement into the greater part of the region inhabited by Indians of Treaty Number Four after 1900 led to the beginning of a scheme whereby these Indians lost a great amount of their land holdings.³¹

Through the period under discussion economic issues remained the dominant issues between Indians and government officials. Generally Indians were considered too lazy or unable to perform the work hoped for by government officials. The Indians continued to grumble about the little economic help they were getting and continuously charged the government with non-fulfillment of its treaty obligations. Pia-pot, while stating the Indian case, was reputed to have said,

When the treaty was made long ago with the Indian people, the government said that it should last as long as the grass grew, the sun rose, and rivers ran,

³⁰ Clifford Sifton Papers, letter to Oliver (Member of Parliament), August 5, 1897, P.A.C.

³¹ During this period, Indian land near railroads came into great demand. Many reserves such as Pasqua's and Cowessess' were reduced extensively.

and men walked on two legs. Now, he said, I know the White men are going to break the treaty, because the government has sent us a man who has only got a leg and a half. 32

³²Indians of North America, Pia-pot's biography, op. cit.
Pia-pot was referring to Indian Agent Graham who wore an artificial leg.

C. Effects of the New Civilization Upon the Indians

From the signing of Treaty Number Four to the turn of the century, the Indians concerned in the signing and implementation of the treaty had experienced two distinct modes of life — that of the hunter and that of a ward of the state on a reserve. The disappearance of the buffalo, the Canadian government's policy, the great impetus of a new civilization, and the Indians' own failure to adjust to a completely new way of life caused havoc among the Northwestern Indians. Social disintegration caused by the loss of economic, political, and social controls within the society became characteristics of the Indian communities.¹ This phenomenon manifested itself in liquor abuse, lack of interest in their community, squalor, and general lack of initiative. This became 'Indian' phenomena in the minds of the settlers, government officials, and other Canadian citizens. The government's policies, on the whole, were to attack in a half-hearted manner the phenomena, but never really to tackle the causes. The Indians aspired to effect a change in the cycle through government aid, but their plans were costly and often sneered at by government officials who controlled the political and economic structures of

¹Bailey, Alfred, The Conflict of European and Eastern Algonkian Cultures 1504-1700, New Brunswick Museum, Monographic Series #2, 1937. The description of the Eastern Algonkians' cultural disintegration is applicable to that of the Indians of Treaty Number Four area.

of the system and who attempted to annihilate the social and religious structures within the Indian community.² The result was loss of prestige and initiative on the part of the Indians and their down-grading in the eyes of some of their white neighbours who came to view the Indians as nothing more than drunkards and lazy bums. At the outset, government officials had hoped to have Indians and settlers live side by side so that the Indians would learn from the settlers; but it soon became apparent that Indians near growing towns were unsightly, immoral and unwanted.

Prior to 1874, free trade had brought with it the widespread use of liquor for trading purposes with the Indians. Liquor came into the Northwest from the United States and the Red River region in abundance; often it was poisonous.³ Charles Bell reported in March, 1874, that

The Indians do not wish to have any liquor in the country, but say they cannot restrain their appetites for it when it is within their reach.⁴

The American traders claimed they would submit to a small duty on liquor, "but will not cease to bring it in till compelled to do so

²Indians of North America, Notes on a conversation between the Governor General and Sioux, Crees and Assiniboines, op. cit. The Indians asked for a revision of the treaty in order that they make a decent living. Among other things they asked for draught animals and farm implements. The Governor General appeared sympathetic to their requests.

³Morris Papers, Ketcheson Collection, P.A.M. A. Morris, on April 22, 1874, stated that the Northwest would be "flooded" with liquor from Manitoba unless proper measures were taken.

⁴Sifton Papers, report to Lieutenant Governor of Manitoba, April 4, 1874, p. 21, P.A.C.

by force of arms."⁵ Although the Canadian government passed much legislation in its attempt to stop liquor trade and use by Indians, it was never able to remove the problem.

Since the Indians by their own admission could not refrain from its use, liquor first of all meant a devastating economic upheaval for them as their gains from the chase were diminished. Charles Bell in his report pointed out the general evil influences of this drink upon the Indians: "This article speaks for itself. The mixture of alcohol, pain killer, tobacco-juice and coloring matter is doing its work rapidly."⁶ Because the Indians had no social, political, or religious sanctions against the use of liquor within their society as the Euro-Canadian society had, they remained intemperate and victimized. The situation became more acute as the Indians' culture disintegrated under the reserve system.

It was the wish of both the treaty commissioner and the Indian leaders that a prohibition clause be included in the treaty. The Canadian government attempted to control liquor trade and its use by the Indians by having legislation enforced by Indian Affairs employees and law-enforcing agencies such as the Northwest Mounted Police, but the Indians continued to indulge in liquor indiscrim-

⁵Sifton Papers, report to Lieutenant Governor of Manitoba, April 4, 1874, p. 21, P.A.C.

⁶Ibid., p. 29.

inately. Among the Indians of Treaty Number Four, liquor had negative rather than positive connotations as there is no evidence that they used liquor and drunkenness for extra perceptual powers. But one must concur with André Vachon when he wrote:

L'eau-de-vie, certes, faisait son oeuvre dans cette desintégration de la société indienne. Mais gardons-nous d'isoler ce facteur et d'en exagérer l'importance. L'eau-de-vie ne fut qu'un élément parmi tant d'autres, dont l'action combinée amena le dépérissement physique et moral de l'Indien. 7

This view seems to be applicable to the Indians of Treaty Four particularly after they had settled on reserves where they continued to purchase liquor illegally. Although it was reported in 1903 that 12 sections of the Indian Act dealt with prohibition for Indians and that liquor laws were stringently enforced, the claim was nevertheless made that:

Notwithstanding the efforts put forth, it is to be regretted that it has been found impossible to put a stop entirely to intemperance among the Indians. It is well known that they are peculiarly exposed to this temptation in consequence of constitutional predisposition, and unprincipled Whitemen and Half-Breeds, knowing the traffic to be profitable in proportion to its risks, are ready to become the medium for supplying intoxicants to the Indians. 8

Thus Indian agents said that much of the money gained by Indians through the sale of such items as their cattle, timber,

⁷ André Vachon, "L'eau-de-vie dans la Société Indienne," Canadian Historical Association Report, 1960, p. 27.

⁸ Indian Affairs Documents, Black Series, memorandum from Assistant Secretary, December 10, 1903, P.A.C.

or furs was expended on liquor. The problem of liquor trade during annuity payments remained foremost throughout the period. Perhaps the desired protection for Indians from the use of liquor could have been provided more effectively by hiring Indian chiefs as agents by the Crown as suggested by Indian Commissioner Laird in 1889. Perhaps the tremendous publicizing of the use of liquor by Indians was overdone and camouflaged the more inherent social problems caused by the cultural change they were experiencing, a point made by André Vachon,

Ils (les Indiens) vérifièrent le principe reconnu en anthropologie qu'une Civilisation trop primitive, mise en contact direct avec une civilisation évoluée, est presque irréremédiablement vouée à la destruction.⁹

The liquor problem became incidental to the poverty culture of the Indians of Treaty Number Four during the latter half of the nineteenth century. There is no doubt that liquor became a greater economic and social problem for the Indians after their unique bartering and trading system had come to an end with the Hudson's Bay Company in 1879. As the Indians regressed into a welfare state and distressing conditions with the introduction of the ration system, liquor abuse became more of a social than an economic problem.

During the period under discussion, the health problems of the Indians caused by lack of medical care; epidemics; lack of proper housing, clothing and nourishment had dire effects upon the

⁹ André Vachon, op. cit., p. 32.

Indian population. The most prevalent diseases among the Indians were tuberculosis and scrofula, both consumptive diseases. In 1895, Dr. John Hutchison reported that "the most prevalent diseases are Phthisis, Bronchitis, Pneumonia and Scrofula."¹⁰ In his report he also indicated that venereal diseases were less prevalent. Tuberculosis was considered a hereditary disease and was treated mainly with cod liver oil. Dr. T. A. Patriok, reporting his findings at the Crowstand Boarding School on May 11, 1894, showed that 10 out of 14 boys and 4 out of 12 girls had tuberculosis. He saw the problem this way:

As to agencies tending to decrease of 'constitutional diseases' I have to report that notwithstanding medical and surgical treatment and the enforcement of ordinary sanitary precautions by the Agent, death has been the most potent factor in lessening the number of the constitutional diseases, and it is dependent on me to express the opinion that so long as those effected with tuberculosis of the lungs, spit on floors on which the non-infected lie and sleep, so long as the disease is not detected and treated in its earliest stages, so long as treatment is delayed till the disease has manifested itself in suppurating glands, bleeding lungs or diseased joints, so long will the constant presence of the germs of tuberculosis prove more powerful than the irregular exhibition of medicines. 11

The conditions under which the Indians lived were conducive to the contracting of scrofula which "is generally hereditary, but may be acquired by unfavourable conditions of life, as, want

¹⁰ Indian Affairs Documents, Black Series, report to Indian Commissioner H. Reed, May 21, 1895, P.A.C.

¹¹ Ibid., report to Lieutenant Governor Forget, June 17, 1895.

of proper nourishment, fresh air, proper clothing, suitable exercise."¹² These conditions were particularly applicable to the Plains Indians who had been established in crowded conditions on reserves. The housing was less than adequate; those houses that existed were over-crowded. The Indians who settled in small clusters on the reserves had not yet learned to avoid unsanitary conditions, conditions which had not existed in former times when they were accustomed to moving from one place to another. After the disappearance of the buffalo, the Indians no longer had a balanced diet. The Woodland people who still relied to a great extent upon natural foods such as small game, fish, and berries experienced less hardship than did the Plains Indians. Farming had not yet reached a sufficient degree of success to provide the Indian with a sufficiently balanced diet, and government rations of bacon and flour were not enough to counteract the effects of the harsh climate and poor living conditions. During the months of January, February, and March, it was not uncommon for entire bands to be affected by sicknesses such as influenza. Dr. N. J. Lindsay summed up the situation in his report,

I am led to conclude that poverty induces scrofula and numerous diseases resulting in death, and civilization which has proved so disastrous to the Indians in the past, when pushed to its fullest extent, so as to thoroughly civilize them, and make them useful citizens amongst us will again restore their health and bring to them a return of happiness and plenty. ¹³

¹²Indian Affairs Documents, Black Series, report from Dr. N. J. Lindsay to Lieutenant Governor Forget, May 31, 1895, P.A.C.

¹³Ibid.

Dr. Lindsay's view that the Indians could rid themselves of their physical diseases as they could their social ills by embracing the ways of the superior civilization did not materialize during the nineteenth century. In establishing the reserve system, the Canadian government chose the band as the basic unit. In subsequent years, it became government policy to break down this unit politically so that the religious as well as the social systems of the Indians could be eliminated. Little was expected of the Indian under this policy, and no agency concerned had the means of completely acculturating the Indians. For example, the chiefs continued to rival the Indian agents in the administration of band operations.

Prior to 1900, the sanctions applied against social and religious customs of the Indians showed relatively little success. The various dances, although outlawed, were often practiced to the annoyance of government officials and clergy.

Two other major areas which were at variance with accepted Canadian standards were marriage customs and the chieftainship. Indian Agent J. A. MacKay said in 1886, "In the present state of the Indians generally, the extreme laxity of their ideas and practices in the matter (polygamy) renders it difficult to draw the line between legitimate and illegitimate children."¹⁴ In the same letter, he indicated that the prohibiting legislation

¹⁴Indian Affairs Documents, Black Series, report to the Indian Commissioner, October 20, 1886, P.A.C.

would do little "until the Indians are raised by Christian civilization above their present low state of morals."¹⁵ This was a most difficult problem because the tribal customs of the Indians were recognized by law. Indian Commissioner David Laird in 1908 discouraged Indian Agent M. Miller, Crooked Lake Agency, from prosecuting Kah-ka-no-wen-a-pew for bigamy in view of a British Columbia Supreme Court ruling.¹⁶ Although the Indians still practiced polygamy, it meant very little to the younger generations as other social values and the economic base associated with polygamy became non-existent. It was, however, still significant to Star Blanket, an old Plains chief, who preferred his several wives to his chieftainship when given the choice between the two by an agent.

I regret to inform you that Chief Star Blanket has taken another wife. When I heard of this, I at once had a long talk with him on the subject and he seems quite determined not to give the woman up. I informed him that this practice was against the wishes of the Department and that we expected more from him, especially now that he had been reinstated as Chief, and in reply to this he said he would much sooner lose (sic) the Chieftainship than give the woman up, and that he would not mind losing the office if his brother (a worthless fellow) was appointed in his stead . . . I trust some example will be made in this case, if not it will be very difficult for me to stop this practice in the future. 17

¹⁵ Indian Affairs Documents, Black Series, report to the Indian Commissioner, October 20, 1886, P.A.C.

¹⁶ Ibid., letter from the Commissioner, July 23, 1908.

¹⁷ Ibid., report from the Commissioner to the Secretary, Department of Indian Affairs, Ottawa, September 13, 1898,

The chieftainship became less significant than in former times since the traditional customs associated with earning the title of chief could no longer be practiced. Horse stealing, Indian warfare, and the buffalo hunts were no longer possible and existed only in the minds of the old and in stories around the campfires.

One of the greatest evils alluded to by many government officials was idleness by the Indians. The Plains Indians in former times had enjoyed more leisure time than had the Woodland peoples, but neither culture was based on idleness. To the contrary, both demanded tedious, arduous, and skilful labour. As the economic base from natural products declined, so did the Indians' activity in making a living. With the decline of his activity came the decline of his culture, and as the Indian failed to embrace agriculture and the social mores of the white civilization, his mode of life disintegrated. There is no doubt that government officials and missionaries with their knowledge and resources tried to instill new values and skills in the Indian, but the change proved to be too sudden and too great.

SUMMARY

The objective of acquiring the vast area under Treaty Four for settlement in a peaceful manner as stated in the treaty was fulfilled. The implementation of the treaty partly fulfilled the wishes of the Indians, but the discrepancies between the promises made by Commissioner Morris and the actual terms of the treaty soon became evident. The Indians grew discontented under the conditions in which they found themselves on the reserves. Although the Canadian government expended funds beyond the terms of the treaties as in supplying rations, the Indians often charged the government with non-fulfillment of its obligations as in providing tools and farming equipment and providing schools on reserves. The problem was that the treaty terms allowed insufficient funds and provisions to permit the Indians to establish themselves successfully in a new way of life.

Treaty Number Four which has been termed the fore-runner of treaties in the Northwest was an extension of the policy followed by the Canadian government in dealing with other Indians in Rupertsland. Although A. N. Provencher, Indian Commissioner, had suggested that Indians of the Northwest should not be dealt with by treaty, the government felt obliged to do so. No doubt it was necessary to give formal recognition to Indians of the Northwest because they were too powerful and uncompromising to wrestle with for their lands. The question is, how did treaties affect the Indians of this area specifically and Indians under other

treaties? Initially, the Indians of Treaty Four showed their strong positions by carrying out protracted negotiations, by refusing to sign the treaty, and by refusing to submit to its terms. Conversely, they remained on the whole law-abiding people because government officials had shown a willingness to negotiate. The formal and legal recognition of their title to the soil gave the Indians a sense of security and dignity in dealing with government officials. The government perpetuated the Indians' rights by always consulting the Indians in the surrender of their lands and maintained further that relative sense of security by attempting to fulfill specific terms such as the payment of annuities.

By the 1880's, whether the Indians of Treaty Number Four had settled on reserves or not their economic and social conditions were generally depressed. The depression increased with time. It was caused generally by the lack of technological knowledge required for farming or industry. The Department of Indian Affairs, unable to cope in its mission to civilize the Indians, relied on rations to help its wards survive. Generally both the Plains and Woodland people were affected adversely by the coming of a 'superior' nation.

After the signing of the treaty, the culture of the Plains Indians crumbled at an alarming rate because the buffalo, the basis of that culture, was vanishing. Although this fact was recognized by many Indians, their reluctance to replace the buffalo with the plough further complicated their economic problem. When

they did settle on reserves, their actions seemed to have been futile as the old as well as the new generation generally did not undertake agricultural pursuits. The disappearance of the buffalo was too sudden and complete to allow the Plains people to make a proper adjustment; the concepts of the new civilization were too foreign and remote from their own experience. To them, the buffalo had been an all-encompassing factor in their lives, and most of them could not believe that the Great Spirit would cut off their source of food, shelter, and independence indefinitely. The disappearance of the buffalo and the impact of a more complex society based on advanced technology were to undermine all aspects of the buffalo hunters' way of life.

The impact of bivilization' was less abrupt and destructive for the Woodlands people for they did not experience outright removal from their natural habitat nor did they lose their economic base so abruptly. Even with the coming of the railroad and settlement, many of these Indians were able to sustain themselves partially through fur trade, hunting, and fishing. Picking of seneca root and farming to a lesser extent contributed to their partial self-sustenance. Nonetheless, their lack of total dependence upon their own resources, the negative influence of settlement, and the compulsion to settle on reserves quickly demoralized the Woodland people to the extent that most of them were no better off than the Plains Indians by the turn of the century.

Tilling of the soil and other manual work openly opposed by the Plains people, in particular, conflicted generally with the

Indian's concept of the relationship between his religion and his ability to provide food. The Indian had been used to direct his supplications to the spirits to endow him liberally with nature's bounty. Agriculture meant he had to perform physically to reap produce from the soil. When the attempt to till the soil proved unsuccessful, it became virtually impossible to convert the riders of the plains and the woodland hunters into tillers of the soil. Manual labour also created an imbalance in the fairly well-defined division of labour between the male and the female in the band. Part of the social structure which had formed a basis of the Indian culture could no longer be sustained.

The resulting demoralization of the Indian culture deeply affected by the coming of settlement and mass immigration was too much for the human and material resources available. It is fair to say that on the whole the Canadian government's policy of improving the Indians' condition and of enticing him to participate in the dominant white society was well-meant and humane. The government's farm policy, its approval of the missionary schemes, and some of its educational policies illustrate the point. The failure of agencies to implement these policies more successfully and more universally among the native people, as seen in retrospect, does not detract from the merit of these policies. It does, however, show that neither the white man nor the red man could alleviate the Indians' plight. Enough blame was placed upon the government by the majority of inhabitants close to Louis Riel to side with him to some degree in his rebellion. When the smoke

had cleared after the spring of 1885, the Canadian government attempted to improve the condition of the Indians of the Northwest including those of Treaty Four whether they had remained aloof or had participated in the rebellion. The government subdivided the Indians of Treaty Four into six agencies with better services, but there is nothing to indicate that the new Indian generation responded more positively.

As Euro-Canadians gained a strong hold of the region, the Indian population remained fairly constant and relatively small. In 1874, they had formed a large majority in the Northwest. By the mid-1880's, they formed one-half of its population, and by 1900, they were a small minority. A subdued, poverty-stricken minority was no longer a force with which to reckon. Arguments were put forth that reserve lands whether used by the Indians or not ought to be surrendered on behalf of more settlement. As time progressed, local politicians, sensitive to political pressure, obliged their constituents by advocating the purchase of reserve lands. The Ministers of the Interior usually sacrificed Indian interests for more popular ones. The Indians who had not yet been enfranchised could no longer touch the political nerve at the local level or in Ottawa.

The white people have men they send to Ottawa to speak for them but we have no one. If the Government could understand all I feel sure they would make our life easier. And now Great Chief we have much that could be said but I cannot at this time. The buffalo and deer are gone and our people will soon be hard to find but while we are still here I would ask the Government not to forget their treaty

to send out some honest men to enquire into our troubles and let us explain them. And then as the Great Spirit live (sic) I trust justice will be done. ¹

Political oblivion was a fact much to the detriment of the Indians.

As the old generation died off or its survivors dreamed of the old days and the new generation was born into the welfare state, the future of the Indians of the Canadian Northwest indeed looked bleak at the turn of the century. The only hope seemed to be in agriculture in which a minority of Indians were engaged or in leaving the reserve for outside permanent employment. Then the individual was no longer an Indian. He took on the image of the white man and embraced a "higher" civilization — therein was supposed to lie his success.

¹Indian Affairs Documents, Black Series, Star Blanket, Chief of the Cree band, speaking to 'the Great White Chief' (presumably the Governor General), undated. P.A.C.

BIBLIOGRAPHY

MANUSCRIPT SOURCES:

Public Archives of Canada -

Indian Affairs Documents, Black Series, 1873-1905;
Sir John A. Macdonald Papers;
Clifford Sifton Papers, 1896-1905.

Public Archives of Manitoba -

Adams G. Archibald Papers;
Alexander Morris Papers, 1873-1877;
Northwest Territory Council Meetings;
Minutes of Louis Riel Papers.

Public Archives of Saskatchewan -

A. E. Forget Papers;
Indians of North America - A Collection of Miscellaneous Documents;
David Laird Papers 1876-79;
Sir John A. Macdonald Papers - Macdonald's correspondence with Lieutenant Governors of the Northwest (Archibald, Morris, Dewdney and Royal);
Saskatchewan Historical Society Collection.

Official Printed Sources - Government Documents and Reports, Canada, Department of Indian Affairs, The Facts Respecting Indian Administration. Indian Treaties and Surrenders from 1680-1890, 3 vol., Ottawa, Queen's Printer, 1905.

Canada Sessional Papers (1873-1906), Annual Reports of Department of the Interior and Department of Indian Affairs.

Canada, Statutes of Canada, Ottawa, Queen's Printer, 1876-1905.

Canada Statistical Year Book, Ottawa, Queen's Printer.

Davin, N. F., Report on Industrial Schools For Indians and Half-Breeds to the Minister of the Interior, March 14, 1879.

Dewdney, E., Description and Plan of Certain Indian Reserves in the Province of Manitoba and the Northwest Territories. Bound by J. L. Perkins Bookbinders Ltd., Regina, 1889.

Forget, A. E., Journals of the Council of the Northwest Territories of Canada, Regina, 1886.

Kappler, C. J., Indian Affairs, Laws and Treaties, 3 vol., Washington, 1904-1913.

Royce, C. C., Indian Land Cessions in the United States, 18th annual report of Bureau of American Ethnology, J. W. Powell, 1896; part II, Government Printing Office, Washington, 1899.

Saskatchewan, The Provincial Committee on Minority Groups, The Treaties, March, 1961.

SECONDARY SOURCES - Anthropological Studies

Barbeau, M., Indian Days on the Western Prairies, Ottawa, Queen's Printer, 1954.

Beals, R. L. and Hojer, H., An Introduction to Anthropology, New York, Macmillan, 1959.

Benedict, Ruth, Patterns of Culture, Boston and New York, Houghton Mifflin Co., 1954.

Bloomfield, L., Sacred Stories of the Sweet Grass Cree, Department of Mines, National Museum of Canada, Ottawa, IX, I-346, 1930.

Chance, Norman A., Conflict in Culture: Problems of Developmental Change Among the Cree, Ottawa, Canadian Research Centre for Anthropology, St. Paul University, 1968.

Denig, Edwin F., The Five Indian Tribes of the Upper Missouri, University of Oklahoma.

Dodge, R. I., The Plains Cree of the Great West and Their Inhabitants, New York, Archer House, 1959.

Driver, H., Indian Tribes of North America, Chicago, University of Chicago Press, 1961.

Dunning, R. W., Social and Economic Change Among the Northern Ojibwa, Toronto, University of Toronto Press, 1959.

Eggan, Fred, Social Anthropology of North American Tribes, Chicago, University of Chicago Press, 1937.

Geographic Board of Canada, Handbook of Indians of Canada, Ottawa, Government Printer, 1913.

Hagan, William, American Indians, The Chicago History of American Civilization. Daniel J. Boorstin, ed., Chicago, University of Chicago Press, 1961.

Hallowell, A. I., Culture and Experience, Philadelphia, University of Philadelphia Press, 1955.

Hanks, Lucien M. Jr., and Jane R., Tribe Under Trust, Toronto, University of Toronto Press, 1950.

Hines, Rev. J., The Red Indians of the Plains, London, The Society for Promoting Christian Knowledge, 1915.

Hodge, F. W., Handbook of Indians of Canada, Ottawa, C. H. Parmelee, 1913.

Hyde G. E., Indians of the High Plains, University of Oklahoma Press, 1959 and Hyde, G. E., Indians of the Woodlands, University of Oklahoma Press, 1962.

Jenness, Diamond, The Indians of Canada, Ottawa, National Museum of Canada, 1960.

Kroeber, A. L., Cultural and Natural Areas of Native North America - Berkeley, University of California Press, 1939.

Mason, L., The Swampy Cree: A Study in Acculturation, Ottawa, Anthropology Papers, National Museum of Canada, No. 13, 1967.

Paget, Amelia M., The People of the Plains, Toronto, William Briggs, 1909.

Radin, Paul, Social Anthropology, New York, Schuman, 1953.

Radin, P., Story of the American Indian, New York, Liveright Publishing Corp., 1934.

Roe, F. G., The Indian and the Horse, University of Oklahoma Press, 1955.

Stokes, W., Are Our Indians Pagan? , Regina, 1906.

Swanton, John R., The Indian Tribes of North America, Washington, Smithsonian Institution Press, 1952 (Reprinted 1968).

Tax, Sol. (ed.) Acculturation in the Americas, University of Chicago Press, 1952.

Young, E. R., Indian Life in the Great Northwest, London, S. W. Partridge and Co., 1900.

Wissler, C., Red Man Reservations, Toronto, Collier Macmillan Canada Ltd., 1931, Second Edition, 1971.

Wissler, C., North American Indian of the Plains, American Museum of Natural History, 1941.

SECONDARY SOURCES - Historical Studies

- Bailey, Alfred, The Conflict of European and Eastern Algonkian Cultures 1504-1700, New Brunswick Museum Monographic Series #2, 1937.
- Begg, Alexander, The Great Canadian Northwest, J. Lovell and Son Printers, 1886.
- Begg, Alexander, History of the Northwest, Vol. I and II, Toronto Hunter, Rose and Co., 1894.
- Billington, Ray Allen, Westward Expansion, A History of the American Frontier, 3rd. edition, New York, The Macmillan Company, 1967, 1949-1960 copyright, 4th printing - 1960.
- Black, N. F., A History of Saskatchewan and the Old Northwest, Regina, Saskatchewan Historical Company, 1913.
- Boam, Henry J. and Broum, Ashley G., Prairie Provinces of Canada, London, Sells, 1914.
- Cardinal, Harold, The Unjust Society, Edmonton, M. G. Hurtig Ltd., 1969.
- Cowie, I., The Company of Adventurers, Toronto, Canadian History Company, 1913.
- Creighton, D. G., John A. Macdonald, Toronto, Macmillan Co., 2 vols., (1952-55).
- Dafoe, J. W., Clifford Sifton in Relation to His Times, Toronto, The Macmillan Company of Canada Ltd., 1931.
- England, Robert, The Colonization of Western Canada, London, P. S. King and Son Ltd., 1936.
- Gill, R. T., Economic Development: Past and Present, Englewood Cliffs, Prentice-Hall Inc., 1967.
- Giraud, M., The Metis Canadian: Son Rôle dans l'histoire des provinces de l'Ouest, Paris, Institut d'ethnologie, 1945.
- Harmon, D. W., A Journal of Voyages and Travels in the Interior of North America, ed. W. L. Grant, Toronto, 1911.
- Hawkes, John, The Story of Saskatchewan and Its People, Chicago, S. J. Clarke Publishing Co., 1924.

- Haydon, A. L., The Riders of the Plains: A Record of the Royal Northwest Mounted Police of Canada, 1873-1910. Rutland, Vt., C. E. Tuttle Co., 1971.
- Hedges, J. B., Building the Canadian West: The Land and Colonial Policies of the Canadian Pacific Railway, New York, The Macmillan Co., New York, 1939.
- Herrington, W. S., The Evolution of the Prairie Provinces, Toronto, William Briggs, 1911.
- Hill, D., The Opening of the Canadian West, Heinemann: London, 1967.
- Hind, H. Y., Northwest Territory, Toronto, 1859.
- Howard, J. K., Strange Empire, New York, William Morrow and Co., 1952.
- Innis, Harold, The Fur Trade In Canada, Toronto, University of Toronto Press, 1956.
- Jackson, H., A Century of Dishonour, Boston, Roberts Brothers, 1891.
- Jefferson, R., Fifty Years on the Saskatchewan, Canadian Northwest Historical Society, Vol. I, No. 5, 1929.
- Jenness, Diamond, The Indian Background of Canadian History, Ottawa, Department of Mines and Resources Bulletin #86, Anthropological Series #21, 1937.
- Laut, Agnes C., The Conquest of the Great Northwest, Toronto, Musson Co., 1908.
- La Violette, Gontran, The Sioux Indians in Canada, Regina, The Marion Press, 1944.
- Leechman, D., Native Tribes of Canada, Toronto, W. J. Gage and Co., 1957.
- Macbeth, R., Making of the Canadian West, Toronto, W. Briggs, 1898.
- Macbeth, R. G., Policing the Plains, London, Hodder and Stoughton, 1922.
- Macdonald, N., Canada: Immigration and Colonization 1841-1903, Toronto, 1966.
- MacEwan, G., Portraits from the Plains, Toronto, McGraw Hill Co. of Canada, 1971.

Mackay, D., The Honourable Company, Toronto, McLelland and Stewart Limited, 1949.

Macoun, J., Manitoba and the Great Northwest, Guelph, Ontario, World Publishing Co., 1882.

McDougall, J., Pathfinding on Plain and Prairie, Toronto, 1898.

Mitchell, E. B., In Western Canada Before the War, London, J. Murray, 1915.

Morris, A., The Treaties of Canada, Toronto, Cole's Publishing Co., 1971. The first edition was printed in 1880.

Morton, A. S., A History of the Canadian West to 1870-71, London, Thomas Nelson and Sons, Ltd., 1939.

Morton, A. S., and Martin, C., History of Prairie Settlement and Dominion Lands Policy, Toronto, Macmillan Co., 1938.

Oliver, E., (ed.), The Canadian Northwest. Its Early Development and Legislative Records, Ottawa: Publication of the Canadian Archives, No. 9, Vol.1 and 2, 1915.

Price, A., White Settlers and Native Peoples: An Historical Study of Racial Contacts English-Speaking Whites and Aboriginal Peoples in the United States, Canada, Australia and New Zealand, Melbourne Georgian House, 1949.

Rich, E., Hudson's Bay Company, 1670-1870, Volumes I, II, III, Toronto, McClelland and Stewart Limited, 1960.

Robinson, Kenneth, The Dilemmas of Trusteeship, London, Oxford University Press, 1965.

Roe, F. G., The North American Buffalo, Toronto, University of Toronto Press, 1951.

Ross, A., The Red River Settlement: Its Rise, Progress and Present State with Some Account of the Native Races and Its General History to the Present Day, Minnesota, Ross and Haines, 1957.

Sanders, Douglas, and others, Native Rights in Canada, Toronto, Indian-Eskimo Association of Canada, 1970.

Schoolcraft, H. R., Narrative of an Expedition Through the Upper Mississippi to Itasca Lake, New York, 1834.

Scott, Duncan Campbell, The Administration of Indian Affairs in Canada, Toronto, Canadian Institute of International Affairs, 1931.

Sharp, Paul F., Whoop-Up Country, Helena, Montana, West-Press, Historical Society of Montana, 1955 (1960).

Shortt, Adam and Doughty, Arthur G., Documents Relating to the Constitutional History of Canada, 1759-1791, Part II, Ottawa, King's Printer, 1918, Public Archives of Canada.

Spry, I. M., The Pallistier Expedition: An Account of John Pallistier's British North American Exploring Expedition, 1857-1860, Toronto, Macmillan Co. of Canada, 1963.

Stanley, G. F. G., The Birth of Western Canada, Toronto, University of Toronto Press, 1970.

Steele, S. B., Forty Years in Canada, Toronto, McClelland, Goodchild and Stewart, Ltd., 1915.

Tache, Mgr., Sketch of the Northwest of America, Montreal, printers: John Lovell, 1870.

Tache, Mgr. A., Vingt Annees des Missions dans le Nord Ouest de l'Amérique, New York, Johnson Reprint Corporation, 1969.

Turner, J. P., The Northwest Mounted Police, Ottawa, King's Printer, 1950.

Warren, William W., History of the Ojibway Nation, Minnesota Historical Society, St. Paul, 1885.

Weekes, Mary, Great Chiefs and Mighty Hunters of the Western Plains, School Aids and Text Book Publishing Co. Ltd., Regina and Toronto.

Wright, J. F. C., Saskatchewan: The History of a Province, Toronto, McClelland and Stewart, 1955.

Young, E. R., By Canoe and Dog-Train Among the Cree and Saulteaux Indians, Toronto, Wm. Briggs, 1890.

SECONDARY SOURCES - Articles

Brown, Craig R., and Cross, Michael (ed.), Canadian Historical Review, Toronto, University of Toronto Press, 1970, Vol. LI, No. 1, March, 1970.

Brown, George W., et al, (ed.), The Canadian Historical Review, Vol. XXVII, No. 1, March, 1946. Toronto, University of Toronto Press, 1946.

Densmore, F., 'Chippewa Customs', Bulletins of the Bureau of American Ethnology, LXXXVI, 1929.

Goddard, P. E., 'Notes on the Sun Dance of the Cree in Alberta', Anthropological Papers of the American Museum of Natural History, New York, XVI, 1919.

Graham, W., 'Indian Treaties and the Settlement of the Northwest', Saskatchewan History, Vol. I, No. I, Winter, 1949.

Grant, P., 'The Saulteau Indians', Les Bourgeois de la Compagnie du Nord-Ouest, ed. L. F. R. Masson, II, 1890.

Hlady, Walter M., 'Indian Migration in Manitoba and the West', Historical and Scientific Society of Manitoba Papers, Series III, No. 17, 1960-61.

Horrall, S. W., 'Sir John A. Macdonald and the Mounted Police Force for the Northwest Territories', The Canadian Historical Review, Vol. LIII, No. 2, Toronto, University of Toronto Press, June, 1972.

Jefferson, R., 'Fifty Years on the Saskatchewan', Publications of the Canadian Northwest Historical Society, I, v, 1929.

Laird, D., 'Our Indian Treaties', Historical and Scientific Society of Manitoba, Transactions, No. 66-67, 1905.

Landes, R., 'Ojibwa Sociology', Columbia University Contributions to Anthropology, XXIX, 1937.

Lowie, R. H., 'The Military Societies of the Plains Cree', Proceedings of the International Congress of Americanists, Paris, XXXI, 1, 1955.

MacInnes, T., 'History of Indian Administration in Canada', Canadian Journal of Economics and Political Science, XII, 1946.

Mandelbaum, D., 'The Plains Cree', Anthropological Papers of the American Museum of Natural History, Vol. XXXVII, Part II, New York, 1940.

McLeod, D., 'Liquor Control in the Northwest Territories: The Permit System, 1870-91', Saskatchewan History, Vol. XVI, No. I, Winter, 1963.

Michelson, T., 'Plains Cree Kinship Terms', American Anthropologist, n. s., XL, 1938.

O'Brodovich, L., 'Plains Cree Acculturation in the Nineteenth Century: a Study of Injustice', Napao, A Saskatchewan Anthropology Journal, Vol. 2, No. 1, 1969.

Roe, F. G., 'Early Opinions on the Fertile Belt of Western Canada', Canadian Historical Review, Vol. XXVII, No. 2, June, 1946.

Rogers, Edward S., The Hunting Group - Hunting Territory Complex Among the Mistassini Indians, National Museum of Canada, Bulletin # 195, Department of Northern Affairs and National Resources, Canada, 1963.

Rossignol, M., 'The Religion of the Saskatchewan and Western Manitoba Cree', Primitive Man, Washington, XI, 1939.

Skinner, A., 'Political Organization, Cults and Ceremonies of the Plains Cree', Anthropological Papers of the American Museum of Natural History, New York, XI, 1914.

Skinner, A., 'Notes on the Eastern Cree and Northern Saulteaux', Anthropological Papers of the American Museum of Natural History, New York, IX, 1911.

Skinner, A., 'Ojibway and Cree of Central Canada', American Museum Journal, New York, 1908.

Skinner, A., 'Notes on the Plains Cree', American Anthropologist, n. s., XVI, 1914.

Skinner, A., 'The Cultural Position of the Plains Ojibway', American Anthropologist, n. s., XVI, 1914.

Skinner, A., 'Political and Ceremonial Organization of the Plains Ojibway', Anthropological Papers of the American Museum of Natural History, New York, XI, 1914.

Spry, Irene M., 'The Transition from a Nomadic to a Settled Economy in Western Canada, 1856-96', Transactions of the Royal Society of Canada, Vol. VI, Series IV, Section II, June 1968.

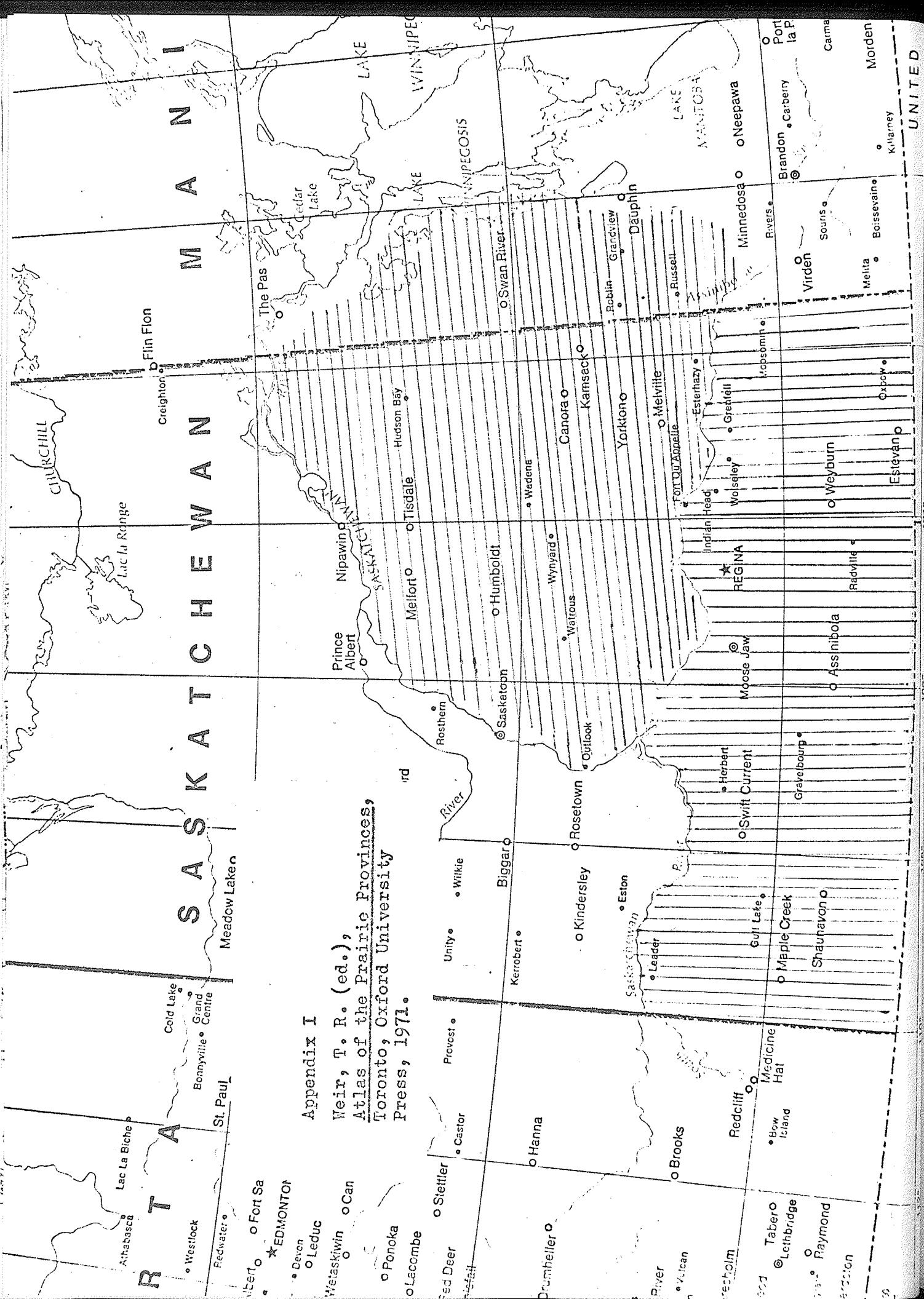
Stanley, George F. G., 'The Indian Background of Canadian History', Canadian Historical Association Annual Report of 1952.

Stanley, George F. G., 'The First Indian Reserves in Canada', Revue d'Histoire de l'Amerique Francaise, Vol. 4, No. 2, September, 1950.

Thomas, L. H., 'The Northwest Territories 1870-1905', The Canadian Historical Association, Ottawa, 1970.

Wissler, Clark, 'North American Indians of the Plains', American Museum of Natural History, New York, 1934.

APPENDICES

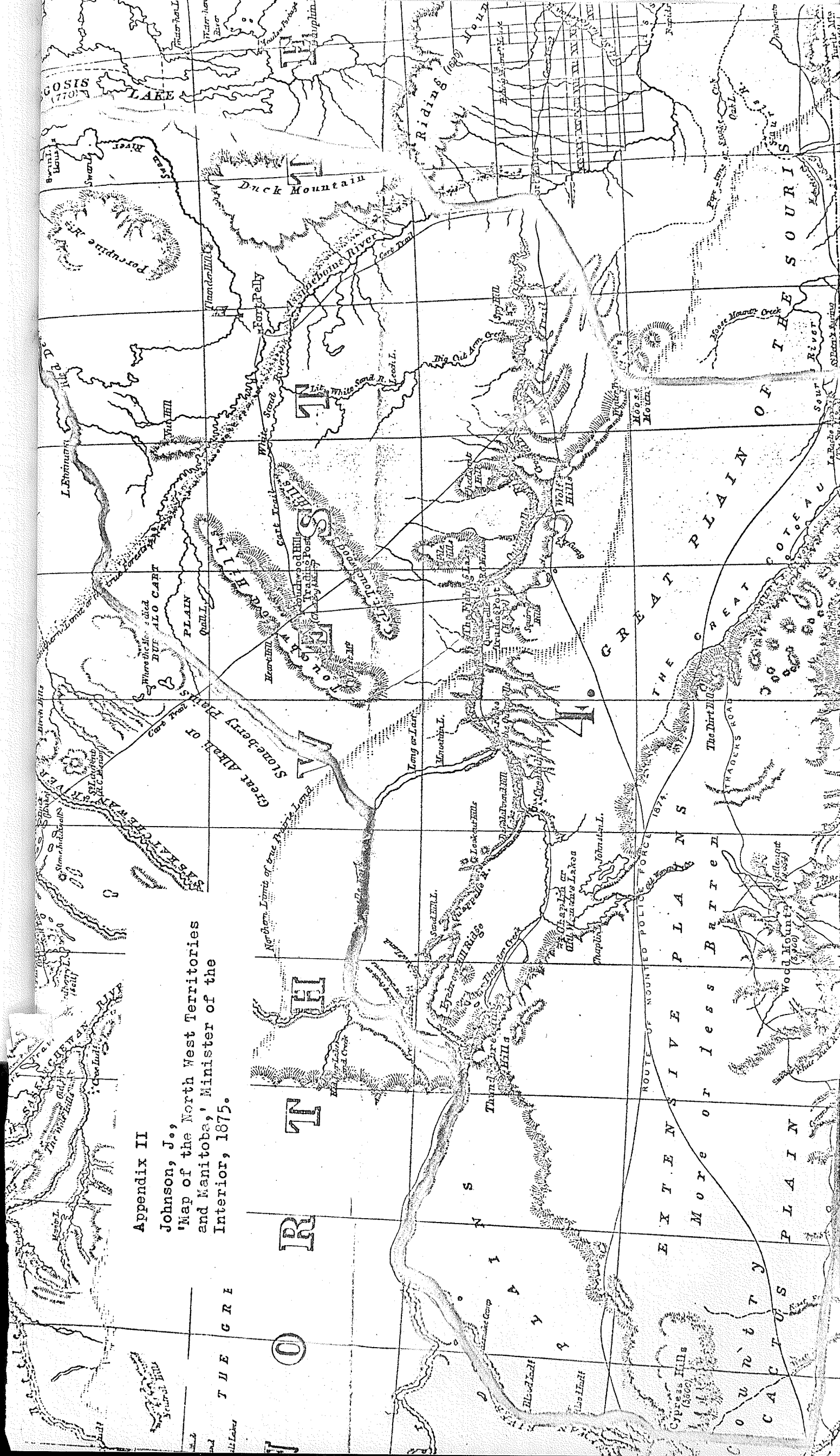


Appendix I

Weir, T. R. (ed.),
Atlas of the Prairie Provinces,
Toronto, Oxford University
Press, 1971.

Appendix II

Johnson, J.,
'Map of the North West Territories
and Manitoba,' Minister of the
Interior, 1875.



Mandelbaum, D. G.,
"The Plains Cree,"
Fig. 1.



[Apr. 17, 1873]

To His Excellency The Honorable Alexander Morris
Member of Her Majesty's Privy Council of Canada
and Lieutenant Governor of the Province of
Manitoba, and the North West Territories.

We the undersigned having been appointed
by a public meeting held at High Bluff on the
fifteenth Instant, Presided over by Matthew
Owen, one of Her Majesty's Justices of the Peace.
Beg respectfully to place before you the following
facts and requests.

First That the above meeting was called for the
purpose of forming a Volunteer company for
self defence, which we are glad to say was successful.

Second. That many of the inhabitants here,
feel that the Sioux Indians now encamped
in this and adjacent neighborhoods are not
beyond suspicion.

Third That the actions of some of those
Indians, together with constant reports of their
being joined by a large number of the same
tribe, now said to be encamped on the border of
this Province, produces in some of the inhabitants
and especially Ladies constant sleepless Terror.

We the undersigned would respectfully suggest
the propriety of the removal of those Indians from
this vicinity to some distant Reserve made forth
by the Government. We would further state to your
Excellency that while they remain in our midst,
knowing their conduct in the States, not a few loyal
and peaceable inhabitants here will remain
Terrorstricken.

High Bluff April 17/73.

Nelson Brown
George Godman
John A. Brown & P. P.

Appendix V

Canada Sessional Papers, 1876,
A. Morris, Special Appendix,
p. XXXXXII.

SPECIAL APPENDIX.

(B.)

Lieut.-Governor Morris to the Hon. the Secretary of State.

GOVERNMENT HOUSE,

FORT GARRY, MANITOBA, October 17, 1874.

Sir,—I have the honor to inform you that in compliance with the request of the Government, I proceeded to Lake Qu'Appelle in company with the Honorable David Scott in order to act with him and W. J. Christie, Esq., as Commissioners to negotiate a Treaty with the Tribes of Indians in that region.

Mr. Laird and I left Fort Garry on the 26th of August, and arrived at Lake Qu'Appelle on the 8th of September, Mr. Christie having gone in advance of us to the latter place.

We were accompanied on arriving by the escort of Militia under the command of Lieut.-Colonel W. Osborne Smith, who had preceded us, but whom we had not met.

The escort took up their encampment at a very desirable situation on the edge of the Lake, the Indians being encamped at some distance.

The Commissioners were kindly provided with apartments by W. J. McLean, the officer in charge of the Hudson Bay Company's Post.

After our arrival, the Commissioners caused the Indians to be summoned, to meet them, in a marquee tent adjoining the encampment of the Militia.

The Crees came headed by their principal chief "Loud Voice," and a number of Saulteaux followed, without their chief, Cotté. The Commissioners, having decided that it was desirable that there should be only one speaker on behalf of the Commissioners, requested me owing to my previous experience with the Indian Tribes and my official position as Lieutenant Governor of the North West Territories, to undertake the duty, which I agreed to do. Accordingly, I told the Indians the object of our coming and invited them to present to us their chiefs and headmen. "Loud Voice" stated that they were not yet ready and asked for a delay till next day, to which we assented.

On the 9th, four Indian soldiers were sent to the Commissioners to ask for two days delay, but we replied that when they met us in conference they could prefer any reasonable request, but that we expected them to meet us as agreed on the previous day, and further that the Saulteaux had not conducted themselves with proper respect to the Commissioners, as representatives of the Crown, as their principal chief Cotté had not met us. Eventually, both the Crees and Saulteaux met us, with their chiefs, when I addressed them. They asked time to deliberate and we appointed the 11th at 10 o'clock for the next conference.

The Crees then left the tent suddenly, under constraint of the Indian soldiers, who compelled the chiefs to go.

On the 11th we sent a bugler round to summon the Indians to the appointed conference, but they did not come.

Instead the Saulteaux sent word that they could not meet us except in their own soldiers tent, distant about a mile from the Militia encampment, but we refused to do so.

The Crees were ready to proceed to the marquee, but were prevented by the Saulteaux, a section of whom displayed a turbulent disposition and were numerically the strongest party. We sent our interpreter Charles Pratt, a Cree Indian, who was educated at St. John's College here, and who is a catechist of the Church of England, to tell the Indians that they must meet us as agreed upon.

In consequence, about four o'clock in the afternoon, the Crees led by "Loud Voice," came to the conference, but the Saulteaux kept away, though a number were sent to hear and report. On behalf of the Commissioners, I then explained to the Crees the object of our mission and made our proposals for a Treaty, but as they were not ready to reply, we asked them to return to their tents and meet us next day.

On the 12th the Crees and Saulteaux sent four men from the soldiers tent or council, which they had organized, to ask that the encampment of the Militia and the conference tents should be removed half way, towards their encampment.

In consequence, we requested Lt.-Col. Smith to proceed to the Indian encampment and ascertain the meaning of this demand, authorizing him, if necessary, to arrange for the pitching of the conference tent nearer the Indians, if that would give them any satisfaction.

He reported, on his return, that the Indians wished the Militia to encamp with them, and that they objected to meet us anywhere on the Reserve of the Hudson Bay Company, as they said they could not speak freely there.

He refused to remove the Militia camp, as it was a very desirable place where it had been placed, but with the assent of the Indians selected a spot adjoining the Reserve and at a suitable distance from the Indian tents, on which the conference tent was to be daily erected, but to be removed after the conferences closed.

We then summoned the Indians to meet us at 1 o'clock, which they did at the appointed place.

After the formal hand shaking, which ceremony they repeat at the beginning and close of every interview, the Commissioners submitted their terms for a treaty, which were in effect similar to those granted at the North West Angle, except that the money present offered was eight dollars per head, instead of twelve dollars as there.

The Indians declined, however, to talk about these proposals, as they said there was something in the way. They objected to the Reserve having been surveyed!

for the Hudson Bay Company, without their first having been consulted, and claimed that the £300,000 paid to the company should be paid to them. They also objected to the companies trading in the Territory, except only at their posts. The Commissioners refused to comply with their demands, and explained to them how the Company had become entitled to the Reserve in question, and the nature of the arrangement, that had resulted in the payment by the Government of Canada of the £300,000.

The conference, adjourned to Monday the 14th on which day the Commissioners again met them, but the Cree chief "Loud Voice" asked for another day to consider the matter and "Cotté" or "Meemay" the Saulteaux chief, from Fort Pelly, asked to be treated with, at his own place. They demanded, that the Company should only be allowed to trade at their own posts, and not to send out traders into the Territory—which was of course refused, it being explained to them that all Her Majesty's subjects had equal right of trading. The Commissioners, then agreed to grant a final delay of another day, for further consideration. Up to this period the position was very unsatisfactory.

The Crees were from the first ready to treat, as were the Saulteaux from Fort Pelly, but the Saulteaux of the Qu'Appelle District were not disposed to do so and attempted to coerce the other Indians.

They kept the chiefs "Loud Voice" and "Cotté" under close surveillance, they being either confined to their tents or else watched by "soldiers," and threatened if they should make any overtures to us.

The Saulteaux cut down the tent over the head of one of the Cree chiefs and conducted themselves in such a manner, that "Loud Voice" applied to the Commissioners for protection, and the Crees purchased knives and armed themselves.

The Saulteaux, one day went the length of placing six "soldiers," armed with rifles and revolvers, in the conference tent to intimidate the other Indians, a step which was promptly counteracted by Lt. Colonel Smith, calling in six of the Militiamen who were stationed in the tent. In this connection, I must take the opportunity of stating that the results, proved the wisdom of the course taken by the Commissioners in obtaining the escort of the Militia, as their presence exerted great moral influence, and I am persuaded, prevented the jealousies and ancient feud between the Crees and Saulteaux culminating in acts of violence.

The conduct of the whole force was excellent and, whether on the march or in the encampment ground, they conducted themselves in a most creditable manner.

Resuming, however, my narrative, on the 15th of September, the Commissioners again met the Indians at 11 o'clock in the forenoon.

The Crees had, in the interval, decided to treat with us independently, and the Saulteaux, finding this, came to a similar conclusion. After a protracted interview, the Indians asked to be granted the same terms as were given at the North West angle. The Commissioners took time to consider and adjourned the conference, until 3 o'clock.

In the interval, the Commissioners, being persuaded that a treaty could not otherwise be made, determined on acceding to the request of the Indians.

The Indians, having again met the Commissioners in the afternoon, presented their chiefs to them, when they asked to be informed, what the terms granted at the North West Angle were. These were fully and carefully explained to them, but after a request that all the Indians owed to the Hudson Bay Company should be wiped out and a refusal of the Commissioners to entertain their demands, they then asked that they should be paid fifteen dollars per annum per head, which was refused, and they were informed that the proposals of the Commissioners were final, and could not be changed.

The chiefs then agreed to accept the terms offered and to sign the treaty, having first asked that the half-breeds should be allowed to hunt, and having been assured that the population in the North West would be treated fairly and justly, the treaty was signed by the Commissioners and the chiefs, having been first fully explained to them by the interpreter.

Arrangements were then made to commence the payments and distribution of the presents the next day, a duty which was discharged by Mr. Christie and Mr. Dickieson, Private Secretary of the Honorable Mr. Laird.

I forward you to form an appendix to this despatch, a report marked "A" and "B" extended from notes taken in short hand, by Mr. Dickieson, of the various conferences and of the utterances of the Commissioners and the Indians.

It is obvious that such a record will prove valuable, as it enables any misunderstanding on the part of the Indians, as to what was said at the conference, to be corrected, and it, moreover, will enable the Council better to appreciate the character of the difficulties that have to be encountered in negotiating with the Indians.

On the 17th I left for Fort Ellice, in company with Mr. Laird, Mr. Christie and Mr. Dickieson remaining to complete the payments, which were satisfactorily disposed of.

Before leaving, the Chiefs "Loud Voice" and Cotté called on us to tender their good wishes, and to assure us that they would teach their people to respect the treaty.

The Commissioners received every assistance in their power from Mr. McDonald of Fort Ellice, in charge of the Hudson Bay Company District of Swan River, and from Mr. McLean, in charge of the Qu'Appelle Post,—I also add, that the Half-Breed population were I believe generally desirous of seeing the treaty concluded and used the influence of their connection with the Indians in its favor.

I forward in another despatch a copy of an address I received from the Metis, together with my reply thereto.

The treaty was taken charge of by the Honorable Mr. Laird, and will be by him placed on record in his Department and submitted to Council for approval.

I enclose herewith, however, a printed copy of it, marked "C," to accompany this despatch.

The supplementary treaty made at Fort Ellice will form the subject of another despatch.

Trusting that the efforts of the Commissioners to secure a satisfactory understanding with the Western Indians will result in benefit to the race, advantage to the Dominion, and meet the approval of the Privy Council,

I have the honor to be, Sir,

Your obedient servant,

ALEXANDER MORRIS.

Lieut.-Gov. N. W. T.

THE QU'APPELLE TREATY, NUMBER FOUR.

ARTICLES OF A TREATY made and concluded this fifteenth day of September, in the year of our Lord one thousand eight hundred and seventy-four, between Her Most Gracious Majesty the Queen of Great Britain and Ireland, by Her Commissioners, the Honourable Alexander Morris, Lieutenant-Governor of the Province of Manitoba and the North-West Territories, the Honourable David Laird, Minister of the Interior, and William Joseph Christie, Esq., of Brockville, Ontario, of the one part; and the Cree, Saulteaux and other Indians, inhabitants of the territory within the limits hereinafter defined and described, by their Chiefs and head men, chosen and named as hereinafter mentioned, of the other part;

Whereas, the Indians, inhabiting the said territory have, pursuant to an appointment made by the said Commissioners, been convened at a meeting at Qu'Appelle Lakes, to deliberate upon certain matters of interest to Her Most Gracious Majesty, of the one part, and the said Indians of the other: And whereas, the said Indians have been notified and informed, by Her Majesty's said Commissioners, that it is the desire of Her Majesty to open up for settlement, immigration, trade and such other purposes as to Her Majesty may seem meet, a tract of country bounded and described as hereinafter mentioned; and to obtain the consent thereto of her Indian subjects inhabiting the said tract; and to make a treaty and arrange with them so that there may be peace and good-will between them and Her Majesty, and between them and Her Majesty's other subjects; and that her Indian people may know and be assured of what allowance they are to count upon and receive from Her Majesty's bounty and benevolence;

And whereas, the Indians of the said tract, duly convened in councils as aforesaid, and being requested by Her Majesty's said Commissioners to name certain Chiefs and head men who should be authorized on their behalf to conduct such negotiations, and sign any treaty to be founded thereon, and to become responsible to Her Majesty for the faithful performance by their respective bands of such obligations as shall be assumed by them, the said Indians have thereupon named the following persons for that purpose, that is to say: Ka-ki-sha-way, or Loud Voice (Qu'Appelle River); Pis-quu, or The Plain (Leech Lake); Kea-wez-ance, or The Little Boy (Leech Lake); Ka-ke-na-vup, or One that sits like an Eagle (Upper Qu'Appelle Lakes); Kus-kee-tew-mus-coo-mus-quu, or Little Black Bear (Cypress Hills); Ka-ne-on-us-ka-tew, or One that walks on four claws (Little Touchwood Hills); Can-ah-ha-cha-pew, or Making ready the Bow (south side of the south branch of the Saskatchewan); Kii-si-can-ah-chuck, or Day Star (south side of the south branch of the Saskatchewan); Ka-wa-ca-toose, or The Poor Man (Touchwood Hills and Qu'Appelle Lakes); Ka-ku-wis-ta-haw, or Him that flies round (towards the Cypress Hills); Cha-

Appendix.

ca-chas (Qu'Appelle River); Wah-pi-moose-too-ah, or White Gull, or Pis-coos (Qu'Appelle River); Gabriel Cote, or Mee-may, or The Pigeon (Fort Rely);

And thereupon in open council the different bands having presented the men of their choice to the said Commissioners as the Chiefs and head men for the purpose aforesaid of the respective bands of Indians inhabiting the said district hereinafter described;

And whereas, the said Commissioners have proceeded to negotiate a treaty with the said Indians, and the same has been finally agreed upon and concluded as follows, that is say:

The Cree and Saulteaux tribes of Indians, and all other the Indians inhabiting the district hereinafter described and defined, do hereby cede, release, surrender and yield up to the Government of the Dominion of Canada for Her Majesty the Queen and her successors forever, all their rights, titles and privileges whatsoever to the lands included within the following limits, that is to say:

Commencing at a point on the United States frontier due south of the north-western point of the Moose Mountains, thence due north to the point of said Mountains, thence in a north-easterly course to a point two miles due west of Fort Ellice, thence in a line parallel with, and two miles westward from, the Assiniboine River to the mouth of the Shell River, thence parallel to the said river, and two miles distant therefrom, to its source; thence in a straight line to a point on the western shore of Lake Winnipegosis due west from the most northern extremity of Watarihan Lake, thence east to the centre of Lake Winnipegosis, thence northwardly through the middle of the said lake (including Birch Island) to the mouth of Red Deer River, thence westwardly and south-westwardly along and including the said Red Deer River and its lakes, Red Deer and Ecodimani, to the source of its western branch, thence in a straight line to the source of the northern branch of the Qu'Appelle, thence along and including said valley of the west branch of the Qu'Appelle, thence along and including said river to the mouth of Maple Creek; thence southwardly along said creek to a point opposite the western extremity of the Cypress Hills; thence due south to the international boundary; thence east along said boundary to the place of commencement. Also all their rights, titles and privileges whatsoever to all other lands wheresoever situated within Her Majesty's North-West Territories, or any of them, to have and to hold the same to Her Majesty the Queen and her successors forever.

And Her Majesty the Queen hereby agrees, through the said Commissioners, to assign reserves for said Indians, such reserves to be selected by officers of Her Majesty's Government of the Dominion of Canada appointed for that purpose, after conference with each band of the Indians, and to be of sufficient area to allow one square mile for each family of five, or in that proportion for larger or smaller families.

Provided, however, that it be understood that if, at the time of the selection of any reserves as aforesaid, there are any settlers within the bounds of the lands reserved for any band, Her Majesty retains the right to deal with such settlers as she shall deem just, so as not to diminish the extent of lands allotted to the Indians; and provided further that the aforesaid reserves of land, or any part thereof, or any interest or right therein, or appurtenant thereto, may be sold, leased or otherwise disposed of by the said Government for the use and benefit of the said Indians, with the consent of the Indians entitled thereto first had and obtained; but in no wise shall the said Indians, or any of them, be entitled to sell or otherwise alienate any of the lands allotted to them as reserves.

In view of the satisfaction with which the Queen views the ready response which Her Majesty's Indian subjects have accorded to the invitation of her said Commissioners to meet them on this occasion; and also in token of their general good conduct and behavior, she hereby, through Her Commissioners, makes the Indians of the bands here represented, a present—For each Chief, of twenty-five dollars in cash, a coat, and a Queen's silver medal; for each head man, not exceeding four in each band, fifteen dollars in cash, and a coat; and for every other man, woman and child, twelve dollars in cash; and for those here assembled some powder, shot, blankets, calicoes and other articles.

As soon as possible after the execution of this treaty, Her Majesty shall cause a census to be taken of all the Indians inhabiting the tract hereinbefore described, and shall next year, and annually afterwards, forever, cause to be paid, in cash, at some suitable season to be duly notified to the Indians, and at a place or places to be appointed for that purpose within the territory ceded; each Chief, twenty-five dollars; each head man, not exceeding four to a band, fifteen dollars; and to every other Indian, man, woman and child, five dollars per head; such payment to be made to the heads of families for those belonging thereto, unless for some special reason it be found objectionable.

Her Majesty also agrees that each Chief, and each head man, not to exceed four in each band, once in every three years during the term of their office, shall receive a suitable suit of cloths, and that yearly and every year, she will cause to be distributed among the different bands included in the limits of this treaty, powder, shot, ball and twine, in all to the value of seven hundred and fifty dollars; and each Chief shall receive hereafter, in recognition of the closing of the treaty, a suitable flag.

It is further agreed between Her Majesty and the said Indians that the following articles shall be supplied to any band thereof who are now actually cultivating the soil, or who shall hereafter settle on these reserves and commence to break up the land, that is to say—two hoes, one spade, one scythe, and one axe for every family so actually cultivating; and enough seed, wheat, barley, oats and potatoes to plant such lands as they have broken up; also one plough and two harrows for every ten families so cultivating

as aforesaid; and also to each Chief, for the use of his band as aforesaid, one yoke of oxen, one bull, four cows, a chest of ordinary carpenter's tools, five hand-saws, five augers, one cross-cut saw, one pit saw, the necessary files, and one grindstone; all the aforesaid articles to be given once for all, for the encouragement of the principles of agriculture among the Indians.

Further, Her Majesty agrees to maintain a school in the reserves, allotted to each band, as soon as they settle on said reserves, and are prepared for a teacher.

Further, Her Majesty agrees that within the boundary of the Indian reserves, until otherwise determined by the Government of the Dominion of Canada, no intoxicating liquors shall be allowed to be introduced or sold; and all laws now in force, or hereafter to be enacted to preserve Her Indian subjects inhabiting the reserves, or living elsewhere within the North-West Territories, from the evil effects of intoxication, shall be strictly enforced.

And further, Her Majesty agrees that her said Indians shall have right to pursue their avocations of hunting, trapping and fishing throughout the tract surrendered, subject to such regulations as may from time to time be made by the Government of the country acting under the authority of Her Majesty, and saving and excepting such tracts as may be required or taken up from time to time for settlement, mining or other purposes under grant, or other right given by Her Majesty's said Government.

It is further agreed between Her Majesty and her said Indian subjects that such sections of the reserves above indicated as may at any time be required for public works or buildings, of whatever nature, may be appropriated for that purpose by Her Majesty's Government of the Dominion of Canada, due compensation being made to the Indians for the value of any improvements thereon, and an equivalent in land or money for the area of the reserve so appropriated.

And the undersigned Chiefs and head men on their own behalf, and on behalf of all other Indians inhabiting the tract within ceded, do hereby solemnly promise and engage to strictly observe this treaty, and also to conduct and behave themselves as good and loyal subjects of Her Majesty the Queen.

They promise and engage that they will, in all respects, obey and abide by the law: that they will maintain peace and good order between each other, and between themselves and other tribes of Indians, and between themselves and others of Her Majesty's subjects, whether Indians, Half-breeds or whites, now inhabiting, or hereafter to inhabit, any part of the said ceded tract; and that they will not molest the person or property of any inhabitant of such ceded tract, or the property of Her Majesty the Queen, or interfere with or trouble any person passing or travelling through the said tract or any part thereof; and that they will assist the officers of Her Majesty in bringing to justice and punishment any Indian offending against the stipulations of this treaty, or infringing the laws in force in the country so ceded.

334 *The Treaties of Canada with the Indians.*

In witness whereof, Her Majesty's said Commissioners, and the said Indian Chiefs and head men, have hereto subscribed and set their hands at Qu'Appelle, this day and year herein first above written.

(Signed)

ALEXANDER MONTGOMERY,
Lieut.-Gov. N.-W. Territories.

DAVID LAIRD,
Indian Commissioner.

WILLIAM J. CHRISTIE.

KA-KU-SHI-WAY. His x mark.

PIS-QCA. " x "

KA-WE-ZAUGE. " "

KA-KEE-NA-WUP. " x "

KUS-KEE-TEN-JUS-COO-MUS-QCA. " x "

KA-NE-ON-US-KA-TEN. " x "

CAN-AH-HA-CHA-PEW. " x "

KU-SI-CAW-AH-CHUCK. " x "

KA-RA-CA-TOOSE. " x "

KA-KU-NIS-TA-HAW. " x "

CHA-CA-CHAS. " x "

WA-PIL-MOOSE-TOO-SUS. " x "

GABRIEL COTE, or MEE-MAY. " x "

Signed by the Chiefs and head men within named in presence of the following witnesses, the same having been first read and explained by Charles Pratt:

(Signed) W. OSBORNE SMITH, C. M. G.,
Lieut.-Col., D. A. G.,

Commanding Dominion Forces in North-West.

PASCAL BRELAND.

EDWARD MCKAY.

CHARLES PRATT.

PIERRE FOURAS.

BAPTIST DAVIS. His x mark.

PIERRE DENONNE. " x "

JOSEPH MCKAY.

DONALD McDONALD.

A. McDONALD,
Captain Prov. Batt. Infantry.

G. W. W. STREET,
Ensign Prov. Batt. Infantry.

ALFRED COOP, M.D.,
Surgeon Prov. Batt. Infantry.

W. M. HERCHMER,
Captain.

C. DE CAZES,
Ensign.

JOSEPH PORTON.

334 The Treaties of Canada with the Indians.

In witness whereof, Her Majesty's said Commissioners, and the said Indian Chiefs and head men, have hereto subscribed and set their hands at Qu'Appelle, this day and year herein first above written.

(Signed) ALEXANDER MORRIS,
Lieut.-Gen. N. W. Territories.

DAVID LAIRD,
Indian Commissioner.

WILLIAM J. CHRISTIE.

KA-KIH-SHI-WAY. His X mark.

PIS-QUA. " X "

KA-WE-ZAUGE. " X "

KA-KEE-NA-WUP. " X "

KUS-KEE-TEW-JUS-COO-MUS-QUA. " X "

KA-NE-ON-US-KA-TAW. " X "

CAN-AH-HA-CHA-PEW. " X "

KIH-SI-CAW-AH-CHUCK. " X "

KA-RAC-A-TOOSE. " X "

KA-KIH-NIS-TA-HAW. " X "

CHA-CA-CHAS. " X "

WA-PH-MOOSE-TOO-SUS. " X "

GABRIEL COTE, or MEE-MAY. " X "

Signed by the Chiefs and head men within named in presence of the following witnesses, the same having been first read and explained by Charles Pratt:

(Signed) W. OSBORNE SMITH, C. M. G.,
Lieut.-Col., D. A. G.,

Commanding Dominion Forces in North-West.

PASCAL BRELAND.

EDWARD MCKAY.

CHARLES PRATT.

PIERRE POITRAS.

BAPTIST DAVIS. His X mark.

PIERRE DENONNE. " X "

JOSEPH MCKAY.

DONALD McDONALD.

A. McDONALD,
Captain Prov. Batt. Infantry.

G. W. W. STREET,
Ensign Prov. Batt. Infantry.

ALFRED CORD, M.D.,
Surgeon Prov. Batt. Infantry.

W. M. HERCHMER,
Captain.

C. DE CAZES,
Ensign.

JOSEPH POTRON.

Memorandum of things outside of the Treaty which were promised at the Treaty at the Fort signed the 3d day of August A.D. 1871.

For each chief that signed the Treaty a dress distinguishing him as Chief.

For Braves and for Councillors of each Chief a dress. It being supposed that the Braves and Councillors will be two for each chief.

For each chief except Yellow-quill a Buggy. For the Braves and Councillors of each chief except yellow-quill, a Buggy.

In lieu of a yoke of oxen for each reserve, a Bull for each, and a cow for each chief, a Boar for each Reserve and a cow for each chief, and a male and female of each kind of animal raised by farmers, these when the Indians are prepared to receive them.

A plough and a harrow for each settler cultivating the ground.

These animals and their issue to be Government property but to be allowed for the use of the Indians, under the superintendence and control of the Indian Commissioner.

The Buggies to be the property of the Indians to whom they are given.

The above contains our understanding of the terms concluded with the Indians

(Sgt) Kennedy Dr. Simpson
 (") Holman St John
 (") A. Archibald
 (") Geo. McRae

Appendix VIII

DESCRIPTION AND PLANE OF CERTAIN INDIAN RESERVESIN THE PROVINCE OF MANITOBA AND THE NORTHWEST TERRITORIES, 1889.

Selected Statistics.

<u>Reserve No.</u>	<u>Name of Reserve and Chief</u>	<u>Year Surveyed</u>	<u>Area</u>	<u>Number of families in band</u>
62	Way-way see Capps	1877	39 sq. miles	26
63	The Gambler	1883	30 sq. miles	44
64	Gabriel Côté	1877	56.5 sq. miles	56
65	The Key	1883	38 sq. miles	15
66	Kee-see-koose	1883	28.6 sq. miles	42
68	Pheasant's Rump	1881	n o s t a t i s t i c s	
69	Ocean Man	1881	37 sq. miles	26
70	White Bear	1887	45 sq. miles	24
71	Kakesheway and Chacachase	1881	82.6 sq. miles	69
72	Kakeewistahaw	1881	73 sq. miles	49
72A	Kakeewistahaw	1884	96 acres	no statistics
73	Cowessess	1881	78 sq. miles	70
73A	Little Bone	1884	10.9 sq. miles	10
74	Sakimay (Mosquito)	1881	33.88 sq. miles	32
74A	Sheesheep	1884	5.6 sq. miles	
75	Pie-a-pot	1885	no statistics	63
76	Jack or 'The Man Who Took The Coat	1885	73.2 sq. miles	65
78	Standing Bull	1881	7.6 sq. miles	50
79	Pasquau	1876	60.2 sq. miles	79
80	Muscowpetung	1881	58.8 sq. miles	44
81	Pee-pe-ke-sis	1880-87	41.6 sq. miles	31
82	Okanesse	1880	22.36 sq. miles	21
83	Star Blanket	1880	21.5 sq. miles	23
84	Little Black Bear	1880-84	46.5 sq. miles	29

<u>Reserve No.</u>	<u>Name of Reserve and Chief</u>	<u>Year Surveyed</u>	<u>Area</u>	<u>Number of families in band</u>
85	Muskow-ekwun	1884	36 sq. miles	45
86	George Gordon	1883	48 sq. miles	44
87	Day Star	1876	24 sq. miles	22
88	Kawakatoose (The Poor Man)	1876	42.5 sq. miles	27
89	Yellow Quill	1881	34.5 sq. miles	57
90	Part of Yellow Quill's Band	1881	16.6 sq. miles	no statistics
94	White Cap	1888	2.3 sq. miles	22

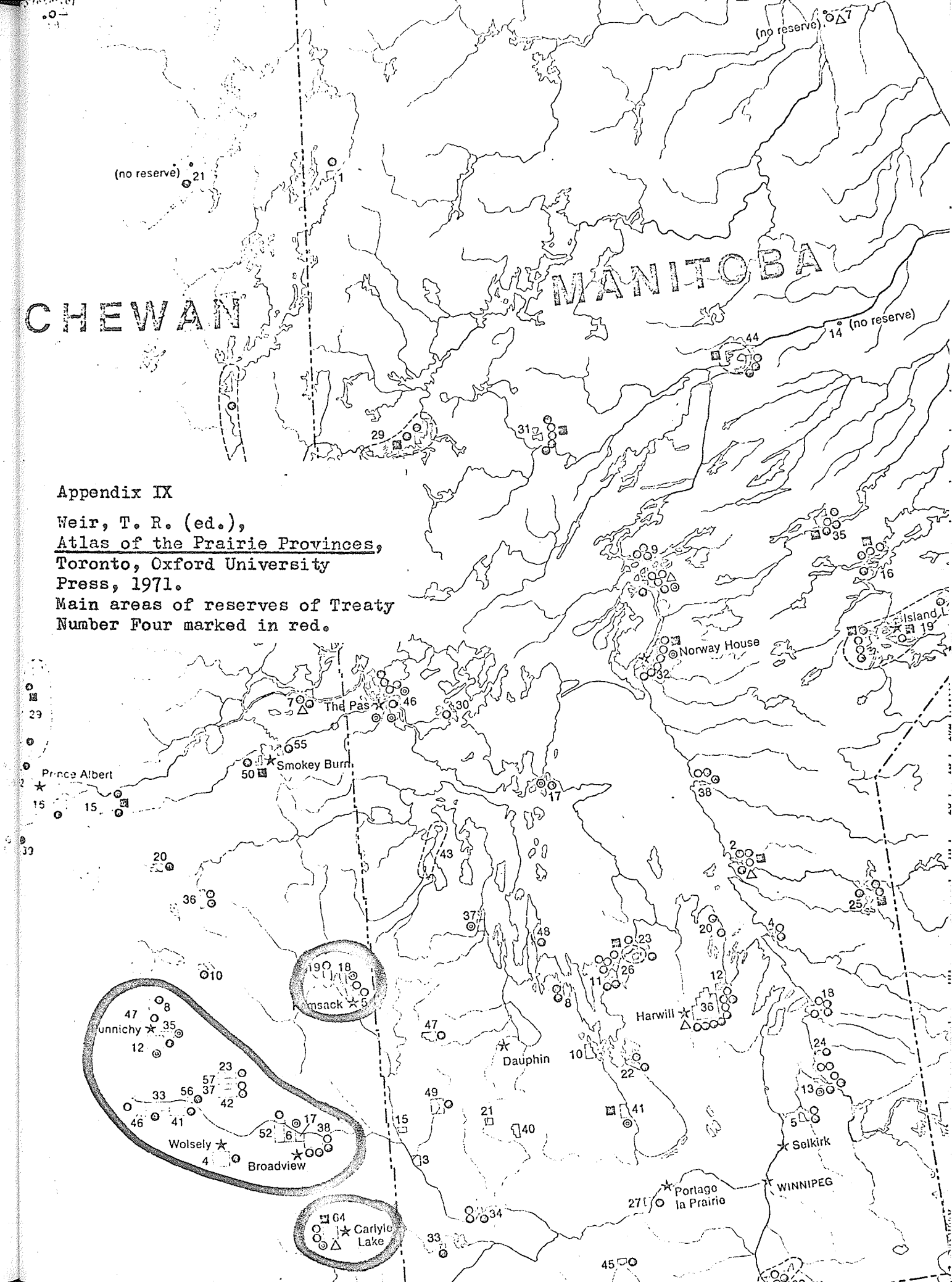
CHEWAN

MANITOBA

Appendix IX

Weir, T. R. (ed.),
Atlas of the Prairie Provinces,
 Toronto, Oxford University
 Press, 1971.

Main areas of reserves of Treaty
 Number Four marked in red.



INDIAN RESERVATIONS—Continued.
ROOTS SOWN AND HARVESTED :—
PELLE.

HORSE AND CATTLE POWER.		Private Property of Indians.	Buildings.	Remarks.
Given under Treaty or on Loan.				
Horses.	Oxen.	Horses.	Oxen.	
.....	31	35	2	29 houses; 26 stables; 3 store houses; 3 root houses.
.....	13	12	.....	17 houses; 14 stables.....
.....	13	21	3 14	do 10 do

HILLS.

12	30	11 houses; 7 stables.....	Gardens, $\frac{1}{2}$ acre onions included.
8	10	9 do 4 do	Gardens include $\frac{1}{2}$ acre onions.
16	14	12 do 7 do	The Indians of this Band have their and root crops on Reserve 81.
17	15	12 do 13 do	Gardens include $\frac{1}{2}$ acre onions.
53	69	.....	The Indians of Band 82 have their and root crops on this Reserve.
		.....	The bushels of grain and roots here are given approximately.

AGENCY.

31	30	29 houses; 20 stables.....
56	50	20 do 22 do
5	6	6 do 6 do
5	7	6 do 4 do
7	45	10 do 8 do
31	20	12 do 12 do
9	60	8 do 6 do 1 roothouse
4	25	6 do 4 do
1	148	4
1	243	

MOUNTAIN.

.....	15	6	.....	Return approximate, grain not havi
.....	14	7	.....	thresled.
.....	15	10	.....	Indians' horses are too small for far
.....	2	.....	.....	excepting mowing, raking and
.....	44	23	.....
.....	2	.....	.....

LAKES.

3	31	25	.....	2 houses; 1 stable; 1 storehouse
.....	.....	4	.....	28 do 15 do
6	.....	.....	.....	2 do 1 do 1 storehouse;
.....	.....	.....	.....	1 roothouse.
.....	27	24	.....	29 houses; 18 tables;.....
3	.....	.....	.....	1 do 1 do 4 storehouses;
.....	.....	.....	.....	1 roothouse.
.....	25	43	4	33 houses; 33 stables; 32 root-
.....	.....	.....	.....	houses.
2	.....	.....	.....	1 house; 1 stable; 1 storehouse
.....	23	60	.....	30 do 23 do

Appendix XI

Canada, Public Archives.

as follows:

to barn., get up
Call boys, examined beds, washing,
dressing, making beds, folding
suits.

1/2 past 6. Prayers and mass, and
other religious services

7 o'clock, inspection of shoes, laces,
buttons, cleaning up laboratory

1/4 past 7 - Carrying wood, water pumped,
foies litt.

1/2 past 7. Breakfast.

8 to 9 - Boys fatigue, some in garden
some on farm.

Clerk attends to correspondence

Principal has been 9 to 12. Teaching in school

if the teaching 1/2 past 12 Dinner

are not too long 1 to 2. Recreation

the summer months 2 to 5. Teaching in school

H. J. Reed 5 to 6. Boys fatigue

Asst. Commr. Clerk attends to his Returns.

1/2 past 6 - Supper

8 - Prayers

1/2 past 9 Go to bed

The staff consists of
Rev. Father Hugonard, Principal.
Thos. Redmond, Farm Instructor.
William Crosbie, Assistant Principal and Clerk.
Alphonse Nosedo, Carpenter.
J. Gaffick, Gardener.
Sister Larumiere, Matron.