

"A SERENE ATMOSPHERE"? TREATY 1 REVISITED

D. J. HALL,
Department of History,
University of Alberta,
Edmonton, Alberta,
Canada, T6G 2E2.

ABSTRACT/RESUME

Traditionally Treaty 1 of 1871 has been downplayed as a mere extension into the west of the principles of the Robinson treaties of 1850, and Treaty 3 is seen as the first major breakthrough for Indian rights in the treaty-making process. This article contends that Treaty 1 was far more significant than has been previously thought; that almost all the issues raised in later proceedings had been raised in some form in the negotiations for Treaty 1; and that the problem of unfulfilled promises would affect the way both sides in future regarded the treaties, just as both sides learned a great deal for the future conduct of proceedings from Treaty 1.

Traditionnellement le traité un de 1871 a été minimisé comme une simple extension dans le West des principes essentiels des traités Robinson de 1850, et traité trois est vu comme la première majeure percée pour le droit des Indiens dans le cours de construction de traités. Cet article affirme que le traité un était beaucoup plus significatif qu'avait été préalablement soupçonné, que presque toutes les issues soulevées plus tard ont été soulevées sous une certaine forme dans les négociations du traité un; et que le problème de promesses inexécutées affecteraient la façon dans le futur dans les deux côtés regardaient les traités, juste comme les deux côtés apprirent beaucoup du traité un pour la future conduite des procédures.

The treaty-making process of the 1870's is undergoing reassessment. Until the last ten or fifteen years, most accounts of the "numbered treaties" derived from two sources: Alexander Morris' collation and summary of the various negotiations, published in 1880; and G.F.G. Stanley's *Birth of Western Canada*, written a half-century later, and incorporating both published documents overlooked by Morris and such primary materials as had been made available in the interim (Morris, 1880; Stanley, 1956). Both were thorough and reasonably careful treatments of the subject, which partly explains their continuing significance. Equally important is the fact that until very recently relatively little new documentary evidence has been uncovered about either government policy or the immediate negotiations themselves. That which appeared tended only to confirm what had been already derived from the published documents.

As historians will know, however, old documents often yield fresh answers to new questions and different approaches. Many researchers such as John Leonard Taylor (1975, 1979), Richard Price (1979), John Foster (1979), Hugh Dempsey (1978), and Chief John Snow (1977), have begun to look at the evidence from an Indian perspective; they have contended that the Indians played a much larger role in shaping the treaties than had been admitted in the earlier works. They also have given some attention to the recollections of Indian elders about what was promised, or understood to have been promised, at the time, although historians remain uncertain about how to interpret, or the weight which ought to be given to, a later oral tradition. They have concluded, furthermore, that what had previously seemed a careful and deliberate scheme of dealing with the native peoples had, in fact, been given surprisingly little thought on the part of the government.¹ So far has the pendulum swung that one historian has recently asserted that "in 1871 Canada had no plan how to deal with the Indians and the negotiation of treaties was not at the initiative of the Canadian government, but at the insistence of the Ojibwa Indians of the North-West Angle and the Saulteaux of the tiny province of Manitoba" (Tobias, 1983:520).

This goes too far. There is little doubt that the Canadian government fully intended to extend its established system of Indian administration to Rupert's Land when it became part of Canada in 1870, though the details had been given little attention. In 1860 the Indian Department had been transferred to the Province of Canada from the imperial authorities, and until 1867 was part of the Crown Lands Department. The Indian Department improved its administrative efficiency in the next few years, but remained remarkably inflexible in policy and attitudes toward the Indians. Notes one authority,

Efficiency was all very well inside the Department; what was desperately needed in dealings with the "first people" was compassionate concern for them. The Indians were too often treated as bureaucratic commodities rather than human beings. Despite these shortcomings, there had emerged by 1867 a set of methods for dealing with Indian problems that would provide an adequate model for the new Dominion, and for its other provinces and territories (Leighton, 1975 :182, 218-19).

The adequacy of the model might be questioned; but that Canada expected to apply it, including the treaty system as it had evolved before Confederation, in the Robinson Treaties of 1850, and the Manitoulin Island Treaty of 1861, seems certain. As S.J. Dawson explored the region between Lake Superior and Red River during the 1860's he repeatedly and strongly urged the government to seek treaties with the Indians of the region, whom he appears to have talked with at length about such matters.² For its part, the government apparently hoped that the British would negotiate treaties and designate reserves prior to the transfer of Rupert's Land to Canada, matters referred to in the negotiations with the Hudson's Bay Company and the British government in 1868-69. Just what the British view was is not wholly clear, but it would seem that they much preferred to leave future treaties to Canadian authorities who would have to assume responsibility for their administration.³

Given the events of 1869-70, it is not surprising that the Canadian government should have given little thought to the details of a western Indian policy. Yet it was sufficiently aware of the exigencies of the situation that it sent representatives ahead of the Wolseley expedition in 1870 to negotiate a temporary right of passage for the troops; and in 1871 a permanent right of passage was negotiated for all whites. In the latter year it was the Saulteaux Indians themselves who wished to postpone a full treaty. When Adams G. Archibald was appointed Lieutenant Governor of Manitoba in 1870, he was charged with establishing friendly relations with the Indians, and was required to report "the course you may think most advisable to pursue, whether by treaty or otherwise, for the removal of any obstructions that may be presented to the flow of population into the fertile lands that lie between Manitoba and the Rocky Mountains (Thomas, 1956:49). Thus, while it is true that the Indians both of the North-West Angle and of Manitoba were anxious for a treaty, the initiative did not come solely from them, though they may have rushed the government's timetable somewhat.

Both sides wanted treaties; neither really knew what to expect. Canada, of course, chose to rely on past practice without wholly understanding the concerns of the western Indians. The Indians of the North-West Angle were quite familiar with American treaty-making in the contiguous states and territories, though the Manitoba Indians seemed less influenced by American precedent. After years of experience with the Hudson's Bay Company, however, they were used to being given respect and dealt with by whites as equals. S.J. Dawson warned his superiors in Ottawa,

Any one who, in negotiating with these Indians, should suppose he had mere children to deal with, would find himself mistaken. In their manner of expressing themselves, indeed, they make use of a great deal of allegory, and their illustrations may at times appear childish enough, but, in their actual dealings, they are shrewd and sufficiently awake to their own interests, and, if the matter should be one of importance, affecting the general interests of the tribe, they neither reply to a proposition, nor make one

themselves, until it is fully discussed and deliberated upon in Council by all the Chiefs

At these gatherings it is necessary to observe extreme caution in what is said, as, though they have no means of writing, there are always those present who are charged to keep every word in mind. As an instance of the manner in which the records are in this way kept, without writing, I may mention that, on one occasion, at Fort Frances, the principal Chief of the tribe commenced an oration, by repeating, almost verbatim, what I had said to him two years previously

For my own part, I would have the fullest reliance as to these Indians observing a treaty and adhering most strictly to all its provisions, if, in the first place it were concluded after *full discussion and after all its provisions were thoroughly understood by the Indians*, and if, in the next, it were never infringed upon by the whites, who are generally the first to break through Indian treaties.⁴

Although these remarks were made about the Indians between Lake Superior and Lake of the Woods, there is no reason to suppose Dawson would have thought them less applicable to their cousins of Manitoba. Regrettably, as will be seen, the warnings fell on deaf ears, with readily foreseeable results during the treaty negotiations of 1871.

G.F.G. Stanley wrote that "*in a serene atmosphere Treaty 1 was brought to a successful conclusion*"; from the limited provisions of this initial treaty he and others concluded that it was not Treaty 1, but Treaty 3 of 1873 that "*fixed the type of subsequent treaties by granting greater concessions in the way of annuities and reserves than had been granted by Treaties 1 and 2, and in promising practical assistance to encourage the adoption of agriculture by the Indians. The Indians of Treaty 3 drove a harder bargain with the Commissioner than had those of the previous Treaties*" (Stanley, 1936:290-10). From this perspective, Treaty 1 might appear to be scarcely more than an inconsequential beginning, with little inherent interest except that it was the first.

It is the contention of this paper that the negotiation for Treaty 1 was badly handled by an ill-prepared government and its officials; that the Indians not only forced major changes in the government's plan, such as it was, but raised most of the issues that appeared in subsequent treaties; and that in its process, form and broken "outside" promises, Treaty 1 had a major impact on future treaty negotiations. Examination of a generally neglected account of the proceedings (See Appendix), despite its limitations and obvious bias, provides an adequate notion of the ebb and flow of discussion, the unease of the Indians, and the evolution of their determination to force concessions from the government. Unfortunately the account becomes sketchy near the end, but, as will be seen, other published documents permit the drawing of conclusions about the apparent confusion of the last two days of the negotiation.

The government was anxious to obtain Indian agreement to the peaceful settlement of the new province; the Indians, on the other hand, were determined

to secure their lands and way of life as far as possible, payment for lands taken by the whites, and government aid in making the transition to a new way of life.

The treaty proceedings were scheduled to begin on Tuesday, 25 July 1871, at Lower Fort Garry (also called "the Stone Fort"), but the absence of several bands forced a two-day postponement. In his opening remarks on the 27th, Lieutenant Governor Adams G. Archibald of Manitoba was at pains to assure the Indians that there would be no compulsion to settle on reserves; that traditional hunting could be carried on wherever land was not required for agriculture or other use; and that the Indians were going to receive the same amount of land as white settlers in the province, and as the Queen's "children in the East" received.⁵ He also wanted the Indians to select chiefs or representatives, so that there would be no repetition of Indian dissatisfaction with the earlier Selkirk Treaty and claims that the chiefs who signed it had not been properly selected to represent their people.⁶ The Indian Commissioner, Wemyss M. Simpson, underlined the latter point, and tried to prepare the Indians for the limited amount of land that would be allotted for reserves.

The assembled Chippewa and Swampy Cree had been anxious for over a year to secure their rights by treaty before a flood of settlers entered the region, and they seemed willing enough to select their spokesmen. Nevertheless, there were misgivings about what lay ahead. "This day is like a darkness to me; and I am not prepared to answer," declared Je-ta-pe-pe-tungh of the Portage Indians. "All is darkness to me how to plan for the future welfare of my grandchildren." The next day he announced that he could "scarcely hear the Queen's words," and that the impediment to his hearing was the imprisonment of four Indians for breach of contract of service with the Hudson's Bay Company. Certainly the release of the prisoners by Archibald as an act of clemency improved his hearing, but it did not remove the "darkness" concerning the future, as Morris and Stanley imply (Morris, 1880:35-36; Stanley, 1936:209).

The various chiefs and representatives of the bands were presented, and the commissioner asked them whether they would accept the principle of a treaty along the lines of those in Ontario, including a perpetual annuity and Indian selection of the reserves. The Indians responded on Saturday the 29th by presenting claims for enormous reserves, perhaps totalling two-thirds of the province, despite the repeated emphasis by the Lieutenant Governor and the Commissioner on how little land would be offered. It is possible that the Indians were using this as a bargaining ploy; it is also probable that they had an entirely different concept of reserves, being concerned with preserving their traditional way of life, rather than being forced to an agricultural existence on what must have seemed to them absurdly small plots of land. The reaction of Archibald and Simpson was that the Indian demands were "preposterous" and would have to be curtailed.

After a two-hour adjournment of the proceedings, the Indians came back with a revised plan, which still would have provided as much as "three townships to each Indian". The Commissioner replied that they did not understand the government's purpose in making the reserves. On 160 acres of land, he insisted, the Indian could cultivate the soil and comfortably support his family of five.

Simpson's remarks now contained a threat: without the treaty the Indians would be overwhelmed by the flood of settlers, and would not even receive what they were now being offered. They should not expect, added Archibald, to receive more for their lands than the Indians of the east. The annuities were to be in perpetuity, a better arrangement than the limited term in the United States. And for the first time a specific amount was mentioned: \$12 per family of five.

There had been few specifics in the government instructions to the Commissioner, but the maximum payment authorized was \$12 per family of five, "with a discretionary power to add small sums in addition when the families exceed that number." If at all possible, they were to try to obtain the lands for less; and they were reminded "that in the old Provinces of Quebec and Ontario, the highest price paid for the finest lands has seldom, if ever, exceeded four dollars per head per annum, to the Band with which the treaty was made." By implication, the western lands on average were to be given a lower valuation.⁷ It would appear that the cash-starved government also was far less committed to the limit of 160 acres per family of five than the Commissioner and Lieutenant Governor, and likely would have been willing to compromise more on the amount of land than the amount of the annuity.⁸

Two further days of reflection on the proposals did not ease Indian concerns. Ay-ee-ta-pe-pe-tung could not "see anything in it to benefit my children. This is what frightens me." He seemed confused about the concepts of ownership of property. More importantly, he saw no willingness on the part of the government representatives to bargain; theirs was a "take it or leave it" proposition. He could not stop the whites from "robbing" him of the land; he would rather let them do so than continue with this farcical negotiation.

Archibald responded with another tactic: the land and its resources were placed there by God for the use of all. The Chippewa or Saulteaux were not the only people to have used it; a century before, the Cree had been using it, but had later migrated westward. Then the Saulteaux had moved in; and now it was the turn of the whites to cultivate it and grow crops. With the Queen's offer the Indians could be part of that new process, and they should not turn down proposals that he believed were more generous than those received by Indians in eastern Canada or the United States.

The amount of money offered was too little, complained some chiefs; still no flexibility was to be found in the Commissioner. Then, in an astonishingly offhanded way the Lieutenant Governor made an extraordinary promise, the potential import of which seems to have eluded both sides at the time. What would happen, he was asked by Wa-sus-koo-koon of the Pembina band, if an Indian has more children after he settles down? Where would their land be? Replied Archibald, "they will be provided for further West. Whenever the reserves are found too small the Government will sell the land, and give the Indians land elsewhere." That the Indians farther west might have an interest did not seem to occur to him; the amount of land there seemed limitless, and he had his own land difficulties in Manitoba. Moreover, the remark suggests the notion that the reserve settlement in the treaties was not necessarily final and unchangeable. Other concerns, however, appear to have been more immediately important to both sides.

Wa-sus-koo-koon pointed out that he could not live on ten shillings if he settled down, suggesting that the Indians expected the annuity should be large enough to be of some use to them, and not a mere token. More perceptively, he attacked the Governor's contention that 160 acres of land would place the whites and Indians on equal footing. The whites, he accurately insisted, had capital resources available to them to get themselves established that were not available to the Indian. He would continue to hold out for the Indians' earlier reserve claims.

Ay-ee-ta-pe-pe-tung threatened to leave and spend a winter thinking over the proposition; then for unexplained reasons he offered to accept the treaty for an annuity of \$3 a head (or \$15 per family of five), which the Commissioner quickly accepted, despite the fact that it exceeded the government-authorized maximum of \$12 per family of five. But the other Indians remained dissatisfied, and the Commissioner threatened to break off negotiations if matters were not resolved the next day.

The proceedings thus far had focussed almost entirely on issues of land (and the size of reserves), and of the size of annuities. At this stage neither side seemed willing to move, and it appeared that the failure of Simpson's negotiations for a treaty at Fort Frances a few weeks earlier might well be repeated at Fort Garry. It would be unfair to suggest attitudes of hostility, but the disenchantment of the Indians was palpable. When negotiations resumed on 2 August the Indians had had time for reflection, and still remained troubled. "How are we to be treated?" demanded Henry Prince, Chief of the St. Peter's band. The Indian had to speak for the land, a notion perhaps alien to the whites. And how were the Indians' children to be treated? It all seemed so unclear. Then, seemingly inadvertently, Prince took the first step in breaking the deadlock, and opening the floodgates to new proposals. How, he asked, did the Queen expect the Indian to cultivate the land? "They cannot scratch it - work it with their fingers. What assistance will they get if they settle down?"

Archibald quickly responded that a great deal of assistance would be forthcoming: a school and schoolmaster for each reserve, and ploughs and harrows. It was as if a mental block had been removed in the proceedings. The Governor and Commissioner had not spoken of how the Indian might be assisted in the future, probably because that was not part of the treaty as they conceived it. They were confined by precedent, which meant chiefly the Robinson Huron and Superior treaties of 1850, which provided for small annuities, an initial gratuity, reserves, and hunting and fishing rights in return for the general surrender of lands to the Crown. Agricultural and educational assistance were later provided as a matter of policy, but not as a treaty right.⁹

This promise of assistance by the Governor altered the whole mood of the negotiations. Whether or not Prince's sally had been a deliberate change of strategy by the Indians, they now saw an alternative way to secure their future, if the reserves and annuities were not to be increased. At this point, however, orderly discussion clearly broke down, as will be seen below. Unfortunately the unidentified Manitoban reporter at the meeting reduced it to a formula statement: "A good deal of parley ensued, in the course of which the Indians made

new and extravagant demands." Some of these are mentioned in the speech of Wa-sus-koo-koon on 2 August: clothing twice every year for the children; a fully furnished house for each settled Indian family, along with a plough, "cattle &c."; recognition of the special status of chiefs, councillors and braves by gifts of buggies; hunting equipment for the men; domestic materials for the women; and exemption from taxation for Indians settled on the reserves. Although the Commissioner responded in good humour, suggesting that if all these demands were met, he himself would be better off as an Indian, clearly he was not prepared to concede much. When the Portage Indians left the proceedings, and others were considering doing so, it finally dawned on the officials that no treaty would be possible without some last-ditch compromises. The Indians were persuaded to remain another day while the bargaining continued, and finally on 3 August the treaty was signed. The reporter noted that the Commissioner promised a gratuity of \$3 per capita, a pair of oxen for each reserve, and buggies for each chief.

The treaty itself marked only a slight change from the general scheme of the Huron and Superior Treaties. It surrendered to the Crown an area slightly larger than the original province of Manitoba.¹⁰ In return the government gave each Indian a present of \$3; agreed to maintain a school on each reserve; promised to prohibit the sale of liquor on the reserves; undertook to pay an annuity of \$15 per family of five, pro-rated for larger or smaller families, and payable in goods useful to the Indians or in cash; and agreed to provide reserves on the basis of 160 acres of land per family of five, again pro-rated for larger or smaller families. Hunting privileges which had been promised by Lieutenant Governor Archibald in his opening speech, and which had been included in the treaties of 1850, were for some reason omitted. The provisions regarding liquor and education were new to treaties; although both were certainly within the administrative intentions of the government, their inclusion in the treaty seems curious since neither appears to have been the subject of extensive Indian pleading, if the newspaper account is any indication. No provision was made for the agricultural implements, animals, clothing, hunting equipment, or other concessions demanded on the last day of negotiation.¹¹

Why did the Indians sign such a limited document after the lengthy struggle to gain more extensive concessions? Were they merely relying on verbal or "outside" promises to be as binding as those written down? Certainly to the Indians, such promises were binding, and that would probably account in part for what happened. But they were not quite so naive about the ways of the white man as to trust verbal promises entirely. In all likelihood the Commissioner explained that the provisions included in the treaty were in line with those of previous treaties; or close enough so as not to mark a major departure; after all, he had already slightly exceeded his instructions. Other promises would not be forgotten by the government. But Chief Henry Prince, among others, consented to sign the treaty only after Archibald and Simpson agreed that they would put the additional promises in writing.¹² The Indians, however, did not sign, and may not even have seen, this document, which could have been drawn up subsequent to their departure from Lower Fort Garry. When the government

ratified the treaty in September,¹³ it may well have been entirely unaware of the additional commitments made by its officials. There was no deception intended; but Simpson did not get around to filing his official report on the treaty process until 3 November. He then mentioned a number of promises that had not appeared in the treaty, giving them equal weight with the treaty provisions. They included a plough and harrow for each Indian who settled down to cultivate the soil; a cow and male and female of various farm animals for each chief; a bull for each reserve; a dress, flag, medal and buggy for each chief; and less elaborate dresses and buggies for two braves and two councillors from each band (Morris, 1830:39).

Simpson's report of 3 November, however, appears not to have penetrated the minds of officials or politicians in Ottawa. So far as they were concerned it was the treaty document, and that only, that marked government obligations. In their opinion the treaty was more generous than they had first intended, and they took a narrowly literal, hard-line approach to its administration when faced with Indian protests about broken promises. In 1873, when the Indian complaints reached the floor of the House of Commons, Prime Minister Sir John A. Macdonald (with the hearty concurrence of Alexander Mackenzie, Leader of the Opposition) declared that the treaty could not be reopened:

The only way to deal with the Indians was to be firm and just. After a treaty had been fairly made, it should be honestly carried out in spirit and in letter. The Indians had been free to enter into the treaty of 1871, or to reject it. No fraud or guile was used towards them. They knew what they were surrendering, and therefore it might fairly be believed that the treaty solemnly entered into by Mr. Archibald, as the representative of the Governor General,¹⁴ was a fair, just and honest treaty ... [U]nless it could be shown that this treaty was unjust or unfair, or was obtained by unfair means, it must be maintained.¹⁵

It did not take the Indians long to become restive about the government's failure to fulfill verbal promises to provide implements, animals, clothing and so forth. Six months after the treaty was signed, Archibald was cautioning his superiors in Ottawa, "it is impossible to be too particular in carrying out the terms of the arrangements made with these people. They recollect with astonishing accuracy every stipulation made at the Treaty, and if we expect our relations with them to be of the kind which it is desirable to maintain we must fulfill our obligations with scrupulous fidelity." He reminded Ottawa of the additional promises, noting that "the Indians expect these promises to be rigidly kept. and it will be most unsafe to disappoint them". Adding to the difficulties was the absence in Ottawa for the winter of Simpson, who evidently fancied that he could reduce expenses by being out of the province and therefore unavailable to deal with Indian demands. The result was that Archibald, who had no power to solve the problems, had to face the angry natives, and sometimes even feed them.¹⁶

take to give to Indians who were settling down "certain articles which they believe were promised to them, such as hoes, axes, &c.," necessary for cultivation of the soil which the government wished to encourage.¹⁷ But this fell far short of the expectations of the Indians. Dr. John Christian Schultz, MP for Lisgar, took up their cause, and wrote that the Indians had been promised "oxen, ploughs, harrows and other agricultural implements;" that the \$3 per capita annuity would not "supply even fishing twine for their nets," and was worth less than the time spent in travel to collect it; that the Indians were told in 1871 that \$3 per capita was as high as was paid anywhere for Indian lands, and that the Indians now knew that \$4 had been paid elsewhere; that the chiefs and councillors so far had received only the same amount as everyone else in the tribe, whereas elsewhere they would have been specially recognized with "a considerable amount more;" and that in general the Indians were highly dissatisfied with how they had been treated.¹⁸ Obviously the discontent stemmed not only from unfulfilled "outside" promises, but from a sense that the government had been less than straightforward with them.

Subsequently Schultz submitted a sworn statement by the Indians that the additional promises included "agricultural implements for the chiefs and headmen; waggons, horses, harness and suits of clothing; work oxen, bulls, cows, hogs, sheeps [sic] turkeys and fowls; on each reserve medical aid and a school and school master."¹⁹ Indian Agent Molyneux St. John, who had been present at the negotiations of 1871, dismissed the claim for medical aid as subsequent to the treaty, suggesting snidely that the Indians were probably trying to cement an alliance with Dr. Schultz.²⁰ Nonetheless, when required to file a report on the so-called "outside promises," St. John was forced to admit, in effect, that the conduct of the treaty negotiations had become somewhat chaotic near the end:

Amongst the several speakers on the part of the Commissioner was a clergyman who had been for many years in pastoral charge of the St. Peter's reserve, and this gentleman supplemented the articles enumerated by the Indians by mentioning others, which the Lieutenant Governor, he said, had authorized him to say they were to receive. Though immediately interrupted by Mr. Commissioner Simpson, the words had been spoken; and, at that juncture of affairs, it would have been difficult and probably inexpedient to entirely disallow them. So the Treaty was signed, the Commissioner meaning one thing, the Indians another

There is no difference of sentiment amongst [the Indians] on this point; however remote they may be from one another, their demands and assertions are alike. In every case the cry has been the same, and there is not a shadow of a doubt that when they left the Grand Council at the Stone Fort they were firmly impressed with the idea that the demands which they had made had been, with few exceptions, granted by the Queen's representatives."²¹

In addition to the list agreed upon by Archibald and Simpson (discussed below), there were, admitted St. John, other frequent demands: that the Indians "be supplied with a male and female of each animal used by a farmer"; a plough, harrow, spade, axe and hoe for each family; a yoke of oxen with yoke and chain; a farm instructor, blacksmith and carpenter; seed wheat; implements for harvest; clothing for Indian families; and food when required in winter. "As most, if not all, of these things were spoken of during the negotiations of the Treaty, and as the Indians never understood the line of assent and dissent of the Commissioner, the latter has given, in those cases where he deemed it expedient, such articles as he thought would really benefit the Indians." Some things, such as houses and medical aid, were flatly refused. "Mr. Simpson," added St. John, "has always expressed his regret at having allowed the signing of the first Treaty to be rushed as it was, when as subsequent events has shown [sic] it was so necessary to have a perfect understanding."²²

Perhaps not surprisingly, Indian Commissioner Simpson resigned in 1873, and his successor, J.A.N. Provencher, had to contend with the angry Indians and what he termed their "exaggerated pretensions." "They think," he wrote, "that the Government has undertaken to furnish them with first-class residences; clothes of a superior quality, and provisions of their own choice for them and their families." The Indians were so unhappy that "they almost accuse the representatives of Canada of obtaining their consent under false pretences."²³

The steady pressure finally paid off for the Indians in 1875, when the government undertook to revise Treaties 1 and 2. Probably the principal intent of the government was to bring the annuities of Treaties 1 and 2 into line with the \$5 annuities paid in Treaty 3 of 1875.²⁴ But it also provided a convenient occasion to try to reach a mutually acceptable compromise with the Indians on the bewildering series of claims that they had been pressing since 1871. Thus, in addition to the higher annuities, the government agreed to incorporate into the Treaties a memorandum drawn up and signed in 1871 by Archibald, Simpson, St. John and James McKay outlining the verbal promises which they believed they had made on behalf of the government during the negotiation. They included distinctive clothing for each chief; clothing for the braves and councillors of each chief; a buggy for each chief, brave and councillor; a yoke of oxen for each reserve, and a bull; a cow for each chief; a boar for each reserve and a sow for each chief; a male and female "of each kind of animal raised by farmers"; a plough and harrow for each settled Indian; the "animals and their issue" to remain Government property but for the use of the Indians under the control of the Indian Commissioner (Morris, 1880:126-27). Beyond that, the government agreed to grant each chief and four "Headmen" of each band a suit of clothing every three years. Acceptance of the increased payment by any Indians would constitute formal abandonment of any additional claims upon the government arising from the promises alleged to have been made in 1871 (ibid.:126-42, 338-59). Thus Treaty 1, signed in 1871, was in 1875 substantially revised in favour of the Indians and in fulfillment of many of the "outside" promises made to them in 1871.

As the Dominion authorities prepared for the treaty-making process in

1871, it was evident that Canadians had already reduced to comforting cliché their conviction that the Canadian/British system of treating native people was far superior to that of the United States. They could be proud of their relations with the Indians, Secretary of State Joseph Howe assured the Commons on 7 March 1871: "When they contrasted the manner in which the Indians in British America had been treated, with that in which those on the other side of the line were, it was impossible to deny that the policy of the British Americans had been not only just and generous, but successful."²⁵ This success, claimed a journalist, was owing to the fact that the British never took advantage of the "weakness or ignorance" of races who were "in fact ignorant, uncivilized, unchristianized."²⁶

The tale of these negotiations for Treaty 1, and the subsequent difficulties, lends a sad irony to such statements. On the evidence of the government officials themselves, as summarized above, even the compromise of 1875 did not grant all that had been promised in 1871; it probably reflected only what the officials thought was a reasonable statement of their intended concessions made under pressure. Yet any pressure they felt resulted from their own self-imposed deadlines, administrative inflexibility and lack of imagination - a not unusual bureaucratic problem.

Both sides benefitted from the experience in future negotiations. The government was much more careful to see that there was one authorized spokesman, because much of the confusion of the Treaty 1 proceedings arose from the fact that several whites besides Simpson - particularly Archibald - were understood by the Indians to be speaking for the government, and they were not always careful or in complete agreement. Thereafter both sides were much more careful to ensure that promises were put in writing and incorporated into the treaties. It might be noted as well that few demands made at subsequent treaties had not been raised in some form or other at Treaty 1. Thus, although it was not a "neat" or wholly satisfactory negotiation, nor the atmosphere "serene", Treaty 1 had a significant impact. It broadened the scope of future treaties. It demonstrated that the Indians would not be content to accept passively the terms dictated by the government, but would become aggressive negotiators determined to protect their future interests.

NOTES

1. Cumming, D.A. and N.H. Mickenberg, eds., 1972:121-27; David T. McNab, 1983:131-49. The Price volume contains interviews with Indian elders; and Chief Snow and Hugh Dempsey (in his various biographies) make use of material from the oral tradition.
2. Canada, *Parliament, Sessional Papers* [hereafter CSP], 1867-68, no. 81, pp. 26-29; 1869, no. 42, pp. 20-21.
3. *Ibid.*, 1869, no. 25, p. 6. Some background may be found in David T. McNab, 1981:93-96.

4. *CSP*, 1867-68, no. 81, p. 28; and see 1869, no. 42, pp. 20-21. Emphasis in original.
5. There is no evidence of intentional deception of Archibald's or the Government's part, but in proposing 160 acres per Indian family of five (see below), as the equivalent obtained by white settlers, they quite overlooked the compensation to the mixed-blood population who, in addition to the farm lands already settled and limited associated "hay privilege," had 1,400,000 acres set aside as compensation for aboriginal title.
6. *CSP*, 1872, no. 22, p. 14.
7. *CSP*, 1872, no. 22, p. 6.
8. One might speculate that the sensitivity of the land issue in Manitoba, complicated by the half-breed grant, made Archibald particularly hesitant about larger grants for Indian reserves.
9. John Leonard Taylor, "Canada's Northwest Indian Policy in the 1870s: Traditional Premises and Necessary Innovations", in Price, 1979:5; Public Archives of Canada [PAC], Adams G. Archibald Papers, no. 421, draft treaty; Leighton, 1975:288-89.
10. *CSP*, 1872, No. 22, contains a large detailed map of Treaties 1 and 2 between pp. 20 and 21.
11. The text of the treaty is in Morris, 1880:313-16.
12. *CSP*, 1873, no. 23, "Return . . . on the subject of the dissatisfaction prevailing among the Chiefs, Headmen, and Indians treated with in Manitoba, and adjacent territory in the year 1871," p. 9.
13. PAC, Archibald Papers, no. 466, Order-in-Council of 12 September 1871.
14. This is a curious error on Macdonald's part, for Archibald was merely a witness; the treaty was signed on behalf of the government by Simpson.
15. Canada. Parliament. House of Commons. Debates (newspaper Debates, mfm.), 31 March 1883.
16. PAC, Archibald Papers, despatches to Secretary of State, 12, 17 February 1872; *CSP*, 1873, no. 23 "Return . . . on the subject of the dissatisfaction . . .," pp. 1-3.
17. *Ibid.*, p. 6.
18. *Ibid.*, pp. 6-7.

19. *Ibid.*, pp. 8-9.
20. There is no corroborating evidence for this point; and it is unclear when Schultz, with his duties as MP, his multifarious business interests, and his medical practice, would have found time for medical attendance upon the Indians.
21. CSP, 1873, loc. cit., pp. 9, 11-12.
22. *Ibid.*, pp. 13-15.
23. *Ibid.*, 1875, no. 8, pp. 53, 59-60; and see Leighton, 1975:296-98.
24. PAC, Alexander Morris Papers, Alexander Campbell to Morris, 28 October 1875.
25. *Debates*, 1871, col. 541, 8 March 1871.
26. *The Manitoban* (Winnipeg), 25 March 1871. On this theme, see Owram, 1980:130-34.

REFERENCES

- Cumming, P.A. and N.H. Mickenberg (Editors)
 1972 *Native Rights in Canada*. Toronto: General Publishing.
- Dempsey, Hugh
 1978 *One Hundred Years of Treaty Seven*, in Getty, I.A.L. and D.B. Smith (Editors): *One Century Later: Western Canadian Reserve Indians Since Treaty 7*. Vancouver: University of British Columbia Press.
- Leighton, J. Douglas
 1975 *The Development of Federal Indian Policy in Canada, 1840-1890*. Unpublished Ph.D. dissertation, University of Western Ontario.
- Manitoban*, The
 1871 March 25. Winnipeg.
- McNab, David T.
 1981 Herman Merivale and Colonial Office Indian Policy in the Mid-Nineteenth Century. *The Canadian Journal of Native Studies* 1: 277-302.
- 1983 *Hearty Co-operation and Efficient Aid, the Metis and Treaty #3*.

The Canadian Journal of Native Studies 3:131-149.

Morris, Alexander

1880 *The Treaties of Canada with the Indians of Manitoba and the Northwest Territories*. Toronto: Belfords, Clarke.

Owram, Doug

1980 *Promise of Eden*. Toronto: University of Toronto Press.

Price, Richard (Editor)

1979 *The Spirit of the Alberta Indian Treaties*. Montreal: Taylor, Daniel and Foster.

Snow, John

1977 *These Mountains are Our Sacred Places*. Toronto: Samuel Stevens.

Stanley, G.F.G.

1936 *The Birth of Western Canada: A History of the Riel Rebellions*. Toronto: University of Toronto Press.

Taylor, John L.

1975 The Development of a Dominion Indian Policy for the North-West, 1869-1879. Unpublished Ph.D. Dissertation, Queen's University.

1979 Canada's Northwest Indian Policy in the 1870s: Traditional Premises and Necessary Innovations, in Price, Richard (Editor): *The Spirit of the Alberta Indian Treaties*. Montreal: Taylor, Daniel and Foster.

Thomas, Lewis H.

1956 *The Struggle for Responsible Government in the North-West Territories 1870-97*. Toronto: University of Toronto Press.

Tobias, John L.

1983 Canada's Subjugation of the Plains Cree, 1879-1885. *Canadian Historical Review* 64.

APPENDIX

The Manitoban, on 5 and 12 August 1871, produced the following account of the negotiation of Treaty h Lieutenant Governor Archibald was happy enough with the account of his speech to send it with minor editorial changes to Ottawa as part of his report on the negotiations. This version in turn was published by Alexander Morris in his book about the various treaties, together with official reports by Archibald and Indian Commissioner Wemyss Simpson. The original extended version of the negotiations in *The Manitoban* appears to have been virtually ignored ever since.

The account is frustratingly incomplete at crucial junctures, and the anonymous reporter makes no secret of his patronizing attitude to Indians. Nonetheless, something of the spirit of the negotiations still emerges. It should be noted that the reporting was not verbatim; in the accepted style of the day, speeches were summarized making use of the words and phrases of the speakers as far as possible. It was nonetheless widely accepted that good reporters could accurately perform this duty, and the fact that Archibald would send this version of his speech to Ottawa without significant alteration should testify as to his high opinion of the account.

I have thought it best to try to leave the account essentially untouched with respect to spelling, abbreviations of names and matters of style. I have attempted to identify leading characters briefly in the notes to the appendix, but some remain uncertain, and for others no information seems available.

THE CHIPPEWA TREATY

Second Day's Proceedings 1

Indian Dances

Opening Speeches by the Lieut.-Governor² and the Commissioner⁵

Special correspondence of the Manitoban

Lower Fort Garry, July 27, 1871

Noon to-day was the hour named for opening the Treaty, but several of the Indians being yet on the way, and likely to arrive in the afternoon, proceedings were further postponed till four o'clock P.M.

In the meantime, such of the Indians as had arrived, gathered inside Fort

Garry to go through some war dances. The performances, between ribbons, feathers, paint and clothing, exhibited all the colors of the rainbow. There were two orchestras, half women and half men, one set playing for one style of dancing, and the other for another and very different one. The Band and performers were all seated on the grass, and the Commissioner, Lieut.-Governor and party, and a great crowd formed the spectators. Some of the chiefs and braves were in the most fashionable style of dress - that is, dressed as little as possible; having merely breechclouts on; others had buffalo horns, &c., on their heads, while bears' claws, and similar remembrancers were plentifully scattered through the group. They danced, told tales of their war prowess and battle wounds by turns, and finally one sly old brave drew down the applause and laughter of the audience and performers by gravely narrating his experience of a similar scene on the Missouri, where the Ogimow, as a grand finale, gave his red brother to drink the strongest tea out of the biggest description of kettle. There was no resisting the shout of laughter which followed this hint, and we have no doubt the Commissioner satisfied the cravings of the painted warrior.

TREATY-MAKING

At four o'clock, the parties to the Treaty assembled outside the Fort, near the Indian encampment, where the proceedings were formally opened. The Commissioner, in military uniform, with his aides, and the Lieut.-Governor, wearing the Windsor uniform, and accompanied by his aide-de-camp, were screened from the sun by an awning, under which several ladies and officers also found seats. From the far end of the camp, the Indians moved to meet the Commissioner *en masse*, the chiefs occupying the foremost rank.

Rev. Hy. Cochrane,⁴ appeared as interpreter for the Commissioner and party, and did nearly all the translating during the Treaty, and Mr. Hy. McCorrister⁵ appeared on behalf of the Indians. The chiefs sat in the front rank, being provided with chairs. There were present the following chiefs: -Hy. Prince;⁶ Hy. Pennefather;⁷ Tachou-chous, from Fort Alexander; Red Deer, from Broken Head River. - the latter is brother of the late chief Peguis,⁸ and was probably present at Lord Selkirk's treaty.⁹ Yellow Quill,¹⁰ from the Portage, was also present; and Keche-wis, (Big Apron) a brother of Hy. Prince, concerning whom a petition had been sent in by some of the Indians to have him appointed chief.

His Excellency the Lieutenant-Governor, opened the proceedings with the following speech: On the 15th of September last, on my first arrival in the country, I met a number of you at the Mission. I told you I could not then negotiate a treaty with the Indians, but that I was charged by your Great Mother the Queen to tell you that she had been very glad to see that you had acted, during the troubles, like good and true children of your Great Mother. I told you that as soon as possible, you would all be called together to consider the terms of a treaty, to be entered into between you and your Great Mother. I advised you to disperse to your homes, and gave you some ammunition to enable you to gain a livelihood during the winter by hunting. I promised that, in the spring, you would be sent for, and that either I, or some person directly

appointed to represent your Great Mother, should be here to meet you, and notice would be given you when to convene at this place, to talk over what was right to be done. Early in the Spring, Mr. Simpson, who sits beside me, was made Commissioner. He left his home at once for this Province by Rainy Lake and Lake of the Woods. The Indians of the Lake Districts meet, as you know, on Rainy River yearly, about the 20th of June, to fish for sturgeon, and they could not be called together sooner. Mr. Simpson met them there at that time, and talked over their affairs with them, and made certain arrangements with them. He then hurried on to see you, and reached this Province a week ago last Sunday. He then sent messengers at once to all the Indians within certain bounds, asking them to meet him here on the 25th day of June [sic; this should read July]. Some of you were unable to come so soon, and he has therefore, at the instance of those who are now here, waited till to-day to open the talk. I believe that now you are all around, and ready to proceed to business. It will be the duty of the Commissioner to talk to you on the particular details of the Treaty, and I will give place to him presently; but there are one or two things of a general kind which I would like before I close, to bring to your notice, for you to think about. First; your Great Mother, the Queen, wishes to do justice to all her children alike. She will deal fairly with those of the Setting Sun, just as she would with those of the Rising Sun. She wishes order and peace to reign through all her dominions, and while her arm is strong to punish the wicked man, her hand is always open to reward the good man everywhere in her dominions. Your Great Mother wishes the good of all races under her sway. She wishes her Red Children, as well as her White people, to be happy and contented. She wishes them to live in comfort. She would like them to adopt the habits of the whites . . . to till land and raise food, and store it up against a time of want. She thinks this would be the best thing for her Red Children to do; that it would make them safer from famine and sickness, and make their homes more comfortable. But the Queen, though she may think it good for you to adopt civilized habits, has no idea of compelling you to do so. This she leaves to your own choice, and you need not live like the white man unless you can be persuaded to do so with your own free will. Many of you, however, are already doing this. I drove, yesterday, through the village below this Fort. There I saw many well-built houses, and many fields well tilled, with wheat and barley and potatoes growing, and giving promise of plenty for the winter to come. The people who till these fields and live in those houses, are men of your own race, and they show that you can live, and prosper, and provide like the white man. What I saw in my drive is enough to prove that even if there was not a buffalo or a fur-bearing animal in the country, you could live and be surrounded with comforts by what you can raise from the soil. Your Great Mother, therefore, will lay aside for you lots of land, to be used by you and your children forever. She will not allow the white man to intrude upon these lots. She will make rules to keep them for you, so that as long as the Sun shall shine, there shall be no Indian who has not a place that he can call his home, where he can go and pitch his camp, or, if he chooses, build his house and till his land. These reserves will be large enough, but you must not expect them to be larger than will be

enough to give a farm to each family when farms shall be required. They will enable you to earn a living should the chase fail, and should you choose to get your living by the soil. You must not expect to have included in your reserve more of hay land than will be reasonably sufficient for your purposes, in case you adopt the habits of farmers. The old settlers, as well as the settlers that are coming in, must be dealt with on the principle of fairness and justice as well as yourselves, your Great Mother making no distinction between any of her people. Another thing I want you to think over, is this: In everything else that the Queen shall do for you, you must understand that she can do for you no more than she has done for her children in the East. If she were to do more for you, that would be unjust to them. She will not do less for you, because you are all her children alike, and she must treat you all alike. When you have made your Treaty, you will still be free to hunt over much of the land included in the Treaty. Much of it is rocky, and unfit for cultivation; much of it that is wooded, is beyond the places where the white man will require to go, at all events, for some time to come. Till these lands are needed for use, you will be free to hunt over them, and make all the use of them which you have made in the past. But when lands are needed to be tilled or occupied, you must not go on them any more. There will still be plenty of land that is neither tilled nor occupied, where you can go and roam and hunt as you have always done, and if you wish to farm, you will go to your own reserves, where you will find a place ready for you to live on and cultivate. There is another thing I have to say to you: Your Great Mother cannot come here herself to talk with you; but she has sent a messenger who has her confidence. She believes Mr. Simpson will tell you truly all her wishes. As the Queen has made her choice of a Chief to represent her, you must, on your part, point out to us the Chiefs you wish to represent you - as the persons you have faith in. Mr. Simpson cannot talk to all your braves and people; but when he talks to Chiefs who have your confidence, he is talking to you all; and when he hears the voice of one of your Chiefs, whom you name, he will hear the voice of you all. It is for you to say who shall talk for you, and also who shall be your chief man. Let them be good Indians, who know your wishes, and whom you have faith in. You will look to the Commissioner to fulfil everything he agrees to do, and the Queen will look to the Chiefs you name to us to see that you keep your part of the agreement. It is our wish to deal with you fairly and frankly. If you have any questions to ask, ask them. If you have anything you wish the Queen to know, speak out plainly. Now, Chiefs and Braves, and people, I introduce to you Mr. Simpson, who will say anything he thinks fit, in addition to what I have said. When you hear his voice, you are listening to your Great Mother the Queen, whom God bless and preserve long to reign over us.

Mr. Commissioner Simpson then addressed the Indians. He said:-"It is now nearly thirty years since I came first among you, and I have taken a great deal of interest in you ever since. When I was a little boy, I recollect hearing the name of the great chief Peguis, of this part of the country. Within the last four years I have sat in the Parliament of the Queen at Ottawa, and ever since I have held that position, I have tried to impress on the Government of the Queen the

great necessity that existed for her to treat with all her Red subjects, and make some kind of arrangement by which they would understand exactly the position they held in this Territory for the future. Now that you have met us here to negotiate a treaty, I want to tell you this: you have listened to the advice and speech of the Governor of the country; and, therefore, I have little in the way of a speech to make at present. But I want you at once to come to the conclusion which the Governor has asked you to arrive at, viz., to name as quickly as you can such Indians from among yourselves, as are head men and chiefs - men that we can treat with. I see, on looking round me, a great number of people who are white men, and it is manifest that negotiations cannot be opened with a mixed crowd such as this - cannot be opened at all in fact, until we find out who are the responsible parties to speak and contract with us on behalf of the tribe. As the representative of the Queen, I want to know absolutely and precisely who we have got to deal with; and I would like you at as early a period as possible, to tell who are those principal men - men who have your full confidence, and your authority to carry through this Treaty. I have been present at a great many Indian treaties in Canada, and can assure you that the Government have always made it a necessity with the Indians that they should themselves name the men that are to treat. This is required of Indians by the Indian Department, and is further necessary in order to enable the Commissioner to understand exactly, and without the interference of outsiders, what is going on. It is better that the advice of the white men who choose to come to these assemblages, should not be imported into Indian councils. We want the men authorised by you to tell us exactly what you want, without bringing these masses of people long distances from their homes, and subjecting them to risk of starvation. Therefore, as soon as you possibly can, we want you to decide among yourselves who are to be your representative men. Point them out to me, and I can speak freely and fully to them, knowing that they represent the feelings of the mass of Indians connected with each band; otherwise, I cannot go on at all. I want you particularly to listen to the words spoken by the great chief, the Governor, who has given you the very best advice which can possibly be given. The Government of Her Majesty is perfectly willing and anxious to provide for the welfare of her Indian subjects, as you have heard; but you must not imagine for a moment that in a country such as this, with immense cultivable acres, and with white people thronging into it, it is the intention of the Government to allow immense reserves to the different bands of Indians. The Government will give to the Indians, reserves amply sufficient. The different bands will get such quantities of land as will be sufficient for their use in adopting the habits of the white man, should they choose to do so. I would remind them that a large section of the country beyond here is of a rocky, swampy character, and such as they need not expect to see inhabited by white settlers. Not in the lifetime of the present generation will farming settlements of white men be seen in such quarters as Fort Alexander,¹¹ for instance; and in treating with the Indians from such districts, the Government are in fact giving them presents - not purchasing from them land of great value. When I was on my way through here, I tried all I could to impress on the Indians living in the

district between Fort William and Rainy Lake, that their land being unfit for settlement, what they would get for it was, in fact, a present; and so it is in the case of similar lands within the Province - that which the Indians receive for them, is in reality a present from the government. There are many persons in this Province, white men and Indians, who talk about the hay grounds of the country. For my own part, I do not believe in these hay grounds, being perfectly certain, that with even small industry, any man can get a larger return from 50 acres of cultivated hay, than he will, on an average, from 500 acres of the prairies on which he now expends his labor in getting hay; and the day will come, when the country is filled up by white people, when the miserable grasses now only to be found in some sections, will be replaced by luxuriant cultivated grasses. And this matter of the hay claims must be looked at in this way. People must not imagine that these immense prairies are going to be shut up in the hands of a few - that men who hold ten acre lots will be allowed to hold 500 acres more as hay grounds. This I say specially as a friend of the Indian. The course to make them wealthy, is not to trust to the wild grasses for raising cattle and horses, but to fence in land, cultivate it, and thus get far more easily abundance of hay for their animals. It is an immense mistake for people to go continually miles and miles away for what a single visitation of fire or grass-hoppers may bring to nothing. There are some who imagine that they cannot get along at all unless they have secured to them a vast quantity of land for hay purposes; they fancy that bringing white people in here will crowd out the present population. This is another immense mistake. I might, said the Commissioner, make speeches to you all day long, in explaining what I think; but I would like to know a little of what you think, and whenever you can give His Excellency and myself an answer as to who have been nominated as your responsible men, we will be very happy to hear them in explanation of what you want. (Here the Commissioner bowed and retired.)

Henry Prince, chief of the Salteaux, then came forward, and having shaken hands with His Excellency and the Commissioner, said in Indian: - It is many years ago since I first heard such gentlemen would come among us; but this is the first time I have heard the Queen's representative. I am very much obliged to His Excellency for the kind advice he has given us, and in hearing the Commissioner this evening, I feel that we have heard the Queen's voice. That is all I have got to say at present. I will go back to the camp and select a spokesman.

Commissioner Simpson - I wish you could decide the matter this evening, and let us know in the morning what time you will meet us. We would like to meet at ten, as we have a great deal to do. (The Commissioner also promised to send some tobacco to the camp, so that they might smoke over this matter and arrive at a decision that evening.)

His Excellency impressed on the Indians the fact that it was not only spokesmen who were wanted, but representatives of the tribe, who would be responsible for any action taken.

Je-ta-pe-pe-tungh¹² ("He who sits by it") from the Portage, came forward, shook hands and said: - I am not going to say much. It is proposed that we should give answer. To-day I must give it. You (addressing His Excellency)

know me. When you first found this country, you saw me on my property.

His Excellency said he saw him at the Stone Fort.

Je-ta-pe-pe-tungh - I belong to the Little Camp Fire at the Portage. When first you saw me, you did not see anything with me. You saw no canopy over my head - only the house which Creation had given me. This day is like a darkness to me; and I am not prepared to answer. All is darkness to me how to plan for the future welfare of my grandchildren.

His Excellency - There is a dark cloud before us, too, because we do not know what you want. There is the same dark cloud before you, because you do not know what we want. What we desire is to rend these clouds assunder.

The Fort Alexander chief, "Sheoship" (The Duck) - I am thankful to-day that I have heard a message from our Great Mother, the Queen. The reason I got up from my seat was to come here and hear her voice. I am glad I have heard good tidings from my mother; and if I live till to-morrow, I will send a requisition to her, begging her to grant me wherewith to make my living.

At this stage the conference was adjourned till the next day at ten o'clock, a.m.

THIRD DAY'S PROCEEDINGS

Special correspondence of the Manitoban

Lower Fort Garry, July 28, 1988

Proceedings opened at ten o'clock A.M. - His Excellency and suite, and the Commissioner being present. Between Indians and spectators the audience numbered fully 1,000. The chiefs were seated on chairs in front of the several bands of Indians, and facing the Commissioner, as before.

THE INDIAN REPRESENTATIVES

The first business which came up was the presentation of those who were to carry on the negotiations on behalf of the tribe, and to be responsible for them. They were named as follows: - Yellow Quill, a chief from the Portage, first presented himself. He said his band numbered 1,000; present 326.

Ka-kee-ga-by-ness ("Everlasting Bird") came next. He said there were 241 belonging to his band. Present 20.

Kee-we-ty-ash ("Driven Round by the Wind") followed. There were, he said, 600 in his band. Present 125.

Wa-Kooish ("Night Hawk") also represented half this band, belonging to the Roseaux River country.

Geo. Kasias said that after having met His Excellency last time, the census

was taken, when the total number of the band he belonged to was found to be 500.

Na-sa-kee-by-ness ("Flying Down Bird")¹⁴ the Indian name of "Grands Oreilles" - said that his band numbered 500. Present SOO. This was the band Kasias alluded to.

Mr. Hy. Prince appeared as chief of the Christian Salteaux.

This left the Portage and Heathen Indians of the Indian Settlement still unrepresented. Leaving them to settle this matter among themselves during the evening, the Commissioner proceeded to remind the Indians of the speeches made to them the previous day, and asked them to state their views regarding the Reserves.

Henry Prince came forward and said he had already formed his own opinion, and would lay open his views. The Commissioner before him spoke on behalf of another, not for himself. He (Hy. Prince) would also have his spokesman.

WHO SHOULD CHOOSE THE RESERVES?

Ka-ma-twa-ka-nas-nin,¹⁵ came forward as Hy. Prince's representative, and said - Yesterday we heard you (the Governor and the Commissioner) speak, and with great pleasure have turned it over in our mind. Only one thing we did not comprehend: about the Reserves. We did not rightly understand why the Reserves were to be made for the Indians, instead of allowing them to choose a Reserve for themselves. He understood what was meant by saying that the Reserves were not to be large. But there was a reserve made 56 years ago, and when the Indians heard of your coming to treat with them, this matter was shaken about (discussed). The Great Mother says she wishes her children to be brought up on reserves. The Indians wish to hold the Selkirk Reserve as one of the number. We would desire that all should work harmoniously. Yesterday you told us you came to treat with us. Now let us both go to work - the Indians and yourselves. As for the reserves, the Indians wish it to be distinctly understood that they are to have a voice in that alone.

(About this time it commenced to pour rain, but the proceedings were carried on without interruption.)

AN OBSTACLE

Ayee-ta-pe-pe-tung,¹⁶ a tall old brave, who was naked all but the breech-clout, and had his body smeared with white earth, next came forward. He spoke well, and in a very talkative and vehement manner, constantly flourishing an eagle's wing which he holds. He said - I can scarcely hear the Queen's words. An obstacle is in the way. Some of my children are in that building (pointing to the jail). That is the obstacle in the way which prevents me responding to the Queen's words. I am not fighting against law and order; but I want my young men to be free, and then I will be able to answer. I hold my own very sacred, and therefore, could not work while my child is sitting in the dark.

(The old brave referred to the imprisonment of ten Indians recently for deserting the Company's service. Four of these Indians were yet in prison, unable to pay their fine. The Lieut.-Governor enquired into the case.)

At the request of the Lieut.-Governor, the Indians were asked if they were under the impression that they were not liable to the law.

Ayee-ta-pe-pe-tung, who has the gift of the gab, made a prefatory flourish about Indian lands, and then came to the point by saying, Let us finish this Treaty fairly, and then everything will go on in your own way. We are going to make a treaty with the Queen, and want to clean everything away from the ground that it may be clean. We are going to work, and will work far better if every obstacle is cleared away. I am not defying the law, but would wish to have the Saulteaux at present in jail, liberated.

The Lieut.-Governor - When I was here at the Lower Fort before, I stated that the Queen knew no distinction between her subjects. If a man does wrong, whether a white man or an Indian, he has to suffer for it. If a white man makes a bargain with an Indian, and does not fulfil it, the Queen will punish the white man. If, on the other hand, an Indian does wrong to an Indian or white man, the law is the same, he will be punished. I wish you to understand that all men, whether white or Indian, must obey the law. But if, on account of this Treaty, the Indians wish me to clear away the obstacle spoken of as in the way, I am willing to grant such a request as a matter of favor, not as a matter of right.

Ay-ee-ta-pe-pe-tung and the Indians expressed their gratitude, and requested as a matter of favor, that the incarcerated Indians should be set free. The Lieut.-Governor gave orders for their liberation, explaining to the Indians at the same time, that the act was done owing to the bounty and goodness of the Queen, and must not be taken advantage of in any way.

Wa-sus koo-koon ("Rat Liver") spokesman for the Indians between Pembina and Fort Garry, expressed his desire to know a little more of what the Queen intended for the Indians.

The Commissioner explained, and Hon. Mr. McKay, 17 at the request of the Governor and the Indians, also entered into very full explanations in Indian.

THE EVERLASTING BIRD PLEASED

Ka-kee-ga-by-ness ("Everlasting Bird") chief from Fort Alexander - a little man wearing a stove-pipe hat of very considerable elevation - made a speech, the substance of which was: - I salute my Great Mother, and am very much gratified at what I heard yesterday. I take all my Great Mother's children here by the hand and welcome them. I am very much pleased that myself and children are to be clothed by the Queen, and on that account welcome every white man into the country.

POPPING THE QUESTION

By request of the Lieut.-Governor and Commissioner, the Interpreter asked the Indians whether they were ready to accept the terms offered, which were

the same as those given Canadian Indians already treated with, viz., a small annuity to each family, to last as long as the sun shines, as much land as is allowed to their brethren in Canada, the reserves to be chosen by the Indians themselves. If they were satisfied with these general terms, the Commissioner said he was ready at once to proceed to details.

MORE LIGHT WANTED

Ka-ma-twa-kau-naas-noo (Prince's representative) wanted to know how the Indians spoken of were dealt with - wanted to hear the ins and outs of everything.

EXPLANATION

The Commissioner explained. Where-ever I have been connected with the treaties alluded to, he said, the arrangement was that each family should get a yearly payment of so much per head, men women and children, which payment goes on in perpetuity, and is not, as in the United States, for only a certain number of years. The agent comes annually with the goods or money and payment is made to every individual Indian - not to the chiefs alone. If the Indians do not come the money is put by for them, or given to any one duly authorised to draw their payment. The agent paying the annuity has a roll drawn out, showing exactly how many Indians are to be paid and giving their names, which list is made up from a census and prevents any cheating. With regard to the reserve, the Indians themselves are always consulted as to where they will want it - whether all in one place, or in several. Having made some further explanations, His Excellency asked whether the Indians would rather have the reserve allowed them in one place or several?

George Kasias replied that the chiefs must consult with each other, and would reply next morning.

His Excellency explained that reserves did not mean hunting grounds, but merely portions of land set aside to form a farm for each family. A large portion of the country would remain as much a hunting ground as ever after the Treaty closed.

NIGHT HAWK PRESENTED

Wa.Kooish (Night Hawk) was here presented and received as chief of half the Roseaux River Indians.

The Indians of Oak Point, Manitoba, sent in word that they did not appoint a chief, but wished Prince to be their representative.

WOMEN'S RIGHTS

The daughter of a chief, wearing a couple of medals, and in years being decidedly the shady side of fifty, came forward, shook hands with His Excellency and the Commissioner, and retired; but a new idea seized her and she

advanced to the front again, and kissed both the great men amid the hearty laughter and applause of over 1,000 spectators, red and white.

The conference then adjourned.

FOURTH DAY'S PROCEEDINGS

Lower Fort Garry, Sat. July 29
Eleven O'Clock A.M. - Prince's Words

Henry Prince came forward. He said - Whatever I do, I do it for all the Indians. I have done it always for all the Indians ever since my father spoke for them (at Lord Selkirk's treaty). When I want to speak about my father I speak loud, and am always glad to speak about him; but whenever I get up to say anything, my voice only goes as far as Fort Garry.

ICICLE HEADS 800

Ma-ko-we-we-pung ("Icicle"): - We have selected Hy. Prince for our chief. Eight hundred of us have done so, but we are not all present.

SKIRMISHING

Several chiefs and warriors having spoken with a good deal of flourish and vehemence without uttering anything worth noting - pretty much as members of Parliament sometimes do -

Hon. Mr. McKay addressed the Indians, telling them that as yet they had been dealing merely with preliminaries, and it was time to proceed at once to the real business of the treaty.

THE RESERVES - A BIG CLAIM - FROM SUGAR POINT TO FORT ALEXANDER

Ka-ma-twa-kan-nas-nin said - The Fort Alexander Indians and those from Oak Point Manitoba and the lower district, all join in asking the following reserve: From the line which Peguis drew, at Sugar Point, down the river, 50 miles in length, extending into the Lake; from Oak Point, Manitoba Lake, coming east to the Sugar Point; crossing there and going north of White Mouth River, on the Winnipeg River; down the Winnipeg River to the Lake. (A rough map of this claim was made by the Indians, at the request of the Commissioner.)

ANOTHER RESERVE - FROM UPPER FORT GARRY TO THE LAKE OF THE WOODS

Geo. Kasias - The reserve is not the question which we intended to speak about. We intended to leave it to the last, but since you wish to know about it,

I may state that my chief goes as far as Fort Garry. From thence our reserve will follow the Lake of the Woods Road, now making; and on this (the lower) side of the road, we claim 80 miles in width.

A THIRD CLAIM - ONLY 160 SQUARE MILES

Wa-sus-koo-koon - spokesman of the Indian band living between Pembina and Fort Garry - said - I represent 3 chiefs - (Qu-a-ty-nah, Na-na-wyn-an, 18 Wa-Kooish). We claim from the mouth of Rat Creek up the Red River to the International line; from Red River going along the boundary-line East to Roseaux Lake down to a line parallel with the boundary-line from Rat Creek. (In all about 190 square miles). Wa-sus-koo-koon made a speech much more flowery than convincing, in support of this tremendous demand.

REPROACHFUL

Ay-ee-ta-pe-pe-tung, came forward and reproached the Indians for naming their reserves before they knew what the white man would offer.

Hon. Mr. McKay spoke, explaining that before the Government could know what portion of land the Indians proposed to cede, it was necessary that the reserves and their location should be defined.

Ay-ee-ta-pe-pe-tung, stated that he did not yet thoroughly understand the limits of the territory about to be treated for.

Hon. Mr. McKay, by direction of the Commissioner, defined the limits of the Province.

Ay-ee-ta-pe-pe-tung (to Commissioner) - When you got up, you looked at me hard, and if I used any improper language, I did not mean to be insulting. I want, first, to see what you are offering; and then I'll tell you my offer.

Hon. Mr. McKay, at request of His Excellency, reminded the brave who had just spoken, that some of the bands had already defined their reserves, and the Commissioner was anxious to hear the balance.

A VOICE FROM THE SILVERY LAND

Ay-ee-pe-pe-tung - I will tell you what I mean to reserve. When first you (His Excellency) began to travel (from Fort William), you saw something afar off, and this is the land you saw. At that time you thought I will have that some-day or other; but behold you see before you now the lawful owner of it. I understand you are going to buy this land from me. Well God made me out of this very clay that is besmeared on my body. This is what you say you are going to buy from me. I live far away where it is silvery. When you first found me naked, with the fur-bearing animals by me, I traded with the white man, and saw what he got for his fur. With regard to land within the Settlement, I have nothing to say, as I am on the outside. But you will see from this document that I have made a claim, (written document handed in); and I want to know what is to be allowed me. (This claim is about 160 miles long by 60 broad, and extends from the mouth of Tobacco Creek, to Medicine Lodge, at Pembina,

from there north-west to White Clay; thence down to Stony Creek, a branch of the White Mud River, at the upper crossing; and from thence north, to the Salt Springs, on Lake Winnepegosis). No chief appears to represent the Indians at White Mud River, and continued the Brave, the chief gave me authority to mention to the Commissioner, for the White Mud River Indians, that they wished their reserve attached to ours. This is the reason our claim extends so far north as Salt Springs.

A POSER

The Commissioner - If all these lands are to be reserved, I would like to know what you have to sell?

Rev. H. Cochrane and Hon. Mr. McKay, by request of His Excellency and the Commissioner, addressed the Indians, showing them that their demands were so preposterous, that, if granted, they would have scarcely anything to cede, and urging them to curtail their demands.

FRESH MEAT DESIRABLE - A GENTLE HINT

Wa-sus-koo-koon, at this stage, enquired -- It is not the wish of our Great Mother that her children should be fed on more than one kind of provisions? Is it her wish that this day her children should go to the hunting ground to bring in fresh meat?

The Commissioner took the hint, and promised to slay some oxen.

The Conference then adjourned for a couple of hours.

FOUR O'CLOCK, P.M.

The Commissioner asked if they had thought over the matter put before them by Mr. McKay just before adjournment?

ENORMOUS RESERVES

Ka-ma-twa-kan-nass-nin - I said to my Indians that you (the Commissioner) were perfectly right in objecting to our first proposition. We did not know any better, and I am going to define our reserve in a different form. It will extend from the mouth of the river, embracing twenty miles on the west side of the river. On the opposite side of the river I would preserve fifty miles. For the Oak Point Indians I want a reserve of three miles broad, by thirty miles long.

In answer to the question of how many Oak Point Indians were there, the last speaker said eleven. This, it was explained to him, would give at the rate of three townships to each Indian. Each Indian would in fact, get as much as 160 white men.

The Commissioner showed that there was a misunderstanding as to what the Queen meant by reserves. All that was intended was to keep for each Indian family of five the same number of acres, 160 as was allowed the white. This, he explained, would be amply sufficient to enable the Indians to cultivate the

soil and live comfortably. The Commissioner made an elaborate statement on this point, and strongly urged the Indians, as their friend, to accept the terms offered them - terms as good as were obtained by Indians elsewhere - and terms which they would not get if they refused to make the Treaty, and fingered until immigration came in here like a flood.

His Excellency also strongly urged on the Indians the advisability of accepting the terms. Their Mother the Queen wished to benefit them - wished to place her red subjects on the same footing as the white, and even went further, in giving to her red subjects what she did not give to the others, an annual bounty to last as long as the sun shone. In the East, the Indians, the Queen's subjects, were living happy and tranquil, enjoying all the rights and privileges of white men, and having homes of their own. What had made them happy the Queen was willing to give her Indian subjects here, and no more. They might at once and for ever dismiss from their heads all nonsense about large reserves; for they could not and would not be granted. The matter must be looked at by them like men of common sense, who see the Queen trying to save a home for them; if they refuse her offer, it will not be made to them again. His Excellency further reminded them that the terms offered them were better than those under which white men came to settle and made themselves comfortable homes. In the United States reserves were sometimes given and sometimes withheld, while the annuities generally terminated after 20 years. The annuities offered the Indians in this negotiation would last as long as the sun shines. Each family of five, under these provisions, gets 160 acres and \$12 a year, and if there are more than five in the family, they get in proportion to the amount named.

The Commissioner - You may have heard what I did with the Indians at Fort Frances, 19 where I gave them \$3 each, but this was not for one year, but closed up accounts for two years. Their treaty comes on next year, and will exactly be on the same principle as this.

His Excellency, in order that the Indians should carry away no mistaken idea, explained that 160 acres meant a quarter of a square mile.

The Commissioner made further explanations, showing the exact quantity of land to which they were entitled, and diagrams were made out showing that instead of having only the quantity now held by Christian Indian families, (3 chains) they would have three times as much, and more reserved to them under the treaty.

His Excellency - Now that we have laid our propositions fully before you, we expect that on Monday morning you will say, finally, whether you accept or reject them, and end the negotiations.

The Commissioner also spoke in further elucidation of the benefits to be conferred on the Indians, by entering into the proposed treaty.

Wa-sus-koo-koon, intimated that next Monday, his band would reply to the proposition.

The Conference adjourned till Monday A.M.

FIFTH DAY'S PROCEEDINGS

Lower Fort Garry, Monday, July 31
Eleven O'Clock, P.M.

All the parties to the negotiations being present as before.

The Commissioner asked if the Indians had considered what had been said to them on Saturday, and had come to any conclusion; and if so, what was it?

Mr. Thos. Spence acted as interpreter for an hour or so, until Rev. Hy. Cochrane came.

PEGUIS' WILL

Hy. Prince handed in a copy of the will of his father Peguis.

The Commissioner - We know all about that will, and recognise you as chief.

Hy. Prince made a speech in which he expressed strong attachment to the British flag; and went on to say, we have been already four days in this negotiation, and it seems as though it will not be brought to a decision. I trust we may be candid with one another in this business, and that our Great Mother the Queen, will treat us as she has treated her children in the East.

The Commissioner said that for his part he was quite ready to finish up matters that day. The delay rested with the Indians altogether. As to dealing with those Indians on the same terms as their brethren in the East, not only did they propose to do that, but actually the terms offered were, if anything, more favorable than any before offered for Indian land by the Government of Canada. The Commissioner enlarged on this point.

A ROTHSCHILD REVEALS HIMSELF

Ay-ee-ta-pe-pe-tung was on his legs again - having nothing to wear as usual, and saying - I have not given you any right answer yet. This day I mean to give you one. True, I am foolish, stupid, blind. But God gave me this land you are speaking to me about, and it kept me well to this day. I bye at the end of the Settlement, in a clean place (unsettled); and as I travelled through the Settlement, I looked on nothing but my property! I saw pieces of land high up (meaning bridges) - these are my property! When I went into the houses by the wayside, these too I considered my property - (laughter)! I have turned over this matter of a treaty in my mind and cannot see anything in it to benefit my children. This is what frightens me. After I showed you what I meant to keep for a reserve, you continued to make it smaller and smaller. Now, I will go home to-day, to my own property, without being treated with. You (the Commissioner) can please yourself. I know our Great Mother the Queen is strong, and that we cannot keep back her power no more than we can keep back the sun. If

therefore the Commissioner wants the land, let him take it. The old brave continued in this strain a long time, and wound up by saying: - Whenever the President of the United States authorises a man to come and treat with Indians, he brings with him heaps of goods to give over to them as a present. Let the Queen's subjects go on my land if they choose. I give them liberty. Let them rob me. I will go home without treating.

REPLY

His Excellency, put the matter in its true light. God, he said, intends this land to raise great crops for all his children, and the time has come when it is to be used for that purpose. Some hundred years ago he gave the Crees liberty to come into the country, and at that time your grand-fathers were not here, but were wandering on Lake Superior. When the buffalo went westward, the Crees went with them; and the Chippewas, finding the land unoccupied, came in and stopped here; but they have no right to the land beyond that. The time has come when this land must be cultivated. White people will come here and cultivate it under any circumstances. No power on earth can prevent it. The Queen wants her red subjects to have a home, and offers them one, and offers them, besides, advantages which she does not give to her white subjects. If a white man comes here to cultivate a farm, he gets nothing from the Government, whereas the Indians are not only promised farms, but also get a bounty from the Government. We have offered here terms which has been accepted by all the Indians in the East, who are ten times as numerous as these here. Is the Indian in this country so much better than the Indian of the Lake of the Woods, or Lake Superior, that he must receive better terms? Is the Indian of this Province better than the Indian in Minnesota or elsewhere in the States? We are, in fact, offering here better terms than are offered to Canadian Indians, and to those of the United States, and our Indians will not, unless they are foolish, receive [sic; refuse?] the offer we make them.

ACONUNDRUM

Ay-ee-ta-pe-pe-tung - You say the white man found this country, and that we were not the first Indians in it. What is the name of the first Indian found along the sea coast?

The Commissioner (smiling) said he was afraid some evil bird was whispering in council. The Commissioner again shown the Indians that they were unwise in not closing with the terms offered.

TOO LITTLE MONEY OFFERED

A Portage Indian said that what puzzled his band was that they were to be shut up on a small reserve, and only get ten shillings each for the balance. They could not understand it.

Wa-sus-koo-koon also complained that all the money he was to get he could

cover with the palm of his hand and not see any particle of it.

The Commissioner argued the point, showing that what the Indians were offered they and their descendants would get every year, and that whether they took it or not the white men would come in and take up land, and that without the treaty the Indian would in the long run be left without any land to cultivate.

PROVIDING FOR POSTERITY

Wa-sus-koo-koon - I understand thoroughly that every 20 people get a mile square; but if an Indian with a family of five, settles down, he may have more children. Where is their land?

His Excellency - Whenever his children get more numerous than they are now, they will be provided for further West. Whenever the reserves are found too small the Government will sell the land, and give the Indians land elsewhere.

At this stage, the conference was adjourned for two hours in order to enable the red men to give in their ultimatum.

FIVE O'CLOCK P.M.

An old Indian from the Lower Settlement came forward and said that his late brother had spoken to him a great deal about the land, on the east side of Red River, and at Netly Creek, urging him to hold it, and not let emigrants, who would come in, dispossess him. He was troubled very much, but could not help himself. He was afraid of the braves and councilmen.

KASIAS MISTAKEN ENTIRELY

George Kasias came forward with an attendant gaily painted, wearing eagles' feathers, and something like a blue waterfall on top of his head. George said - We have been here four days and my chief has said nothing yet. I am now going to say a word for him. When I asked 80 miles square as a reserve I made a mistake entirely. My chief has listened to the terms offered, but does not see that he can be enriched by them. My chief says he is not going to speak about the land he has a right to; but as soon as offers are made by the Commissioner and accepted by the other chiefs, he will accept the same.

CANNOT LIVE ON TEN SHILLINGS

Wa-sus-koo-koon and the chiefs for whom he spoke came forward, and the invariable ceremony of shaking hands with His Excellency and the Commissioner having been gone through, the brave harangued the crowd, protesting that he could not live on ten shillings if he were to settle down. He also complained of the insufficiency of the reserves. Look, he said, at the farmers with all their property; they spent a great deal of money before getting to be as they are. We want the reserve we have asked for and cannot take your terms.

BACKING OUT

Ay-ee-ta-pe-pe-tung intimated that he would take a winter to think over the matter before entering into a treaty.

Hon. Mr. McKay made an eloquent speech in Indian, explaining matters.

THREE DOLLARS A HEAD

Ay-ee-ta-pe-pe-tung argued that his land was very valuable, but added that he would go in into treaty if \$3 a head were guaranteed.

The Commissioner -- I take you at your word at once. The additional sum is not large, and I will take it on myself to make the amount up to \$3 a head. You will get the amount of reserves we offer, and the annuity you have asked, and we will finish the matter at once.

ANOTHER TURN OF THE SCREW

Some of the Indians were not satisfied on consultation. Thereupon Ay-ee-ta-pe-pe-tung rose and said he only spoke for his own camp fire.

The Commissioner having again addressed the Indians, threatening to break up the negotiations unless they came to a close next day, the conference adjourned till next day.

SIXTH DAY'S PROCEEDINGS

Lower Fort Garry, Wed. Aug. 3 [sic, Aug. 2]

Negotiations opened at 11 A.M. to day, instead of yesterday, the interval being rendered necessary, partly through bad weather, and the absence of the Lieut.-Governor - Tuesday being his day for attending business at the Upper Fort and partly in order to give the Indians full time to decide finally.

The Commissioner reminded the Indians that they had now had ample time to deliberate - and he wished their final answer, as this would be the last day's sitting. He trusted they had agreed to accept the advice given them by the Governor.

INDIANS IN LOWER DISTRICT WANT TO RETAIN
THE OLD LANDMARK

Hy. Prince - I would like to have the proposition made, turned over and over before me. How are we to be treated? The land cannot speak for itself. We have to speak for it; and want to know fully how you are going to treat our children. My father settled some of his children in the Indian Settlement. Are you now going to make a reserve for them outside that, or what are you going

to do? I cannot see through it. Then again, it is said, the Queen wishes the Indians to cultivate the ground. They cannot scratch it - work it with their fingers. What assistance will they get if they settle down? Again, I wish to say that nearly the last words my father said before dying were - There is the line - keep it; and we want to retain it.

His Excellency entered into a lengthy statement showing that the Queen was willing to help the Indians in every way, and that besides giving them land and annuities, she would give them a school and a schoolmaster for each reserve, and for those who desired to cultivate the soil ploughs and harrows would be provided on the reserves.

TAKING A LONG LOOK

Grand Oreilles said - I was camped along the Lake of the Woods Road. Last Fall you saw me there. Something was then promised me; but whenever I look along the road I see nothing. They spoke to me at the Fort here. What was promised me then?

The Commissioner - By whom?

Grand Oreilles - Mr. John McTavish.²⁰

His Excellency explained that this had nothing to do with the matter before them.

DRESS THEM

Grand Oreilles - Then, I'll make one request for my braves and Councillors - I would like you to dress them.

KASIAS WANTS TO COME TO A POINT

Geo. Kasias also rose to speak for Grand Oreilles, and said with great composure that he was going to begin where he left off last evening - he wanted to understand the thing thoroughly. (This being exactly what the Commissioner wanted, he brightened up.) And when I am clear on that point, I'll get up from here. I would say, as Prince said, that I cannot work the ground with my fingers. There is also something you are using (Lake of the Woods road) for which my children ought to receive compensation. From Lake of the Woods to Lac la Plaine, the Indians gave it to me in charge to speak about the road; but I have not yet received anything for it. Where will my children get anything to shelter them from the heat? They expect it from the road.

MONEY TO BE AN ABUNDANT AS SNOW-FLAKES - A PROPHECY

Wa-sus-koo-koon insisted on having the reserve he had specified before. When your white children come to settle on the land, he said, money will be as abundant as flakes of snow in winter.

NEW DEMANDS

A good deal of parley ensued, in the course of which the Indians made new and extravagant demands, while the Commissioner and His Excellency reasoned with them, and refused to give way any more.

HALF-PAST FOUR P.M.

Another meeting and more speechifying - the Indians continuing their extravagant demands as before.

MORE DEMANDS - THE COMMISSION ASTOUNDED

Hy. Prince, Grand Oreilles, Kasias, and Wa-sus-koo-koon came forward, the latter being spokesman. He said: - I am going to state the wants of all the Indians - not including those of the Portage. First, in the early part of every spring, we want all the children to be clothed with fine clothes! In the fall of the year they are to be clothed from head to foot with warm clothing! Whenever an Indian wants to settle a house is to be put up for him fully furnished, and a plough, with all its accompaniments of cattle, &c., complete is to be given him! We want buggies for the chiefs, counsellors and braves, to show their dignity! Each man is to be supplied with whatever he uses for hunting, and all his other requirements; and the women in the same way!! Each Indian settling on the reserve is to be free from taxes! If you grant this request, continued the brave with the utmost gravity, I will say you have shown kindness to me and to the Indians.

OFFERS TO BECOME AN INDIAN

The Commissioner - I am proud of being an Englishman. But if Indians are going to be dealt with in this way, I will take my coat off and change places with the speaker, for it would by far better to be an Indian. (This sally was too much even for Indian gravity, and there was a general roar of laughter in which Wa-sus-koo-koon himself joined as heartily as any.)

Ven. Archdeacon Cowley²¹ addressed the Indians at great length. Other speeches were also made. But before closing the day's proceedings, the Portage chief and his followers left, formally bidding the Lieut.-Governor and Commissioner good-buy. The other Indians were also thinking of leaving, but Hon. Mr. McKay asked them to stay over one more night and meet the Commissioner again next day, promising that in the interval he (McKay) would try and bring the Commissioner and Indians closer together.

SEVENTH DAY'S PROCEEDINGS

Lower Fort Garry, Thursday, Aug. 3

All the Indians met His Excellency and the Commissioner to-day in better humor. The Commissioner said he understood they were disposed to sign the treaty, and in consideration of their doing so, he would, in addition to what was stated in the treaty, give them a present, but for this year only, of \$3 per head, a pair of oxen for each reserve, and buggies for each of the chiefs.

This gave general satisfaction, and the treaty was soon signed, sealed and delivered, with all due formality. The ceremony was witnessed by a large crowd of spectators.

THE TREATY

In our issue to-day, we conclude the account of the Indian treaty. The lengthened narrative is the result of no small expenditure of time and labor. We would advise our readers carefully to preserve the numbers of the 5th and 12th of August, inasmuch as it is the only narrative of a Canadian Indian treaty to be found in the files of any Canadian newspaper, and in after years the discription [sic] will certainly be regarded as very valuable.

NOTES TO APPENDIX

1. The first day was Tuesday, 25 July 1871, but proceedings had to be postponed owing to the absence of several bands.
2. The Lieutenant Governor was Adams G. Archibald (1814-92), Lieutenant Governor of Manitoba 1870-72.
3. The Indian Commissioner was Wemyss M. Simpson (1825-94), Indian Commissioner 1871-73.
4. Rev. Henry Cochrane was an Anglican missionary ordained in 1858 and active among both the white and native populations of the Red River area; he was raised in the Indian settlement.
5. Rev. Henry McCorrister, an "Indian" clergyman, raised in the Indian settlement.
6. (William) Henry Prince, also known as Mis-koo-kenew, or Red Eagle; Chief

- of the band at St. Peter's Parish; son of Peguis; a signatory of Treaty 1.
7. Probably William Pennefather, also known as Ka-ke-ka-penais, or Bird Forever; Chief of the band at Fort Alexander, on the Winnipeg River; a signatory of Treaty 1.
 8. Peguis (17747-1864), a famous Saulteaux chief through whom the Selkirk Treaty was negotiated in 1817. See *Dictionary of Canadian Biography*, Vol. IX, pp. 626-37.
 9. The Selkirk Treaty was signed in 1817 with Chippewa (or Saulteaux) and Cree Indians. It surrendered much of the Selkirk grant to Lord Selkirk and his settlers.
 10. Yellow Quill, also known as Oo-za-we-kwun, chief of a band about twenty miles above Portage la Prairie on the Assiniboine; a signatory of Treaty 1. His brother, Kisoway, a trader, was present at Treaties 4 and 6.
 11. Fort Alexander, located where the Winnipeg River flows into Lake Winnipeg.
 12. Je-ta-pe-pe-tung, or He who sits by it, of the Portage band; may have been the brave of Yellow Quill known to the government as Exetapetung.
 13. Wa-kooish, or Night Hawk, sometimes spelled Wa-ko-wush, and translated Whippoorwill, Chief" of a band on the Roseau River, and a signatory of Treaty 1.
 14. Na-sa-kee-by-ness, or Flying Down Bird, sometimes spelled Na-sha-ke-penais; also known as Grands Oreilles; Chief of a band on the Roseau River, and a signatory of Treaty 1.
 15. Ka-ma-twa-ka-nas-nin, acted as a spokesman for Henry Prince; see also pp. 345,346.
 16. Ayee-ta-pee-pee-tung, probably the same as Je-ta-pe-pe-tungh (see p.341).
 17. James McKay (1828-79), a trader, hunter, former HBC employee, master of several Indian languages, employed by the government to assist and interpret at Indian Treaties 1, 2, 3, 5 and 6; a Member of the Legislative Council of Manitoba. See *Dictionary of Canadian Biography*, Vol. X, pp. 472-74.
 18. Na-na-wyn-an, or Centre of Bird's Tail, also spelled Na-na-wa-nanan, Chief of a Roseau River band and a signatory of Treaty 1.

19. At the Fort Frances negotiations of 1871, Simpson had failed to negotiate a treaty with the Indians, but did pay them a gratuity to compensate them for Canadian right of way through their country.
20. John McTavish (1837-88), a HBC employee and elected MLA for Ste. Anne in 1871.
21. Yen. Archdeacon Abraham Cowley (1816-87), ran the Anglican mission at St. Peter's, 1857-66.