


The Treaties of Canada  
WITH THE  
INDIANS OF MANITOBA  
THE  
*North-West Territories.*  
AND KEE-WA-TIN.



WITH

# THE INDIANS OF MANITOBA

AND

THE NORTH-WEST TERRITORIES,

INCLUDING

THE NEGOTIATIONS ON WHICH THEY WERE BASED, AND  
OTHER INFORMATION RELATING THERETO.

BY

THE HON. ALEXANDER MORRIS, P.C.,

LATE LIEUTENANT-GOVERNOR OF MANITOBA, THE NORTH-WEST TERRITORIES,  
AND KEE-WA-TIN.

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TO HIS EXCELLENCY

**The Right Honorable the Earl of Dufferin,**

*Her Britannic Majesty's Ambassador at St. Petersburg, K.P.P.C.,  
K.C.B., G.C.M.G., &c., &c., &c.*

MY LORD,—

Encouraged by the earnest interest, your Lordship ever evinced, in the work of obtaining the alliance and promoting the welfare of the Indian tribes in the North-West of Canada, and in opening up the Territories for settlement, by obtaining the relinquishment of the natural title of the Indians to the lands of the Fertile Belt on fair and just terms, I have the honor, by your kind permission, to dedicate this collection of the treaties made with them, to your Excellency, in the belief that its publication will be timely, and that the information now supplied in a compact form, may prove of service to the Dominion of Canada.

I have the honor to be

Your Lordship's obedient servant,

ALEXANDER MORRIS,

*Late Lieut.-Gov. of Manitoba, the North-West Territories, and Kee-wa-tin.*

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TORONTO, March, 1880.

## CONTENTS.

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CHAPTER.	PAGE
Introduction . . . . .	9
I. The Selkirk Treaty . . . . .	13
II. The Robinson Treaty . . . . .	16
III. The Manitoulin Island Treaty . . . . .	22
IV. The Stone Fort and Manitoba Post Treaties, Numbers One and Two . . . . .	25
V. Treaty Number Three ; or, the North-West Angle Treaty . . . . .	44
VI. The Qu'Appelle Treaty, or Number Four . . . . .	77
VII. The Revision of Treaties Numbers One and Two . . . . .	126
VIII. The Winnipeg Treaty, Number Five . . . . .	143
IX. The Treaties at Forts Carlton and Pitt . . . . .	168
X. Treaty Number Seven ; or, the Blackfeet Treaty . . . . .	245
XI. The Sioux in the North-West Territories . . . . .	276
XII. The Administration of the Treaties—The Half-breeds—The Future of the Indian Tribes . . . . .	285
APPENDIX—Texts of the Treaties and Supplementary Adhe- sions thereto . . . . .	299

THE  
TREATIES WITH THE INDIANS  
OF  
MANITOBA, THE NORTH-WEST TERRITORIES,  
AND KEE-WA-TIN,  
IN THE  
DOMINION OF CANADA.

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INTRODUCTION.

ONE of the gravest of the questions presented for solution by the Dominion of Canada, when the enormous region of country formerly known as the North-West Territories and Rupert's Land, was entrusted by the Empire of Great Britain and Ireland to her rule, was the securing the alliance of the Indian tribes, and maintaining friendly relations with them. The predecessors of Canada—the Company of Adventurers of England trading into Hudson's Bay, popularly known as the Hudson's Bay Company—had, for long years, been eminently successful in securing the good-will of the Indians—but on their sway, coming to an end, the Indian mind was disturbed. The events, that transpired in the Red River region, in the years 1869-1870, during the period when a provisional government was attempted to be established, had perplexed the Indians. They, moreover, had witnessed a sudden irruption into the country of whites from without. In the West, American

traders poured into the land, and, freighted with fire-water, purchased their peltries and their horses, and impoverished the tribes. In the East, white men took possession of the soil and made for themselves homes, and as time went on steamboats were placed on the inland waters—surveyors passed through the territories—and the “speaking wires,” as the Indian calls the telegraph, were erected. What wonder that the Indian mind was disturbed, and what wonder was it that a Plain chief, as he looked upon the strange wires stretching through his land, exclaimed to his people, “We have done wrong to allow that wire to be placed there, before the Government obtained our leave to do so. There is a white chief at Red River, and that wire speaks to him, and if we do anything wrong he will stretch out a long arm and take hold of us before we can get away.” The government of Canada had, anticipating the probabilities of such a state of affairs, wisely resolved, that contemporaneously with the formal establishment of their rule, there should be formed alliances with the Indians. In 1870 the Parliament of Canada created the requisite machinery for the Government of the Province of Manitoba and of the North-West Territories respectively, giving to the former a Lieutenant-Governor and Legislature, and to the latter, a Lieutenant-Governor and Council, Executive and Legislative—the Lieutenant-Governor of Manitoba being *ex officio* Lieutenant-Governor of the North-West Territories. Subsequently the North-West Territories were erected into a distinct government, with a Lieutenant-Governor and Executive, and Legislative Council. The District of Kee-wa-tin, “the land of the north wind,” was also established, comprising the eastern and northern portions of the Territories, and placed under the control of the Lieutenant-Governor of Manitoba, and an Executive and Legislative Council. Since 1870, no less than seven treaties have been concluded, with the Indian tribes, so that there now remain no Indian nations in the North-West, inside of the fertile belt, who have not been dealt with.

It is the design of the present work to tell the story of these treaties, to preserve, as far as practicable, a record of the negotiations on which they were based, and to present to the many in the Dominion and elsewhere, who take a deep interest in these sons of the forest and the plain, a view of their habits of thought and speech, as thereby presented, and to suggest the possibility, nay, the certainty, of a hopeful future for them.

Prior to proceeding to deal, with the treaties of the Dominion of Canada, it will render this book more complete to present the reader, with information as to three treaties which preceded those of the Dominion, viz., the treaty made by the Earl of Selkirk in the year 1817, those popularly known as the Robinson Treaties, made by the late Hon. William B. Robinson, of the City of Toronto, with the Indians of the shores and islands of Lakes Superior and Huron in the year 1850, and that made by the Hon. William Macdougall, for the surrender of the Indian title, to the great Manitoulin Island, both acting for and on behalf of the Government of the late Province of Canada.

Ere however entering upon an explanation of these two first-mentioned treaties, I submit a few brief observations:

The Indians inhabiting the region covered by the treaties in question, extending in Canadian territory from Lake Superior to the foot of the Rocky Mountains, are composed of distinct tribes having different languages.

The Ojibbewas, Chippawas, or Saulteaux as they now call themselves, are found in numbers in the District of Kee-wa-tin and the Province of Manitoba. In the North-West Territories they are not numerous except within the limits of Treaty number Four. These Indians migrated from the older Provinces of Quebec and Ontario many years ago.

The Crees, inhabit the North-West Territories and are divided into Plain, Wood and Swampy Crees, according to the region of the country they dwell in. The Swampy Crees reside in Manitoba and Kee-wa-tin.

The Black Feet nation are to be found towards the slope of



the Rocky Mountains, in the region comprised within the limits of the Treaty number Seven.

A few Chippawayans, or Northerners, dwell within the North-West Territories.

The once powerful nation of the Assiniboines, or Stonies—a kindred tribe to the Sioux—are greatly reduced in numbers, and are now only to be met with in the North-West Territories.

The Sioux in the Dominion are refugees from the United States, the first body having come over some fourteen years ago. A large influx of similar refugees, have recently fled to the Dominion from, the same country, as the issue of the recent war between the United States and the Sioux.

## CHAPTER I.

## THE SELKIRK TREATY.

IN the year 1811, the Earl of Selkirk purchased\* from the Governor and Company of Adventurers trading into Hudson's Bay, in consideration of ten shillings and certain agreements and understandings contained in the Indenture, a large tract of territory within Rupert's Land described in the Indenture as follows:

“All that tract of land or territory being within and forming part of the aforesaid lands and territories of the said Governor and Company, bounded by an imaginary line running as follows, that is to say, beginning on the western shore of the Lake Winnipic, otherwise Winnipeg, at a point in fifty-two degrees and thirty north latitude and thence running due west to the Lake Winnipegosis, otherwise called Little Winnipeg, then in a southerly direction through the said Lake so as to strike its western shore in latitude fifty-two degrees, then due west to the place where the parallel of fifty-two degrees north latitude intersects the western branch of Red River, otherwise called Asseniboine River, then due south from that point of intersection to the height of land which separates the waters running into Hudson's Bay from those of the Missouri and Mississippi, then in an easterly direction along the said height of land to the source of the River Winnipic, or Winnipeg (meaning by such last named river the principal branch of the waters which unite in Lake Sagenagos), thence along the main stream of these waters and the middle of the several lakes through which they flow to the mouth of the Winnipic River and thence in a northerly

\* *Vide* Appendix for copy of the agreement in question.

direction through the middle of Lake Winnipic to the place of beginning." The deed is accompanied by a map intended to show the tract of country, and there is an endorsement on the map that as the surveys were not sufficient to ascertain with precision whether, latitude 52° does intersect the river called Red or Assiniboine River, it was agreed, that in case the waters of Red River, shall on more accurate survey be found, not to extend so far north as latitude 52°, then the west boundary of the tract of land intended to be within the grant, should be a line drawn due north and south, through the post upon the Red River, marked on the plan as "Carlton House."

The Company reserved the right to call upon the Earl to set off one-tenth, however, of the tract for the use of the servants of the Company—and the Earl covenanted, within ten years, to settle within the tract one thousand families, each of them consisting of one married couple at the least, on pain of revocation of the grant, if on receipt of notice to that effect from the Company he did not, within three years after the receipt of the notice, complete the settlement of the one thousand families.

In pursuance of his obligations, Lord Selkirk, in the autumn of the year 1811, sent out a number of families from the County of Sutherland, in Scotland, who spent the winter at Fort Churchill on the western shore of Hudson's Bay. On the arrival of spring, they travelled thence to the confluence of the Assiniboine and Red Rivers, and thus was commenced the interesting settlement of the Red River, which is now included in the Province of Manitoba. It is not my purpose to notice here the eventful history of the Selkirk colonists, and I will only note the fact that in 1836, the Company bought back the whole tract, from the heirs of Lord Selkirk, for the sum of £84,000, the rights of colonists who had purchased land between 1811 and 1836, being respected.

In the year 1817 the Earl of Selkirk, visited his wide domain, and entered into negotiations with the Indian tribes, for the extinction of their title, to a tract of land described as follows:

\* "All that tract of land adjacent to Red River and Assiniboine River, beginning at the mouth of Red River and extending along the same as far as Great Forks at the mouth of Red Lake River and along Assiniboine River as far as the Musk Rat River, otherwise called Rivière des Champignons, and extending to the distance of six miles from Fort Douglas on every side, and likewise from Fort Doer, and also from the Great Forks and in other posts extending in breadth to the distance of two English statute miles back from the banks of the river."

The Indians then inhabiting the region were described as being of the Chippawa or Saulteaux and Killistine or Cree nations. They were made to comprehend, the depth of the land they were surrendering, by being told, that it was the greatest distance, at which a horse on the level prairie could be seen, or daylight seen under his belly between his legs. The consideration for the surrender, was, the payment of one hundred pounds of good merchantable tobacco, to each nation annually.

The treaty was signed by Lord Selkirk and by five Indian chiefs, who affixed thereto drawings of the animals after which they were named, by way of signature, a *fac simile* of which will be found elsewhere. The surrender was to the Sovereign, Lord, King George the Third. The treaty was accompanied by a map which shows that the tract surrendered extended to Grand Forks in what is now United States territory. A copy of the treaty will be found in the Appendix and will prove of interest.

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\* A large portion of the ceded territory is now comprehended in the Territory of Dakota, United States.

## CHAPTER II.

THE ROBINSON TREATIES.

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IN consequence of the discovery of minerals, on the shores of Lakes Huron and Superior, the Government of the late Province of Canada, deemed it desirable, to extinguish the Indian title, and in order to that end, in the year 1850, entrusted the duty to the late Honorable William B. Robinson, who discharged his duties with great tact and judgment, succeeding in making two treaties, which were the forerunners of the future treaties, and shaped their course. The main features of the Robinson Treaties—viz., annuities, reserves for the Indians, and liberty to fish and hunt on the unconceded domain of the Crown—having been followed in these treaties. A special feature of the Robinson Treaties, was the adjustment of a claim made by the Indians to be paid, the amount received, by the Government, for the sale of mining locations. This was arranged, by Mr. Robinson, agreeing to pay them, the sum of £4,000 and an annuity of about £1,000, thus avoiding any dispute that might arise as to the amounts actually received by the Government. The number of Indians included in the treaties were stated by Mr. Robinson to be: on Lake Superior, 1240, including 84 half-breeds; and on Lake Huron 1422, including 200 half-breeds.\* The relations of the Indians and half-breeds, have long been cordial; and in the negotiations as to these initial treaties, as in the subsequent ones, the claims of the half-breeds, to recognition, was urged by the Indians.

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\* The census return of the Department of the Interior for the year 1878 gives the numbers of these Indians as follows:

Chippawas of Lake Superior . . . . .	1,947
Chippawas of Lake Huron . . . . .	1,458

I cannot do better, in giving information with regard to these treaties, than simply to reproduce the Report of Mr. Robinson to the Honorable Colonel Bruce, Superintendent-General of Indian Affairs, in which he describes the course of his negotiations and communicates their results. A copy of the treaties will be found in the Appendix. The Report is as follows:

TORONTO, 24th September, 1850.

SIR:—I have the honor herewith to transmit the Treaty which on the part of the Government I was commissioned to negotiate with the tribes of Indians inhabiting the northern shore of Lakes Huron and Superior; and I trust that the terms on which I succeeded in obtaining the surrender of all the lands in question, with the exception of some small reservations made by the Indians, may be considered satisfactory. They were such as I thought it advisable to offer, in order that the matter might be finally settled, without having any just grounds of complaint on the part of the Indians.

The Indians had been advised by certain interested parties to insist on such extravagant terms as I felt it quite impossible to grant; and from the fact that the American Government had paid very liberally for the land surrendered by their Indians on the south side of Lake Superior, and that our own in other parts of the country were in receipt of annuities much larger than I offered, I had some difficulty in obtaining the assent of a few of the chiefs to my proposition.

I explained to the chiefs in council the difference between the lands ceded heretofore in this Province, and those then under consideration, they were of good quality and sold readily at prices which enabled the Government to be more liberal, they were also occupied by the whites in such a manner as to preclude the possibility of the Indian hunting over or having access to them: whereas the lands now ceded are notoriously barren and sterile, and will in all probability never be settled except in a few localities by mining companies, whose establishments among the Indians, instead of being prejudicial, would prove of great benefit as they would afford a market for any things they may have to sell, and bring provisions and stores of all kinds among them at reasonable prices.

Neither did the British Government contemplate the removal of the Indians from their present haunts to some (to them) unknown region in the far West, as had been the case with their brethren on the American side.

I told them that the two chiefs who were in Toronto last winter (Shingua-couse and Nebennigoebing) only asked the amount which the Government had received for mining locations, after deducting the expenses attending their sale. That amount was about eight thousand pounds which the Government would pay them without any annuity or certainty of further benefit; or one-half of it down, and an annuity of about one thousand pounds.

There were twenty-one chiefs present, about the same number of principal men, and a large number of other Indians belonging to the different bands, and they all preferred the latter proposition, though two of them (Shingua-couse and Nebennigoebing) insisted on receiving an annuity equal to ten dollars per head.

The chiefs from Lake Superior desired to treat separately for their territory and said at once in council that they accepted my offer. I told them that I would have the treaty ready on the following morning, and I immediately proceeded to prepare it; and, as agreed upon, they signed it cheerfully at the time appointed.

I then told the chiefs from Lake Huron (who were all present when the others signed) that I should have a similar treaty ready for their signature, the next morning, when those who signed it would receive their money; and that as a large majority of them had agreed to my terms I should abide by them.

I accordingly prepared the treaty and proceeded on the morning of the ninth instant to the council-room to have it formally executed in the presence of proper witnesses—all the chiefs and others were present. I told them I was then ready to receive their signatures; the two chiefs, Shingua-couse and Nebennigoebing, repeated their demand of ten dollars a head by way of annuity, and also insisted that I should insert in the treaty a condition securing to some sixty half-breeds a free grant of one hundred acres of land each. I told them they already had my answer as to a larger annuity, and that I had no power to give them free grants of land. The other chiefs came forward to sign the treaty and seeing this the two who had resisted up to this time also came to the table and signed first, the rest immediately following.

I trust his Excellency will approve of my having concluded the treaty on the basis of a small annuity and the immediate and final settlement of the matter, rather than paying the Indians the full amount of all moneys on hand, and a promise of accounting to them for future sales. The latter course would have entailed much trouble on the Government, besides giving an opportunity to evil disposed persons to make the Indians suspicious of any accounts that might be furnished.

Believing that His Excellency and the Government were desirous of leaving the Indians no just cause of complaint on their surrendering the extensive territory embraced in the treaty; and knowing there were individuals who most assiduously endeavored to create dissatisfaction among them, I inserted a clause securing to them certain prospective advantages should the lands in question prove sufficiently productive at any future period to enable the Government without loss to increase the annuity.\* This was so reason-

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\* The annuities under these treaties have recently been increased, the following item having been inserted in the Supplies Act of Canada, viz., "Annual grant to bring up annuities payable under the Robinson Treaty to the Chippawas of Lakes Huron and Superior, from 96 cents to \$4 per head, \$14,000."

able and just that I had no difficulty in making them comprehend it, and it in a great measure silenced the clamor raised by their evil advisers.

In allowing the Indians to retain reservations of land for their own use I was governed by the fact that they in most cases asked for such tracts as they had heretofore been in the habit of using for purposes of residence and cultivation, and by securing these to them and the right of hunting and fishing over the ceded territory, they cannot say that the Government takes from their usual means of subsistence and therefore have no claims for support, which they no doubt would have preferred, had this not been done. The reservation at Garden River is the largest and perhaps of most value, but as it is occupied by the most numerous band of Indians, and from its locality (nine miles from the Sault) is likely to attract others to it, I think it was right to grant what they expressed a desire to retain. There are two mining locations at this place, which should not be finally disposed of unless by the full consent of Shinguacouse and his band; they are in the heart of the village and shew no indications of mineral wealth, they are numbered 14 and 15 on the small map appended to Messrs. Anderson and Vidal's report. I pledged my word on the part of the Government that the sale of these locations should not be completed, and as the locatees have not, I believe, complied with the conditions of the Crown Lands Department there can be no difficulty in cancelling the transaction.

The chiefs are desirous that their several reservations should be marked by proper posts or monuments, and I have told them the Government would probably send some one next spring for that purpose. As I know many of the localities I shall be able to give the necessary information when required.

When at Sault Ste. Marie last May, I took measures for ascertaining as nearly as possible the number of Indians inhabiting the north shore of the two lakes; and was fortunate enough to get a very correct census, particularly of Lake Superior. I found this information very useful at the council, as it enabled me successfully to contradict the assertion (made by those who were inciting the chiefs to resist my offers) that there were on Lake Superior alone, eight thousand Indians. The number on that lake, including eighty-four half-breeds, is only twelve hundred and forty—and on Lake Huron, about fourteen hundred and twenty-two, including probably two-hundred half-breeds; and when I paid the Indians they acknowledged they knew of no other families than those on my list.

The number paid, as appears on the pay list, does not show the whole strength of the different bands, as I was obliged at their own request to omit some members of the very large families. I have annexed to this Report the names of the chiefs, their localities, and number of souls in each band as recognized by me in apportioning the money, thinking it will be useful when paying the annuity hereafter.

This information may I believe be fully relied on for Lake Superior, but the census for Lake Huron is not so perfect; and I would suggest that Captain



Ironside should be furnished with copies of that document and also of the pay-lists, in order that he may correct, in time, any errors that are found to exist.

As the half-breeds at Sault Ste. Marie and other places may seek to be recognized by the Government in future payments, it may be well that I should state here the answer that I gave to their demands on the present occasion. I told them I came to treat with the chiefs who were present, that the money would be paid to them—and their receipt was sufficient for me—that when in their possession they might give as much or as little to that class of claimants as they pleased. To this no one, not even their advisers, could object, and I heard no more on the subject. At the earnest request of the chiefs themselves I undertook the distribution of the money among their respective bands, and all parties expressed themselves perfectly satisfied with my division of their funds.

On my arrival at Penetanguishene I found the chiefs Yellowhead and Snake, from Lake Simcoe, and Aissance, from Beausoleil's Island, waiting to see me, to prefer their claim to a small tract of land between Penetanguishene and the vicinity of the River Severn. I was aware of their intending to make such a claim and took the precaution of asking the chiefs assembled in council at the Sault whether it was well founded, they emphatically declared that those chiefs had no claim on Lake Huron, that they had long since ceded their lands and were in the receipt of a large annuity, this I believe to be the case, and Captain Anderson, whom I met there, is of the same opinion; but I promised to inquire into it and give them an answer, and I will therefore thank you to cause the necessary information from your office to be furnished to me on the subject. Should it appear that these chiefs have any claim I think I could get their surrender of it for a small amount, and there remain sufficient funds at my disposal for the purpose.

The Canadians resident on the lands just surrendered at Sault Ste. Marie are very anxious to obtain titles to the land on which they have long resided and made improvements; they applied to me after the treaty and I advised them to memorialize the Government the usual way, setting forth the manner in which they were put in possession by the military authorities of the time, and that I had little doubt that the Government would do them justice. I think the survey of the tract should be made so as to interfere as little as possible with their respective clearings and that those who can show a fair claim to the favorable consideration of the Government should be liberally dealt with.

It will be seen on referring to the treaty that I have kept] within the amount at my disposal. Of the £4,160 agreed by me to be paid to the Indians of both lakes, there remains £75 unexpended. I could not from the information I possessed tell exactly the number of families I should have to pay, and thought it prudent to reserve a small sum to make good any omissions, there may still be a few who will prefer claims, though I know of none at present. If not, the amount can be paid next year with the annuity

to such families as are most deserving; or it may be properly applied in extinguishing the claim made by the Lake Simcoe Indians, should it appear on inquiry to be just.

The whole amount given to me in August was £5,033 6s. 8d., of this sum their remains £800, which I have placed in the Bank of Upper Canada to the credit of the Receiver-General, and I have prepared a detailed account of the whole, which, with the proper vouchers, I shall deliver to the Accountant of the Crown Lands Department.

I have much pleasure in acknowledging the valuable assistance afforded me by all the officers of the Honorable the Hudson's Bay Company resident on the lakes; and the prompt manner in which their Governor, Sir George Simpson, kindly placed their services at my disposal.

The report made last year by Messrs. Anderson and Vidal I found of much use to me, and the long services and experience of the former gentleman in Indian affairs enabled him to give me many valuable suggestions.

Captain Cooper and his officers by attending at the council, and otherwise, gave me most cheerfully all the aid in their power; and Captain Ironside, of your Department, with his assistant, Assickinach, were of essential service to me.

I found it absolutely necessary to have the aid of some one in taking the census of the Lake Huron Indians at the time they were receiving their presents at Manitoulin; and as Captain Ironside was fully occupied in attending to his own duty, I requested Mr. Keating, who had long known the Indians on that lake, to give me his assistance. This he cheerfully and very efficiently did, and afterwards was with me in distributing and paying out the money.

I have, in course of my negotiations with the Indians on the present occasion, collected some information which may be useful to your Department and will at an early day send it to you.

I will thank you to lay the two treaties accompanying this Report before His Excellency, and trust they may meet with his approval.

I have, &c.,

(Signed) W. B. ROBINSON,

The Hon. Col. BRUCE,

*Superintendent-General, Indian Affairs.*

## CHAPTER III.

THE MANITOULIN ISLAND TREATY.

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SOME years after the completion of the Robinson Treaties, the then Government of the old Province of Canada deemed it desirable to effect a treaty with the Indians dwelling upon the Great Manitoulin Island in Lake Huron, as a complement to the former treaties, and with the object of rendering available for settlement the large tract of good land upon the Island. The duty was entrusted to the Honorable William McDougall, then Superintendent-General of Indian Affairs, who, in the month of October, 1862, proceeded to the Island, accompanied by the late William Spragge, Esq., Deputy Superintendent of Indian Affairs, and Mr. F. Assicknack, of the Indian Office, Toronto, as interpreter. Mr. McDougall encountered considerable difficulties, but by firmness and decision eventually succeeded in obtaining a surrender from the Indians of the Island, excluding however from the surrender that portion of it easterly of Heywood Island and the Manitoulin Gulf.

The terms of the treaty, which will be found in the Appendix, were adapted to the peculiar circumstances of the Indians and were well and wisely framed. The result has been to render available for settlement a large tract of land on the Island, much of which is now occupied by a prosperous and thriving population. I conclude this brief notice of an important treaty by submitting, to the attention of the reader, the report of the Hon. W. McDougall, to His Excellency the Governor-General in Council, of the results of his mission.

MANITOULIN ISLAND, *November 3rd, 1862.*

The undersigned has the honor to state for the information of His Excellency the Governor-General in Council, that, under the authority of the Order in Council of the twelfth day of September, 1862, he proceeded early in the month of October last to visit the Great Manitoulin Island, accompanied by William Spragge, Esq., Deputy Superintendent of Indian Affairs, and Mr. F. Assicknack of the Indian Office, Toronto, as interpreter.

The resident agent, Captain Ironside, under instructions from the Department, had caused the Indians residing on the Island to be notified of the intended visit of the undersigned, and of its object, and had summoned them to attend at Manitowaning on the fourth ultimo.

The Chiefs and principal men, with the exception of one or two detained by illness, and nearly all the males above the age of eighteen years, were present at the council.

The undersigned stated the object of his visit, explained the wishes of the Government in regard to the settlement of the Island, and proposed the terms in respect to the Indians specified in the Order in Council authorizing the negotiation. The Indians had selected one of their Chiefs to reply to the overtures of the Government, and without taking time to consider these overtures he proceeded to announce the determination of the Indians to reject them unconditionally.

The undersigned made some further explanations, and directed an adjournment of the council for an hour, during which time the Indians were requested to consider the propositions he had made with care and deliberation.

On re-assembling there was an evident disposition among the bands living westwardly of the place of meeting to listen favorably to the propositions of the Government, but the majority were still unwilling to treat, and by intimidation and threats of violence prevented any open expression of opinion except by the old war Chief, Assicknack, who declared his full assent to the wishes of the Government.

Ascertaining that the Chief's opposition came from Indians living eastwardly of Heywood Sound, the undersigned determined to modify the propositions of the Government, so as to meet in some degree the objections from that quarter.

He accordingly adjourned the council until the following Monday, the first day of meeting being Saturday, informing the Indians that those who were disposed to continue the negotiations would remain while those who had resolved to reject every proposition of the Government might go home. He also informed them that no threats or intimidation would be allowed, and that any one who should attempt violence would be surely punished. Nearly all the Indians remained or returned on Monday, and being apprised of the nature of the proposition the undersigned intended to submit, namely, to exclude that part of the island eastwardly of the Manitoulin Gulf and Heywood Sound from the proposed agreement, they came to the adjourned

meeting in a more friendly mood and expressed their willingness to surrender for sale and settlement all that part of the island westwardly of the Gulf and Sound.

The undersigned submits herewith the deed or instrument which embodies the agreement made and concluded between the respective parties. It was executed by the undersigned and the Deputy-Superintendent of Indian Affairs on behalf of the Government, and by nineteen of the Chiefs and principal men on behalf of the Indians.

In consequence of the modification of the terms of agreement authorized by the Order in Council as above-mentioned and the addition of other terms deemed necessary to prevent future difficulty, and which will be found in the instrument, the undersigned caused a provision to be inserted that it was not to take effect until approved by the Governor-General in Council.

The undersigned therefore now begs to submit the same for such approval.

(Signed) WM. McDOUGALL,  
*Superintendent-General of Indian Affairs.*

## CHAPTER IV.

### THE STONE FORT AND MANITOBA POST TREATIES NUMBERS ONE AND TWO.

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IN the year 1871, the late Honorable Joseph Howe, then Secretary of State of Canada, recommended the appointment, by the Privy Council of Canada, of Mr. Wemyss McKenzie Simpson, as Indian Commissioner, in consequence of "the necessity of arranging with the bands of Indians inhabiting the tract of country between Thunder Bay and the Stone Fort, for the cession, subject to certain reserves such as they should select, of the lands occupied by them." Mr. Simpson accepted the appointment, and in company with Messrs. S. J. Dawson and Robert Pether visited the Ojibewas or Chippawa Indians, between Thunder Bay and the north-west angle of the Lake of the Woods, and took the initiatory steps for securing a treaty with them thereafter. On his arrival at Fort Garry, he put himself, as directed by his instructions, in communication with his Honor, the Hon. A. G. Archibald, then Lieutenant-Governor of Manitoba and the North-West Territories. A conference took place between His Honor, Messrs. Simpson, Dawson and Pether, and the Hon. James McKay, a member, at that time, of the Executive Council of Manitoba, and himself a half-breed intimately acquainted with the Indian tribes, and possessed of much influence over them. The Indians in Manitoba, in the fall of 1870, had applied to the Lieutenant-Governor to enter into a treaty with them, and had been informed that in the ensuing year negotiations would be opened with them. They were full of uneasiness, owing to the influx of population, denied the validity of the Selkirk Treaty, and had

in some instances obstructed settlers and surveyors. In view of the anxiety and uneasiness prevailing, these gentlemen were of opinion "that it was desirable to secure the extinction of the Indian title not only to the lands within Manitoba, but also to so much of the timber grounds east and north of the Province as were required for immediate entry and use, and also of a large tract of cultivable ground west of the Portage, where there were very few Indian inhabitants." It was therefore resolved to open negotiations at the Lower Fort Garry, or Stone Fort, with the Indians of the Province, and certain adjacent timber districts, and with the Indians of the other districts at Manitoba Post, a Hudson's Bay fort, at the north end of Lake Manitoba, the territory being occupied principally by one nation, the Chippawas, of whom the Saulteaux of the lakes are a branch, although there are also a number of Swampy Crees resident within it.

Mr. Simpson accordingly issued proclamations, inviting the Indians to meet him on the 25th of July and 17th of August, 1871, at these points respectively, to negotiate an Indian treaty. The Lieutenant-Governor also issued a proclamation forbidding the sale or gift of intoxicating liquors during the negotiation of the treaty, and applied to Major Irvine to detail a few of the troops under his command to preserve order, which request was acceded to.

The Lieutenant-Governor and Mr Simpson arrived at the Stone Fort on the 24th of July, 1871, but as the Indians had not all arrived the meeting was postponed till the 27th, when a thousand Indians were found to have assembled, and a considerable number of half-breeds and other inhabitants of the country were present, awaiting with anxiety to learn the policy of the Government.

Lieutenant-Governor Archibald, after the Indians were assembled opened the proceedings by delivering the following address :

"On the 13th 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 also 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 the Lake of the Woods.

“The Indians of the lake districts meet, as you know, on Rainy River yearly, about the 20th 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 July. Some of you were unable to come so soon, and he has therefore, at the instance of those who were here, waited till to-day to open the talk. I believe that now you are all arrived, 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 among yourselves.

“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 country, and while her arm is strong to punish the wicked man, her hand is also 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 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 distress, 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 choice, and you need not live like the white man unless you can be persuaded to do so of 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 well-tilled fields 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 these houses are men of your own race, and they shew 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 comfort 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, where 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 tilling, you must not expect to have included in your reserve more of hay grounds than will be reasonably sufficient for your purposes in case you adopt the habits of farmers. The old settlers and the settlers that are coming in, must be dealt with on the principles of fairness and justice as well as yourselves. Your Great Mother knows no difference between any of her people. Another thing I want you to think over is this: in laying aside these reserves, and 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 red children in the East. If she were to do more for you that would be unjust for 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 reserve 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.

“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 men. 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 parts 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. Simpson also addressed them, and thereafter, in compliance with a request of the Lieutenant-Governor, the Indians retired to select their chiefs and principal spokesmen.

On the next day the conference was resumed, the chiefs and spokesmen being presented. The Indians, on being asked to express their views, “stated that there was a cloud before them which made things dark, and they did not wish to commence the proceedings till the cloud was dispersed.” On inquiry it was ascertained that they referred to the imprisonment of four Swampy Cree Indians, who had been convicted under a local

law, of breach of contract, as boatmen, with the Hudson's Bay Company, and on default of payment of a fine, had been sent to prison. The Lieutenant-Governor, as a matter of favor, ordered the release of these prisoners, and the sky became clear. Next day the Indians met again and declared that they would never again raise their voice against the enforcement of the law, but much difficulty was experienced in getting them to understand the views of the Government—they wishing to have two-thirds of the Province as a reserve. Eventually on the 3rd of August, 1871, a treaty was concluded, its principal features being the relinquishment to Her Majesty of the Indian title; the reserving of tracts of land for the Indians, sufficient to furnish 160 acres of land to each family of five; providing for the maintenance of schools, and prohibition of the sale of intoxicating liquors on the reserves; a present of three dollars per head to the Indians and the payment to them of an annuity of three dollars per head.\* (See copy of treaty which will be found in the Appendix.) On the 21st of August Mr. Commissioner Simpson, accompanied by the Lieutenant-Governor, the Hon. James McKay, and Mr. Molyneux St. John (lately Sheriff of the North-West Territories), met the Indians at Manitoba Post, and found them disposed to accept the terms of the treaty made at the Stone Fort, with which they had already become familiar, so that little time was lost in effecting a treaty with them as they had no special terms to prefer. By these two treaties, there was acquired by the Crown, the extinguishment of the Indian title in Manitoba, and in a tract of country fully equal in resources beyond it.

Having submitted these preliminary remarks, I conclude my notice of these treaties by quoting, as matter alike of historical record and practical interest, the despatches of Lieutenant-

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\* In consequence of misunderstandings having arisen, owing to the Indians alleging that certain promises had been made to them which were not specified in these treaties, a revision of them became necessary, and was effected in 1875, as will be seen reported hereafter.