BEYOND BOUNDARIES: Aboriginal Peoples and the Prairie West, 1850 to 1885

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ABSTRACT

Historians in the field of Native-white relations often write of "Canadian" and "American" Indians on the assumption that European boundaries and European nationalities have been inherently meaningful to aboriginal peoples. Yet Native peoples often had significant ties with populations on the other side of the Canada-United States border. Peoples like the "Canadian" Blackfoot, for example, had more in common with "American" Blackfoot than with the culturally and geographically distant "Canadian" Cree. This fact calls into question the conceptualizations historians have made about aboriginal peoples. In this study, an attempt has been made to reposition the historical lens away from the modern nation state and towards aboriginal peoples. It examines the Cree, Ojibwa, Blackfoot and Dakota peoples of the Northern Great Plains and the impact that the boundary between Canada and the United States has had on their lives.

The thesis begins by exploring plains peoples' concepts concerning territoriality and boundaries during the third quarter of the nineteenth century, a time when Europeans appeared with increasing frequency in this region. In contrast to what contemporary Europeans believed, Native peoples had a strong sense of territoriality, and crossing aboriginal boundaries was a delicate matter involving the establishment of kinship ties with other land-holding groups

as a result. Native concepts concerning territoriality and boundaries set precedents for the way Native peoples approached the Europeans' boundary. When Dakota from the United States fled to Canada in the 1860s and 1870s, they emphasized their historic ties to the British and attempted to construct alliances with aboriginal groups to aid them in their attempts to cross this barrier.

The following chapters address how knowledge of events in the United States influenced Native-white relations in Canada. Treaties between the United States government and Native peoples were signed many years before similar treaty negotiations occurred in Canada. Knowledge acquired about these earlier negotiations played an important role in shaping the understanding Native peoples in Canada held about Canadian treaties of the 1870s. The impressions Native peoples in Canada formed about Americans also prompted them to pursue more peaceful relations with whites in Canada. Having viewed the arrival of Americans in the south, aboriginal peoples in the north hoped to stave off American Manifest Destiny by constructing alliances with Canadians.

European settlers were in the process of creating two new societies, and aboriginal peoples watched them do so with great interest. Indians recognized differences between the newcomers and took the time to learn about both, but this process did not render aboriginal identities inoperative. Understanding that aboriginal

peoples viewed their worlds from a vantage point quite distinct from that of Europeans helps render analytic devices such as the "Canadian" and "American" Indian obsolete.

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# A Note on Names

Europeans have been giving names to aboriginal peoples since they first arrived in the New World. On occasion, the names given a single group varies depending on which colonial polity they happened to live within. There are, for example, *Blackfoot*, *Ojibwa* and *Loucheux* in Canada, and *Blackfeet*, *Chippewa* and *Kutchin*, respectively, in the United States. Common to these names is the fact that none were used in historic times by the peoples to whom they were given.

The present generation of aboriginal peoples has claimed the right to define who they are for themselves. In that vein, an attempt has been made in this thesis to refer to peoples by the names that they used themselves. What follows, then, is a list of names used in this thesis and the names most frequently seen in historical documents.

Peoples:

Apsaalooke--Crow

Blackfoot--used here to refer to the "Blackfoot Confederacy" made up by the Siksika, Kainah and Pikuni.

Dakota--Sioux. *Dakota* refers to both the entire Dakota nation and just the easternmost groups (the M'dewakanton, Wahpekute, Wahpeton and Sisseton).

Ihankton--Yankton or Yankton Sioux. The Ihankton are members of the Dakota nation.

Ihanktona--Yanktonai or Yanktonai Sioux. The Ihanktona are members of the Dakota nation.

Kainah--Blood

Lakota--Teton Sioux. The Lakota are the westernmost members of the Dakota nation.

Pikuni--Peigan or Piegan

Siksika--the Blackfoot proper

Individuals:

Hetopa--Four Horns (Lakota)

Isapo-muxika--Crowfoot (Siksika)

Maskepetoon--usually known by this name, but also as Broken Arm (Cree)

Natose-Onistors--Button Chief or Medicine Calf (Kainah)

Otakaonan--The Gambler (Ojibwa)

Pitikwahanapiwiyin--Poundmaker (Cree)

Shak'pay--The Six (Dakota)

Taoyateduta--Little Crow (Dakota)

Tatankaiyotake--Sitting Bull (Lakota)

Tatankanaje--Standing Buffalo (Dakota)

Wakanozhan--Medicine Bottle (Dakota)

Wambdiska--White Eagle (Dakota)

Wikaskokiseyin--Sweetgrass (Cree)

*Beyond Boundaries*

# Introduction

When John Porter wrote his celebrated book on social stratification in Canada, he felt it was necessary to justify the methodology he employed in creating his social groupings. Do social classes exist in any real, objective way, he asked, or are they "artificially created by social investigators"?[1] It was a worthwhile question. What explanatory power do a scholar's conceptual units have if the members of such groups do not identify with the units being employed?

All academics face the task of justifying the categories they use in their studies. But, while John Porter was willing to question the legitimacy of his conceptualizations, many scholars are not. This is readily apparent in the field of Native-white relations. Most historians treat Native peoples as either "Canadian" or "American" Indians. They have written, in countless studies, of such Indians, as though European boundaries and European nationalities were inherently meaningful to aboriginal peoples. Whether or not aboriginal peoples have ever identified with these labels has never been of much concern. Calvin Martin once suggested in a somewhat different context that "the Indian is usually shoe-horned into

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[1] John Porter, *The Vertical Mosaic: An Analysis of Social Class and Power in Canada* (Toronto, 1965), p. 9.

the dominant culture's paradigm of reason and logic," and, in so doing, the historian "colonizes the Indian's mind."[2] At the most fundamental level, this process of colonization begins when historians assume that Native behavior reflects non-Native nationalities.

In 1818, Great Britain and the United States agreed that the forty-ninth parallel would constitute the border between their respective territorial possessions on the Great Plains of North America. Unimportant to both groups of newcomers was the fact that their new boundary ran through territories already occupied by many aboriginal societies. Suddenly, lands owned by the Blackfoot, Assiniboin, Cree and Ojibwa were split between the jurisdictions of two colonial governments.

Europeans felt no remorse over this act of partition. Europeans did not believe that aboriginal peoples shared or even understood European-style boundary concepts or European-style concepts of territoriality. Native peoples supposedly recognized no boundaries among themselves. Given this understanding, what would be the point of discussing border issues with them? European efforts to explain and enforce the boundary would undoubtedly be met with incomprehension. With the passage of time Canadian and American Indian policy would succeed in turning Native peoples into law-abiding, imitation Europeans, but so long as Indians remained "savages," they

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[2] Calvin Martin, "An Introduction Aboard the *Fidele*," Calvin Martin, ed., *The American Indian and the Problem of History* (New York, 1987), p. 6.

could not be expected to respect or understand the border.

And yet, European attitudes concerning Native peoples and the boundary were founded upon a myth. Aboriginal peoples were very territorial, and their boundaries "were clearly marked--by the graves of their young men."[3] When Europeans established the boundary between Canada and the United States, Native peoples understood what it represented. Indeed, it had an immense impact on their lives. European settlers were in the process of creating two new societies, and aboriginal peoples watched them do so with great interest. Indians recognized differences between the newcomers, and took the time to learn about both. The result of this contemplation was not to turn Native peoples into Canadians or Americans, but to give these peoples greater insight into how they might structure their relationships with both groups.

A strong nationalist bias remains in North American historiography. Canadian historians are concerned with the history of Canada, American historians with that of the United States. For this reason, historians today, like their non-Native predecessors, carelessly slot Native peoples into these nationalist frameworks. In Canadian history, one sees "Canadian" Indians responding to Canadian actions: the input of American events is considered briefly, if at all. In general, the nationalist perspective of Canadian historians

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[3] Stanley Vestal, *New Sources of Indian History, 1850-1891: The Ghost Dance--The Prairie Sioux, A Miscellany* (Norman, 1934), p. 200.

disregards evidence that is not "made in Canada."

In this study, an attempt has been made to reposition the historical lens away from the modern nation state and towards aboriginal peoples. It examines the Native peoples of the Northern Great Plains--the Cree, Ojibwa, Blackfoot and Dakota peoples especially--and the impact that the boundary between Canada and the United States has had on their lives.

The first two chapters examine how Native peoples viewed boundaries, and how they endeavored to cross them. The opening chapter explores aboriginal peoples' concepts concerning territoriality and boundaries during the third quarter of the nineteenth century, a time when both Canadians and Americans appeared with increasing frequency on the Northern Plains. In contrast to what contemporary Europeans believed, Native peoples had a strong sense of territoriality. Crossing boundaries, the act of exploiting the lands of peoples other than one's own, was a delicate matter as a result. Generally, Native peoples succeeded in maintaining boundaries by establishing bonds of kinship with the group that controlled the land. Native concepts concerning territoriality and boundaries had significant implications for their understanding of the white man's boundary. The second chapter examines the flight of the Dakota from the United States to Canada. This episode serves, in a sense, as a case study of how Native peoples viewed the boundaries created by Europeans, and how they employed strategies with precedents in

aboriginal diplomacy in their attempts to cross this barrier.

While the first two chapters look mainly to aboriginal peoples and the boundary, the next two look just as closely at how Canadian historians have been hamstrung by it. Many scholars have noted that Indians on the Canadian plains were aware of events in the United States, but rarely do they examine how this information influenced the way Native-white relations unfolded in Canada. The third and fourth chapters attempt to address this issue.

The third chapter considers a debate among Canadian historians centring on the degree to which Native peoples in Canada understood the treaties they entered into in the 1870s. It is a commonplace in Canadian historiography that Native peoples held such different concepts regarding land and its use that they were unable to view the treaties in the same manner that Europeans did. Nevertheless, historians have failed to examine how treaty-making in the United States influenced subsequent treaty-making in Canada. It is an undeniable fact that by the time the Canadian government sent representatives to the Canadian plains, prairie Indians from Canada had been watching developments in the United States for several generations. Treaty negotiations in the south did not go unnoticed by plains peoples in Canada.

The fourth chapter looks in broad sweep at the impressions Native peoples formed about Americans and at how those impressions were influential in shaping the nature of

Native-white relations in Canada. In brief, the experiences Native peoples had in the United States were often negative and aboriginal-American relations suffered greatly as a result. Many who viewed these events from a Canadian vantage point made the conscious decision not to allow Native-white relations to deteriorate to the same degree in the north. Indians reasonably expected Canadians to behave in ways different from Americans. Different diplomatic strategies might, therefore, obtain remarkably different results in Canada. At least in some small way, they were correct.

Historians must try to view Native-white relations from the vantage point of Native societies. This perspective is fundamentally different. To illustrate: the world that stretched before a Lakota individual during much of the last century was oriented in a way strikingly different from that of his or her European contemporaries. It was an aboriginal world: enemy peoples, the Cree and Assiniboin, lived to the north. Allies, the Cheyenne, lived to the south. Other enemies, the Apsaalooke, lived to the west. Relatives, the other Dakota peoples (Dakota, Ihankton, Ihanktona), lived to the east. Of course, Europeans were present. Americans were steadily moving up the Missouri and the British, with whom the Lakota had fought as allies during the wars with the Americans, lived to the north. The Lakota were aware of the Spanish settlements far to the south. But in the centre of this world stood the Lakota.

Native peoples living near the border were profoundly influenced by its presence, yet they were neither "Canadian" nor "American." The lives of individuals bear testimony to this fact. Maskepetoon was a Native leader who wintered at Wood Mountain in British territory, but traded regularly at Fort Union in the United States. He went to Washington as part of a Native delegation in 1831, and signed an American treaty in 1855. He was well-known to the missionaries of the north, being baptised by the Wesleyan Methodist Thomas Woolsey and befriending the missionary John McDougall. Maskepetoon died in 1869 trying to promote peace between the Cree and the Blackfoot, the victim of a Blackfoot bullet.[4] It is difficult to decide whether he was "Canadian" or "American." Ultimately, he was neither: he was Cree. His life was premised on this identity.

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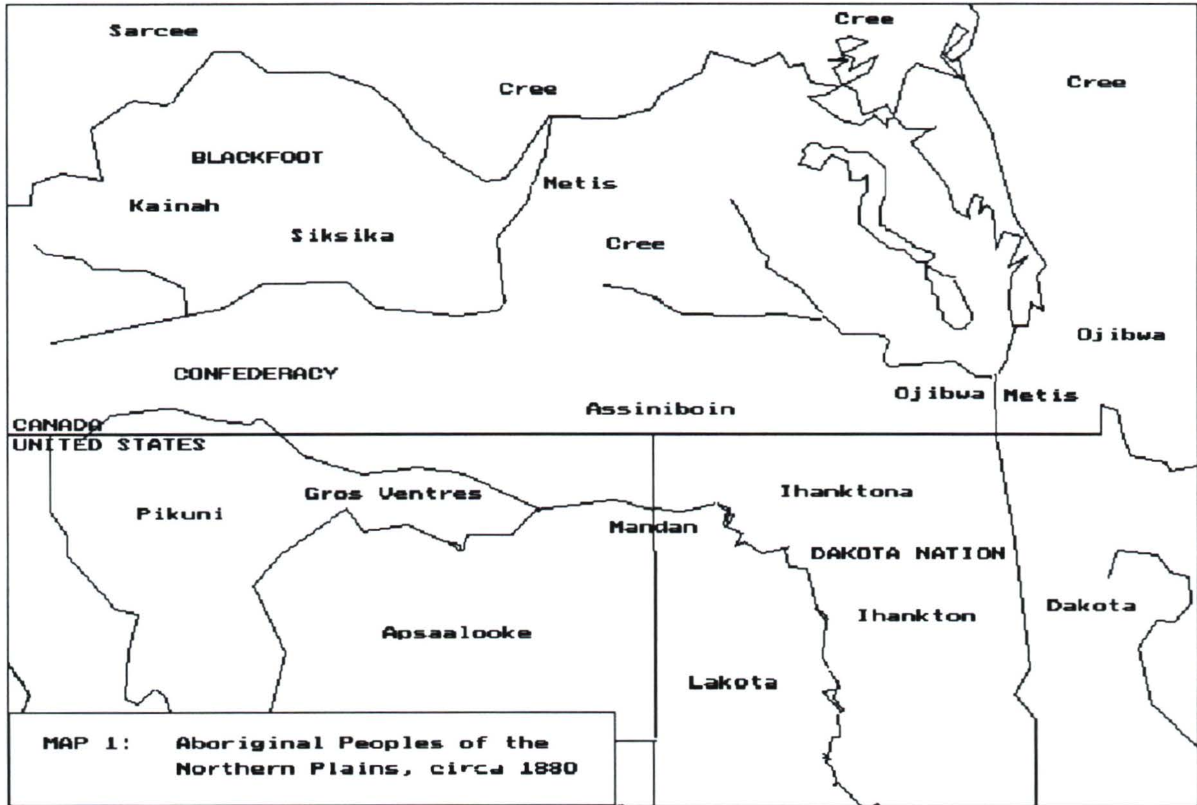
[4] Hugh A. Dempsey, "Maskepetoon," *Dictionary of Canadian Biography* (Toronto, 1976), vol. 9, pp. 537-538; John C. Ewers, "Ethnological Report on the Chippewa Cree Tribe of the Rocky Boy Reservation, Montana, and the Little Shell Band of Indians," David Agee Horr, ed., *Chippewa Indians*, vol. 6 (New York, 1974), pp. 54-56, 70; John S. Milloy, *The Plains Cree: Trade, Diplomacy and War, 1790 to 1870* (Winnipeg, 1988), pp. 111-116.




MAP 1: Aboriginal Peoples of the Northern Plains, circa 1880

# 1

## Territoriality and Indigenous Concepts of Boundaries

The historiography of indigenous peoples in North America is marked by the singular absence of studies which examine aboriginal views concerning European boundaries. In many ways, this is because historians have not completely come to terms with indigenous peoples' concepts concerning territoriality. By failing in many cases to understand the relationships created by Native peoples to claim land and to protect it from outsiders, scholars have closed questions of indigenous territoriality and boundaries to academic inquiry. This chapter investigates Native territoriality on the Great Plains, showing how Native peoples viewed the boundaries between territories, and how these boundaries were crossed. It is only by understanding how Native peoples ordered their world that scholars will understand how Native peoples viewed the boundary between Canada and the United States.

During the third quarter of the nineteenth century, numerous non-Native adventurers penetrated the northern plains. Despite the divergent reasons which had brought these travellers to the region, all had something to say in their journals and reports about Native territoriality. To use a

word Europeans would understand, they discovered that the land was owned. In the summer of 1857, an Ojibwa leader from Fort Francis explained to British explorer John Palliser that "my territories I will never part with; they shall be for my poor children's hunting fields when I am dead."[1] Palliser does not identify this man by name. Perhaps he was Mawedopenais, also from Fort Francis, who told Commissioner Alexander Morris at the negotiations for Treaty Three in 1873 that "All this is our property where you have come. . . . This is what we think, that the Great Spirit has planted us on this ground where we are, as you were where you came from. We think where we are is our property."[2] At any rate, the leader Palliser met in 1857 was aware that whites were encroaching on Native lands and he wanted to know more about them. He told Palliser that "All around me I see the smoke of the pale faces to ascend; . . . you are our equals, so do not deceive us, but inform us of the true reason of your visit, and whither you are about to proceed to from here."[3]

Expressions of ownership were not empty claims to territory. Aboriginal peoples recognized and respected the boundaries between different peoples. Many observers wrote

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[1] Irene M. Spry, *The Palliser Expedition: An Account of John Palliser's British North American Expedition, 1857-1860* (Toronto, 1963), pp. 29-30.

[2] *Manitoban*, 11 October 1873. In this account Mawedopenais is identified as Manitobahsis.

[3] Spry, *The Palliser Expedition*, pp. 29-30.

that Native guides were hesitant about crossing aboriginal boundaries and unwilling to make unauthorized use of resources within the territories of others. Henry Kelsey was the first European known to have entered what became the Canadian prairies. In 1691, the Hudson's Bay Company sent him into the interior in an attempt to induce the plains peoples to bring their furs to York Factory on Hudson Bay. By the end of August his group had reached the edge of the parklands, and by early September they were venturing onto the plains. His guides became increasingly uneasy as they were, in his words, "greatly afraid of their Enemies" who, in this case, were the Gros Ventres.[4]

Kelsey's mission ultimately failed to secure the trade of the interior tribes. Thus, in 1754, Anthony Henday was sent to try again. Entering the territory of the Blackfoot, Henday set a wolf trap, and asked his guides why they did not do the same. "[T]hey made Answer that the Archithinue Natives [the Blackfoot] would kill them, if they trapped in their country: I asked them when & where they were to get the Wolves &c, to carry down [to York Factory] in the Spring. They made no answer; but laughed one to another."[5] The Blackfoot and Cree were allies during the eighteenth century, but, Henday's Cree

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[4] Henry Kelsey, *The Kelsey Papers*, Arthur G. Doughty and Chester Martin, eds. (Ottawa, 1929), pp. 12-15.

[5] Anthony Henday, *The Journal of Anthony Hendry, 1754-55: York Factory to the Blackfeet Country*, Lawrence J. Burpee, ed. (Toronto, 1973), p. 38.

guides were not permitted to trap in the land of the Blackfoot. They laughed because they knew very well that they would eventually acquire the Blackfoot's pelts through trade.

Natives peoples were no less reluctant to cross boundaries one hundred years later. When John Palliser informed his Native guides and porters of his intention to travel into Blackfoot lands in 1859, he too encountered difficulties. At first, several of his mixed-blood guides refused to proceed, explaining that the route was too dangerous. Only by agreeing to increase the size of the party was Palliser able to continue his explorations.[6]

Likewise, Canadian explorer William Butler found in 1870 that his Cree guide disappeared just before the party was to leave the Hudson's Bay Company post of Victoria for the Blackfoot country. Butler surmised that his man had either found himself a new wife and chose not to go on, or that he had decided to join a war party that was going against the Sarcee.[7] It is just as likely, if not more so, that his guide chose not to expose himself to the danger of entering the land of his enemies. Proceeding from Victoria to Edmonton, and then proposing to travel via Rocky Mountain House to Montana, Butler discovered that "the principal difficulty lay . . . in the reluctance of men to come with me into the country of the

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[6] Spry, *The Palliser Expedition*, pp. 216-217.

[7] W.F. Butler, *The Great Lone Land: A Narrative of Travel and Adventure in the North-West of America* (London, 1891), p. 256.

Blackfeet." A mixed blood at Edmonton who spoke the Blackfoot language had warned Butler that "it is a work of peril to pass the Blackfoot country at this season of the year."[8] Apparently the risk of encountering a Blackfoot war party was too great. Summing up the effect on travellers of the Blackfoot-Cree border, Southesk reported in 1859 that Bad Hill was the furthest point to the west that the Cree and Assiniboin ever went. Beyond it in the direction of Blackfoot territory, there was, euphemistically, "little wood."[9]

Each of these Europeans was travelling from east to west. Consequently, it was their Cree and Metis guides who did not want to travel into Blackfoot lands. Had a voyage been made in the opposite direction, one assumes a Blackfoot guide would be as uneasy about entering Cree or Assiniboin lands. The comments of the guides are significant, suggesting not only the position of the Cree-Blackfoot interface at various times, but also the real barrier that it presented.

Gaining access to the lands held by others was effected through several means. If the visit was brief, access could be gained by invitation. If the newcomers planned to remain, more involved steps had to be taken. Access could be achieved through conquest or continuous occupation. On the Great

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[8] *Ibid.*, p. 263.

[9] Earl of Southesk, *Saskatchewan and the Rocky Mountains: A Diary and Narrative of Travel, Sport, and Adventure, During a Journey Through the Hudson's Bay Company's Territories, in 1859 and 1860* (Toronto, 1875), pp. 113-114.

Plains might equalled right. Joshua Pilcher, an American government agent and fur trader, remarked in the 1830s that

> The Indians of that country [the Upper Missouri] acknowledge no regular territorial boundaries. A section of country in which any tribe is commonly found, is called *theirs*, from the fact of their being able to sustain themselves in it against their enemies; but, at the same time, that country is not free from incursions of their enemies.[10]

Another Missouri River trader, Edwin Denig, also recognized that the exercise of force had resulted in the creation of circumscribed territories. "Possession," he wrote, "is nothing without power to retain, and force to repel, and to defend with success they must limit themselves to a certain extent of territory."[11]

Most often, however, access to the lands of others was gained peacefully by the establishment of kinship relationships--either real or fictive. By creating a kinship relationship with a member of a different group, an individual gained access to the lands of that group. The density of kin networks could be such as to make "tribal" boundaries largely irrelevant. Among groups that interacted peacefully, members were exchanged for many reasons, including marriage, joint

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[10] Quoted in Floyd W. Sharrock and Susan R. Sharrock, "A History of the Cree Indian Territorial Expansion from Hudson Bay Area to the Interior Saskatchewan and Missouri Plains: An Ethnohistorical Account of Cree in Canada and the United States," David Agee Horr, ed., *Chippewa Indians*, vol. 6 (New York, 1974), p. 242. Emphasis in original.

[11] Edwin Thompson Denig, "Indian Tribes of the Upper Missouri," J.N.B. Hewitt, ed., *Forty-Sixth Annual Report of the Bureau of American Ethnology, 1928-29* (Washington, 1930), pp. 476-477.

hunting or raiding expeditions, and attendance at joint religious ceremonies. When social boundaries are loose, "'owned' physical space becomes more a theoretical concept than an expression of actual behaviour. Consequently, resources or land belonging to one group can be used by others if the social relationships are sufficiently close to make the outsiders practicing, if not actual, members of the group."[12] An association of this type is typified by the relationship between the Cree and Assiniboin. Areas such as the Cypress Hills were regarded as belonging to the Assiniboin; the area to the north along the Saskatchewan belonged to the Cree. Yet so many kin networks crossed this ethnic boundary that the territorial boundary between these peoples did not function: Cree and Assiniboin could and did use lands belonging to each other.[13] Conversely, the lack of kin networks might be such as to make boundaries very difficult to cross. This situation was the norm along the boundaries between the Cree and Blackfoot and between the Ojibwa and Dakota.

Europeans, when present in small numbers, were readily incorporated into aboriginal kin networks. The process of

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[12] Donald L. Hardesty, *Ecological Anthropology* (New York, 1977), p. 186.

[13] See Susan R. Sharrock, "Crees, Cree-Assiniboines, and Assiniboines: Interethnic Social Organization on the Far Northern Plains," *Ethnohistory* 21 (1974), pp. 95-122; Patricia Albers and Jeanne Kay, "Sharing the Land: A Study in American Indian Territoriality," Thomas E. Ross and Tyrel G. Moore, eds., *A Cultural Geography of North American Indians* (Boulder, 1987), pp. 50-51.

creating kinship ties with Europeans is amply demonstrated by the experiences of John Tanner. The nine-year-old Tanner was captured in 1789 by the Shawnee in Kentucky and later wound up north of Lake Huron in an Ottawa camp. His "mother," Netnokwa, was Ottawa, his "father," an Ojibwa from Red River. In about 1793 his family decided to move to Red River to be closer to the father's relatives. While en route, the family was met and received into the home of a Swampy Cree named Petwawweninne. In return for this hospitality, Tanner noted that "If any one, who had at that time been of the family of Net-no-kwa, were now, after so many years, to meet one of the family of Pe-twaw-we-ninne, he would call him 'brother,' and treat him as such."[14] A few days later, a second Swampy invited the family to go hunting on an island in Lake Superior where food was plentiful. This man, Wagemahwub, they called "brother-in-law," and Tanner accepted that he was, "in some remote degree," related to Netnokwa.[15] Finally arriving at the mouth of the Assiniboine River, the family was greeted by a large combined camp of Ojibwa and Ottawa. "'These, our relations,' said one of the chiefs, 'have come to us from a distant country. . . . we must not suffer them to be in want

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[14] Edwin James, ed., *A Narrative of Captivity and Adventures of John Tanner (U.S. Interpreter at the Saut de Ste. Marie) During Thirty Years Residence Among the Indians in the Interior of North America* (Minneapolis, 1956), p. 24.

[15] *Ibid.*, pp. 24-25.

among us.'"[16] With this recognition of kinship, Tanner and his family were able to use whatever resources they required. Throughout their stay in the west, Tanner and his family formed the nucleus of a small trapping band, frequently joined by unattached individuals and their families who invariably were recognized as relatives. Tanner often accepted the idea that some of these people were actually related to his "father," but it is far more likely that these were fictive relationships established as needed. There were, quite simply, too many chance meetings with "relatives" for all of these people to have been consanguinal, or even affinal, relatives.

Although he later rejoined white society, Tanner remained with his Native hosts for thirty years and married a Native women. His incorporation into aboriginal kinship networks was predicated on his identification as an Ottawa Indian. Other Europeans could, and did, benefit from the establishment of kin ties with Native groups. Most of these newcomers were fur traders, and many of the kin ties that they established were made at the insistence of Native peoples.

For Native peoples, marriage was both an economic and a social act, and one that created a reciprocal bond between the family and an outsider. Native peoples recognized that benefits could derive from unions forged with non-Native traders, for these secured Indian access to European trade

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[16] *Ibid.*, pp. 30-31.

goods. Over two centuries of fur-trade activity, hundreds of marriages *a la facon du pays* were effected between Natives and newcomers.[17] Kin ties might also be fictive. This did not, however, lessen their social importance. The French trader Pierre Gaultier de Verennes de la Verendrye took advantage of the benefits afforded by having Native kinspeople. During 1734 he offered to let one of his sons to go and live among the Indians with whom he conducted his trade. The son, Jean-Baptiste, would acquire Indian relations, and this undoubtedly would increase his father's business. The Indians were willing to reciprocate in the establishment of these ties. At a council attended by Cree and Monsoni, La Verendrye found that both groups wanted the son to stay with them. The Cree chief explained to La Verendrye that "tu scais que ton fils est a Moy, et que je l'ay adopte, [donc] sa place est dans mon canot."[18] Jean-Baptiste thanked the Cree leader, but was careful to assuage the Monsoni, telling them that "si j'embarque avec les Cris, nous marchons Tous ensemble, Vos cabannes sont les miennes et nous ne faisons qu'un."[19] The younger La Verendrye was unwilling to alienate the Monsoni--

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[17] Sylvia Van Kirk, *"Many Tender Ties": Women in Fur-Trade Society in Western Canada, 1670-1870* (Winnipeg, 1980), pp. 28-29.

[18] Lawrence J. Burpee, ed., *Journals and Letters of Pierre Gaultier de Varennes de la Verendrye and His Sons, with Correspondence between the Governors of Canada and the French Court, Touching the Search for the Western Sea* (New York, 1968), pp. 180-181.

[19] *Ibid.*

they, too, would be "as one" with the trader, even though they would not be his hosts.

The following year, in 1735, twenty-one Frenchmen, including Jean-Baptiste, were killed on an island on the Lake of the Woods during a Dakota raid. This setback delayed the establishment of a French post on Lake Winnipeg at the entrance "de la grande riviere des Anglois" that the elder La Verendrye had promised.[20] The Cree and Assiniboin, who undoubtedly anticipated the creation of a more competitive market for their furs when the French built a post on the route to the English establishments on Hudson Bay, hoped to repair the confidence of the French by offering to avenge the death of the younger La Verendrye by attacking the Dakota. La Verendrye, understandably concerned about the effect such a raid would have on Dakota-French relations further south, tactfully refused. Because French traders were living with the Dakota as well, he explained, "il ne faut pas pour venger le sang francois, le repandre de nouveau."[21] The Indians then asked that they be allowed to adopt another of La Verendrye's sons. Involving the French anew in a kinship relationship would give the Indians greater leverage in getting the French to build the promised post. As an enticement, the Cree noted that by allowing a second son to live with them, they might be prevented from going to the

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[20] *Ibid.*, p. 250.

[21] *Ibid.*, p. 230.

English.[22]

La Verendrye discovered among the Cree and Assiniboin that kinship was the nexus through which trade was conducted on the Great Plains. This lesson was repeated among the Mandan. The Mandan were at the centre of a vast aboriginal trading network which extended from the Pacific to the west, the Spanish to the south, and the Cree and Assiniboin to the north.[23] The arrival of the French at the Mandan villages in 1738 presented the opportunity to add the French to this network. In La Verendrye's official report to the governor general of New France, the Mandan chief "[le] prioit de les accepter du nombre de uos enfants, qu'ils vouloit par la suite ne faire quun auec nous."[24] The servile manner in which the chief addressed La Verendrye was simply a polite and ritualized way of accepting the French as potential kinspeople, and masked a deeper concern with trade. So successful were the Mandan at incorporating newcomers like La Verendrye into their own trading system that "for a time the European [trading] outlets were a sub-system within the Mandan-Hidatsa trade organization."[25]

Beginning in the 1850s, the number of Europeans entering

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[22] *Ibid.*, pp. 252-253.

[23] John S. Milloy, *The Plains Cree: Trade, Diplomacy and War, 1790 to 1870* (Winnipeg, 1988), p. 47.

[24] Burpee, *Journals and Letters of . . . la Verendrye*, p. 320.

[25] Milloy, *The Plains Cree*, p. 47.

the plains increased, and they wanted Native lands. This provoked a response from aboriginal peoples. For the most part, boundary defence was accomplished through peaceful means. Walter Cheadle and the Viscount Milton met a band of Cree on the Eagle River, near Fort Carlton, in the early 1860s, and the leader asked them why they had come for he had heard rumours that whites were approaching his country. Cheadle's explanation that he had come only "to hunt, see the country & visit him [the leader]" satisfied the Cree.[26] Having ascertained that these two Englishmen were not a threat to their security, the Cree let them pass.

If, on the other hand, European activity was viewed as a greater threat, subtle, yet effective, measures could be taken to control it. In the 1850s, the Ojibwa of the Lake of the Woods grew alarmed at the increasing numbers of newcomers making the trip through their lands and wanted to restrict European access to a single route. While travelling west to Fort Garry only a few months after John Palliser had, the geologist Henry Youle Hind decided to take the opportunity to explore a new route. Instead of reaching the Red River Settlement via Rat Portage and the Winnipeg River, he was determined to explore a route further south. To do this he needed a guide, but the Lake of the Woods Ojibwa refused to furnish him with one. The leader explained to Hind that

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[26] Walter Butler Cheadle, *Cheadle's Journal of Trip Across Canada, 1862-1863* (Ottawa, 1931), p. 66.

> The reason why we stop you is because we think you do not tell us why you want to go that way, and what you want to do with those paths. . . . Remember, if the white man comes to the Indian's house, he must walk through the door, and not steal in by the window.[27]

The proposed southern route would be "stealing in by the window" and ultimately, Hind and his party were forced to go "through the door" by taking the Winnipeg River route. Once successful in controlling access to their lands, the Ojibwa allowed a guide to take the whites to Fort Garry.

On both sides of the Canada-United States border, a more threatening stance was occasionally taken. In some cases, Native peoples threatened to kill whites who travelled in Native territories without permission. The Pikuni that John Palliser encountered in the summer of 1859 believed that the Canadian government was preparing to take their lands and that the Palliser Expedition was a surveying crew. Upon his arrival at Fort Edmonton a few months later, the Earl of Southesk learned that the Blackfoot peoples had "vowed to murder any white men who enter their territories."[28] In 1862, the Ojibwa of Red Lake and Pembina refused an American offer to purchase some of their lands and to secure from them a right of passage on the Red River. Later, they seized goods belonging to an American trader who attempted to transport

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[27] Henry Youle Hind, *Narrative of the Canadian Red River Exploring Expedition of 1857 and of the Assiniboine and Saskatchewan Exploring Expedition of 1858* (New York, 1969), vol. 1, p. 99.

[28] Southesk, *Saskatchewan and the Rocky Mountains*, p. 275.

them to the Red River Settlement in the British possessions with the explanation that "their country would no longer be used as a thoroughfare until they were paid for it."[29] The following year, Agent Samuel N. Latta of the Upper Missouri reported to his superiors that the Lakota "are hostile to the government, [and] have threatened with violence her agents [including himself] and all white men found in their country, not connected with their trading posts."[30] The Lakota reasoned that the American government would expropriate their lands if the passage of whites was left unchecked, and so decided that all European migration through their lands must cease. Latta concluded that "these threats should not be disregarded."[31]

Knowledge of the sale of Rupert's Land to Canada in 1870 fueled great suspicion about white encroachment. Mistawasis, the Cree leader from Battle River, heard that "the white man was coming to take their lands, that the white braves [soldiers] were coming to the country," and he asked William Butler during the winter of 1870/71 to tell him whether this was true.[32] A few months later the Cree leader

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[29] United States, *Annual Report of the Commissioner of Indian Affairs* (Washington, 1862), Clark W. Thompson to William P. Dole, St Paul, 14 November 1862, pp. 57-58.

[30] *Ibid.* (Washington, 1863), Latta to Dole, Washington, 7 March 1863, p. 167.

[31] *Ibid.*

[32] Butler, *The Great Lone Land*, pp. 237, 360.

Wikaskokiseyin sent a message to the Lieutenant-Governor of the North-West Territories, Adams G. Archibald, stating that "We heard our lands were sold and we did not like it; we don't want to sell our lands; it is our property, and no one has a right to sell them."[33] By "no one" Wikaskokiseyin was clearly referring to the Hudson's Bay Company--"no one" except the Indians had the right to sell aboriginal lands. The Assiniboin told missionary George McDougall in 1875 that "foolish men have told us that the Great Chief [the Lieutenant-Governor] would send his young men to our country until they outnumbered us, and that then he would laugh at us,[34] and the Blackfoot were said to be fearful that "this country will be gradually taken from them without any ceremony."[35] Throughout the Canadian plains, Native peoples were upset that the company had presumed to sell land that it did not own.

After the transfer of Rupert's Land to Canada, the Hudson's Bay Company began surveying the land around its posts. This alarmed Native people who saw it as visible proof

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[33] "Messages from the Cree Chiefs of the Plains," enclosed in W.J. Christie to Archibald, 13 April 1871, reprinted in Alexander Morris, *The Treaties of Canada with the Indians of Manitoba and the North-West Territories, Including the Negotiations on which They Were Based, and Other Information Relating Thereto* (Toronto, 1971), p. 170.

[34] McDougall to Morris, 23 October 1875, reprinted in *ibid.*, p. 174.

[35] Scollen to Morris, 8 September 1876, reprinted in *ibid.*, p. 247.

that the whites had stolen their lands. William Butler reported that the Blackfoot had asked a priest:

> Why does he [the white man] take the land from us? who sent him here? He puts us sticks [survey stakes], and he calls the land his land, the river his river, the trees his trees. Who gave him the ground, and the water, and the trees? was it the Great Spirit? No; for the Great Spirit gave to us the beasts and the fish, and the white man comes to take the waters and the ground where these fishes and these beasts live--why does he not take the sky as well as the ground? We who have dwelt on these prairies ever since the stars fell . . . do not put sticks over the land and say, Between these sticks this land is mine; you shall not come here or go there.[36]

At the negotiations for Treaty Four in 1874 the issue of surveys consumed two days of talks. Native spokesmen there were clearly upset that the Hudson's Bay Company had proceeded to survey the land before the aboriginal title had been extinguished. On this basis Pisqua argued that the *L*300 000 paid to the company by Canada belonged, in fact, to the Indians.[37] As far as the Indians were concerned, the Hudson's Bay Company was present on aboriginal lands only because the Indians had given the company their permission. Otakaonan told Commissioner Morris that "The Company have no right to this earth. . . . These Indians you see sitting around report that they only allowed the store to be put up [and not the survey stakes]. . . . I hear now, it was the

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[36] Butler, *The Great Lone Land*, pp. 271-272. The capitalization appears as it does in the original.

[37] Morris, *The Treaties of Canada with the Indians*, p. 106.

Queen [who] gave the land. The Indians thought it was they who gave it to the Company."[38] Otakaonan was explicit in his comments to Morris concerning Native ownership and the HBC.

> The Company have stolen our land. I heard that at first. I hear it is true. The Queen's messengers never came here [to make treaty], and now I see the soldiers and the settlers and the policemen.
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> . . .
>
> When one Indian takes anything from another we call it stealing, and when we see the present [time] we say pay us. It is the Company I mean.[39]

The comments of Otakaonan and the other Ojibwa present at Treaty Four have been interpreted as an attempt to restrict the Hudson's Bay Company's economic activities to its posts[40] or, alternately, to remove it from the country altogether.[41] It is more likely, however, that Otakaonan was concerned that the land claims of the Hudson's Bay Company be restricted to those areas the Indians had granted for its use.

The desire to confine traders to those areas granted for

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[38] *Ibid.*, p. 104. This view is reminiscent of the Assiniboin of the Missouri who declared themselves the "protectors" of Fort Union. It is clear that the Indians viewed theselves as the owners of the land. Edmund C. Bray and Martha Coleman Bray, eds., *Joseph N. Nicollet on the Plains and Prairies: The Expeditions of 1838-39 with Journals, Letters, and Notes on the Dakota Indians* (St Paul, 1976), p. 262.

[39] Morris, *The Treaties of Canada with the Indians*, pp. 101-102.

[40] J.E. Foster, "The Saulteaux and the Numbered Treaties: An Aboriginal Rights Position?" Richard Price, ed., *The Spirit of the Alberta Indian Treaties* (Edmonton, 1987), p. 168.

[41] Jean Friesen, "Magnificent Gifts: The Treaties of Canada with the Indians of the Northwest, 1869-76," *Transactions of the Royal Society of Canada*, ser. 5, vol. 1 (1986), p. 45.

Noble Savage — link to state of nature. Stereotypes → linked to politics of Euro-canadians



their use was a recurrent theme--not only in Canada but also in the United States. In 1857, a group of Lakota in the United States explained to their agent, A.H. Redfield, the circumstances under which the whites' presence would be welcome. Redfield reported to his superiors that

> *They wanted the traders at their regular trading posts, and nowhere else, and that was all they wanted.* They did not want soldiers sent among them; they did not want the government goods; they did not want any more white men in their country; they did not want white men passing through their country; there were too many white men in their country already; they wanted to be let alone to do as they pleased, as in old times.[42]

Europeans consistently misunderstood the nature of Native territoriality. In large part, this was the result of the stereotypes they had of Native peoples, the most influential of which was the myth of the "Noble Savage." The Noble Savage was a concept with a long history in the European intellectual household, but one that was repopularized in the eighteenth century by writers like Jean Jacques Rousseau. The Noble Savage was the perfect, primitive man living in harmony with nature, uncorrupted by the vices that had inflicted European society. He was a hunter--not an agriculturalist--and as such, he held his land in common. In the state of nature, all property was portable. Private property in land, it was

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[42] United States, *Annual Report of the Commissioner of Indian Affairs* (Washington, 1857), Redfield to Haverty, St Louis, 9 November 1857, p. 136. Emphasis in original.

believed, only developed with the rise of agriculture.[43] Through this perception, the non-territorial savage was created.

Early European travellers on the Great Plains expected to find the Noble Savage, and find him they did: Matthew Cocking, sent out by the Hudson's Bay Company like Henry Kelsey and Anthony Henday before him to find the Blackfoot and to encourage them to trade at the Bay, wrote in 1772 that "they have dealings with no Europeans, but live in a state of nature."[44] Three decades later, American army officer William Clark of the Lewis and Clark expedition wrote of the Cree: "They are a wandering nation; [who] do not cultivate, nor claim any particular tract of country."[45] Because private property supposedly developed only with the rise of agriculture, the plains hunter could not possess land. The three clauses of Clark's description of the Cree were, therefore, causally connected: the Cree "wandered" because they did not cultivate, and because they did not cultivate, they could not claim land. While the Noble Savage had receded

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[43] Nicholas Peterson, "Hunter-Gatherer Territoriality: The Perspective from Australia," *American Anthropologist* 77, 1 (March 1975), p. 56; Brian W. Dippie, *The Vanishing American: White Attitudes and U.S. Indian Policy* (Lawrence, 1991), pp. 18-19.

[44] Lawrence J. Burpee, ed., "An Adventurer from Hudson Bay: Journal of Matthew Cocking, from York Factory to the Blackfeet Country, 1772-73," *Transactions of the Royal Society of Canada* ser. 3, vol. 2 (1908), p. 110.

[45] Gary E. Moulton, ed., *The Journals of the Lewis & Clark Expedition* (Lincoln, 1987), vol. 3, p. 433.

into history by the nineteenth century, replaced largely by the Ignoble Savage and the Dying Savage, vestiges remained.[46] Despite the vast changes he had witnessed, Hudson's Bay Company trader Isaac Cowie believed that the North-West was "as much in the state of nature [in 1867], outside the Red River Settlement and the pickets of the posts and mission stations, as it was when originally discovered and explored."[47] Although European settlers had "progressed" at Red River, Native peoples elsewhere supposedly remained in a primitive state.

Numerous nineteenth-century commentators believed that Native peoples were backward "savages" who had no territories or boundaries because it was thought they claimed no land. Guided by European notions regarding resource use and its effect on the establishment of private property, North West Company trader Daniel Harmon wrote in the early 1800s that "The Indians who reside in the large plains, make no subdivisions of their territory, for the wealth of their country consists of buffaloes and wolves, which exist in plenty, everywhere among them."[48] Writing in 1854 about the

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[46] I have borrowed this terminology from K.R. Howe. See his "The Fate of the 'Savage' in Pacific Historiography," *New Zealand Journal of History* 2, 2 (October 1977), p. 142.

[47] Isaac Cowie, *The Company of Adventurers: A Narrative of Seven Years in the Service of the Hudson's Bay Company during 1867-1874 on the Great Buffalo Plains with Historical and Biographical Notes and Comments* (Toronto, 1913), p. 28.

[48] Daniel W. Harmon, *A Journal of Voyages and Travels in the Interior of North America* (New York, 1922), p. 331.

people of the northern plains in general and the Assiniboin in particular, the American Fur Company trader Edwin Denig observed that

> None of these prairie tribes claim a special right to any circumscribed or limited territory. . . . All the prairie or territory in the West (known to them) and now occupied by all the Indians was created by Wakonda for their sole use and habitation. . . . Should the game fail, they have a right to hunt it in any of their enemies' country, in which they are able to protect themselves.[49]

Except for the right to use what land they had the ability to defend and "the general right granted by the Great Spirit, they have not the most distant idea."[50]

Native peoples viewed the land as a sacred gift of the Great Spirit, and not the possession of mere mortals. Europeans jumped on this idea as further proof that Native peoples owned no land, and they used these beliefs to legitimize their presence on Native land and their use of Native resources. During treaty negotiations in Canada, Native leaders occasionally complained that the newcomers had failed to compensate them for the pre-treaty use of resources. White treaty negotiators dismissed these complaints by invoking the idea that resources had been created for all to use. At the negotiations for Treaty Four, Commissioner Alexander Morris asked the assembled Indians: "Who made the earth, the grass, the stone, and the wood? The Great Spirit.

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[49] Denig, "Indian Tribes of the Upper Missouri," pp. 476-477.

[50] *Ibid.*, p. 397.

He made them for all his children to use, and it is not stealing to use the gift of the Great Spirit."[51] The idea that aboriginal peoples on the Great Plains had a weak sense of territoriality was a position more likely to be supported by newcomers than the aboriginal peoples they hoped to describe. The writings of nineteenth-century Europeans like Denig and Morris were tainted by the imperialistic ideology of an expanding newcomer society. The idea of the roving nomad who had no conception of private property was a favorite of immigrants who saw this as the perfect rationalization for dispossessing Native peoples. Thus, the belief in the non-territorial Plains Indian was perpetuated.

Among academics the question of whether hunter-gatherers are territorial is still a "thorny issue."[52] As a result, there is little consensus about the nature of Plains Indian territoriality. Throughout the Great Plains, Native peoples shared the belief that the land was owned by the Great Spirit and that they were simply the land's guardians. Native leaders today still talk of their spiritual connection to the land, and how the land does not belong to them. In today's parlance, the land is no longer owned by the Great Spirit but, more often, by one's children's children--"seven generations

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[51] Morris, *The Treaties of Canada with the Indians*, p. 102.

[52] Robert M. Netting, *Cultural Ecology*, 2nd ed. (Prospect Heights, 1986), p. 22.

into the future."[53] The indivisibility of the land and the guardianship one holds over it are still upheld. As expressions of cultural beliefs and values, these statements are, of course, as true today as they were one hundred years ago. This has served as evidence to many academics that plains peoples were not territorial. Historians and academics with a historical focus still often express the belief that Plains Indians were not territorial. Political scientists Boldt and Long recently wrote that aboriginal concepts regarding territoriality did not include precisely-fixed territorial boundaries. Most tribes did not have a concept of individual or collective land ownership as all land belonged to the Creator who had made it for all life forms to use in harmony. When tribes fought, they fought over access to game and not over territory.[54]

Nevertheless, the non-territorial Plains Indian was clearly a fiction invented by the European. Plains peoples had a sense of territoriality and were familiar with boundaries, and these concepts were entwined with concepts of kinship. Small-scale societies throughout the world are

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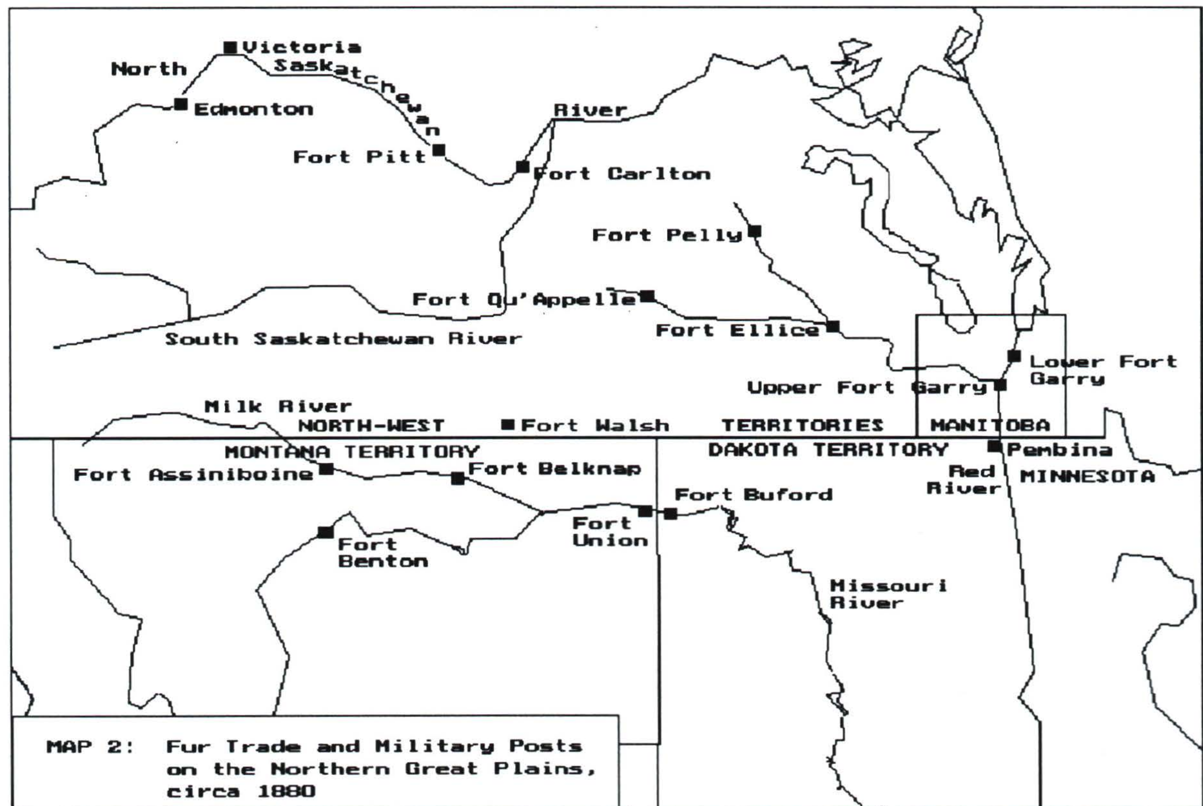
[53] Oren Lyons, "Traditional Native Philosophies Relating to Aboriginal Rights," Menno Boldt and J. Anthony Long in association with Leroy Little Bear, eds., *The Quest for Justice: Aboriginal Peoples and Aboriginal Rights* (Toronto, 1985), p. 21.

[54] Menno Boldt and J. Anthony Long, "Tribal Traditions and European-Western Political Ideologies: The Dilemma of Canada's Native Indians," *Canadian Journal of Political Science* 17, 3 (September 1984), pp. 546-547.

founded usually on the basis of kinship. Kinship defines one's identity, one's rights and obligations, and the lands to which one has access. This was equally true on the Northern Plains. Notwithstanding the development of "tribal" structures among Plains Indians, such things as multi-band warrior societies and leadership councils, plains peoples lived in what were essentially autonomous bands. Who one was related to determined who one was and where one lived. Access to other societies was achieved through the formation of kinship ties, be they "real" through marriage, or "fictive" through adoption or name sharing. This same process gained one access to new lands as well. It is essential that scholars recognize the existence of aboriginal territoriality and the means whereby it was institutionalized, for these ideas shaped the way Native peoples viewed the boundary between Canada and the United States.




MAP 2: Fur Trade and Military Posts on the Northern Great Plains, circa 1880

# 2

## Living with Strangers

### The Flight of the Dakota from the United States

War marked a turning point in the history of Dakota-American relations. Tired of the fighting and the dying, and determined not to be herded onto American reservations, the Dakota headed north to British territory in two great waves. Dakota from Minnesota sought sanctuary in the "Grandmother's Country" in 1862. Western members of the nation, the Lakota, followed in 1876.[1] These migrations have become the subject of a growing body of scholarship which focusses mainly on the reaction of European politicians to the presence of "foreign" Indians on Canadian soil.[2] Perhaps this emphasis is

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[1] Smaller migrations of Dakota peoples occurred in later periods. In 1886 a group of about one hundred Indians crossed the border and settled among Dakota refugees already in Canada. Five years later the Canadian government was informed that about eighty Ihanktons had been living among the Dakota on the Oak River and Bird Tail reserves for two or three years. In neither case was the government prepared to allow these people to remain in Canada. See: National Archives of Canada (hereafter NAC), Records Relating to Indian Affairs (hereafter RG10), vol. 3766, file 32957, entire file; *ibid.*, vol. 3858, file 81670, entire file.

[2] See Christopher C. Joyner, "The Hegira of Sitting Bull to Canada: Diplomatic Realpolitik, 1876-1881," *Journal of the West* 13, 2 (April 1974), pp. 6-18; Joseph Manzione, *"I Am Looking to the North for My Life": Sitting Bull, 1876-1881* (Salt Lake City, 1991); Gary Pennanen, "Sitting Bull: Indian

understandable. These migrations did leave statesmen from Canada, Great Britain and the United States in a diplomatic quagmire heightened by the fear that the Dakota exodus would open the way for a flood of American Indians seeking refuge in Canada.[3] Nevertheless, this situation leaves untold the experience of the Dakota who made the journey, and the diplomacy they used to accomplish it. Examining these episodes from a Dakota perspective illustrates not only the comprehensiveness of Dakota war policy, but the continuity of Dakota history.

In war there is always the possibility of defeat. For

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Without a Country," *Canadian Historical Review* 51, 2 (June 1970), pp. 123-140; George F.G. Stanley, "Displaced Red Men: The Sioux in Canada," Ian A.L. Getty and Donald B. Smith, eds., *One Century Later: Western Canadian Reserve Indians Since Treaty 7* (Vancouver, 1978). Works that deal exclusively with the Dakota who arrived in Canada in 1862 do pay more attention to the Dakota themselves. See Peter Douglas Elias, *The Dakota of the Canadian Northwest: Lessons for Survival* (Winnipeg, 1988); Roy W. Meyer, "The Canadian Sioux: Refugees from Minnesota," *Minnesota History* 41, 1 (Spring 1968), pp. 13-28.

[3] Many Americans in the late 1870s believed that Canada was earning a reputation--both real and imagined--as a "refuge for the Indian as well as for the slave." The Lakota began moving to Canada in 1876 and the Nez Perce attempted to do the same the following year. By the time the Bannock Indians fled their Idaho reservation in 1878, one army officer was prompted to write his wife that "I have no idea where this thing will end, but rather think we will have another chase to the British line." See Helen Hunt Jackson, *A Century of Dishonor: The Early Crusade for Indian Reform*, Andrew F. Rolle, ed. (New York, 1965), p. 179, first quotation; Merril D. Beal, *"I Will Fight No More Forever": Chief Joseph and the Nez Perce War* (Seattle, 1963), pp. 230-231; Stanley R. Davison, ed., "The Bannock-Piute War of 1878: Letters of Major Edwin C. Mason," *Journal of the West* 11, 1 (January 1972), p. 134, second quotation.

that reason, preparations for war include contingency plans in case the war goes poorly. For those Dakota peoples who lived close to the border, the option existed in 1862 and 1876 to flee to the north rather than surrender to the Americans. Of course, leaving the United States meant moving into areas claimed by other aboriginal peoples as well as by Great Britain and later Canada. Both prior to and immediately after flight became necessary, the Dakota leadership was forced to conduct its own round of diplomatic negotiations to ensure that an evacuation to Canada could be accomplished without initiating violent opposition from their intended hosts--Natives and newcomers alike.

Before the Minnesota Uprising began on 17 August 1862, the Dakota made peaceful overtures to the aboriginal peoples of Rupert's Land, in whose lands they would be forced to seek refuge if they were defeated by the American troops. In the autumn of 1861, the leader Mettonaka (or Matowakan) led a delegation of Dakota to the Pembina Mountains where a peace conference was held with the Metis. The newspaper at Red River recorded that "There was plenty of smoke and palaver, and many were the pledges of amity exchanged."[4] In July of the following year, Tatankanaje met with Cree and Ojibwa leaders on the Souris River and concluded a peace treaty with

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[4] "The Fall Hunt," *Nor'-Wester*, 15 November 1861. The meeting occurred in mid-September of that year.

their peoples.[5] That same year, the peace with the Metis was renewed.[6]

The Dakota also realized that their attempts to settle north of the boundary would depend on the cooperation of the British. In order to gain British support, the Dakota emphasized the ties that once existed between the two nations. Anglo-Dakota relations dated from the late 1760s, when the Dakota discussed a trading alliance with Jonathan Carver. After wintering with a band of Dakota in 1767, Carver was asked to send traders "with such things as we need" and to "acquaint the Great King how much the Naudowessies wish to be counted among his good children."[7] More recently, the Dakota had been allies of the British Crown during the American Revolution and the War of 1812.[8] Soon after the fighting began in Minnesota, the Dakota leader Taoyateduta wrote to the English living at Pembina. Reminding them of the aid the Dakota afforded the English during the War of 1812, Taoyateduta commented:

> Our fathers have told us that when the English fought the Americans, the Sioux helped them and captured a cannon which they gave to them and it was called the "Little Dakota". Do you recollect

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[5] Gontran Laviolette, *The Sioux Indians in Canada* (Regina, 1944), p. 64.

[6] *Ibid.*, p. 50.

[7] Jonathan Carver, *Travels through the Interior Parts of North-America, in the Years 1766, 1767, and 1768* (London, 1778), p. 91.

[8] Elias, *The Dakota of the Canadian Northwest*, pp. 8-14.

> this? We have helped you when you were in trouble. My own grandfather periled his life in your cause. Now we are in difficulty and want that cannon and your assistance. We shall soon send men to counsel with you and to bring the cannon; and we want you also to give us plenty of powder and lead. With these we can defeat the Americans.[9]

The British were not swayed by this plea, and no aid was forthcoming. Despite this rebuff, the Dakota were in no position to take offence. Eight days after the fighting began, Dakota leaders decided to move to British territory if the war went poorly. It did. The Uprising was crushed in the settled areas by September, and, by the spring of 1863, as many as one thousand Dakota had fled to the Red River settlement in Canada.[10] The American army made a last tour of the Dakota homeland in 1865 and found none at all. They "were either in Canada, in prison or dead. Very few were in Minnesota as free people."[11]

Upon entering the Red River Settlement in December 1862, the Dakota were met by Governor-in-Chief A.G. Dallas of Rupert's Land, Governor W. McTavish of Assiniboia and Bishop A. Tache in a Roman Catholic Church some miles from Fort Garry. The three Europeans endeavored to persuade the Indians to return to the United States, but to no avail.[12] The Dakota continued onward, arriving at Fort Garry on the 28th,

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[9] Laviolette, *The Sioux Indians in Canada*, p. 47.

[10] Elias, *The Dakota of the Canadian Northwest*, p. 19.

[11] *Ibid.*, p. 26.

[12] Laviolette, *The Sioux Indians in Canada*, p.51.

where they spent three or four days "eating, drinking, making peace and making merry, and then left."[13] While in the settlement, the Indians visited with the Anglican Bishop Anderson, who, unlike Bishop Tache, received them "with great sympathy."[14] Their object, however, was not to gain support from Christian denominations but "to ascertain the feelings entertained towards them by the Indians and Half-breeds on the English side of the border."[15] It was on the aboriginal peoples, the Metis and Ojibwa, and not the British, that their immediate fate rested. From the Ojibwa the Dakota needed to secure peace (other Dakota peoples, especially the Ihankton, had been in a state of intermittent war with the Ojibwa for at least a century), and from both the Ojibwa and the Metis the Dakota needed to gain permission to occupy land. Upon entering the colony in 1862, the Dakota attempted to smooth relations with the Ojibwa, who had no desire to host the refugees. Bishop Tache noted the following year that the peace treaty between the two peoples had broken down.[16] But, during the spring of 1864 the Dakota, Ojibwa and Metis met in council at Fort Garry, where they "smoked the pipe of peace;

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[13] "Sioux at Fort Garry," *Nor'-Wester*, 24 January 1863.

[14] Laviolette, *The Sioux Indians in Canada*, p. 50.

[15] Joseph James Hargrave, *Red River* (Montreal, 1871), p. 266.

[16] "News from the North West," *Nor'-Wester*, 2 June 1863.

and once again patched up all grievances."[17] Although the details of the negotiations that took place between the Dakota, Ojibwa and Metis are unknown, it is clear that the Dakota achieved their desired goals. The fact that their descendents still live in Canada indicates that the area's indigenous peoples chose not to evict them.

While efforts were being made to conclude a workable peace with the area's aboriginal peoples, the Dakota moved to meet with officials of the Hudson's Bay Company. In early 1863, Taoyateduta announced that he intended visiting the governor at Fort Garry. His purpose, reported the *Nor'-Wester*, was "to show the Governor some writings which he has had since the war of 1812."[18] These "writings" were in fact medals that the British had given to the Dakota during the War of 1812 to acknowledge the existence of the Anglo-Dakota alliance.

Eighty Dakota arrived at Fort Garry 28 May 1863 and had two meetings with the "Company's big folks" the next day.[19] The first meeting was held in the court house where Taoyateduta told the whites of his peoples' desire to be at peace with the English, whose allies his people had been during the War of 1812. To demonstrate the truthfulness of

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[17] "Fighting between the Sioux and Chippewas," *Nor'-Wester*, 10 May 1864.

[18] "News from St. Joseph," *Nor'-Wester*, 9 February 1863.

[19] "Visit from the Sioux," *Nor'-Wester*, 2 June 1863.

this claim, his people produced, and "ostentatiously displayed," medals bearing the likeness of George the Third. Taoyateduta asserted that at the time of the war, the British had promised that "whenever they should get into trouble with the Americans they had only to come and the folds of the red flag of the north would wrap them round, and preserve them from their enemies." He and his people "had come to claim the fulfillment of this promise."[20] During the second meeting, which was held in private in the fort, the Dakota asked Dallas to write General Henry H. Sibley, of the U.S. Army, on their behalf. They wanted Sibley to know that they desired peace, and asked that he release Dakota prisoners taken during the war. Dallas acceded and wrote the letter.[21]

The Dakota realized that a permanent home in British territory could be gained more readily if kinship ties were formed with the British. One strategy used by the Dakota to develop these ties was to place their children in the homes of individual white settlers. Many settlers concluded that the destitute Dakota were selling their children for food--a Dakota child could be purchased, it was said, for a young ox or a heifer.[22] Later commentators have sometimes accepted the idea that the Indians were selling their children to the

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[20] Hargrave, *Red River*, p. 291.

[21] United States, *Annual Report of the Commissioner of Indian Affairs* (Washington, 1863), Dallas to Sibley, Ft Garry, 3 June 1863, p. 336.

[22] "The Sioux," *Nor'-Wester*, 18 January 1864.

whites.[23] In fact, the Dakota were attempting to create kinship ties with individual settler families--both white and Metis. By placing children in white homes, a reciprocal kinship relationship had been forged--one that would, incidentally, involve the exchange of food. Positing, however, that Indians engaged in the "savage" practice of selling their offspring is too simplistic and a little sinister.

Dakota attempts to negotiate their entry into British territory were a qualified success. Relations with the Ojibwa and Metis remained tense, but peace generally prevailed. Most importantly, these other groups had granted the Dakota permission to use their lands. The British never officially acknowledged the existence of the Dakota-British alliance, but they were powerless to force the Indians out of the colony. By default, they allowed the Dakota to remain.

The Canadian government's decision to grant the Dakota reserves in the early 1870s gave them status as permanent residents in Canada and *de facto* recognition as "Canadian" Indians. This belated recognition was significant to other Native peoples, who hoped to use it to their own advantage. In 1877, Lieutenant Governor Alexander Morris met with Powassan and Sheshequence, two Ojibwa leaders from the Lake of the Woods. Powassan was in special need of Morris's help.

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[23] Laviolette, *The Sioux Indians in Canada*, p. 54; E. Palmer Patterson III, *The Canadian Indian: A History Since 1500* (Don Mills, 1972), p. 101.

Although the chief of a "Canadian" band, he lived and farmed in the United States.[24] His "chief object in visiting me," wrote Morris, "was that they wanted to go to the American side to make a Treaty of Peace for the Bands of Chippewas with the Sioux, of whom they are afraid, and he desired me to give him a letter that he was a 'British Chief' and to give him tobacco to carry to the Sioux."[25] In Powassan's mind, it was essential that the ambiguity surrounding his "nationality" be resolved. Since the Minnesota Dakota now had "British" relatives, a delegation of "British Chiefs" might receive a more favorable reception. Thus, Powassan wanted recognition as a "British Chief." Jean Friesen argues that the Ojibwa attempted to include the British in this triangular alliance simply because they wanted powerful partners.[26] Such a view, however, ignores the history of Anglo-Dakota relations which would have been understood by the native participants.

For Dakota who entered Canada in 1862 the war was over. Yet, for the members of the Dakota nation who remained in the United States the war did not end, it simply spread to the west. As George Stanley has pointed out, the Lakota continued

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[24] NAC, RG10, vol. 3694, file 14696, "Extract from the Inspector McColl's Annual Report dated Winnipeg 30th Nov. 1883."

[25] *Ibid.*, vol. 3646, file 7966, Morris to Minister of the Interior, Ft Garry, 2 April 1877.

[26] Friesen, "Magnificent Gifts: The Treaties of Canada with the Indians of the Northwest, 1869-76," *Transactions of the Royal Society of Canada*, ser. 5, vol. 1 (1986), p. 48.

the battle other Dakota had begun.[27] Like their eastern kinspeople, the Lakota did considerable work to find an area to which they might retreat from American soldiers if the war went poorly. Such a location had to be one where other Native peoples would accept their presence, and one where they would have access to European traders and trade goods. The desire to locate in areas already occupied by Dakota played a significant role as well.

Lakota reconnaissance trips to the Canadian Northwest focussed on three locations: the Qu'Appelle river valley, Fort Garry and its environs, and Wood Mountain. Significantly, each was already the home of at least one band of refugee Dakota. In 1868 a party arrived in the Qu'Appelle region to examine the Hudson's Bay Company's establishment there, but no contact was made with the traders.[28] More intensive reconnaissances began in 1872. That summer, a Lakota delegation sent tobacco to Isaac Cowie, the trader at Fort Qu'Appelle, to inform him that they wanted to visit his fort. Cowie replied that it would be dangerous for them to visit Qu'Appelle as he could not guarantee their safety among the area's Cree and Ojibwa inhabitants, but undeterred, the Lakota made the visit anyway. The Lakota told Cowie that they

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[27] Stanley, "Displaced Red Men," p. 59.

[28] Isaac Cowie, *The Company of Adventurers: A Narrative of Seven Years in the Service of the Hudson's Bay Company During 1867-1874 on the Great Buffalo Plains with Historical and Biographical Notes and Comments* (Toronto, 1913), pp. 288-289, 447.

wanted to make Fort Qu'Appelle their permanent trading post, and to buttress this request they

> went back to ancient history to prove that they had always been the friends of the British against the Americans, and showed a silver medal of King George in evidence. They also mentioned friendly overtures which had been made to them by a great man from Red River after the war of 1814, which I did not understand at the time, and it was only last winter [1912] that I discovered . . . that Thomas, Earl of Selkirk, had entered into negotiations with the Sioux for assistance in his conflict with the North-West Company.[29]

Again, Cowie told them that he could not encourage them to usurp the lands of the Cree and Ojibwa, and he urged them to make peace with the Americans. The Lakota retorted that so long as the Metis "did not go against them, they could easily subdue the Cree and Saulteaux. They would never become friendly with the Americans, and they were bound to find safety on the north side of the line. . . . [T]hey could not take our refusal as final."[30] Despite their boasts about their military superiority over the Cree and Ojibwa, it had not been an overly encouraging meeting. Both the traders and the aboriginal peoples of the area were opposed to their presence.

During the late summer and early autumn of 1872, a second delegation, under the leadership of Little Knife, visited Fort Ellice and then Fort Garry, where they hoped to have an interview with Lieutenant Governor Adams G. Archibald.

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[29] *Ibid.*, p. 447.

[30] *Ibid.*, p. 448.

Sandford Fleming, an engineer sent west to examine possible routes for the Canadian Pacific Railway, encountered this group of sixty to eighty individuals on the road between the two posts. They were "on their way to Governor Archibald to ask permission to live under the British flag . . . as they were determined to live no longer under the rule of the 'long knives.'"[31] Reaching Fort Garry, Archibald refused to meet with them. Smarting from these insults, the Lakota left the province threatening to return in force the following spring.[32] This unfortunate incident led to fears in Red River that Manitoba would be invaded by all sorts of foes--Metis, Fenians and Sioux--in 1873.[33] Such fears were groundless. Colonel Patrick Robertson-Ross, the Canadian adjutant-general who toured the territories in 1872, encountered Little Knife's party on their return trip to Fort Ellice. Although he described them as "bold and wild-looking fellows," they were "perfectly friendly in their manner."[34]

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[31] George M. Grant, *Ocean to Ocean: Sandford Fleming's Expedition through Canada in 1872* (Tokyo, 1967), p. 97.

[32] Provincial Archives of Manitoba (hereafter PAM), Alexander Morris Papers, Ketcheson Collection (hereafter MG12 B2), Morris to Secretary of State for the Provinces, Ft Garry, 11 March 1873.

[33] Laviolette, *The Sioux Indians in Canada*, p. 85.

[34] P. Robertson-Ross, "Reconnaissance of the North West Provinces and Indian Territories of the Dominion of Canada, and Narrative of Journey Across the Continent Through Canadian Territory to British Columbia and Vancouver Island," Report of the State of the Militia of the Dominion of Canada for the Year 1872, *Sessional Papers* (Ottawa, 1873), pp. cxxi-cxxii.

Back in Manitoba, the newly-installed lieutenant governor, Alexander Morris, thought it prudent to send an official emissary onto the plains to investigate rumours of the possible invasion. The man chosen to fulfil this duty was Pascal Breland, a member of the North-West Council.[35] In the spring of 1873, Breland encountered a large group of Lakota at Wood Mountain, well west of the regions they had reconnoitred the year before but now the focus of Lakota surveillance. Breland, as per his instructions, told the assembled Indians that the Queen regarded all the inhabitants of the North-West with "love and kindness."[36] "The Sioux," Breland reported,

> received this message of Peace with transports of joy and gratitude. By the mouth of their speakers, they on their side recalled to mind their old friendship for the English, and as evidence of their friendship, they showed some old medals which their grandfathers had bequeathed to them and which they preserved as life tokens. They saluted the English Flag, and thanked the Queen for sending them such kind words.[37]

Indeed, "such kind words" as these were exactly what the Lakota had needed to hear.

During their meeting, the Lakota "loudly declared that they had never injured the English," and that they hoped to live in peace with them and trade with English traders. They asked that the Queen take pity on them, and especially upon

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[35] Breland's instructions are enclosed in PAM, MG12 B2, Morris to Breland, 22 mars 1873.

[36] *Ibid.*

[37] *Ibid.*, "Copy of Hon$^{le}$ M$^{r}$ Breland's report," 12 May 1873.

the Dakota living at Portage La Prairie who had requested a reserve in Canada. In response to Breland's questions about the invasion of Manitoba, the Lakota said the rumours should not be believed. Little Knife had spoken only for himself. In fact, the rest of the Lakota were ashamed of his actions. "That which all the Sioux wished," wrote Breland, "was peace with everyone, and above all with the English."[38]

For the Lakota, having encountered opposition from Natives and non-Natives alike at both Fort Qu'Appelle and Fort Garry, the "kind words" of the Queen delivered at Wood Mountain seemed an encouraging sign, albeit one the Canadian emissary did not intend to give.[39] Still, the greatest obstacle to Lakota plans was persuading the Native peoples to acquiesce if Wood Mountain was chosen as their permanent refuge. This challenge was addressed in June 1876, when the Lakota organized a large council in the Cypress Hills, an important hunting region just west of Wood Mountain, and to which they invited Native peoples from throughout the northern plains. As Lakota-American hostilities were in full-swing, the Lakota logically used the meeting to recruit warriors. Nevertheless, their primary aim was to make peaceful overtures

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[38] *Ibid.*

[39] Breland was instructed to give the Lakota no encouragement and told them that "the Queen did not desire their presence, [but] neither did she repel them, so long as they conducted themselves according to the laws." *Ibid.*

to the peoples living in the area.[40] M.G. Dickieson, the Canadian government's agent at Qu'Appelle Lakes, met a delegation of Lakota the following year who told him that peace had been made with the Cree under Little Black Bear the previous summer.[41] It is likely that this peace was concluded at the Cypress Hills Council.

While the Lakota delegation busied itself at the Cypress Hills Council, messengers approached those groups who did not attend. Tobacco was sent to the Blackfoot with an invitation "to join them in war against the Whites, and if not against all, against the Americans."[42] According to reports made by the North-West Mounted Police, the Lakota threatened to exterminate the Blackfoot if they refused.[43] Still, the Blackfoot declined the Lakota offer. Other messengers were dispatched to Wood Mountain where the local Metis were informed that "the Sioux were likely to come into the Mountains, [and] that they wished to be at peace with the Half

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[40] "Life in the Nor'-West," *Globe*, 24 July 1876; United States, *Annual Report of the Commissioner of Indian Affairs* (Washington, 1876), John S. Wood to the Commissioner of Indian Affairs, 25 August 1876, p. 86.

[41] Canada, Annual Report of the Department of the Interior, *Sessional Papers* (Ottawa, 1877), Special Appendix C, p. xxxvi.

[42] PAM, MG12 B2, Morris to Secretary of State for the Provinces, Ft Garry, 11 July 1876. These events are also reported in "The Indian War," *Globe*, 29 July 1876.

[43] Canada, Annual Report of the North-West Mounted Police, *Sessional Papers* (Ottawa, 1877), White to Scott, 30 December 1876, pp. 21-22.

Breeds, when they came in." However, if the Metis resisted, they were prepared to fight their way into the region.[44] The Metis sent no answer, thus prompting the Lakota to send them word in August not to winter at Wood Mountain or Milk River that winter.[45] If the Metis complied with this request, tensions between the two groups would be reduced as confrontations between hunting parties would be eliminated.

The war against the Lakota culminated on 25 June 1876, when Lieutenant-Colonel George Armstrong Custer and his immediate command were annihilated at the Battle of the Little Big Horn. The Lakota leaders understood the implications of the battle; from that time forward, the United States military would not rest until it had forced the Lakota nation onto American reservations. The migration to Canada began shortly thereafter.

In late December 1876, Black Moon's band of Hunkpapa began arriving at Wood Mountain, taking up residence with Wambdiska's band of Dakota. Major James Morrow Walsh of the North-West Mounted Police arrived on the 21st and told the three thousand newcomers to obey Canadian law and that they would not be allowed to remain in Canada if they crossed the

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[44] PAM, MG12 B2, Morris to Secretary of State, Ft Garry, 6 June 1876.

[45] Canada, Annual Report of the North-West Mounted Police, *Sessional Papers* (Ottawa, 1878), Crozier to Irvine, Ft Walsh, 18 August 1876.

border to make war on the Americans.[46] How he intended to expel the Lakota if they chose to disobey his directions is left unclear in his dispatches; Walsh was really there only to gather information about the number, strength and intentions of the arrivals.

A second contingent of Lakota arrived in the early months of 1877 in the company of a band of Ihankton. Walsh soon arrived to have a council with Hetopa and Medicine Bear, Lakota and Ihankton leaders respectively. Asking them why they had come, the Indians replied that "they had been driven from their several homes by the Americans and had come to look for peace. They had been told by their fathers that they would find peace in the land of the British."[47] The Lakota then gave Walsh what by then had become a routine rendition of their claims upon the British crown:

> They [the Lakota] claim that the Sioux are British Indians. That 65 years ago was the first their father's [*sic*] knew of being under the Americans. Their fathers were told at that time by a chief of their British father (it was a father they say they had at that time) that if they did not wish to live under the Americans they could move northward. There they would again find the land of the British. Why the White Father gave them and their country to the Americans they could not tell.
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> From childhood they were instructed by their fathers that properly they were children of the British. They were living with strangers but their home was to the north. That in their tribes can be seen the medals of their White Father given to

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[46] NAC, RG10, vol. 3636, file 8044, Walsh to Macleod, Ft Walsh, 31 December 1878.

[47] *Ibid.*, Walsh to Irvine, Ft Walsh, 15 March 1877.

> their fathers for fighting the Americans & although the British gave them & their country to the Americans they never made peace with them. That they always intended moving to the country of their fathers.[48]

Tatankaiyotake, considered by whites to be the instigator of the Lakota wars, crossed into Canada some time during May and immediately set out to establish peaceful relations with the aboriginal peoples who surrounded him. He first approached the Metis, whose buffalo hunts had increasingly taken them westward and into the Cypress Hills area--the very area into which the Lakota hoped to gain entry. In the past, Lakota-Metis relations had alternated between periods of war and peace: it was essential, therefore, that the Lakota come to some arrangement with their erstwhile enemies. Few details of the peace talks with the Metis have survived. Speaking to a scholar many years after the fact, one Lakota simply stated that peace pacts between the two had been arranged in the past and one was easily made then.[49] The Lakota undoubtedly invoked their relationship with the British in an attempt to find common ground with the Metis. Tatankaiyotake had reportedly told a Metis scout named La Framboise the previous August that "I don't understand why the Red Coats gave us and our country to the Americans. We are the Grandmother's children and when we go across the Medicine Road (the

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[48] *Ibid.*

[49] Stanley Vestal, *New Sources of Indian History, 1850-1891: The Ghost Dance--The Prairie Sioux, A Miscellany* (Norman, 1934), pp. 236-238.

boundary) we shall bury the hatchet. My own grandfather told me the Red Coats were our people and good people and I must always trust them as friends."[50] The Lakota had reason to believe that the Metis would be intrigued, if not convinced, by this argument. As early as 1864, P.J. De Smet, a Catholic missionary asked to comment upon his work among the Indians of the Missouri, noted that the Metis "are on the most friendly terms with the Sioux, who respect their flag, (British,) wherever they meet them."[51]

After meeting the Metis, Tatankaiyotake approached a camp of Assiniboins in the Cypress Hills/Wood Mountain area. An Assiniboin was living in the Lakota camp, a man who was captured as a child in 1857. Some time before 1870, Tatankaiyotake adopted him as a brother, and named him "Jumping Bull," after his father. Although it is unclear whether they were real or fictive kin, Jumping Bull claimed that his relatives, including a cousin named Big Darkness, lived in the Assiniboin camp the Lakota encountered in Canada. Taking advantage of these kin ties, Jumping Bull introduced Tatankaiyotake to these relatives and "all went smoothly." To cement the new relationship, the Lakota leader gave the

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[50] Laviolette, *The Sioux Indians in Canada*, p. 86; Canada, Annual Report of the North-West Mounted Police, *Sessional Papers* (Ottawa, 1878), affidavit of Gabriel Solomon, 18 August 1876, pp. 25-26.

[51] United States, *Annual Report of the Commissioner of Indian Affairs* (Washington, 1864), P.J. De Smet to W.P. Dole, Washington, 23 September 1864, p. 283.

Assiniboin many horses.[52]

Although the Lakota did not propose to settle in Blackfoot territory, the buffalo herds were contracting to the south and west, and hunts would increasingly take Lakota into the Blackfoot domain. A council was arranged between Tatankaiyotake and Isapo-muxika, the head chief of the Siksika, whose band happened to be hunting near the Cypress Hills at that time. High Eagle, a Siksika participant, noted that Tatankaiyotake told Isapo-muxika that "We will be friends to the end of our lives--my children shall be your children, and yours mine. From now on we shall be friends forever and never fight again."[53] Festivities were held after the council during which Tatankaiyotake named his youngest son "Crowfoot" after the Blackfoot leader.[54] Tatankaiyotake's actions were an attempt to create a fictive kinship tie between his son and Isapo-muxika, much like the celebrated bond that existed between the Siksika and his adopted Cree son, Pitikwahanapiwiyin. The successfully-concluded Blackfoot-Lakota alliance remained uneasy. Horse-raiding almost derailed it in 1878,[55] and the following year Isapo-

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[52] Vestal, *New Sources of Indian History*, pp. 236, 269-270, 334.

[53] *Ibid.*, pp. 236-238.

[54] *Ibid.*

[55] United States, *Annual Report of the Commissioner of Indian Affairs* (Washington, 1879), John Young to Commissioner, Blackfeet Agency, 28 July 1879, p. 89.

muxika asked Indian Commissioner Edgar Dewdney to make the Lakota leave Canada in an effort to protect the dwindling buffalo herds.[56] Nevertheless, peace prevailed between the two groups. In an interview given to a newspaper reporter years later, Tatankaiyotake still spoke warmly of Isapo-muxika.[57]

Canadians and Americans uniformly misinterpreted the Tatankaiyotake's attempts to gain peaceful admission into Canada as conspiracies to unite all the plains tribes in a grand alliance against the whites.[58] The Lakota may have contemplated a defensive alliance, but before they could launch a war against the Americans, they had to secure their position in Canada. John Ewers has ascertained that the Lakota were regarded as enemies by more peoples than any other Indian group in the west: they fought twenty-six other Indian

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[56] Canada, Annual Report of the Department of the Interior, *Sessional Papers* (Ottawa, 1880), Dewdney to Superintendent General of Indian Affairs, pp. 78-79.

[57] "The Wild West: Buffalo Bill's Exhibition at the Woodbine," *Globe*, 24 August 1885.

[58] In March 1878, the *New York Times* announced that the Lakota planned a spring offensive against the settlements of the frontier. This story was retracted in April for lack of evidence. See "Sitting Bull Prepares for War," 21 March 1878 and "The Indian Frontier Movements," 29 April 1878. Yet most newspapers did not doubt that warfare was imminent. See the discussion of this issue in Joyner, "The Hegira of Sitting Bull to Canada," p. 8; Manzione, *"I Am Looking to the North for My Life"*, pp. 75, 78, 110-11, 113, 126; and Pennanen, "Sitting Bull," pp. 131-132.

nations, the Metis and the American army.[59] The Lakota were long-standing enemies of the Blackfoot and Cree, and had clashed with the Ojibwa and Metis, although their relationship with the latter group had been marked by periods of peace. Their peaceful entry to lands occupied by these peoples was clearly the Lakota's priority.

Only after negotiating with the aboriginal peoples of the Canadian northwest did Tatankaiyotake have an interview with the North-West Mounted Police. He met Walsh at the end of May and told him basically what Hetopa had two months before. He claimed that the Lakota's "grandfathers were English, and that they had been raised on the fruit of English soil." He came to Canada, he said, "to show us that he had not thrown this country away, and that his heart was always good, with the exception of such times as he saw an American."[60] Tatankaiyotake was determined to stay in Canada. He told Walsh in 1879 that "I am looking to the north for my life and hope the White Mother will never ask me to look to the country I left, although mine, and not even the dust of it did I sell: But the Americans can have it."[61] Nevertheless, the Lakota

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[59] John C. Ewers, "Intertribal Warfare as the Precursor of Indian-White Warfare on the Northern Great Plains," *Western Historical Quarterly* 6, 4 (October 1975), p. 407.

[60] Canada, Annual Report of the North-West Mounted Police, *Sessional Papers* (Ottawa, 1878), Irvine to Scott, Ft Benton, 23 May 1877, p. 33.

[61] Public Record Office, Original Correspondence, Canada, C.O.42/757, no. 133, Deputy Minister of the Interior to the Governor General's Secretary, Ottawa, 8 May 1879.

did return to the United States, some after only a few months in Canada, others, like Tatankaiyotake, after several years.

It is tempting to give whites the credit for determining whether the Dakota peoples would stay in Canada or return to the United States. The Dakota remained in Canada because the British and the Canadians had neither the military might nor the political will to remove them. The Lakota returned to the United States because the Canadian government refused to furnish them with any food aid during years of unprecedented famine on the plains. The disappearance of the buffalo did the job the Canadian government was both unwilling and unable to do. Put simply, whites made the decisions, the Indians did not. Gary Pennanen, for example, notes that "Sitting Bull's ultimate surrender resulted . . . from the long and patient efforts of men close to the frontier to persuade him that the future was brighter on the American side of the line."[62] These explanations tell only half the story.

The decision to remain in Canada or return to the United States was also the logical result of Dakota diplomacy--successful diplomacy being anything that gave these refugees time to reconstruct their lives in the Canadian northwest. Recognition as "British" Indians would have given the Dakota the time they needed. The Dakota were able to convince neither the British nor the Canadians that they were "British" Indians, but they got the time they needed to re-establish

[62] Pennanen, "Sitting Bull," p. 135.

their lives by exploiting the weakness of the British and taking advantage of the political upheaval surrounding the transfer of the North-West Territories to Canada. By the 1870s, their presence had outlived most of the controversy raised by their arrival. After years of patient waiting, they were granted reserves, and in their eyes at least, had become "British" Indians. The Lakota never achieved the same measured success.

Alexander Morris once noted that aboriginal people preferred to present their grievances to him, as he was the lieutenant governor and the highest representative of the crown in the region. No "subordinate officer," he wrote, would suffice.[63] Speaking to the highest authority in the land was a convention in aboriginal diplomacy that the Lakota put to good use. Numerous "subordinate officers"--James Walsh, Assistant Commissioner A.G. Irvine, and Commissioner J.F. Macleod of the North-West Mounted Police--told the Lakota that they were "American" Indians who should return to the United States. But such advice could be ignored so long as Lakota claims could be taken to a higher authority. It took time to meet with all these representatives--but then time was the goal of Lakota diplomacy. They, too, needed time free of warfare and strife to rebuild their lives.

For the Lakota, getting a Canadian reserve was proof of

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[63] PAM, MG12 B2, Morris to the Minister of the Interior, Ft Garry, 18 February 1876.

their having been accepted as "British" Indians. Thus, when Walsh told Tatankaiyotake in May 1880 that he would be visiting the east on leave, Tatankaiyotake asked him to speak to the Queen on his behalf about receiving a reserve in Canada, and failing this, to speak directly to the American president about terms of surrender.[64] Either the government would give him and his people a reserve at this time or it never would. In the spring of 1881, Tatankaiyotake and his principal men left for Fort Qu'Appelle, Walsh's new posting, where they expected to meet Walsh upon his return from the east and learn whether or not they had been granted a Canadian reserve. He clearly expected his direct appeal to the crown to meet with a positive response. Just before he left Wood Mountain, Tatankaiyotake reportedly said that "The Santee Sioux and 'Pheasant Rump' the Assiniboine have received Reservations in this Country and I am going today for one also."[65] Walsh had not yet arrived at Fort Qu'Appelle, but while there Tatankaiyotake met policeman Sam Steele. Given another opportunity to present the Lakota's position to a Canadian official, Tatankaiyotake told Steele of his peoples' British origins:

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[64] NAC, RG10, vol. 3691, file 13893, Walsh to Minister of the Interior, Brockville, 11 September 1880. Tatankaiyotake also expressed an interest at this time in meeting Queen Victoria's daughter, who happened to be the wife of Canada's governor general. *Ibid.*, Walsh to Commissioner NWMP, Wood Mountain, 19 May 1880.

[65] *Ibid.*, Crozier to Irvine, Wood Mountain, 1 May 1881.

> Canada was, he asserted, his country, and the Mela Hoska (Long Knives) [Americans] had no claim upon him. His friends were the Shaga Lasha (British), and always had been; the revolution [War of 1812] did not give the Mela Hoska the right to govern him and his people.[66]

Unswayed, Steele telegraphed Edgar Dewdney, the Indian Commissioner for the North-West Territories, to inform him that the Lakota had arrived. Dewdney arrived at Qu'Appelle on 25 May 1881, and he and Tatankaiyotake had councils on that and the following day. Dewdney informed the Lakota leader that the Canadian government refused to grant his people a reserve. It became clear to the Lakota that no more diplomacy could be used: there were no more "subordinate officers" to talk to and the highest authorities had refused their requests. Unfortunately for the Lakota, time had run out. Within a month Tatankaiyotake had surrendered to the Americans at Fort Buford, Montana. Had the action of whites been the only factor responsible for forcing the Lakota out of Canada, then no doubt the Lakota would have all left in 1879 when the buffalo disappeared from the Canadian plains and the government refused to assist them. As it was, Lakota diplomacy only delayed the Indians' departure.

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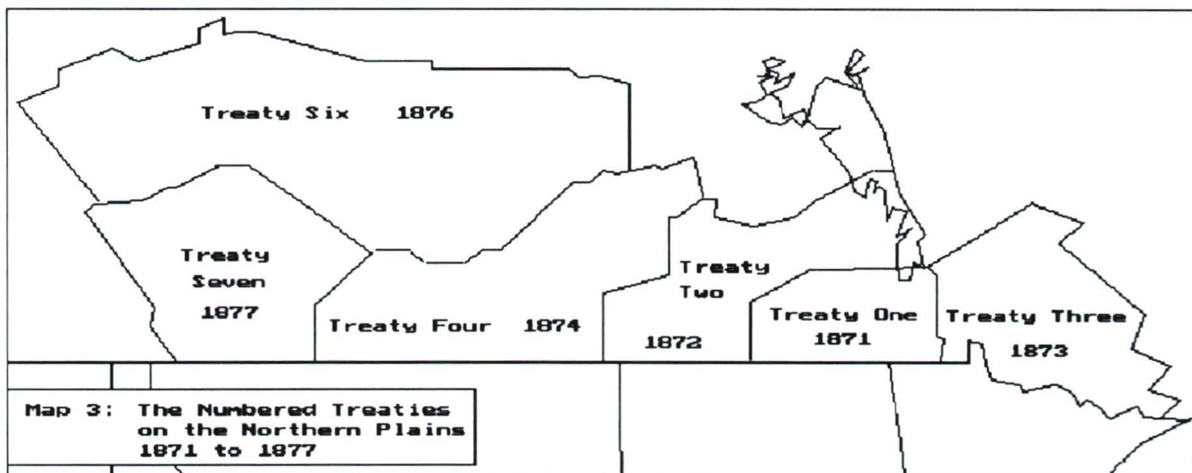
[66] S.B. Steele, *Forty Years in Canada: Reminiscences of the Great North-West with Some Account of His Service in South Africa* (Winnipeg and London, 1915), p. 159.




Map 3: The Numbered Treaties on the Northern Plains 1871 to 1877

# 3

## Borders as Blinders

### Historians and the Numbered Treaties of the Canadian Plains

Between 1871 and 1877, the Canadian government negotiated seven treaties with the aboriginal peoples of the northern plains. To what degree Native leaders and government commissioners held the same understanding of the concepts embodied in these European documents has long been a matter of debate. As early as 1879, Constantine Scollen, a Roman Catholic missionary who signed Treaties Six and Seven as a witness, asked of the Blackfoot peoples: "Did these Indians, or do they now, understand the real nature of the treaty made between the Government and themselves in 1877?" Could a nomadic people like the Blackfoot, who held their lands collectively and who believed them to be the gifts of the Creator, fully appreciate what it meant to sell their lands? "My answer to this question," replied Scollen, "is unhesitatingly negative."[1]

Canadian historians have generally agreed that the

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[1] National Archives of Canada (hereafter NAC), Records Relating to Indian Affairs (hereafter RG10), vol. 3695, file 14942, Constantine Scollen to Major Irvine, Ft Macleod, 13 April 1879.

numbered treaties were fraught with misunderstanding: the cultural distance between Native and newcomer was sufficient to preclude a mutual understanding of the treaties' terms.[2] George Stanley concluded in 1936 that

> In few cases had [the Indians] understood the full import of the treaties to which they had so readily affixed their totems. To them, as to many savage tribes, the western notion of private property in land was entirely foreign. Among the Indians the idea prevailed that the white men had come to "borrow" their land, not to buy it.[3]

Over the years the terminology has changed--"savage tribes" having become human beings after all--but the interpretation remains essentially the same.[4] While the Canadian government

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[2] See John H. Archer, *Saskatchewan: A History* (Saskatoon, 1980), p. 61; John W. Chalmers, "Treaty No. Six," *Alberta History* 25, 2 (Spring 1977), p. 25; Hugh Dempsey, *Crowfoot: Chief of the Blackfeet* (Halifax, 1988), pp. 105-107; J.R. Miller, *Skyscrapers Hide the Heavens: A History of Indian-White Relations in Canada*, revised ed. (Toronto, 1991), pp. 164-165; Irene M. Spry, "Aboriginal Resource Use in the Nineteenth Century in the Great Plains of Modern Canada," Kerry Abel and Jean Friesen, eds., *Aboriginal Resource Use in Canada: Historical and Legal Aspects* (Winnipeg, 1991), p. 88; and the collection of articles in Richard Price, ed., *The Spirit of the Alberta Indian Treaties* (Edmonton, 1987). The notable exception is an article by Jean Friesen, "Magnificent Gifts: The Treaties of Canada with the Indians of the Northwest 1869-76," *Transactions of the Royal Society of Canada* ser. 5, 1 (1986), pp. 41-51.

[3] George F.G. Stanley, *The Birth of Western Canada: A History of the Riel Rebellions* (Toronto, 1960), pp. 275-276.

[4] American historians have expressed similar views. See, for example, William T. Hagan, "How the West Was Lost," Frederick E. Hoxie, ed., *Indians in American History* (Arlington Heights, 1988), p. 183; and Hana Samek, *The Blackfoot Confederacy, 1880-1920: A Comparative Study of Canadian and U.S. Indian Policy* (Albuquerque, 1987), p. 15. Others have argued that American negotiators relied as much on fraud as on cultural misunderstanding to secure land cessions from Indians. See David L. Ghere, "Mistranslations and

saw the treaties as instruments for the extinguishment of aboriginal title, Native peoples were apt to view them quite differently: in some cases they were seen as agreements to share the land with whites, while in others they were viewed as agreements to relinquish only limited rights or simply as pacts of friendship and peace. Richard Price concluded in 1979 that Native and non-Native leaders view treaties and treaty rights "within two different systems of knowledge and perceptions of reality," and the difference between these two systems, remarked Chief John Snow, "is like day and night."[5]

In writing about Native peoples' perceptions of the numbered treaties, historians have failed to take into account what aboriginal peoples living in Canada knew of American treaties and how this knowledge influenced treaty-making in Canada. The historiographical blinkers imposed by national

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Misinformation: Diplomacy on the Maine Frontier, 1725 to 1755," *American Indian Culture and Research Journal* 8, 4 (1984), pp. 3-26; Francis Jennings, *The Invasion of America: Indians, Colonialism, and the Cant of Conquest* (Chapel Hill, 1975), pp. 123-124; and Robert M. Utley, *The Indian Frontier of the American West, 1846-1890* (Albuquerque, 1984), p. 44. Alternative views are presented in Emerson W. Baker, "'A Scratch with a Bear's Paw': Anglo-Indian Land Deeds in Early Maine," *Ethnohistory* 36, 3 (Summer 1989), pp. 235-256; and Yasuhide Kawashima, "Forest Diplomats: The Role of Interpreters in Indian-White Relations on the Early American Frontier," *American Indian Quarterly* 13, 1 (Winter 1989), pp. 1-14.

[5] Richard Price, ed., *The Spirit of the Alberta Indian Treaties*, p. ix; and John Snow, "Identification and Definition of Our Treaty and Aboriginal Rights," Menno Boldt and J. Anthony Long in association with Leroy Little Bear, eds., *The Quest for Justice: Aboriginal Peoples and Aboriginal Rights* (Toronto, 1985), p. 44.

boundaries are seen clearly in an article written by John Leonard Taylor. Taylor blames the Canadian government for the misunderstanding he believes occurred. There is no evidence, he argues, that the Canadian government took any steps to explain to Native peoples what it meant to surrender land, either before or during the negotiations.[6] In his view, Native leaders were dependent on what the Canadians chose to tell them. As a result, those people who had the closest contacts with Canadians seem to have been the best negotiators and the most-informed about European treaties; those who were the furthest away were the least-informed about these ideas. The events surrounding the signing of the treaties appear to support such a view. The Canadian government treated first with the Ojibwa of the North-West Angle--Indians living on the door-step of Ontario and directly on the route from the "older provinces" to the North-West--and were flatly refused. The government then opened negotiations with the Native inhabitants of Red River. The Manitoban Indians took treaty in 1871, but only after they forced the government to grant "outside promises" including schools and agricultural aid on top of the reserves and annuitues that it was initially prepared to offer.[7] The Indians of the North-West Angle finally agreed to accept a Canadian treaty in 1873. It

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[6] John Leonard Taylor, "Two Views on the Meaning of Treaties Six and Seven," Richard Price, ed., *The Spirit of the Alberta Indian Treaties*, p. 40.

[7] *Ibid.*, p. 15.

included all the provisions of Treaties One and Two, but added money for fishing and hunting supplies while increasing the size of reserves and annuities.[8] The Indians of the central plains had fewer contacts with Canadians than those further east, and supposedly understood less about treaties. Based on oral interviews with Native peoples conducted in the 1970s, Taylor argues that the signatories of Treaty Six believed they had only given up the surface rights to the land, but that subsurface rights, timber, fish and game had not been relinquished.[9] The Blackfoot peoples were the furthest of all from eastern Canada, and had always been considered by whites as the most warlike and least civilized. According to Taylor, this isolated group did not believe the treaties represented the surrender of their lands at all, and, instead, viewed the treaties as pacts of peace and friendship.[10] Throughout the article, information regarding treaties is viewed as passing from eastern-based Canadians to western-based Indians. Here is a Canadian-focussed history that portrays aboriginal peoples as the passive victims of white decisions. Whatever knowledge of treaties the Indians living in Canada had acquired in the United States or from relatives living there is simply not considered.

Native societies spanned the boundary between Canada and

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[8] *Ibid.*

[9] *Ibid.*, pp. 42-43.

[10] *Ibid.*, p. 44.

the United States, and thus, "Canadian" Indians living in border areas were often "American" Indians as well. When "Canadian" Indians negotiated the first numbered treaty with the Canadians in 1871, this was not their first introduction to European concepts concerning treaties. "Canadian" Indians had had at least a generation, if not longer, to discover what Europeans meant by the terms embodied in these documents. Only by consistently ignoring what "Canadian" Indians knew of events in the United States have non-Native interpreters been able to suggest implicitly that Native peoples on the Canadian plains were culturally and intellectually ill-equipped to deal with Canadian negotiators during the treaty-making process.

Treaty-making had come to an official end on the American Plains before before it began in Western Canada.[11] During the 1820s, the American government negotiated treaties with the peoples of the northern plains which were to have promoted peace while guaranteeing Americans the right to trade in Indian territories. Peace treaties soon gave way to land transactions. By the 1830s, American settlers were encroaching on lands belonging to the Dakota and Ojibwa, in what would become Minnesota and Wisconsin, and cessions were the result. During the following decade the United States made the great leap across the continent, acquiring the Oregon Country from Great Britain in 1846, and California and the

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[11] The American treaties can be found in Charles J. Kappler, comp., *Indian Affairs: Laws and Treaties* (New York, 1971), vol. 2.

Southwest from Mexico in 1848. Although settlement bypassed the Great Plains in favour of the Pacific coast, Americans still needed a safe route across the plains. Treaties that guaranteed Americans the right to use overland trails and to protect them with military posts were concluded in the 1850s. Native resistance to non-Native expansion resulted in a great deal of Indian-white warfare on the plains. The fighting acted as a powerful brake on white settlement, and thus prevented the need for land cessions on the plains for a decade. Still, by the end of the 1860s, the Americans were assigning plains peoples to reservations and restricting their movements. The treaties of the late 1860s were the legal instruments whereby the plains tribes surrendered their territorial rights to the whites. American treaty-making officially came to an end in 1871 when the House of Representatives and the Senate reached a compromise which barred the United States from negotiating any more Indian treaties. Treaties were succeeded, however, by "agreements" which continued the process of eroding aboriginal lands--albeit under a different label.[12]

Aboriginal peoples living in British territory, the land that would become the Canadian West after 1870, were fully aware of the treaties made in the United States. Indeed, many

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[12] See Utley, *The Indian Frontier of the American West*, pp. 134, 154; and Richard White, *"It's Your Misfortune and None of My Own": A New History of the American West* (Norman, 1991), p. 109.

had been personally involved in them. When aboriginal land was sold in one country, its owners, even those who resided in the other country, expected their share of the proceeds. In the decades following the negotiation of American treaties Indians from British territory repeatedly presented themselves to American Indian agents for rations and annuities. One significant aspect of this transboundary movement was that it gave hundreds of individuals who would later join Canadian treaties exposure to treaty-making.

Nowhere was the presence of "British" Indians at American Indian agencies noted more frequently than among the Blackfoot. Alfred Sully, a lieutenant colonel in the U.S. Army, advised the American commissioner of Indian affairs in the 1870s that these people claimed land stretching from the Saskatchewan River to a point "some miles south of the city of Helena" in Montana Territory. "Being a wild, uncivilized set," he argued, "they of course do not take into consideration any treaties we have with Great Britain in regard to our boundary line, but look upon the whole of the country both north and south of the line as theirs."[13] During 1844, many Siksika had retreated north of the border having experienced trouble with various American fur traders. They started returning to American territory during the winter of 1855/56 after hearing news of the Blackfeet Treaty

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[13] United States, *Annual Report of the Commissioner of Indian Affairs* (Washington, 1870), Sully to E.S. Parker, Helena, 20 September 1870, p. 190.

negotiated that year. They were "greatly pleased when informed that they were to receive a portion of the benefits resulting from the late treaty."[14] The Siksika, however, did not all remain in the United States. When they and many of the Kainah missed the treaty payments in 1858, their agent explained that this was because they were "so far north"--undoubtedly in British territory--that they were unable to attend.[15] The agent set out to pay the annuities in June of 1862, but found few Indians at Fort Benton: "nearly all were off to the north on their hunting grounds."[16]

American officials grew increasingly concerned about the presence of these "foreigners." In September 1864, the Blackfeet agent recorded that the Indians had arrived for the annual treaty payments and remarked that the Kainah "live mostly on the other side of the line in the British possessions . . . and it is questionable whether they can properly be called subjects of the United States."[17] The Siksika, he wrote,

> live entirely in the British possessions and never come this way except to trade, get their annuities, or commit some depredation, . . . were it not that

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[14] *Ibid.* (Washington, 1856), Edwin A.C. Hatch to Alfred Cumming, 12 July 1856, p. 76.

[15] *Ibid.* (Washington, 1858), Alfred J. Vaughan to A.M. Robinson, Ft Benton, 10 September 1858, p. 78.

[16] *Ibid.* (Washington, 1862), Henry W. Reed to Gov. W. Jayne, Blackfeet Agency, 1 October 1862, p. 179.

[17] *Ibid.* (Washington, 1864), Upson to Dole, Ft Benton, 28 September 1864, p. 300.

> the [Blackfeet] treaty expires next year, [I] would recommend that their next annuity be paid them in powder and ball from the mouth of a six-pounder, but as it is, I recommend that when the present treaty expires they be turned over to the tender mercies of the British crown, whose subjects they undoubtedly are.[18]

When the United States proposed a new treaty with the Blackfoot peoples in 1865 and most of the Siksika and many of the Kainah were absent from the negotiations, T.F. Meagher, the acting governor of Montana Territory and superintendent of Indian affairs, questioned whether the United States was obligated to treat with "Indian tribes who voluntarily abandon their lands, seeking shelter and protection in a foreign country. . ."[19]

Like the Blackfoot, the Assiniboin were also taken into American treaties. Many of these treaty Indians resided for most of the year in British territory. In 1862, Upper Missouri agent Samuel Latta noted that the Assiniboin were "a good and well-disposed people, and try to keep their treaty obligations." However, due to their general fear of Lakota attacks, they had quitted lands to the south of the Missouri River, and spent "a portion of their time in the British country."[20] Two years later, agent M. Wilkinson arrived at

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[18] *Ibid.*

[19] *Ibid.* (Washington, 1866), Thomas Francis Meagher to the Commissioner of Indian Affairs, Virginia City, 14 December 1865, p. 196.

[20] *Ibid.* (Washington, 1862), Latta to William P. Dole, Yancton, Dakota Territory, 27 August 1862, p. 195.

Fort Union with goods for the Assiniboin. He met a band of Assiniboin who had been absent from the post for several years and who told him that they owned "immense tracts of land" and that white men "must not walk through it." After receiving gifts from Wilkinson, this group of "American" Indians left for their hunting grounds in Canada.[21]

Many of the Ojibwa groups who had taken treaty with the United States further east also resided at locations on both sides of the border. One American agent, Edwin Clark, betrayed his ignorance of the agency to which he was appointed when he recommended Lake Winnipeg as a possible location within the Ojibwas' reservation where the Indians might settle.[22] No doubt Clark had asked the Indians to tell him where the best areas for settlement were located and then communicated this information to Washington.

When Canadian treaties were signed, "American" Indians, not unexpectedly, turned up at treaty payments in Canada. This was simply the continuation of the trend which began when only American treaties existed. John Young, the agent at the Blackfeet Agency in the United States, noted that prior to the signing of the Canadian treaty "the Indians from north of the line made use of their family relationship to gravitate towards the agency that issued food and rations, thus swelling

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[21] *Ibid*. (Washington, 1864), Wilkinson to Governor Newton Edmunds, 31 August 1864, p. 263.

[22] *Ibid*. (Washington, 1865), Clark to Acting Commissioner, Chippewa Agency, 22 August 1865, pp. 444-445.

the number on the agency roll and drawing from its supplies."[23] Once Treaty Seven had been signed in Canada, the movement of Native peoples was reversed: Young reported that between fifteen hundred and two thousand Indians had moved north to receive annuities in Canada.[24]

Likewise, some Assiniboin from the United States moved north to receive the benefits of Canadian treaties. In 1876, Major James Morrow Walsh of the North-West Mounted Police told a group of Assiniboin who had congregated in the Cypress Hills that to receive their annuities they would have to prove to his satisfaction that they were "British Indians." The leaders advised Walsh that the non-treaty Assiniboin that were arriving were "really British Indians" who had been obliged to cross into American territory because of declining buffalo herds in Canada. They assured him that these Indians "had been living as much on this side of the line as the other, and were surely as much entitled to all the provisions of the treaty as the Indians who are living further North."[25] Walsh refused to pay them, and struck from the pay-sheets Indians who received annuities in both countries.[26] Agent W.L.

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[23] *Ibid.* (Washington, 1883), Young to Commissioner of Indian Affairs, Blackfeet Agency, 6 August 1883, p. 96.

[24] *Ibid.* (Washington, 1882), Young to Commissioner of Indian Affairs, Blackfeet Agency, 11 August 1882, p. 100.

[25] NAC, RG10, vol. 3637, file 7088, Walsh to Minister of the Interior, Ft Walsh, 12 September 1876.

[26] Canada, Annual Report of the Department of the Interior, *Sessional Papers* (Ottawa, 1878), Special Appendix B.

Lincoln of Fort Belknap in the United States wrote that some Assiniboin "go north and take their money, thus becoming British Indians," and noted that "there are always some of my Indians at Wolf Point [in the Fort Peck Agency] and Cypress [Hills, in Canada], and probably as many from those places here."[27]

The Canadian government, unwilling to spend more on annuities than was absolutely necessary, rejected the claims of "foreign" Indians. When a group of Ojibwa told Commissioner Alexander Morris at the negotiations for Treaty Three in 1873 that they expected their American relatives to be included in the Canadian treaty, he replied that it was only for "*bona fide British Indians*." But, wanting to avoid troubles with the Indians, he allowed that any "who should *within two* years be found *resident* on British soil would be recognized."[28]

The Metis communities of the North-West Territories also gained valuable information about European treaties long before the Canadian government moved to negotiate for Native lands in the Canadian West. Fur trader Alexander Ross noted

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[27] United States, *Annual Report of the Commissioner of Indian Affairs* (Washington, 1881), Lincoln to Commissioner of Indian Affairs, Ft Belknap, 20 August 1881, pp. 117-118.

[28] Canada, Annual Report of the Department of the Interior, *Sessional Papers* (Ottawa, 1875), Morris to Secretary of State for the Provinces [?], Ft Garry, 14 October 1873, p. 17. Emphasis in original. The discussion upon which Morris based this letter is reported in "Indian Treaty: Closing Proceedings," *Manitoban*, 18 October 1873.

in the 1850s that the Metis community of Red River had heard stories of "what large sums of money the Americans pay for Indian lands," and felt that they, "being the offspring of Indians," would "come in for a good share of the loaves and fishes on all such occasions."[29] When the American government announced that it would treat with the Indians of Pembina in 1851, the Metis began moving across the boundary. Ultimately, the Metis were unsuccessful in persuading the Americans that they were entitled to the treaty, and many started returning to the Red River Settlement. Yet their knowledge of American treaty-making undoubtedly went north with them. Jean Friesen notes that the Metis, by acting as interpreters at the Canadian treaty negotiations, were able to pass along to Native participants at Treaty Four their knowledge of what had been gained at Treaty Three.[30] It is just as likely, of course, that Metis participants at the Pembina Treaty would have told their Ojibwa neighbours at Red River about their American experiences.

The most striking evidence, however, that Native peoples from Canada were aware of American treaty-making well in advance of the Canadian treaties is provided by the number of individuals who attended negotiations in both countries.

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[29] Alexander Ross, *The Red River Settlement: Its Rise, Progress, and Present State with Some Account of the Native Races and Its General History, to the Present Day* (London, 1856), p. 403.

[30] Friesen, "Magnificent Gifts," p. 47.

Nowhere is this more evident than among the Blackfoot. Of the forty-three Siksika, Kainah, Pikuni and Sarcee leaders who signed Treaty Seven in 1877, seven had taken treaty with the Americans in 1855. Other individuals who attended the Blackfeet Treaty in the United States later ended up in Canada, without, however, also attending negotiations for the Canadian treaty. One signatory of the American treaty entered Treaty Seven by adhesion three months after negotiations ended.[31] Another fled the United States after involvement in the murder of twelve whites in 1865 and lived the last eight years of his life in Canada. He was shot and killed by an American trader at the confluence of the Oldman and Belly rivers during the winter of 1873-74, only three years before Treaty Seven was concluded.[32] The Cree leader Maskepetoon signed the Blackfeet Treaty as a witness. Nevertheless, Maskepetoon had his winter quarters at Wood Mountain north of the boundary and was the influential leader of an Assiniboin band. Individuals like Maskepetoon who signed the Blackfeet Treaty in the United States but who also had contacts in

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[31] The seven were Ekaskine, Pokapiw-otoian, Stamixosok, Sakoye-aotan, Natose-Onistors, Attistah-macan, and Pitah-siksinum. The eighth individual was Meanxkistomach. See Alexander Morris, *The Treaties of Canada with the Indians of Manitoba and the North-West Territories, Including the Negotiations on Which They Were Based, and Other Information Relating Thereto* (Toronto, 1971), pp. 368-375; and Kappler, *Indian Affairs*, vol. 2, pp. 737-740.

[32] This individual was Minixsee. See Hugh A. Dempsey, "The Amazing Death of Calf Shirt," *Montana: The Magazine of Western History* 3, 1 (January 1953), p. 65.

Canada were culture-bearers, bringing news of the United States and American treaty-making to relatives and associates in Canada.

The first officials of the British and Canadian governments to enter the Northwest found evidence that Native peoples there were aware of American treaty-making. In 1857, the British government sent John Palliser to explore the southern regions of the Hudson's Bay Company's lands. An object of suspicion to the Ojibwa of Fort Francis, Palliser reassured them by saying that he was not there "to take them [the Ojibwas' land] by force or even to bargain with them for the sale of their territories" at which point an Indian who had been trading in the United States and had seen how the Americans conducted relations with the Ojibwa urged the chief to "Make him put that on paper."[33] The Canadian government sent out its own expedition that summer, one headed by George Gladman and which included Henry Youle Hind and S.J. Dawson as geologist and surveyor respectively. They needed a guide to get them to Fort Garry, but the Lake of the Woods Ojibwa refused to furnish them with one. Alluding, perhaps, to treaties in the United States, the chief explained that "It is hard to deny your request; but we see how the Indians are treated far away." Where a few white men went, others were sure to follow: "the lands of the Indians pass from their

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[33] Irene M. Spry, *The Palliser Expedition: An Account of John Palliser's British North American Exploring Expedition, 1857-1860* (Toronto, 1963), pp. 29-30.

hands, and they have nowhere a home."[34]

If it is true that "Canadian" Indians gained first-hand experience of treaty-making in the United States, the question which then begs is to what degree those experiences influenced treaty-making in Canada. Jean Friesen has argued that the goal of treaty negotiations from an Indian perspective was to obtain economic security.[35] Before the signing of treaties, the land itself had provided security. The demands made at the treaty negotiations in Canada indicate that the Indians wanted the government to guarantee their economic security in lieu of their lands. Not surprisingly, similar sentiments were expressed by Indians in the United States. In 1879, the Lakota chief Red Cloud explained to Agent V.T. McGillycuddy at Pine Ridge that "The white man owes us a living for the lands he has taken from us."[36] Totally missing the point of Red Cloud's remarks, McGillycuddy wrote contemptuously that "agents [should be] made to put aside this sentimentalism of 'treaty rights,' 'chief's rights,' 'tribal rights' and such bosh," and to adopt "practical compulsory measures" to force the Indians to work. "What incentive is there for Indians to

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[34] Henry Youle Hind, *Narrative of the Canadian Red River Exploring Expedition of 1857 and of the Assiniboine and Saskatchewan Exploring Expedition of 1858* (New York, 1969), vol. 1, p. 99.

[35] Friesen, "Magnificent Gifts," pp. 46-47.

[36] Julia B. McGillycuddy, *McGillycuddy: Agent, A Biography of Dr. Valentine T. McGillycuddy* (Stanford, 1941), p. 103.

labor," he continued, "when they see their 'grand old chief' standing up in council with an annuity blanket hung around him in a style that would make a Roman senator in his toga envious, saying, 'We are the children of the Great Spirit; he put us on this land; the white men pay tribute to us; they feed and clothe us; the pale face has to work for a living; we don't.'"[37]

At the negotiations for Treaty One the Ojibwa had an extensive list of demands. They wanted clothing for the children, government-built housing, agricultural and hunting supplies, and freedom from taxation.[38] Friesen points out that the Indians from Treaties One and Two were aware of American treaties and incorporated negotiating positions from them into their own demands.[39]

In the Saskatchewan District, Native leaders approached the upcoming negotiations with an appreciation of the way agreements were reached in the United States. Commissioner Wemyss M. Simpson warned the government in 1872 that the Saskatchewan leaders expected treaty commissioners to disburse presents not only to chiefs and headmen but to individuals as well. The Americans did this, wrote Simpson, and the Indians

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[37] United States, *Annual Report of the Commissioner of Indian Affairs* (Washington, 1882), McGillycuddy to Commissioner, 30 October 1882, p. 36.

[38] *Manitoban*, 12 August 1871.

[39] Friesen, "Magnificent Gifts," p. 45 n. 7.

expected it before they would enter negotiations.[40] Cabinet minister Joseph Howe, who had visited the West just before the start of the Red River Rebellion, noted that Canadian treaty commissioners would be aided in their work if allowed to wear uniforms, "without which they [the Indians] are slow to believe that any one, having the Queen's authority, can be sent to treat with them."[41] This was to be expected: the men the American government appointed to conduct negotiations in the 1860s were overwhelmingly army officers.

At the negotiations for Treaty Six, the Indians made clear their desire to learn more about farming. They indicated that they wanted agricultural implements, cattle, seed, tools, schools, missionaries and a ban on the sale of liquor. They expected to be allowed to hunt as formerly, wanted free medicines and hoped to extract a promise from the government that it would provide them with emergency rations if such became necessary during the transitional period.[42] In response to complaints from Ottawa that the terms of Treaty Six were too generous, Commissioner Morris noted that "It was

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[40] NAC, RG10, vol. 724, note of 16 October 1872 signed by Spragge in reference to the letter from Simpson of 27 September, cited in John Leonard Taylor, "The Development of an Indian Policy for the Canadian North-West, 1869-1879," PhD diss., Queen's University, 1975, p. 97.

[41] Canada, Report of the Secretary of State for Canada, *Sessional Papers* (Ottawa, 1872), Joseph Howe to the Secretary of State, 17 April 1871, p. 4.

[42] Morris, *The Treaties of Canada with the Indians*, pp. 212-215.

the knowledge that similar terms had been previously granted to the American Indians, that led to the demands of the Crees for food and clothing, carpenters and blacksmiths &c." "Our Canadian Indians," he informed the minister of the interior, "are fully aware of all that transpires there [in the U.S.], and of the much more liberal terms granted by the American Government to the Indians, when treaties are made with them, and my only wonder is that the Indians made the Treaty at all."[43]

Natose-Onistors, who was present at the negotiations for the Blackfeet Treaty in 1855, used provisions of this American treaty as the basis for negotiations at Treaty Seven. "I hope and expect to get plenty," he began,

> we think we will not get so much as the Indians receive from the Americans on the other side; they get large presents of flour, sugar, tea, and blankets. The Americans gave at first large bags of flour, sugar, and many blankets; the next year it was only half the quantity, and the following years it grew less and less, and now they give only a handful of flour. We want to get fifty dollars for the Chiefs and thirty dollars each for all the others, men, women, and children, and we want the same every year for the future.[44]

Clearly, he wanted the Canadian treaty to have long-term benefits that the American one lacked. If treaty provisions were going to replace the bounty of the land, they, like the

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[43] Provincial Archives of Manitoba, Ketcheson Collection (MG12 B2), Morris to Minister of the Interior, Ft Garry, 27 March 1877.

[44] Morris, *The Treaties of Canada with the Indians*, p. 270.

land, had to be ample and eternal.

Scholars such as J.L. Tobias and J.E. Foster have argued that aboriginal perceptions of the numbered treaties must be seen within the context of previous alliances between Native peoples and European fur traders.[45] There is tremendous value in doing this, as all behavior is embedded within existing cultural norms. However, the emphasis on placing novel events within some existing cultural framework can have the effect of obscuring cultural adaptation to new situations. Agreements between Indians and fur traders were used to facilitate the fur and provision trade, not to buy and sell land. Although the rituals associated with these agreements appeared during treaty negotiations, the Indians were surely aware that the treaty commissioners were not fur traders and that their intentions were very different.[46] Fur trade agreements, while significant in later Native-white relations, were not the sole model upon which subsequent treaty negotiations were based. When searching for suitable models for dealing with treaty commissioners, Native leaders no doubt

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[45] See Tobias, "The Origins of the Treaty Rights Movement in Saskatchewan," in F. Laurie Barron and James B. Waldram, eds., *1885 and After: Native Society in Transition* (Regina, 1986), pp. 241-252; and Foster, "Indian-White Relations in the Prairie West during the Fur Trade Period--A Compact?" in Price, ed., *The Spirit of the Alberta Indian Treaties*, pp. 181-200.

[46] During various treaty negotiations Morris was careful to point out that he and his fellow commissioners had not come as traders. See Morris, *The Treaties of Canada with the Indians*, pp. 95, 201.

looked to their only other experience with treaties--experience that was gained in the United States. Clearly, for historians to better understand how Native leaders perceived and understood the numbered treaties on the Canadian plains, the influence of American treaty-making must be considered.

What about treaty-making among themselves?

# 4

## The Absence of Warfare on the Canadian Plains, 1850 to 1885

Historians are often concerned with beginnings, and beginnings are "best" when found in violent confrontation: New France was born of struggles against the Iroquois, the United States and English Canada were products of the American Revolution. A classic study places the birth of Western Canada in the Riel Rebellions, and not in the more peaceful (and, therefore, less glamorous) days of Hudson's Bay Company rule.[1] The arrival of Europeans in the New World has been likened to an invasion,[2] and in many parts of North America, newcomers were received with violence. Yet, what is remarkable about the history of Western Canada is not the level of warfare found there, but that warfare was absent prior to the North-West Rebellion of 1885. Violence between individuals occurred, but warfare--defined here as a concerted, organized violence between groups, and not unfocussed violence between

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[1] George F.G. Stanley, *The Birth of Western Canada: A History of the Riel Rebellions* (Toronto, 1961).

[2] Francis Jennings, *The Invasion of America: Indians, Colonialism, and the Cant of Conquest* (Chapel Hill, 1975). Since the publication of this book, if not earlier, the term "invasion" has been firmly entrenched within the jargon of native-white relations specialists in North America and elsewhere. For a Pacific example, see Henry Reynolds, *The Other Side of the Frontier: Aboriginal resistance to the European invasion of Australia* (Ringwood, 1982).

individuals--did not.[3] Why this was so has been the subject of considerable study, but little of this literature satisfactorily addresses the issue.

Over the years, several attempts have been made to explain the existence of peaceful interethnic relations in Western Canada. The oldest and most popular explanation, however, was that Canadian Indian policy was superior to American Indian policy, and thus resulted in less warfare.[4] Invidious comparisons to the American experience were taken as proof that Canadian policy was an enlightened one. In 1878, for example, Interior Minister David Mills reported that "The conclusion of this treaty [Treaty Seven] with these warlike and intractable tribes [the Blackfoot peoples], at a time when the Indian tribes, immediately across the border, were engaged in open hostilities with the United States troops, is certainly a conclusive proof of the just policy of the Government of Canada toward the aboriginal population."[5] Newspapers partial to the government were quick to echo these sentiments. The Winnipeg *Daily Free Press* noted that

> The Americans are never wholly without an Indian

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[3] The Red River Rebellion of 1869/70 was more a *coup d'etat* than warfare as defined here.

[4] A good summary of the literature is found in Hana Samek, *The Blackfoot Confederacy, 1880-1920: A Comparative Study of Canadian and U.S. Indian Policy* (Albuquerque, 1987), pp. 1-15.

[5] Canada, Annual Report of the Department of the Interior, *Sessional Papers* (Ottawa, 1878), Mills to Governor General, Ottawa, 31 December 1877, p. xvii.

> war on their hands, and probably the contest between the races will intermittently continue until the red man is finally driven off every inch of territory covered by the star-spangled banner. In British North America, on the contrary, the Indians are permitted to enjoy their existence under the protection of the laws, . . . The basis of this happy state of the relations between the white and red population of Canada is undoubtedly the treatment in good faith of the weaker race.[6]

Unlike the United States, Canada brought "justice" and "compassion" to the Indian. When the North-West Mounted Police were instructed to investigate a large Native gathering held in the Cypress Hills during the summer of 1876, the Toronto *Globe* took pride in reporting that

> Col. Irvine advanced his troops in a mass of columns, the whole numbering ten men. Having successfully pierced the centre of the camp, he threw amongst the Indians, at close quarters, hand grenades of a new pattern, patented by an eminent firm in Canada. These missiles were composed of sea biscuits, tea, sugar, and tobacco. The Indians never recovered from the first discharge. . . . How about the moral influence of the Police Force in this country?[7]

Many Americans were impressed. One western booster wrote that "Here are 400 mounted police who do the work that 15,000 of ours cannot, or, at least do not, do." He concluded that "the British management of the Indian question is so far superior to our own, that I can but make the comparison with a feeling

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[6] Winnipeg *Daily Free Press*, 5 July 1877, cited in Barbara J. Mayfield, "The North-West Mounted Police and the Blackfoot Peoples, 1874-1884," MA thesis, University of Victoria, 1979, pp. 128-129.

[7] "Life in the Nor'-West," *Globe*, 24 July 1876.

Challenge to Canadian Myth of a Peaceful West.



of shame."[8]

For much of the twentieth century, the belief in Canada's superior Indian policy was an established "fact" in both American and Canadian historiography. Paul Sharp wrote in 1955 that "Against a background of violence and hatred south of the forty-ninth parallel, the Canadian government conceived and executed an orderly, well-planned, and honorable policy."[9] And George Stanley said that Canada, in accordance with "British tradition, . . . brought justice to red and white man alike." Unlike in the United States where "the frontiersman effectively outdistanced effective administration," the settler in Canada "looked to organized justice and to the Mounted Police for his protection, and not to the rifle over his door."[10]

This explanation offers no insight into what motives aboriginal peoples living in Canada had for maintaining peace. Native peoples are portrayed as the passive victims of white actions, incapable, it would seem, of affecting the level of violence between themselves and the newcomers. Native peoples made up the vast majority of the population of the Canadian

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[8] F.W. Warner, *Montana and the Northwest Territory* (Chicago, 1879), pp. 8-9.

[9] Paul F. Sharp, "Three Frontiers: Some Comparative Studies of Canadian, American, and Australian Settlement," *Pacific Historical Review* 24 (1955), p. 373.

[10] George F.G. Stanley, "Western Canada and the Frontier Thesis," Canadian Historical Association *Historical Papers* (1940), p. 110.

Was an Indigenous driven history.



northwest. Had even a single group decided to launch a concerted attack against Canadian immigrants, the result would have been a disastrous blow to Canada's expansionist goals. Aboriginal peoples were active participants in Canadian history. They remained peaceful, but not because they were overawed or placated by Canada's "orderly, well-planned, and honorable policy." They had their own reasons for establishing peaceful relations with Canadians.

Native peoples in Canada were acutely aware of events in the United States. During the course of the nineteenth century, they witnessed the penetration of the American west by settlers, traders and soldiers. Native peoples whose lands lay on both sides of the white man's boundary encountered these newcomers for themselves. Others living further north had only heard about them. Yet, news about Americans travelled to all groups. By the late 1850s, aboriginal peoples living in Canada were "beginning to understand the great difference in the Hudson's Bay Company's treatment of the Indians from that of the Long Knives [American soldiers] to the south."[11] In large measure, the stereotypes formed about Americans by mid-century shaped the way Native peoples subsequently ordered their relations with Canadians. One of the most persistent fears Native peoples entertained about the

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[11] Peter Erasmus, *Buffalo Days and Nights* (Calgary, 1976), p. 101. The term "Long Knives" entered the vernacular as a general expression for Americans, but its allusion to bayonets suggests that it referred specifically to soldiers.

Fear of American Expansionism



United States was that Americans--soldiers and liquor peddlers especially--would cross the boundary and destroy Native peoples and expropriate Native lands in Canada. Although they probably had never heard the expression "manifest destiny," they, like their Canadian contemporaries,[12] greatly feared American expansionism.

Native peoples realized that a boundary separated Canadians from Americans, but its permanence was open to question. Native territories shifted along with the balance of power between Native groups; it stood to reason that the Canada-United States boundary would also give way to greater might. Would the boundary between Canada and the United States hold back the Americans? The Indians certainly hoped that it would. "Out here on the plains," wrote a member of the U.S. Boundary Commission, the Lakota "welcome the boundary separating the British territory, what they call the 'Grandmother country' from the United States. They would like it to be a continuous wall across the plains."[13] An English mixed-blood informed Lieutenant Governor Alexander Morris that the Indians of the North-West Territories "would prefer to

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[12] See Desmond Morton, "Comparison of U.S./Canadian Military Experience on the Frontier," James P. Tate, ed., *The American Military on the Frontier* (Washington, 1978), pp. 20-21.

[13] Quoted in Marion Botsford Fraser, *Walking the Line* (Vancouver, 1989), p. 129.

have the boundary between the two countries clearly defined."[14]

Beginning in the 1850s, aboriginal peoples living in British territory expressed fears concerning European expansion. When the first Europeans penetrated the Canadian northwest for purposes other than the fur trade, Native peoples questioned them about their intentions. In 1857, Henry Youle Hind, a geologist sent by the Canadian government to comment on the resources of the northwest, met with opposition from the Ojibwa of the Lake of the Woods. A council was held with the Indians, who wanted to know why the whites were travelling through that part of their country. The Ojibwa leader explained that "The reason why we stop you is because we think you do not tell us why you want to go that way, and what you want to do with those paths."[15] Comments such as this were not exceptional, but, rather, expressed a common concern among aboriginal peoples about non-Native encroachment.

It is essential that historians ask who these whites were who would supposedly come and steal aboriginal lands. The Hudson's Bay Company undoubtedly suggested to Native peoples that these newcomers would be Americans. Most Hudson's Bay

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[14] Provincial Archives of Manitoba (hereafter PAM), Alexander Morris Papers, Ketcheson Collection (hereafter MG12 B2), Morris to Minister of the Interior, Ft Garry, 27 May 1874.

[15] Henry Youle Hind, *Narrative of the Canadian Red River Exploring Expedition of 1857 and of the Assinniboine and Saskatchewan Exploring Expedition of 1858* (New York, 1969), vol. 1, pp. 98-99.

Company employees had developed an active dislike for Americans. One trader, for example, referred to a group of Americans he encountered at Edmonton in the late 1850s as "a tough crew of reckless, noisy, adventurers" whose backs "We were all glad to see."[16] Stung by the loss of Oregon to American settlement in 1846, and concerned about the growing number of free traders from the United States who operated north of the boundary, the company preferred to keep Americans out of the British northwest and undoubtedly communicated its concerns about Americans to the aboriginal peoples of the area. In 1862, a Cree leader from the Fort Carlton area told "tourist" Walter Cheadle that "he had been frightened by the Company's men telling him numbers of white men would soon enter his country & he must beware them."[17]

Perhaps some Native peoples foresaw a day when Canadians would push west. If they did, it would have been a conclusion deduced from the fact that Americans had been moving westward as early as the 1830s. The Robinson treaties, which opened parts of Upper Canada to white settlement, were signed in the 1850s and Native leaders possibly viewed these as precedents for future action on the plains. Moreover, Canadian settlers were beginning to appear in Red River during this decade.

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[16] William S. Gladstone, *The Gladstone Diary: Travels in the Early West*, Freda Graham Bundy, ed. (Lethbridge, 1985), p. 52.

[17] Walter Butler Cheadle, *Cheadle's Journal of Trip Across Canada, 1862-1863* (Ottawa, 1931), p. 66.

Indigenous did not fear the Police



Yet, it is unclear to what degree plains peoples saw Canadians as a potential military threat. An American trader operating in the Canadian Northwest told Alexander Morris in 1874 of the Indians' belief "of the weakness of Canada, in a Military point of view."[18] That same year the Canadian government dispatched the North-West Mounted Police to the west, but it remained a weak force--a fact well-recognized by policemen. Cecil Denny noted in the wake of the Lakota exodus that the police outpost at Wood Mountain "consisted of less than fifty men behind a flimsy wooden stockade that a war-party of Sioux could have taken in an hour."[19] Another official wrote that the Indians had no respect for the police at Fort Walsh: "their manner is defiant always, they think they are the stronger."[20] Such sentiments led to anxious comments from agents. One felt it was unwise to allow the Indians to congregate at Fort Walsh, for when they did "they feel their strength, become unruly and are difficult to manage."[21] While settlers from Canada were, in fact, moving westward, their numbers were very small before the 1880s, and they

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[18] PAM, MG12 B2, Morris to Minister of the Interior, Ft Garry, 25 April 1874.

[19] Denny, *The Law Marches West*, W.B. Cameron, ed. (London, 1939), p. 148.

[20] National Archives of Canada (hereafter NAC), Records Relating to Indian Affairs (hereafter RG10), vol. 3744, file 29506-1, Wadsworth to Galt, Ft Walsh, 8 August 1881. See also *ibid.*, Wadsworth to Vankoughnet, Ft Walsh, 29 August 1881.

[21] *Ibid.*, Edwin Allen to Dewdney, Ft Walsh, 4 May 1881.

gathered in the Red River and Assiniboine River valleys. The attention of plains peoples would have been diverted away from this insignificant number of Canadians, and drawn towards the far greater number of Americans who had pushed west further south. American expansion did not occur at a distance--it was on the plains, it was immediate, and Natives from Canada knew about it.

The demarcation of the international boundary on the plains between 1872 and 1876 produced a panic among aboriginal peoples, causing Alexander Morris to write in 1872 that

> There is a movement of some kind among the Indian tribes in the North-West Territories and the American States. I believe it to be in part created by the Boundary Commission. They do not understand it, and think the two nations are uniting against them.[22]

These fears were prompted not by any misunderstanding about the purpose of the commission, but by the presence of American soldiers among the American survey party.[23] Warfare on the American plains had unnerved the Americans who thus felt that a military escort was necessary to ensure their "safety and exemption from molestation."[24] To Native peoples, the

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[22] Canada, Annual Report on Indian Affairs, *Sessional Papers* (Ottawa, 1873), Morris to Secretary of State for the Provinces, Ft Garry, 13 Decemeber 1872, p. 13.

[23] NAC, RG10, vol. 3610, file 3528, Morris to Minister of the Interior, Ft Garry, 6 June 1874.

[24] United States, Department of State, *Reports upon the Survey of the Boundary between the Territory of the United States and the Possessions of Great Britain from the Lake of the Woods to the Summit of the Rocky Mountains* (Washington, 1878), p. 26.

presence of this force seemed a prelude to invasion.

Given the state of uneasiness surrounding the work of the boundary commission, the decision to dispatch the North-West Mounted Police to the west in 1874 could not have come at a more inopportune time. Morris expected resistance from Native peoples to the entry of the police; the Blackfoot and Assiniboin had both recently been involved in violent acts against American troops, and it was unclear how they would respond to the arrival of an armed Canadian force.[25] He repeatedly urged the government to send messengers in advance of the force to explain its purpose to the Indians.[26] The Canadian government ignored his advice, but instructed the police to explain to Native peoples once they had arrived that they had not come to expropriate Native lands. This had its desired effect among some groups--Isapo-muxika and other Blackfoot leaders reportedly received this information "with great satisfaction."[27] But, what the government did not anticipate was that some groups would fail to understand that

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[25] PAM, MG12 B2, Morris to Minister of Interior, Ft Garry, 19 January 1874.

[26] *Ibid.*, Telegram Book No. 2, Morris to Dorion, 26 May 1874; *ibid.*, Morris to Minister of Interior, Ft Garry, 27 May 1874; NAC, RG10, vol. 3610, file 3528, "Memorandum of Statement Made to the Lieut. Governor of the North-West Territories, by Joseph Tanner, otherwise known as 'Kissoway' a Saulteaux trader from the South Branch of the Saskatchewan--May 30th 1874."

[27] S.B. Steele, *Forty Years in Canada: Reminiscences of the Great North-West with Some Account of the His Service in South Africa* (Winnipeg and London, 1915), p. 79.

Refugee Indigenous threat.



these newcomers were Canadians. Kissoway, an Ojibwa trader from the South Branch of the Saskatchewan River, informed Alexander Morris that "The Indians had been told that a party of soldiers had gone and scattered through the country, & that the object was for the Americans to take away their country against their will."[28] That some groups originally mistook the North-West Mounted Police for American soldiers underscores the fears they held about the troops that accompanied the American boundary commission.

Another significant cause for concern among the aboriginal peoples of the Canadian northwest was the arrival of refugee Indians from the United States. While the refugees all had much to say about the evils of Americans, their arrival was far more significant because it gave the United States Army an excuse to violate Canadian sovereignty. Although the story is perhaps apocryphal, the Comptroller of the North-West Mounted Police reported that the Blackfoot "expressed their unaltered loyalty to the British Crown," and expressed a willingness to help the Canadian government drive one of group of refugees out of Canada.[29] This action would remove the "bait" which might lure U.S. troops north.

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[28] NAC, RG10, vol. 3610, file 3528, "Memorandum of Statement Made to the Lieut. Governor of the North-West Territories, by Joseph Tanner, otherwise known as 'Kissoway' a Saulteaux trader from the South Branch of the Saskatchewan--May 30th 1874."

[29] Canada, Annual Report of the North-West Mounted Police, *Sessional Papers* (Ottawa, 1878), White to Scott, Ottawa, 31 December 1877, p. 21.

After defeat in the Minnesota Uprising of 1862, members of the Dakota nation began arriving in the Red River Settlement. Their movements were paralleled by those of the U.S. Army which stationed four hundred troops at Pembina, just south of the border.[30] The initial reaction of the United States government to this migration was to ask British authorities for permission to cross the boundary in pursuit of the "hostiles." In May 1863, William Seward, the American Secretary of State, asked the British embassy in Washington for permission to pursue the Dakota. The British denied the request on the grounds that such action would violate the British Proclamation of Neutrality issued two years earlier in response to the outbreak of the American Civil War.[31] In January 1864 Seward again requested permission to cross the border, as did Major Edwin A.C. Hatch, commander of the American forces at Pembina, in April 1865. Both times the Americans' requests were refused.[32] The British instructed A.G. Dallas, the Governor-in-Chief of Rupert's Land that "nothing short of actual and imminent peril to the lives of yourself and the settlers would justify the intervention of a foreign force on British Territory."[33] Denied permission to

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[30] Gontran Laviolette, *The Sioux Indians in Canada* (Regina, 1944), p. 55.

[31] Peter Douglas Elias, *The Dakota of the Canadian Northwest: Lessons for Survival* (Winnipeg, 1988), p. 21.

[32] *Ibid.*, pp. 23, 25.

[33] Quoted in *ibid.*, p. 24.

cross into British territory, the Americans conducted a clandestine raid. On either 17 or 18 January 1864, a small detachment under Lieutenant Cochrane of the Pembina garrison crossed the border and abducted the Dakota leaders Shak'pay and Wakanozhan.[34] The raid had an impact on the Dakota leadership. During a meeting with Governor W. McTavish of Assiniboia, the Dakota "spoke a good deal about their English medals got during the American war [the War of 1812], and complained of the permission given Major Hatch to pursue their fellow sufferers on British territory."[35] In their opinion, they were "British" Indians and, as such, "did not think they deserved such treatment."[36] Other "British" Indians in the area undoubtedly shared their concerns.

The Lakota began crossing into Canada in 1876 after winning the Battle of the Little Big Horn, but losing the war. Oral testimony collected in the 1930s suggests that they were unsure during their flight whether or not the U.S. Army would stop at the border.[37] When several hundred Nez Perce reached Canada in 1877 and arrived at the Lakota' Wood Mountain camp, concern over American troop movements again came to the fore.

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[34] *Ibid.*, p. 23.

[35] Joseph James Hargrave, *Red River* (Montreal, 1871), p. 340.

[36] "Another Sioux Visit," *Nor'-Wester*, 1 September 1864.

[37] Stanley Vestal, *New Sources of Indian History, 1850-1891: The Ghost Dance--The Prairie Sioux, A Miscellany* (Norman, 1934), p. 236.

The Commissioner of the North-West Mounted Police, James F. Macleod, reported that the Lakota "were evidently afraid that the American soldiers would not be prevented from crossing the line to attack them."[38]

"Hot pursuit" was not considered an option by American authorities after the Lakota's fight into Canada. Nevertheless, Colonel Nelson A. Miles, sent to bring in the "Sioux," was something of a loose cannon. Miles requested permission from General William T. Sherman in January 1878 to conduct a raid across the border, but Sherman replied that this could not be done without the president's direct permission.[39] Told repeatedly by superiors not to enter Canada, Miles indicated that he just might anyway. In July 1879, *Chicago Times* reporter John Finerty asked Miles "Supposing you have an engagement with Sitting Bull [Tatankaiyotake] and whip him, will you respect the boundary line in the case he should retreat across it?" Miles replied--perhaps with a popular audience in mind--that "That must be an after consideration. . . . I can hardly give a specific answer at this stage of the proceedings."[40] As a result of

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[38] Canada, Annual Report of the North-West Mounted Police, *Sessional Papers* (Ottawa, 1878), Macleod to Mills, Ft Macleod, 27 October 1877, p. 45.

[39] Robert Wooster, *The Military and United States Indian Policy, 1865-1903* (New Haven, 1988), p. 98.

[40] John F. Finerty, *War-Path and Bivouac or The Conquest of the Sioux: A Narrative of Stirring Personal Experiences and Adventures in the Big Horn and Yellowstone Expedition of 1876, and in the Campaign on the British*

Balance of Power.



these comments, Sherman advised General Philip Sheridan to keep a close eye on Miles,[41] and Miles was instructed to do all he could to avoid an Indian war.[42]

Overall, the United States was unwilling to provoke war with Britain by violating Canadian sovereignty; notwithstanding what Miles had told him, Finerty noted the reluctance of the Americans to cross into Canada, writing that:

> our policy on the northern frontier is essentially different from that in vogue on the line of the Rio Grande. Were Sitting Bull at that time protected by Senor Diaz' government instead of by that of Queen Victoria's son-in-law, McKenzie [*sic*] would have been allowed to "whoop him up.". . . Such is the difference between our affection for England and for Mexico.[43]

Native peoples on the Canadian plains might very likely have considered this an "after consideration" as well. As late as 1883, Robert T. Lincoln, the American Secretary of War, pressed for a "hot pursuit" agreement with Canada, although no agreement was ever made.[44] With good reason, Native peoples

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*Border in 1879* (Norman, 1961), p. 245.

[41] Wooster, *The Military and United States Indian Policy*, p. 98.

[42] "The Indian Troubles," *New York Times*, 25 July 1879.

[43] Finerty, *War-Path and Bivouac*, p. 269. Porfirio Diaz was the president of Mexico between 1877 and 1880. Queen Victoria's son-in-law, the Marquis of Lorne, was Canada's governor general. "McKenzie" refers to General Ranald S. Mackenzie, the officer who lead the Americans' first illegal raid into Mexico in 1873.

[44] Wooster, *The Military and United States Indian Policy*, p. 183.

hoped to have the boundary between Canada and the United States "clearly defined."

The fears aboriginal peoples in Canada had of Americans drove them into closer relations with Canadians. Ironically, if warfare broke out with the Canadians, the Indians would be the likely victors. The police were few in number, and the ability of the Canadian government to send additional troops into the area would have been hampered by the fact that the Canadian Pacific Railway was still years from completion. In addition, judging from their reactions to the North-West Rebellion in 1885, most settlers would have probably preferred to flee rather than fight the Indians. However, Americans would likely view such success as destabilization, and they might respond by intervening in Canadian affairs. Such a result would be disastrous to both aboriginal autonomy and survival. Thus, Native leaders chose to have peace with the Canadians. The Cree leader Mistawasis, for example, counselled his followers to "Look to the great Indian nations in the Long Knives' country who have been fighting since the memory of their oldest men. They are being vanquished and swept into the most useless parts of their country. Their days are numbered like those of the buffalo. There is," he concluded, "no law or justice for the Indians in the Long Knives' country."[45] He chose a different road.

In Canada, Native leaders used treaty negotiations to

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[45] Erasmus, *Buffalo Days and Nights*, p. 249.

conclude alliances with the Canadians that would afford them protection from Americans. As Jean Friesen suggests, many Native negotiators realized that the treaties resulted in "a land sale on an enormous scale."[46] Yet this did not preclude leaders from viewing treaties as the formal act of alliance as well. During the negotiations which led up to Treaty Six, Mistawasis cautioned a Native council at Fort Carlton that

> The Big Knives of the south came into Blackfoot territory as traders; though few in number they have conquered these nations, and that, all the Crees in the days of our fathers and their fathers before them failed to do. How did they do it? Listen closely, my brothers, and you will understand. What was done to them can be done to us if we throw away the hand that is extended to us by this treaty.[47]

To Mistawasis, it was clear that with Canadian help his people would be better able to prevent the incursion of American whiskey traders who had done so much to harm the Blackfoot peoples. Mistawasis realized as well that peaceful relations with the whites were necessary for the attainment of this goal. "The prairies have not been darkened by the blood of our white brothers in our time. Let this always be so. I for one will take the hand that is offered."[48]

Other leaders expressed these same opinions. The Cree leader Wikaskokiseyin had asked for Canadian help in ridding

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[46] Friesen, "Magnificent Gifts: The Treaties of Canada with the Indians of the Northwest, 1869-76," *Transactions of the Royal Society of Canada*, ser. 5, vol. 1 (1986), p. 43.

[47] Erasmus, *Buffalo Days and Nights*, p. 247.

[48] *Ibid.*, p. 249.

his lands of American traders as early as 1871,[49] and he, too, saw peaceful relations with the Canadians as a means toward obtaining that end. At the Treaty Six negotiations concluded at Fort Pitt, he told Commissioner Alexander Morris that "When I hold your hand I feel as if the Great Father were looking on us both as brothers. I am thankful. May this earth here never see the white man's blood split on it."[50] Isapo-muxika of the Siksika also recognized the advantage that an alliance with the Canadians had given his people in eliminating the American traders. At the Treaty Seven negotiations he asked: "If the Police had not come to the country, where would we be all now? Bad men and whiskey were killing us so fast that very few, indeed, of us would have been left to-day. The Police have protected us as the feathers of a bird protect it from the frosts of winter."[51] He, like the others, signed the treaty. The determination to have peace with the Canadians was, as one recent scholar has stated, "one of the most important principles of the

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[49] "Messages from the Cree Chiefs of the Plains," enclosed in Christie to Archibald, 13 April 1871, reprinted in Alexander Morris, *The Treaties of Canada with the Indians of Manitoba and the North-West Territories, Including the Negotiations on Which They Were Based, and Other Information Relating Thereto* (Toronto, 1971), p. 171.

[50] *Ibid.*, p. 237.

[51] *Ibid.*, p. 272.

Eventual Rebellion



treaty."[52]

Native peoples on the Canadian plains pursued a deliberate policy of cultivating peaceful relations with Canadians, and yet, that policy ultimately failed. It was not long ago, reported one western newspaper shortly after the Northwest Rebellion of 1885, "when the fact of a man being a British subject was sufficient passport through the Indian country of the North-West, especially on the Saskatchewan, while on the contrary everything [which] belongs to, or savoring of the United States, was looked upon with distrust and dislike. But times are sadly changed."[53] A litany of broken treaty promises left Native peoples' faith in the Canadian government irreparably compromised. Requests for the redress of their grievances had been "again & again made without effect," causing Native peoples to view the government's pledges as nothing more than "sweet promises."[54] Still, few Indian peoples joined the Metis in the Northwest Rebellion. Their sense of betrayal was real, but starvation during the 1880s had weakened their ability to fight.

Previously, historians argued that Canada's Indian policy

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[52] A. Blair Stonechild, "The Indian View of the 1885 Uprising," F. Laurie Barron and James B. Waldram, eds., *1885 and After: Native Society in Transition* (Regina, 1986), p. 157.

[53] "The Indians of the North-West," *Brandon Sun*, 4 June 1885.

[54] NAC, RG10, vol. 3697, file 15423, J. Ansdell Macrae to Dewdney, 25 August 1884.

was superior to the American's because it resulted in less violence. Today's historians, convinced like their predecessors that the level of violence resulted from European policies and not aboriginal agency, argue that the level of violence in Western Canada has been grossly underestimated.[55] By redefining warfare to include all acts of coercion, scholars like Tobias challenge the myths surrounding Canadian Indian policy by showing that "Canadian authorities were willing to and did wage war upon the Cree."[56] The problem with this approach is that it challenges the theory by trying to discredit the evidence, although the theory never explained the evidence in the first place. Canadian Indian policy was coercive, oppressive, and unquestionably dishonorable, but this did not manifest itself through greater levels of violence. Western Canada was relatively peaceful, but this had less to do with the policies implemented by whites than it had with the policies implemented by Native leaders. By trying to correct one ethnocentric conception of the past, historians have inadvertently created another.

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[55] This was one of the major themes propounded at a recent conference on the legal history of the West. See, among other conference contributions, Rod MacLeod, "Law and Order on the Canadian Frontier," paper presented at the Law for the Elephant, Law for the Beaver: Transboundary Conference on the Legal History of the West and North-West of North America, University of Victoria, 22 February 1991.

[56] John L. Tobias, "Canada's Subjugation of the Plains Cree, 1879-1885," *Canadian Historical Review* 64, 4 (December 1983), pp. 519-548.

## "Imaginary Boundary-Lines"

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### Conclusions

Nineteenth-century Europeans were quick to dismiss any evidence that suggested that Native peoples felt a sense of territoriality. It was so much easier to expropriate Native land when one did not have to live with the guilt of stealing something valued by its owners. That Native peoples were territorial and might actually respect the boundaries that circumscribed aboriginal territories was more than whites were willing to believe. In 1871, the American agent to the Blackfoot noted that his charges crossed and recrossed the boundary between Canada and the United States, and yet stopped short of encroaching upon the lands of other Indians. "They seem . . . to be governed by imaginary boundary-lines," he wrote, but "express themselves as perfectly willing to remain in what they consider their own country."[1] It was the height of irony. For Native peoples in the 1870s, it was the border between Canada and the United States that must have seemed imaginary. A decade and a half later, the imaginary border had been sealed.

By the autumn of 1878, the buffalo had become all but

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[1] United States, *Annual Report of the Commissioner of Indian Affairs* (Washington, 1871), J. Armitage to the Commissioner of Indian Affairs, Teton Valley, 1 September 1871, p. 428.

extinct on the Canadian plains. As a result, thousands of northern Indians migrated to the last of the herds in the United States. W.L. Lincoln, the American Indian agent at Fort Belknap, estimated that between three and five thousand "British" Indians were in the neighbourhood of the Bear Paws and Little Rockies alone.[2] Canadian Indian Commissioner Edgar Dewdney estimated that somewhere between seven and eight thousand Cree, Assiniboin, Kainah, Siksika and Pikuni left for the United States the following year.[3] That large numbers were involved in this migration was also indicated by Norman T. Macleod, the agent for Treaty Seven, who reported that "only the old and helpless" remained behind in the Siksika camp near Fort Macleod.[4] Some of the Cree and about half of the Kainah returned to Canada during the summer of 1880 to collect their annuities, but the Cree immediately returned to the south when they heard that bison were moving into the area around Fort Belknap on the American side of the Milk River.[5] Many of the Indians returned to Canada during the summer of

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[2] National Archives of Canada (hereafter NAC), Records Relating to Indian Affairs (hereafter RG10), vol. 3691, file 13893, Lincoln to E.A. Hayt, Ft Belknap, 6 October 1879.

[3] Canada, Annual Report of the Department of Indian Affairs, *Sessional Papers* (Ottawa, 1881), Dewdney to Superintendent General of Indian Affairs (SGIA), Ottawa, 31 December 1880, p. 81.

[4] *Ibid.*, Macleod to Dewdney, Ft Macleod, 29 December 1880, p. 97.

[5] *Ibid.*, Dewdney to SGIA, Ottawa, 31 Decemeber 1880, p. 93.

1881,[6] but four thousand still remained in the United States.[7]

Throughout this period, the Canadian government was concerned that the movement of aboriginal peoples across the border might escalate into a diplomatic row between Canada and the United States, and desperately tried to cover up its involvement in sending Indians south. In 1881, Dewdney was instructed by the Deputy Superintendent-General of Indian Affairs to notify all departmental employees that they were to refrain from discussing or expressing opinions on Indians crossing the border with any American government or army personnel.[8] The American government could not complain about Canadian actions if it did not know what those actions were.

Despite Dewdney's protests that the government would be breaking faith with the Indians by controlling their movements, the Canadian government was taking steps by 1882 to stop Native peoples from crossing the boundary.[9] By withholding rations from Native peoples who refused to go to their assigned reserves, the government hoped to "starve them

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[6] Canada, Annual Report of the Department of Indian Affairs, *Sessional Papers* (Ottawa, 1882), John A. Macdonald to Governor General, Ottawa, p. xxxvii.

[7] *Ibid.*, Dewdney to SGIA, Ottawa, 1 January 1882, p. 54.

[8] NAC, RG10, vol. 3740, file 28748-1, [DSGIA] to Dewdney, Ottawa, 25 April 1881.

[9] *Ibid.*, Dewdny to Superintendent General of Indian Affairs, Ottawa, 27 March 1882.

out" of border areas, especially near Fort Walsh.[10] Indians were "not to be permitted to think that they can go to any Post a similar Ration to those who belong there."[11] The policy had disastrous effects on Native health. Agent A. McDonald noted in 1882 that "The Indians look very bad, I know they are not getting enough flour but I like to punish them a little, I will have to increase their rations, but not much."[12] Yet, Native peoples responded to the curtailment of rations not by giving up and going to the reserves, but by crossing "the line in strong armed parties" to get what food they could in the United States.[13]

As far as the American government was concerned, the presence of so many "British" Indians only served to deprive "American" Indians of their food supply. The government gave instructions to the army to drive "Canadian" Indians back into Canada. The U.S. Army began encountering hunting parties of aboriginal peoples from Canada in 1878, and just as soon began sending them back north. Soldiers from Fort Belknap warned them that they would be sent to prison for two years and have

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[10] *Ibid.*, vol. 3744, file 29506-2, A.G. Irvine to F. White, Ft Walsh, 20 May 1882.

[11] *Ibid.*, file 29506-1, extract of letter of E.T. Galt to Insp. Wadsworth, 13 July 1881.

[12] *Ibid.*, file 29506-3, A. McDonald to [Dewdney], Ft Walsh, 11 November 1882.

[13] *Ibid.*, J.H. McIllree to Indian Commissioner, Ft Calgary, 2 December 1882; and see also *ibid.*, vol. 3744, file 29506-2, McIllree to Indian Commissioner, Ft Walsh, [rec'd DIA] 30 July 1882.

their horses and carts confiscated if they returned to American soil.[14] Such threats had little effect at first. W.L. Lincoln noted that the Indians "pay but little attention to my representations thinking that we, the American Soldiers, are afraid of them."[15] In truth, American policy was lenient towards "British" Indians, who were viewed as the subjects of a foreign power. Frederick White of the North-West Mounted Police reported that "Dominion Indians have raided across the Border, and meeting with no effective punishment or loss when confronted or turned back by American troops, have had apparently, in their own view, no risk to run in their incursions beyond temporary delays when discovered, as, when arrested and put across the boundary, they often return soon after the backs of the troops are turned."[16] By 1881, the Americans had become increasingly aware of the depredations committed by the northern Indians and were "determined to deal with them severely."[17] Yet, American policy had no "teeth" and remained unsuccessful. Cecil Denny, an ex-policeman turned Canadian Indian agent, noted that a large party of troops from Fort Assiniboine had come across 250 lodges of

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[14] *Ibid.*, vol. 3687, file 13607, Patrice Breland to Cher Docteur, Cypress Hills, 24 November 1878.

[15] *Ibid.*, vol. 3691, file 13893, Lincoln to E.A. Hayt, Ft Belknap, 6 October 1879.

[16] *Ibid.*, vol. 3740, file 28748-1, White to Minister of the Interior, Ottawa, 9 June 1883.

[17] *Ibid.*, vol. 3744, file 29506-1, Edwin Allen to Dewdney, Ft Walsh, 4 May 1881.

Cree and tried to intimidate them into leaving: "The soldiers placed their guns in position and ordered the camp to leave, but the Indians paid no attention to them, and the troops had to return to Assiniboine without having made the Indians move."[18] At the same time as Denny was relating this incident to his superiors, it was rumoured that two Indians caught horse-stealing had been hanged by Montana ranchers.[19] This action, more forceful than any the army was prepared to take, had the desired effect. Denny noted that the Indians, fearing similar actions on the part of other American settlers, "seem afraid to go across the lines."[20]

By the middle of 1882, the American government decided to pursue a more vigorous policy. That summer four companies of troops from Fort Assiniboine were detailed to patrol the boundary along the Milk River.[21] A party of Metis and Indians was captured that summer and their horses, rifles, ammunition--"nearly all they possessed"--were taken from

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[18] *Ibid.*, Denny to Indian Commissioner, Ft Walsh, 16 November 1881.

[19] *Ibid.*, C.E. Denny to Dewdney, Ft Walsh, 1 November 1881. Montana stockmen had been petitioning the Departmental Military Commander since May to remove Canadian Indians from the U.S. See *ibid.*, Edwin Allen to Dewdney, Ft Walsh, 4 May 1881. Denied satisfaction through this channel, stockmen took the law into their own hands in November.

[20] *Ibid.*, Denny to [Dewdney], Ft Walsh, 9 November 1881.

[21] *Ibid.*, file 29506-2, J.H. McIllree to Indian Commissioner, Ft Walsh, 27 June 1882.

them.[22] Although bison were reported to be plentiful on the American side of the line as late as October 1882, the Indians were afraid to cross over as "the American Troops are watching them closely to try and catch them."[23] The possibility of capture now had greater meaning. No longer were Indians simply be taken to the Canadian border and set free; now possessions were confiscated, and the Indians were deposited at the border with only four or five days rations.[24] By the force of arms, American authorities succeeded in preventing most Native peoples from crossing the border.

Although Canadians and Americans succeeded in making the boundary an increasingly greater barrier during the 1880s, it is doubtful whether Native peoples reacted by becoming any more "Canadian" or "American." If anything, Native peoples resented the constrictions placed on their movements. In the early twentieth century, one Iroquois informed the British Embassy in Washington that "it is a real shame to subject the Indians to [the] Immigration laws of the United States in order to go to the land where their great-grandfathers have roamed years ago." The Indians, he added, "were not consulted when Great Britain and [the] United States agreed to their

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[22] *Ibid.*, file 29506-3, J.H. McIllree to Indian Commissioner, Ft Calgary, 2 December 1882.

[23] *Ibid.*, Peter Houri to Lt. Col. A. McDonald, Ft Walsh, 13 October 1882.

[24] *Ibid.*, vol 3740, file 28748-1, Capt. C.R. Paul to Lieut. R.F. Bates, Ft Assiniboine, 3 May 1883 and H.H. Adams to Lieut. R.F. Bates, Ft Assiniboine, 30 May 1883.

boundary lines, therefore it is my firm belief that it is an injustice to the Indians to bar them from passing and repassing the said boundary lines."[25] Decades later, Native peoples have utterly rejected the idea that they are either Canadian or American. A former chief of the Tobacco Plains Band of Canada stated the point bluntly: "We shouldn't be classified as Canadian or American. We are the same people [on both sides of the border]; we're all Kootenays."[26] Comments such as this undoubtedly reflect a sense of moral outrage against colonialism, yet they also indicate just as forcefully that Native identities are not based on citizenship in modern nation-states. In the early 1980s, Alvin Kienetz conducted a poll of grades seven to ten students in the school of the reserve community of Pukatawagan, in northern Manitoba. Asking them to rank six ethnic identifications, he found that five times as many identified more with some aboriginal category than with being Canadian.[27] Aboriginal peoples have realized that the first step towards self-determination is, in fact, the process of defining who one is--and it is neither Canadian or American. That historians continue to impose "Canadian" and "American" labels on Native peoples is

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[25] *Ibid.*, vol. 6819, file 490-3-3 part 1, Joseph Awennenhawi Beauvais to the Secretary of the British Embassy, Camp Luawaga, Caughnawaga Indian Reserve, 13 March 1926.

[26] Elizabeth Gravelle, quoted in Marion Botsford Fraser, *Walking the Line* (Vancouver, 1989), p. 140.

[27] Alvin Kienetz, "Ethnic Identity in Northern Canada," *Journal of Ethnic Studies* 14, 1 (Spring 1986), pp. 129-134.

indicative of the pervasiveness of their own nationalist perspectives.

Bruce Trigger has written that "In spite of all the progress that has been made so far, there are strong reasons to believe that entrenched European stereotypes continue to distort our understanding of Native peoples and their history."[28] The imposition of European nationalities upon Native peoples is one of these entrenched stereotypes, and the effect of this misconception has been profound.

A complete treatment of the Dakota exodus has been rendered difficult by the influence of modern nationalist perspectives in American and Canadian historiography. In American textbooks, both the Minnesota Uprising and the Great Sioux War end when the army sent in additional troops to crush the last Native resistance. Rarely is more than a paragraph given to those Dakota who sought survival north of the border.[29] Joseph Manzione noted perceptively that texts on the war with the Lakota usually end with the sentence: "Some

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[28] Bruce G. Trigger, "The Historians' Indian: Native Americans in Canadian Historical Writing from Charlevoix to the Present," *Canadian Historical Review* 67, 3 (September 1986), pp. 315-342.

[29] See, for example, Gary Clayton Anderson, *Kinsmen of Another Kind: Dakota-White Relations in the Upper Mississippi Valley, 1650-1862* (Lincoln, 1984), p. 278; Robert M. Utley, *The Indian Frontier of the American West, 1846-1890* (Albuquerque, 1984), pp. 77, 80, 187-188; Richard White, *"It's Your Misfortune and None of My Own": A New History of the American West* (Norman, 1991), p. 104.

[Lakota] followed Sitting Bull into exile in Canada."[30] Apparently, once Indians leave the United States, they are no longer the subject of American history. Canadian historians pick up the history of the Dakota in 1862 and 1876--only after they become the subject of Canadian history. The result has been the creation of two separate histories--one discretely ending at the forty-ninth parallel, where the other one begins. Certain events in Dakota history did end at the border--warfare was one--and other events began there. Yet, those elements of Dakota history that spanned both years and the boundary have not yet been thoroughly examined. The continuity of Dakota history fits into the interpretative framework of neither nationalist perspective and, all too often, is ignored as a result.

By failing to examine what Native peoples knew of the United States, it is easy for historians to assume that Native peoples did not understand the numbered treaties of the 1870s in the same manner as Europeans. The major source of information available to Native leaders regarding treaties has been removed from the view of Canadian historians. Perhaps the Plains Indians did not fully understood what Americans hoped to achieve by the agreements of the 1830s and 1850s, but surely they did a generation or more later when Canadians approached them for the same purpose. It would be remarkable

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[30] Joseph Manzione, *"I Am Looking to the North for My Life": Sitting Bull, 1876-1881* (Salt Lake City, 1991), p. ix.

indeed if this were not the case. There were divergent opinions among Natives as to what had been agreed to at the treaty negotiations, yet it is clear from their words and actions at the negotiations and in the years before that they were not the victims of an encounter they did not understand. Knowledge of previous American treaties had an impact on Canadian treaty-making, but historians have failed to recognize this.

Historians recognize that Western Canada was spared the warfare that was so endemic on the American plains. Why this was so has remained unclear because historians have not examined how views of the United States profoundly influenced the decisions made by Native peoples in Canada. Historians have been blinkered by nationalist perspectives, seeing only "Canadian" Indians responding to Canadian policies. By neglecting to examine how knowledge of the American experience influenced policy-making in Canada, historians have failed to acknowledge the activities of Native leaders in shaping their own history. Native peoples, once again, become members of static, unimaginative societies, wholly subject to the actions of Europeans.

Since the 1970s historians have understood that aboriginal peoples were not the passive victims whites previously made them out to be; Natives responded actively and creatively to white policies. Yet, historians often fail to recognize in Indian actions anything more than ad hoc

decision-making (however creative it may be). Despite dislocation caused by friction with whites, aboriginal societies were more organized than this suggests. Native societies formulated policies for dealing with newcomers that were both comprehensive and consistent. In many ways, historians have failed to comprehend the full scope of aboriginal policy-making because they have failed to view Native-white relations from an aboriginal point of view. Aboriginal leaders, like all leaders, made decisions based on as much evidence as could be had. In border areas, information flowed to Native peoples from both Canadian and American sources. Thus, to study Indians as though they were "Canadian" or "American" denies the historian the opportunity to view the same picture that aboriginal decision-makers had. Historians can see the decisions taken by aboriginal peoples, but prevent themselves from ever understanding all the reasons why those decisions were made. Many of the fears, beliefs and motivations of Native peoples have been purposefully disregarded as somehow irrelevant. In such a situation it has been easy to write about the past as though aboriginal peoples played no role. It would seem clear that native-white relations are a process of which little will be understood until historians discard their nationalist traditions and begin looking beyond boundaries.

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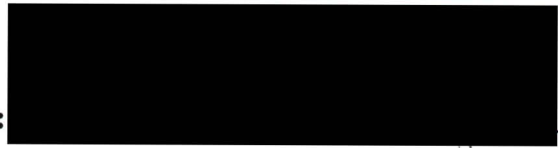
Author: 

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28 April 1992