

DOCUMENT NAME/INFORMANT: PRIOR TO THE NEGOTIATIONS
INFORMANT'S ADDRESS:

INTERVIEW LOCATION:

TRIBE/NATION:

LANGUAGE:

DATE OF INTERVIEW:

INTERVIEWER:

BY LOUIS RAIN

INTERPRETER:

TRANSCRIBER:

J. GREENWOOD

SOURCE:

OFFICE OF SPECIFIC CLAIMS
& RESEARCH

WINTERBURN, ALBERTA

TAPE NUMBER:

IH-342

DISK:

TRANSCRIPT DISC 32

PAGES:

9

RESTRICTIONS:

NONE

HIGHLIGHTS:

- An overall summary of Treaty #6, the hows and whys of the difference in interpretation between Indian and non-Indian, based on field interviews and historical documents.

PRIOR TO THE NEGOTIATIONS

by Louis Rain

The Indian people had become aware of a lot of things that were causing problems - whiskey traders were numerous, the buffalo herds were fast diminishing, the effects of the epidemic of smallpox prior to the 1870s I think had a lot of influential effect up to the time when the news of the initial treaty process was being discussed. For Plains Crees, the intrusions of the white settlers were multiplying. The concern with the Indian people was they didn't feel the white settlers should keep taking the land without consultation, so they requested that someone from a higher position should come and meet with them. The expression we received from elders, the Indian people knew since they were true habitants of this vast country way before the white man ever set foot, therefore always knew that the Great Spirit put them here to live - his own land where God had put them to be. It is a well-known fact the Indians were here when the white man came. Evidently the Indians knew all along they were the original owners of this

land. The Great Spirit had put them here - to them it was a Garden of Eden in terms of the white man's interpretations. They lived in harmony with nature, the abundance of food, the buffalo, moose, elk, deer and every living creature. They knew the Great Spirit had created all these things for them to use. Therefore when the question of surrendering their land was brought out before them they couldn't very well say "we will," because without deliberation, without a deep thought, knowing the Great Spirit had created where they were, they didn't feel they should give the land away without getting compensation, without a settlement, without an agreement.

During the negotiation period the Indian counter-proposals were mostly defeated. Although the Indian people made many requests such as Joseph Thomas's requests to the governor (in Morris's Book p.220) \$25.00 per chief, \$20.00 per headman, was stated, "I do not want to keep the land nor do I give away, but I have set the value." Further to that, the ammunition was mentioned. He requested guns for each chief and headman. "Ten miles square of the reserve where I may be settled. I have told the value I have put on my land."

And the elders had pointed out some of the comments the people had made such as Chipmunk (Sa Sakawapisk) who had said to the governor, "If you laid out your finest print of

material right from the shores of the Great Waters down to where you are sitting now, still you wouldn't pay enough of what my land is worth."

The Indian people never intended to sell the lands because they were meant to be here. They could only share what was given to them. One of the Indians arose and said, "Can you stop the flow of the river?" The answer was no and the rejoinder was, "No more can you stop the progress of the Queen's chief."

Nus-was-oo-wah-thym has been quoted by saying this to the governor, "It is true we told them (Crees) 'do not be in a hurry in giving your assent, you ought to be detained a little while.' All along the prices have been to one side, and we have no say. He that made us, provided everything for mode of living, I have seen this all along, it has brought me up and I am not tired of it, and for you the white man, everything has been made for your maintenance, and now that you come and stand on this our earth (ground), I do not understand. I see dimly today what you are doing, and I find fault with a portion of it. I would have been glad if every white man of every denomination were now present to hear what I say; through what you have done you have cheated my kinsmen."

The exclamations of the elders such as these above are still in existence today because the elders that have been interviewed are repeating our forefathers' knowledge of what was said during the negotiations.

THE INDIAN UNDERSTANDING OF THE TREATY #6

The terms used by the Governor Morris "as long as the sun shines and rivers flowed," the significant importance of the phrase alone, meant a lot to the Indian, young and old. It's something entirely that is amalgamation with the whole universe, the sky and the mother earth, the sun that shines from above and mother earth, water that makes things grow and live. The Indian way of believing, an Indian has prayed to these things. Everything that the Great Spirit had created has a special meaning to the Indian. The aspects of the government's promises or obligations were understood by the Indian people. The assurance the Indian had and knowing the sun and the rivers will always exist, believing this is what motivated the Indian people to accept the treaty terms as they were.

Under this phrase, "the Indian people took out the pipe which is the Indian's most sacred possession," when the Indian heard Morris of the statement, the Indian exclaimed, "My God, this man is speaking with honesty by making such a statement." Then the Indian had taken the pipe, Governor Morris had made statement that an Indian, young and old would never forget so with the promises that were made. The Indian used the pipe to strengthen Morris' statement with their utmost good faith.

The significant terms of the promises were to an Indian something that could never be forgotten by anyone with sincerity in his heart and mind. Today for instance, an Indian still remembers of what has been passed on to him (verbally and orally). The promises were many, the elders now exclaim, "The government had taken a very dim view of what was promised to the Indian people." Little Hunter had expressed the desire "an everlasting grasp of her hand." The vital importance of the Indian understanding of the treaty terms set down before them were that the perpetuity of their existence would always be the same, as long as the sun shines and rivers flowed.

INTERPRETATION - to the Indian people

by Louis Rain

The interrogative aspects of the interpreters position. The characteristics used were to urge the Indians to assent to the proposal made to them which they agreed to do because they had had great confidence in those characters, such men as Messrs, Hon. James McKay, and W.J. Christie being noted to be familiar with the Cree tongue. There are also others, Rev. George McDougall, Rev. Pere Andre, M. Lavallier and Mr. Grandin. The representatives from the churches were: Church of England, Methodist, Presbyterian, and Roman Catholic.

The interpretation was the key factor in some areas. The governor had hired two efficient interpreters: Pete Ballendine

and Rev. John McKay. But can it be said these two interpreters really understood the Cree language? Big Child had told the governor he had obtained Peter Erasmus as their interpreter (Peter Erasmus Diary) and John McDougall's book states that McDougall was quite involved with the interpretation for the Cree people. And furthermore, not once did he mention Peter Erasmus being involved with the interpreting. Here the conflicting issues arose: who would do the interpreting between Chief Mistawasis and the governor? Finally Peter Erasmus was to do that job (Erasmus Diary). And further, Rev.

McKay learned his Cree from Swampy Crees and Saulteaux Indians, which is a different language. Where Erasmus pointed out in his diary, "a prairie Cree would not understand his Cree." McKay's interpretations were mixed with Swampy Cree and Saulteaux.

The Indian elders have stressed their positions as to what was promised to the Indian population. The government official had made many promises. One area they constantly referred to is the depth of the ground the white man had supposedly taken. Most of the elders' interviews stated the government man only requested certain measures of depth into the ground. But here the statements are varied. Some say six inches, two shovels full, four hands deep, from the hand to elbow, two feet, etc. Here the definitions of measurements are not totally clear.

The assurance the Indian people received from Morris has been in existence in the minds of the Indian people. The elders have expressed their desire that the government maintain the promises they have made to us.

Such quotations as, "What I have offered you was thought of long before I saw you." And "I want the Indians to understand that all that has been offered is a gift, and they still have the same mode of living as before. I see them enjoying their hunting and fishing as before, I see them retaining their old mode of living with the Queen's gifts in addition." This is what exactly the elders are saying too, to be at liberty to hunt as before. As Morris puts it "I told you we did not want to take means of living from you, you have it the same as before, and in case of war, you asked not to be compelled to fight." We were not to be involved unless the danger was in our country. A medicine chest will be kept at the house of each Indian agent at all times.

Joseph Thomas had been quoted to say to the governor, "It is true the governor says he takes the responsibility on himself in granting the extra requests of the Indian people, but let him consider on the quality of the land he has already treated for, there is no farming land whatsoever at the Northwest Angle, and he goes by what he has done down there." Another quotation here is what Morris said in regards to schools: Poundmaker requested assistance when they settled on the reserve and further help as they advanced in civilization. The reply given by Morris was "that they had their own means of living," and further on he said, "I had already promised you

that when you're settled on the reserve, and there are enough children, schools would be maintained." Morris had also stated, "In addition to what I have already named, that is if a

treaty is made here and Fort Pitt, we will give every year to the Indians included in it, \$1500 worth of ammunition and twine." These are some of the things the elders have remembered of what was told to them by their fathers, mothers, grandparents, uncles, aunts. The elders have said there were many promises made by the governor. As one elder puts it, "As long as the sun shines and rivers flowed the agreements would be good, but today the sun still shines and the promises are gone." The treaty that was signed in 1876 is quite long ago, about 98 years ago. If the Governor Morris were to read what he had said and promised I wonder what he would say now, of all the changes that have happened during those 98 years. And to see the sun is the same as it was then. Would he just shrug his shoulders and walk away? Would he be ashamed to see his own government who had broken all the promises he had solemnly made to the Indian people? If he was to know what the Indian people are saying now to our present government, he would probably turn in his grave and say he'd rather wash his hands of this thing. Like what Pilate did when he knew Christ was to be crucified. The context of the whole treaty was so unique the way it was conducted, the expertise used on the Indian people. Treaty 1 to Treaty 6 were so expertly conducted. The method elements presented to Indian chiefs were the same as what was presented to Treaty 1 to Treaty 5 conclusively, even though as the reference given in Morris' book. "The extravagant demands which they were induced to prefer on certain points, it needed all the temper, tact, judgement and discretion of which the commissioners were possessed to bring the negotiations to a satisfactory issue."

As an elder puts it, "It is as if the Indian was surprised and when he realized what had happened it was too late." The Governor Morris had succeeded in accomplishing Treaties 1 to 5. Treaty 6 was expected to be established quick as the rest of them but Morris had encountered a very strong opposition from Prairie Cree and Wood Cree and all the rest of the surrounding tribes. The Indians had known they were going to be dealt with regarding the land and at the same time they were aware of their livelihood. They wanted to establish regulations or base with the government since they were settling in this country whereby their children's children would always have the freedom they had known. They've known once the white man takes possession of this land there would be a big change in this country. And the Indians wanted to keep their mode of living. This is why they've made such demands.

TREATY PROMISES AND UNDERSTANDING

by Richard Lightning

When the treaty was completed and everybody in agreement,

there remained some uncertainty whether the Indians clearly understood what was taking place. Many commitments were made by the commissioners including a promise that on the following year during treaty, they would bring with them a copy of the treaty they had just signed. However, when the copy was returned, changes had been made and clauses added. Other promises which were included in the treaties were implements, livestock, small garden tools. Amongst other promises made John McDougall certainly played his role in encouraging the Indians. In a letter he wrote to Lieutenant-Governor Morris he states: "No such event as this had ever happened in all their history and much speculation was indulged in, all through the camps, which were now becoming numerous on the hills back of the Fort. Many of my old friends and acquaintances came to see me in the Fort, and also invited me to their lodges, and I continued to assure them that the government of Canada would do what was right and fair and to wait patiently until the commissioners came and made to the assembled Indians the proposition of the government. Sweetgrass was the head chief of the Plains Crees and Pakan of the Wood and semi-Wood Crees and it was very evident that these men were feeling intensely the responsibility of the time. There were turbulent elements among the tribes." Men who did not want changes, who all their lives had delighted in absolute freedom, as they understood it. The question was, just how much influence these might exert when matters came to an issue.

The terms were tense. Aside from what was promised in the treaty others were made indirectly by influential people. The elders consistently maintain that cattle, horses and implements never arrived. They were told that hunting rights would not be infringed upon as they relied upon dearly for livelihood. One elder who is still alive today tells of how strong and sincere the treaty meant to the Indian. The way it was explained was that the treaty was so valid and strong as understood by the Indians that it would take more than a two-legged man to break it. In conclusion he stated: "These white men must have more than two legs, they have consistently broken our promises which were made." The Indians today realize that they have been swindled for many years.

The treaty commissioner came to the Indians with his terms, conditions and promises to negotiate a treaty. The Indians seemingly were aware what was taking place as the country was now being influxed by large numbers of settlers. Different forms of concrete evidence reinforces the reluctance of the Indian people to surrender their land. The fact that it took several days to complete the negotiations also is another indication.

by Richard Price

In the years following Treaty 6, Indian people passed down from 'father to son,' that is by word of mouth, the basic understanding of what the treaty meant for them. The Indian elders were, and are today, the key people in transmitting this Indian knowledge and interpretation of the treaty.

One of the most important concepts, which has been consistently maintained by the elders of Treaty 6, is that even though land was shared or given up at the time of the treaty - it was only the surface rights to land or all the land that was required for farming purposes. The reason for this interpretation of the amount of depth of land surrendered is likely that the commissioners explained that the white men wished to use the land for farming purposes. This was either all that was explained or all that was understood by the time the interpreters had finished their work.

It therefore follows that the Indian people believe that there was no surrender of minerals at Treaty 6. Hence the Indian ownership of these minerals must today be discussed and negotiated and a new agreement reached before the government can claim any ownership for off-reserve minerals.

Similarly, the consistent Indian interpretation of Treaty 6 regarding the Rocky Mountains is that the mountains also were not surrendered. This is confirmed by the written terms of Treaty 6 and by Commissioner Morris himself who describes the prairie treaties as reaching "the foot of Rocky Mountains."

On several other important questions, there is strong testimony that the Indian understanding of the hunting and

fishing treaty promises meant that there was to be no interference with these traditional pursuits. Further, these promises for many also implied that just as the farmers were to have jurisdiction over the domestic "branded" farm animals, so were the Indians to have control or ownership over their wild animals.

On these points alone, it is clear that there is a fundamental difference between the Indian interpretation of the treaties and the government interpretation, which tends to be rather narrow and relies only on the bare bones of the written text.

INDEX

INDEX TERM	IH NUMBER	DOC NAME	DISC #	PAGE #
ALCOHOL				
-whiskey traders	IH-342	SUMMARY 342	32	2
BUFFALO				
-extinction of	IH-342	SUMMARY 342	32	2

DISEASE AND ILLNESS					
-smallpox	IH-342	SUMMARY 342	32	2	
LAND					
-attitudes toward	IH-342	SUMMARY 342	32	3	
NATURE					
-attitudes toward	IH-342	SUMMARY 342	32	2	
PIPES AND SMOKING					
-significance of	IH-342	SUMMARY 342	32	4	
TREATY #6					
-interpretation of	IH-342	SUMMARY 342	32	3-9	
TREATY #6					
-interpreters	IH-342	SUMMARY 342	32	4,5	
TREATY #6					
-land rights	IH-342	SUMMARY 342	32	8	
TREATY #6					
-payment of					
treaty money	IH-342	SUMMARY 342	32	2	
TREATY #6					
-resource rights	IH-342	SUMMARY 342	32	8	
WEAPONS					
-ammunition	IH-342	SUMMARY 342	32	2	

PROPER NAME INDEX

PROPER NAME	IH NUMBER	DOC NAME	DISC #	PAGE #
ERASMUS, PETER	IH-342	SUMMARY 342	32	4
MCDUGALL, REV. JOHN	IH-342	SUMMARY 342	32	4,7
MORRIS, LT. GOV. ALEXANDER	IH-342	SUMMARY 342	32	3-7
PAKAN	IH-342	SUMMARY 342	32	7
SWEETGRASS	IH-342	SUMMARY 342	32	7