Relations between Canada and First Nations in the West (1867-1900): The Numbered Treaties, Indian Act, and Loss of Aboriginal Autonomy

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In 1887, Canadian Prime Minister John A. Macdonald declared that “the great aim of our legislation has been to do away with the tribal system and to assimilate the Indian people in all respects with the other inhabitants of the Dominion.” After Confederation in 1867, the Canadian federal government held the belief that First Nations groups were impediments to economic, political, and social development in the West. In order to overcome the “Indian Problem” as once stated by Duncan Campbell Scott, the government negotiated a set of seven treaties called the Numbered Treaties with the First Nations throughout the West between 1871 and 1877. Although no First Nations groups were particularly comfortable about ceding their traditional territories to the government, problems like mass starvation, epidemics, and new immigrants highly influenced their final decision. These treaties were unknowingly, the preliminary stages of assimilating the Aboriginal population into Euro-Canadian society and securing the frontier. In order to further assimilate these vulnerable First Nations groups to become fully participating members of Euro-Canadian society, the Indian Act was passed in 1876 by the Government of Canada. Although a certain degree of resistance was present throughout many treaty negotiations, the Numbered Treaties were largely viewed by the First Nations as a fair compromise when faced with potential consequences such as possessing no land title and enduring starvation. Due to unfulfilled government obligations, which will be further discussed in this paper, and the Indian Act, relations between Canada and First Nations became increasingly compromised during the late nineteenth century.

In order to secure land for Euro-Canadian settlement, the political leadership of Prime Minister John A. Macdonald began the process of negotiating the Numbered Treaties in 1871. The Royal Proclamation of 1763, which was issued by King George III of England, provided Canada with the right to negotiate for land title in the West. According to the late Olive Dickason, the Numbered Treaties negotiated between 1871 and 1877 were a direct result of Canada’s promise to
Britain to honour the provisions of the 1763 Proclamation.² It is important to note that the relationship between Aboriginal groups and Europeans had been distinguished by treaties for hundreds of years prior to 1871. However, the Numbered Treaties were unique, for the reason being that these contracts were viewed by Canada as the final steps in opening traditional Aboriginal territory for Euro-Canadian development.³ The government and the First Nations, however, held different ideas of what constituted a treaty. In the government’s view, treaties were a way of avoiding conflict, and a means of ensuring western prosperity and sole control over the land. The Canadian government also believed that treaties were permanent agreements that granted privileges to Aboriginals.⁴ The First Nations, on the other hand, held the notion that treaties were agreements between two sovereign powers to share the land and its resources. In addition, treaties were subject to renegotiation and renewal from time to time. In their view, the negotiated treaties would aid them in adapting to Euro-Canadian society, but also allow them to continue their traditions in the modern world. By signing these treaties, the First Nations were agreeing to abide by the laws and customs of the Crown, and be loyal subjects.⁵ The Canadian government had clear plans for the West that could only become realities if the First Nations ceded their lands. However, First Nations groups also had their own distinct reasons for agreeing to these negotiations.

By the early 1870s, First Nations in the West were aware that Euro-Canadian dominance was inevitable, as immigrants were beginning to arrive in large numbers and Canada had acquired Rupert’s Land. Moreover, due to the declining bison economy and the demise of the fur trade, First Nations were more inclined to accept the provisions of the treaties out of desperation. In 1871, immigrants from Ontario began arriving in Manitoba in large numbers.⁶ The main draw for the newcomers were the endless acres of land that could sustain an agrarian economy. The Anglo newcomers were favoured over the province’s Aboriginal and Métis population, as the provincial government was run solely by English Canadians.⁷ The Aboriginal population was also
compromised when Canada gained authority over the area once called Rupert’s Land after the Hudson’s Bay Company sold its charter to the British Crown in 1869. Due to the fact that the HBC had sold its charter after 200 years, the company no longer believed that the physical well-being of the suppliers was its concern. Furthermore, due to company trade changes in 1872 to save money, all credit to Indian suppliers was phased out. The actions of the HBC signalled the end of an old economy that had created relations between Europeans and Aboriginals for two centuries. On another note, First Nations groups on the Plains, such as the Ojibwa, were suffering with starvation due to the rapid decline (overhunting) of the bison. The bison, which had once been a crucial source of food (pemmican) during the fur trade, were central to the subsistence and economies of many First Nations groups. The events surrounding immigration, the HBC, and bison depletion, influenced how Aboriginal groups viewed treaties as a means of security.

Although the treaties were initially presented as agreements that would be prosperous for both the Canadian government and First Nations, the government was acting in the interest of Euro-Canadians from the outset. On August 3rd, 1871, Treaty One (Stone Fort Treaty) was signed at Lower Fort Garry, MB by the Ojibwa and Swampy Cree who resided near present day Portage La Prairie and Winnipeg. In return for surrendering 14,000 hectares of land, Treaty One Aboriginals were granted 4,144 hectares of land (16,000 square miles), fishing and hunting rights, schools on reserve lands, and annuities.

On August 21st, 1871, Treaty Two (Manitoba Post Treaty) was signed by the Cree, Ojibwa, and other bands in central Manitoba. During negotiations, the bands claimed rights to reserve lands that amounted to two-thirds of Manitoba’s total land area. Lieutenant Governor Adams George Archibald and Indian Commissioner Wemyss Simpson declared this to be a proponentous demand. Instead, the bands agreed to 160 acres of land per family, three dollars annuity, farming tools, and a
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census for purposes related to financial compensation. If the bands declined to the terms of these provisions, Archibald and Simpson had warned First Nations groups that they would be flooded by newcomers and not be compensated. One Cree chief questioned what would be done if further generations of First Nations children outgrew the land that they were provided by the government, and was reassured by Archibald that the government would provide the children and their children with land out West. However, Archibald was simply providing lip service to the chief, as the lands further west were already occupied by First Nations groups who had not yet negotiated treaties.\textsuperscript{10} The lands that were ceded through Treaties One and Two helped secure the route for the future Canadian Pacific Railway, and opened the West to newcomers of non-Aboriginal descent. Even though the Aboriginals received some compensation for their losses, the actions of Archibald and Simpson demonstrate how Euro-Canadian authorities took advantage of the vulnerable First Nations groups to benefit the European population.

During the negotiations for Treaty Three (Northwest Angle Treaty), Aboriginal groups demonstrated resistance, and consequently received more generous terms than those of Treaties One and Two. In 1873, Chief Mawedopenais of Fort Frances declared to government representatives that the land was the sole property of the Ojibwa, as it was provided to his peoples by the Great Spirit.\textsuperscript{11} The Ojibwa of present day Northwestern Ontario displayed resistance from the outset of negotiations, and only signed Treaty Three when Mawedopenais felt compensation was fair. At the request of Mawedopenais, the Métis were provided the opportunity to be present during the negotiations. Despite the fact that the Métis of Rainy River were provided with land through this treaty, the land agreement was later deemed invalid by Ottawa as a result of the Northwest Uprising (1885). During the Uprising, the Métis of the District of Saskatchewan fought a series of battles against government forces in an effort to make Ottawa recognize their land rights.\textsuperscript{12} As punishment, the Canadian government amended the Indian Act to remove the Métis from both the Act and the
Numbered Treaties. During Treaty Three negotiations, the Ojibwa also requested free Canadian Pacific Railway passes for Aboriginals. This request was immediately rejected by government representatives, but Mawedopenais continued to negotiate for more favourable provisions. In total, Lieutenant Governor Alexander Morris made four efforts over three years to persuade the Ojibwa to agree to the provisions. The Northwest Angle Treaty was eventually signed on October 3rd, 1873 after three years of Mawedopenais steadily demonstrating political assertiveness. In the end, the Ojibwa were granted 2.5 square km of reserve land for each family of five, 1,500 dollars per year for hunting and fishing supplies, and other resources. The government representatives initially underestimated Mawedopenais’s intelligence, and were astonished by his memory during a meeting two years after the signing of Treaty Three. Simon James Dawson, who was a Canadian land surveyor, said that Chief Mawedopenais repeated every word that was said during negotiations two years prior. With this being said, the events surrounding Treaty Three negotiations demonstrate how some Aboriginal groups were assertive towards the government, and more intelligent than negotiators believed.

By the early to mid-1870s, tensions between First Nations groups, land surveyors, and government representatives were mounting in the West. In 1872, Sanford Fleming, Chief Engineer of the Canadian Pacific Railway, travelled through the West to survey possible railway routes. George M. Grant, who was a Canadian writer and political activist, joined Fleming on the mission through present day Saskatchewan, Alberta, and British Columbia. According to Grant, the railway would allow for an industrial economy to develop in the West, but would also result in the end of Indigenous peoples on the Plains. Grant believed that the Indigenous peoples would be threatened by epidemics, tuberculosis, and the invasion of newcomers. First Nations were becoming increasingly worried about what the English Canadians would do with their traditional territories. Not only was Fleming on a mission in 1872, but the International Boundary Commission also began surveying the
49th parallel that year to prevent the United States from acquiring land in the West. In southern Saskatchewan, for instance, Indigenous groups told land surveyors that they would steal their horses and kill them if they did not turn back. In south-central Saskatchewan at Fort Ellice, the Salteaux demanded that Lieutenant Governor Alexander Morris deal with their land disputes before land surveying took place. The Northwest Mounted Police, which was an all White police force created in 1873, was ordered to maintain law and order on the Plains, and ensure that these disputes did not escalate. Treaty Four (Qu’Appelle Treaty) was eventually signed in 1874 at Fort Qu’Appelle out of desperation. The Salteaux were starving due to bison depletion, and were demanding that they be compensated for their land. Over 3,000 people came to the signing of Treaty Four, which granted the Salteaux farming tools, land, a 750 dollar allowance for gunpowder and fishing twine, and other resources. For the Salteaux, Treaty Four served as a means of escape from starvation, but also signalled the end of control over traditional territories. To express the disappointment of his people, Chief Pasqua neglected to close negotiations with the smoking of the peace pipe, which is historically a symbol of mutual respect.

In the three years that followed the signing of Treaty Four, Treaties Five, Six, and Seven were negotiated with continued opposition and cooperation. In 1875, the Cree and Ojibwa of northern Manitoba signed Treaty Five. In return for ceding their lands, these First Nations groups were provided with financial compensation, hunting and fishing rights, and 600 square metres of reserve land per family of five. Treaty Six, which covers present day central Alberta and central Saskatchewan, was signed in 1876 at Fort’s Carlton and Pitt by the Plains Cree and other Aboriginal groups. This treaty was unique, because it was the first agreement that included free health care for First Nations (medicine chest). On top of providing health care, the medicine chest also ensured that Aboriginals would receive rations in the event of a famine. The provisions of Treaty Six were comparable to those of the first five treaties, in the sense that land, annuities, and hunting and
fishing rights were all guaranteed. Although Treaty Six was signed, resistance from Plains Chiefs did not go unnoticed by government representatives. Big Bear, who was the leader of the largest band of Cree on the Plains, was insulted when administration began sending gifts to sway the First Nations into signing Treaty Six. The influential chief responded by saying, “We want none of the Queen’s presents.”

Poundmaker, a Plains Cree chief from Saskatchewan, also resisted by declaring his people’s rights to the land. Poundmaker famously said that his land was not a piece of pemmican that could be cut by Euro-Canadians and given back in small pieces. Although Poundmaker and Big Bear did not want to receive less land than what their peoples already had claim to, widespread starvation and disease highly influenced the signing of the treaty.

Treaty Seven, which was the last treaty negotiated before 1899, was signed in 1877 at Blackfoot Crossing near present day Gleichen, Alberta by Sikisika Chief Crowfoot. Similar to Big Bear and Poundmaker, Crowfoot was reluctant to provide his approval of the treaty. In order to decide what was best for his peoples, Chief Crowfoot consulted a shaman. The shaman informed the chief that the treaty would change the lives of his people, specifically that they would be tied down to one place (reserves). Despite this, the shaman advised Crowfoot that signing the treaty was in the best interest of his peoples, as a flood of Euro-Canadians was inevitable. By officialising Treaty Seven, the Blackfoot of present day southern Alberta were provided with 2,000 dollars per year for ammunition, tools to begin farming, as well as 2.5 square km of reserve land per family of five.

By 1877, the Canadian government had successfully negotiated seven treaties with First Nations groups, and secured the western frontier for Euro-Canadian settlement. With regard to the First Nations population, their hope was that the treaties would help them adapt to Euro-Canadian society, but allow them to retain their independence at the same time. It is important to note, that from the outset of treaty negotiations, Prime Minister Macdonald’s government believed that the
rapid decline of First Nations in the West was inevitable. The government felt that by signing these treaties, First Nations suffering would be alleviated, and the population would easily assimilate into White, capitalist, society. Due to the decline of Aboriginals during the mid-1800s, the government figured that the newly signed treaties and the reserve system would be temporary. This would mean that the Aboriginals would be assimilated into Euro-Canadian society, but the Canadian government would inherently have sole control over their traditional territories.23

Despite the fact that seven treaties were signed between 1871 and 1877, First Nations throughout the Plains continued to suffer, and government promises were not met. In 1875, the Anishinabe of St. Peter’s, Manitoba, were striving to transition to an agricultural lifestyle as a means of subsistence. The band was equipped with the necessary tools to cultivate the land, as farming implements were part of the Treaty One provisions. Despite their determination, over 2,000 acres of cropland failed that summer due to poor weather conditions. To the east, the Salteaux at Fort Alexander endured a measles epidemic that was exacerbated by food shortages. Government representatives had declared that by developing an agricultural society, First Nations would no longer need to be nomadic nor starving.24 In the case of St. Peter’s and Fort Alexander, this was the opposite of what happened when the bands transitioned. Granted that the government aided the victims with rations and medical care, the new Aboriginal lifestyle was not proving to be practicable. Other hardships in the West included smallpox from Icelandic immigrants in 1876, tuberculosis, and zootonic diseases from mange.25

Out west near Cypress Hills, First Nations groups continued to hunt bison through 1877, as this was the only area of Canada where large herds were present. The Salteaux of present day southern Saskatchewan were beginning their new lives with government assistance by the late 1870s, but supplies and equipment were being delayed. Although the Salteaux were perturbed that farming
implements and other supplies were not being delivered, many in the Cypress Hills were content with continuing old practices. Since bison were still abundant, the First Nations saw no reason to begin the new program immediately. With all of this being said, many First Nations groups were inclined to adapt to new practices out of fear of starvation, but some were reluctant to abandon their old nomadic lifestyles. Although the new program was not proving to be viable for many First Nations, the Canadian government had succeeded in acquiring the necessary lands for Euro-Canadian dominance in the West.

In another pursuit to assimilate and regulate every aspect of First Nations peoples’ lives, the Canadian government passed the Indian Act in 1876. The Indian Act created a fiduciary relationship, where the government made decisions of behalf of the Aboriginal peoples without consultation. The term used to describe this relationship was wardship, which refers to a person or group being under the care of another person or group. The introduction of Indian Agents on reservations was perhaps the most threatening provision of the statute, as Aboriginal independence was essentially extinguished. The agents, who were Euro-Canadian, were authorized by the government to institute a new way of life that matched the government’s intentions. An agent’s responsibilities included enforcing liquor laws, distributing rations, and acting as justice of the peace. The majority of First Nations despised the Indian Agents, as they had far too much authority over the Aboriginal population. In the mid-1880s, Plains Cree Chief Piapot declared that the white man’s treaty was a farce, and the Indian Agent was proof that the agreement was worthless. Coupled with placing fiduciary figures on reserves, this statute also declared that Indian Affairs (also maintained by the Canadian government) had the authority to remove a chief for dishonesty or immorality at any time. In 1884, the Indian Act was amended to outlaw potlatch ceremonies, which were elaborate feasts and dances associated with the distribution of property and rites of passage among First Nations communities. Potlatches were largely part of the cultures of Aboriginals in British Columbia. In
1885, Sun Dances, which were central to the cultures of Plains First Nations, were banned in another effort by the government to put an end to what was viewed as “inappropriate and unacceptable behaviour.” These bans were not only used to demonstrate political authority over First Nations, but also forced the Aboriginal population to conform to the values of Euro-Canadian society.  

Although the original Indian Act provisions had negative effects on First Nations, the amendments regarding the pass system and mandatory education had the greatest impacts on Indigenous independence. In consequence to the Northwest Uprising (1885), First Nations throughout the West were strictly punished. Despite the fact that the Métis constituted the majority of resisters, the government essentially used the Uprising as justification for enforcing even greater authority over the Aboriginal population. In an endeavour to further disempower First Nations, the pass system was introduced in 1885 to prevent First Nations from leaving their reserves without permission. If an individual desired to leave the reservation where they resided, they would have to first be granted permission from the Indian Agent. The Indian Agent, who was already a magistrate, ration distributor, and liquor prohibition enforcer, was consequently granted the authority to determine whether an Aboriginal could step foot on ceded land. In many respects, reserves became comparable to that of prisons (but holding innocent people instead of criminals).

While the pass system was being enforced, the North-West Mounted Police (NWMP) was in charge of ensuring that First Nations were not off reserves without agent-approved tickets. When the Dominion Government established the NWMP in 1873, the primary goal of the Force was to create peaceful relations with the Aboriginal population, and prevent potential Indigenous-Euro-Canadian conflict. The pass system, however, did not represent the early philosophy of the NWMP towards the First Nations population. This policy, which was not based in any legislation, violated the agreements made during the Numbered Treaty negotiations. For instance, Aboriginals covered under
Treaty Seven were promised that their right to freely travel throughout the West would be protected. Many NWMP recognized that these government actions were both unjust and immoral, but the Force still had the duty of implementing the policy. The majority of police feared that this system would jeopardize their fairly positive relations with First Nations, and therefore did not want to enforce the regulation too adamantly. Although First Nations could not be prosecuted by the NWMP for leaving a reserve without an Indian Agent approved pass, the penalties could still be severe. Indian Agents had the ability to eliminate annuities and rations to those who disobeyed the policy. Many police members believed that depriving First Nations of food and money was both unethical and a breach of statutory responsibilities.  

During the 1890s, when starvation was immense in southern Alberta, the commissioner of the NWMP contacted the Indian Affairs Department to demand rations for Treaty Seven Aboriginals. During this time, the government was not properly distributing rations, and the police were contending with starving Aboriginals who were shooting cattle at night. The Indian Department knew that these First Nations were not obeying the pass system, and accused the NWMP of giving too much consideration to the well-being of the “unreliable” Aboriginal population. In all, it is accurate to say that the majority of the Mounted Police were not in favour of a policy that was comparable to apartheid. Furthermore, although the NWMP were told to enforce the pass system, many officers did not want to see First Nations confined and starved.

At the same time that the pass system was being enforced, Indigenous children were being forced to attend residential schools run by the Government of Canada and Catholic, Methodist, Anglican, and Presbyterian churches. In total, over 150,000 First Nations children passed through these schools between 1857 and 1996. In 1884, the Indian Act was amended to make education compulsory for all Indigenous children. While attending residential schools, Indigenous children
were required to learn either English or French, conform to Christianity, and dress in Euro-Canadian clothing. The most negative aspects of the schools, however, were that children were taken from their parents on reserves, forced to abandon their heritage, and often verbally and physically abused. In 1884, prior to the enforcement of the pass system, parents of Aboriginal students at the Qu’Appelle Residential School camped outside of the institution gates to try and visit their children. The main goal of the government and churches, however, was to isolate these children from their parents, so that they would have a swift, smooth transition to assimilate into Euro-Canadian society. Nonetheless, these schools only fragmented Indigenous families and denied children the right to have a stable upbringing.

Coupled with the fact that residential school students had to reject their heritage while leaving their families, many contracted infectious diseases at these institutions. The dormitories at these schools were disease breeding grounds, as malnourished children were often forced to live in overcrowded rooms. In many cases, poor nutrition and close contact between children with suppressed immune systems led to tuberculosis epidemics. In 1895, Dr. Maurice Seymour reported that tuberculosis cases at residential schools could only be lessened if the overcrowding problems were solved. Some Euro-Canadians, however, believed that First Nations had a genetic predisposition to tuberculosis (TB), and that Indigenous children carried the germs from the reserves to the institutions. Father Hugonnard, who served as the principal of the Qu’Appelle Residential School during the late nineteenth century, believed that living conditions did not contribute to the high incidences of TB at the institutions. In the twenty-one years that Hugonnard served as principal, twenty percent of the student population succumbed to illnesses that were largely preventable. The situation was comparable at the Sarcee Boarding School in southern Alberta near Calgary, in 1907, where an investigation revealed that twenty-eight percent of the students at Sarcee died during the
1890s as a result of tuberculosis.\textsuperscript{39} Disappointingly, over twenty-four percent of residential school students had died from the disease by the early twentieth century.\textsuperscript{40}

Throughout the last two decades of the nineteenth century, First Nations across the West continued to endure hardships that were brought upon by government actions. During the 1880s, the health of the Indigenous population was compromised by tuberculosis epidemics, which were exacerbated by malnutrition and starvation. In Treaty Six territory, for instance, the Canadian government neglected their responsibility to provide relief to the First Nations during the humanitarian crisis. Cree and other First Nations groups had specifically negotiated for famine relief in 1876, as bison depletion was inevitable.\textsuperscript{41} The widespread starvation also influenced prostitution among Aboriginal women in the West. In one case in 1882, Department of Indian Affairs employee John Norrish gave a vulnerable Indigenous woman flour in exchange for intercourse. As a result of rising prostitution levels in the West, cases of various venereal diseases increased substantially, especially among the NWMP. In 1884, twenty-two cases of venereal disease were reported among NWMP across the Plains. In 1885, 132 out of the 557 police employed by the government had contracted venereal disease. Although the Indigenous women resorted to this economic option out of desperation, the Indian Act was amended in 1886 to allow Indigenous prostitutes to be prosecuted.\textsuperscript{42} In certain cases, however, First Nations people wreaked vengeance on Euro-Canadian law enforcers. On two separate occasions between 1895 and 1897, Chief One Arrow’s grandson and Almighty Voice of Duck Lake murdered five police men after escaping from prison.\textsuperscript{43} As demonstrated by these cases, the last twenty years of the 1800s were marked by starvation, disease, and broken government promises.

The treaties signed between 1871 and 1877 were influenced by Canada’s motive to develop the West, and the First Nations’ need to secure land and end disease and starvation. Although treaty
Aboriginals received reserve lands, annuities, and hunting and fishing rights, the underlying interests of the Government of Canada remained loyal to those of Euro-Canadian descent. Chiefs Mawedopenais and Big Bear understood that no amount of government compensation would equal the value of their sacred lands. However, given the conditions of their peoples and the inevitability of newcomers, the Chiefs agreed to such negotiations. During many of the treaty negotiations, however, chiefs were determined to have their voices heard, and not accept the first provisions offered to them by government representatives. Even when First Nations began living on government assistance, hardships continued due to crop failures, disease from immigrants, and lack of supplies being delivered to reserves. In a bold move to accelerate the assimilation process, the Canadian government passed the Indian Act in 1876, and amended the statute repeatedly. The main goal was to gain authority and dominance over First Nations, and influence them to adopt ideologies and practices which were deeply rooted in Euro-Canadian culture. By banning religious ceremonies, sending Indigenous children to residential schools, and not allowing First Nations to leave a reserve without the approval of an Indian Agent, the government was acting as the parent to all Aboriginals. Despite having signed the Numbered Treaties, which were viewed by Aboriginals as mutually beneficial agreements, the First Nations population continued to suffer from disease, starvation, and poverty through the end of the twentieth century.
Endnotes


3 Ibid., 186.


8 Daschuk, *Clearing the Plains*, 93.


10 Ibid., 191-92.

11 Ibid., 192.


14 Ibid., 187.

15 Daschuk, *Clearing the Plains*, 94-95.

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18 Daschuk, Clearing the Plains, 95.


20 Dickason and Newbigging, A Concise History of Canada’s First Nations, 196.

21 Hugh A. Dempsey, Big Bear: The End of Freedom (Lincoln, NE, University of Nebraska Press, 1985), 67.


23 Francis et al., Destinies: Canadian History Since Confederation, 44.

24 Daschuk, Clearing the Plains, 95.

25 Ibid., 104.

26 Dickason and Newbigging, A Concise History of Canada’s First Nations, 212.

27 Ibid., 351.

28 Ibid., 224.


31 Dickason and Newbigging, A Concise History of Canada’s First Nations, 223.


34 Ibid., 48-49.
35 Ibid., 50.


38 Daschuk, *Clearing the Plains*, 176.


42 Ibid., 154.

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