

The Fur Trade, Treaty No. 5 and the Fisher River First Nation

Winona Wheeler

The Fisher River Cree people are a Treaty No. 5 First Nation now living within the boundaries of Treaty No. 2 created by the Crown. In the fall of 1875 when the Treaty negotiations were held they were part of a larger First Nation community living at Norway House. The decline of the fur trade, their major economic source, and their desire to take up agriculture, were the impetus behind their request for Treaty negotiations. With few and meagre choices available to them at the time, the historical records indicate that they accepted far less than their other Treaty No. 5 relatives. Where other First Nations received reserves at their chosen sites, this faction of the Norway House Band were denied their choice and removed to a place chosen by the Crown. Where other First Nations received 160 acres per family of five, they received 100 acres per family of five—a pitiful demonstration of Crown support for the only Treaty No. 5 community that expressly intended to make their living by farming the land.

The Ochekwí Sipi (Fisher River) Cree First Nation is situated 2½ hours north of Winnipeg, Manitoba. The reserve straddles the Fisher River some five miles inland from the river's confluence with Lake Winnipeg. You enter the hub of the community when you drive over the bridge. On the south side of the bridge connecting the north and south shores of the river is the Fisher River Intertribal Child and Family Service and on the north side is the Charles Sinclair School, the Fisher River Sport and

Recreation Centre, the, Ochekwí Sipi First Nation Personal Care Home, the housing subdivision and Band administration building which includes the health clinic and education offices. Collectively these make up an impressive community centre, especially since the parking lot of the administration centre has been paved. A little further down river heading towards Lake Winnipeg are the Treaty grounds, the site of the old Hudson's Bay Company (HBC) post and the old Methodist, now United, Church. Standing on the bridge looking east you see the flood plain river bank, home to new and retired fishing boats, bulrushes, mud flats, and traces of the old river lots where the founding families made their first homes in 1877.



[1] Fisher River First Nation Welcome
Credit: author

Before Treaty No. 5 in 1875 and the reserve survey in 1878, the region was a hunting, fishing and trapping commons, a migration corridor shared by Muskego-wininiwak, *Swampy Cree Peoples*, from the north and Anishnabe or Saukteaux Peoples from the south, many of whom were related through marriage or through social and economic ties with the HBC. The majority of the Cree people who settled the region came from

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Norway House on the northernmost tip of Lake Winnipeg. A handful of Saulteaux and Saulteaux-Cree people came from Netley Creek or St. Peter's Reserve on the Red River to the south, and others came from the islands and eastern shores of Lake Winnipeg.

Prior to the Treaty, Norway House was the hub of the North. In the early 1800s it was the HBC inland administrative centre and it attracted Native seasonal wage labourers in the HBC Home Guard Cree tradition. The Methodist Rossville mission, established in 1840, encouraged further Native settlement so that by 1875 there were over 800 Aboriginal people making Norway House their home—the Christian Crees lived around the Rossville mission; the Pagans lived along the shores of Playgreen Lake. In the summer months the population almost doubled as inland fur brigades and supply boats from the Bay exchanged their freight and turned around before winter froze the waterways again.

Up to the early 1870s the HBC employed an average of 200 Native men as full time or seasonal wage labourers. However, as the trade declined and steam boats replaced York boat flotillas, the HBC dramatically reduced its labour force. Around 140 of the 200 Aboriginal men employed by the HBC lost their jobs on the boat brigades and another sixty or so lost seasonal wage labour jobs.¹ Facing starvation and in need of an

¹The Reverend John H. Ruttan, "Report on Norway House Mission," *54th Annual Report of Missionary Society of the Methodist Church of Canada, June 1877-June 1978* (Toronto: 1878), xvii-xviii.

alternative livelihood, the Christian Crees of Rossville petitioned the federal government for a Treaty to secure land in the south for farming.² In the fall of 1877 a large flotilla of Muskego-winiwak from Norway House arrived on the banks of the Fisher River, and their descendants have made this place their home ever since.

I came to Fisher River initially through kinship ties, then by discovery and work, and was drawn into this community's heritage as a member, a student, and a land claims researcher. From the beginning of this project the leaders and the Elders had a number of concerns they wanted help addressing, and my search for these answers has taken me on a number of different journeys in various directions.

"Why is it," the Old People ask, "that we only got 100 acres per family of five and everyone else in Treaty No. 5 got 160 acres?" "How did they ever expect the people to making a living on such a little bit of not so good land?" The stock answer located in a non-critical reading of the records is that their ancestors *signed* the Treaty on that condition, end of story.

One of the difficulties encountered in this research was that there was very little oral history left in the community about the Treaty negotiation process, so I was forced to rely on written documentation.

² Provincial Archives of Manitoba (Hereafter PAM), MG12, B1, Alexander Morris Papers, No. 783: Indians of Rossville to Alexander Morris, 25 June 1874.

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What I pulled together so far comes from the secondary and primary sources, but the records only provide a patchy story that offers no clear explanation. Context provides more insight.

The Call for Treaty and Relocation

We know that by the mid-1870s the Norway House Cree were in dire straits—the land could not support as many people as it used to by hunting and trapping, there was not enough arable land to live by farming and their main source of income from seasonal work as tripmen and labourers for the HBC brigades had collapsed.³ Roderick Ross, Chief Factor at Norway House, reported that the discontinuation of summer tripping to York Factory and other places has left Indian people with no means “to procure a livelihood.”⁴

The Norway House Cree needed options. They spoke among themselves, with their missionaries and the HBC men regarding their options and in early 1874 many of them made the decision to move down south among their relatives at Sandy Bar and Grassy Narrows on the southwest shore of Lake Winnipeg across from Big Island (later renamed Hecla Island).

Many had relatives among the Sandy Bar Band who had a long-established community of houses and gardens on the White Mud River (now called the Icelandic River). They also had good fishing stations on Lake Winnipeg and the trapping and hunting in the region was good.⁵ There was even a seasonal HBC outpost operating at Grassy Narrows during trapping season that kept the people well-supplied.

James Settee was a Swampy Cree missionary with the Church Missionary Society who had many relatives at Split Lake, Nelson House, and Norway House. Already familiar with the negotiations for Treaties 1 and 2, the Norway House and Nelson House Cree asked him to write letters on their behalf. The first letter they wrote in June of 1874 explained the economic hardships they faced and asked if they had “the same privilege as any other of her Majesty’s subjects of going to any part of the country either in Manitoba or up the Saskatchewan” to find good farming land, form a settlement and support themselves.

³ Wesleyan Methodist Church, Church Missionary Society, *49th Annual Report [1873]*, June 1872-June 1873, Egerton Ryerson Young, xi (Hereafter WMC AR).

⁴ PAM Hudson’s Bay Company Archives (Hereafter HBCA) B.154/e/11, Roderick Ross to James A. Graham, “Norway House District Report, 1874,” fo. 5.

⁵ National Archives of Canada (Hereafter NAC) CMSA Reel # A.101, Annual Letter of Rev’d James Settee to Mr. [Henry] Fenn Secretary of the CMS London, 23 November 1875; PAM MG 12/B1/Box 7, #1456, J. S. Lynch, M.D. to J. A. N. Provencher, Indian Commissioner, 12 April 1877; PAC RG10 (Black Series), vol. 3649, file 8200, “Declaration of John Ramsay,” St. Peter’s Reserve, 8 June 1879.

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Rossville 25th June 1874

*To His Excellency Alexander Morris
Governor general of the North West territories*

We the Christian Indians of Rossville and Nelson River wish to present our humble and Christian regards to your Excellency, and to submit the following questions.

i. As our Christian friends of Manitoba and other sections of the country have been treated with by the government in regard to their temporalities, we wish to know if it is the intention of the Government to make a treaty with the Indians in this section of the country also.

The reason why we ask this question is because the country is becoming too thickly peopled to find a sufficiency of the necessities of life to prevent much suffering among them in the future.

ii. Have we who now live in this section the same privilege as any other of her Majesty's subject, of going to any part of the country either Manitoba or up the Saskatchewan on wherein we may find a good farming country, to form a settlement, in order to help our children from suffering hunger and the better to provide for our necessities.

The reason why we ask this question is because the Tripping to York Factory which has been carried on by the Honourable Hudson Bay Company for very many years, will cease after this summer and by this means nearly two hundred of our people are thrown out of employment, and we have no way of our own, in this country, to procure the clothing and food which was thus earned by us and received from the Honourable Hudson Bay Company during the past; This makes us feel that we must do something ourselves and if possible to obtain help from Her Majesties [sic] Government at this time to meet the necessities of the future.

Submitting to you clemency, and feeling confident that you will do that which Providence has placed in your power to do for us, we, and all our brethren, remain your humble obedient subjects.

*David Rundell X chief
Queisko Nepinwaskum X
James Cochrane X asst. chief
William Cochrane X
Abel Frazer X
James Kesekastawaknum X
Nelson McKay X
George Kekeekesus X
Thomas Kennedy X*

Source: PAM MG12 B1, Alexander Morris Papers, No. 783, Indians of Rossville to Alexander Morris, 25 June 1874.

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The government did not respond so they asked James Settee, Sr. to directly inquire with Lieutenant Governor Morris, which he faithfully did in November.⁶

St. Peter's Lisgar Manitoba

Nov. 27: 1874

To His Excellency Lieutenant Gov. Morris

Dear Sir,

I beg to say, that about the latter part of the month of September some of the Nelson and Norway House Indians asked me, if your Excellency had return an answer to their Petition to me. I told them I had not heard from your Excellency. They expressed a wish to hear from you after the Sitting of the North West Council.

Sir, I have the honour to be your Obedient humble servant

James Settee Senr.

Source: PAM MG12 B1, Alexander Morris Papers, No. 874, Reverend James Settee to Morris, 27 November 1874.

They waited for Morris's response until February of 1875 when conditions became so dire they sent a letter to the *Winnipeg Free Press* newspaper. This time they asked Henry Prince (son of Peguis, from St. Peters) to deliver the letter. In this letter they appealed to philanthropists to hear their aspiration for a tract of land at Grassy Narrows. They made it very clear that their livelihood was at stake and to escape starvation they wanted to "adopt the means employed by the white man to preserve life, by disturbing the soil and raising food out of the ground."⁷

They requested that Morris grant them the same privileges "as any of her Majesty's subjects, to seek for a place where the land and climate are favourable for agriculture" and they asked specifically for lands at Grassy Narrows on the borders of Lake Winnipeg. They quickly found out that Henry Prince did not take the letter to the *Winnipeg Free Press*. Instead, in March of 1875, Prince and James Settee took the letter directly to Governor Morris.⁸ They also learned that at this meeting Settee advised Governor Morris against their relocation to Grassy Narrows. They were disappointed because they trusted him to voice their

⁶ PAM MG 12/B1, No. 874. James Settee to Alexander Morris, 27 November 1874.

⁷ NAC RG10 (Black Series), vol. 3613, file 4060, David Rundle on behalf of all the Swampy Cree of Norway House and Nelson River to the Editor of the

Free Press, 22 February 1875.

⁸ PAM, Letterbook "J," No. 254 NW, Alexander Morris to Secretary of State, 25 March 1875.

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wishes, but instead, Settee told Morris that he thought Grassy Narrows would not be suitable because it was too close to the new province and the “young people would be exposed to temptations which they as Indians could never resist.” They also later learned that it was Settee who first recommended Fisher River as an alternative reserve site.⁹

*Norway House, Rossville
To the Editor of the Free Press*

February 22nd, 1875

Sir: We are not known to you personally, but we trust upon your generous and charitable character being of the white man, who have ever been friends to the poor red-men. Our desires are, that you may have the goodness to insert these few lines into your paper, that all your good English friends, the philanthropist of the poor human race may learn wider what great difficulty we are labouring in our efforts to form a village, for the preservation of our lives and children.

You have heard of the Christian village, on the north end of Lake Winnipeg, a settlement of the Swampy Crees, a community consisting of nearly eight hundred souls, all baptized into our common faith of our God, and Saviour Jesus Christ and his blessed spirit, the labours of those devoted missionaries, of the Church of England and the Wesleyans, who taught us to worship the one living and true God.

The settlement is increasing, our kindred from the north regions of Hudsons Bay are coming up higher to escape from starvation and cannibalism and to adopt the means employed by the white man to preserve life, by disturbing the soil and raising food out of the ground.

The soil in our settlement is planted is small, the surface of the ground being principally stone and a marsh. The climate neither well or favorable for raising crops, under these disadvantages we assembled among ourselves, last summer, and drew up a petition, to his Excellency the Lieut. Governor of Manitoba, & consigned the care of the Petition to our friend the Rev'd James Settee, whom we believed presented it to Governor Morris. We there asked his Excellency to grant us the same privileges, as any of her Majesty's subjects, to seek for a place where the land and climate are favorable for agriculture, we asked for a track of land on the borders of Lake Winnipeg, called Grassy Narrows, or in the Saskatchewan District.

We are confident that the Lieut. Governor, who is appointed as the representative of our Sovereign Queen Victoria, cannot turn a deaf ear to the cries of so many poor creatures. We shall wait to hear from Manitoba, if steps are to be taken to our help and support.

May the Almighty bless our Queen and the rulers of this land. We ask our friend Henry Prince to ask the printers to insert this in their paper.

*Signed by David Rundal
on behalf of all the Swampy Crees of
Norway House and Nelson River*

Source: National Archives of Canada, Record Group 10 (Black Series), Volume 3613, file 4060.

⁹ NAC CMSA Reel #A.101 James Settee Journal, 12 October 1874 to 18 July 1875, Scantebury Mission, March 15th entry.

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Soon after dispatching this letter and having received no official word back from Morris, they prepared themselves to relocate to Grassy Narrows on their own. In mid-June 1875 twenty families left for Grassy Narrows¹⁰ and in July they sent Peter Badger and a delegation to visit Morris directly to request tools for building houses and clearing the land as well as farm implements and seeds.¹¹

In August, as Chief Rundle and the rest of the Rossville and Nelson House families were readying themselves to join their relatives at Grassy Narrows, the Badger delegation made its way to St. Peter's reserve where Alexander Morris was meeting with Henry Prince's people about their concerns about Treaty No. 1. On August 6th the delegation asked Morris directly for the lands at Grassy Narrows to be set aside for their reserve and much to their surprise Morris told them "no." Morris then sent the three men back to Norway House to advise the people to return from Grassy Narrows and that he was planning to meet them in Norway House in September.¹²

Initially Morris supported their request, though he had not advised them of it. He brought their request to the North West Council and they passed a resolution

¹⁰ WMC AR [1876] June 1875 to June 1876, John H. Ruttan, Rossville, pp. xx & xxi.

¹¹ PAM MG 12/B1 John R. Ruttan to Alexander Morris, 6 April 1875.

¹² PAM MG12/B1 Letterbook "H" Lieutenant Governor Collection, No. 1132. Alexander Morris to the Minister of the Interior, 5 October 1875.

supporting their removal to Grassy Narrows in December of 1874. Morris then sent this resolution and a very supportive letter to Ottawa, along with the letter they wrote to the *Winnipeg Free Press*, urging the government to take prompt action.¹³ The Deputy Minister of the Interior in Ottawa, Mr. Meredith, responded positively. He wrote "there will be no difficulty with securing for the Indians of Norway House a Reserve at the place indicated by them."¹⁴ Soon after that the Minister of the Interior, David Liard, gave Morris authority to embark on Treaty negotiations.¹⁵

The Norway House Cree were very disappointed in Morris's final response and they waited for his arrival in their community to hear his reasons. In September of 1875 he arrived for the Treaty discussions and told them that the government gave their lands at Grassy Narrows to the Icelanders.

¹³ NAC RG10 (Black Series) vol. 3613, file 4060, Alexander Morris to the Secretary of State, 25 March 1875.

¹⁴ PAM MG 12/B1, Alexander Morris, Lieutenant-Governor's Collection, No. 1001, Meredith to Morris, 14 May 1875.

¹⁵ PAM MG 12/B1, Alexander Morris, Lieutenant-Governor's Collection, No. 1050. David Liard Minister of the Interior to Alexander Morris, 17 July 1875.

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Relatives at Sandy Bar

The Sandy Bar/Grassy Narrows had been settled and people had lived at that place since the 1840s. They came from up north, around Lake Winnipeg, and from St. Peter's. Some say that the earliest ones to settle in the region were traditionalists who left their original home among Peguis's people at Netley Creek when the Anglican missionaries started interfering with their ways of life.¹⁶ Grassy Narrows was the northernmost reach of their peoples' hunting territories. The land they occupied consisted of the point of land on Lake Winnipeg known as Sandy Bar and a strip of land about three miles north of Sandy Bar along both banks of the White Mud River where the town of Riverton now stands. They lived by way of hunting, fishing, trapping, trading and by their small gardens. In the spring and summer they lived on the banks of the river and family gardens. In the fall and winter they lived at Sandy Bar, their principal fishing station. At both places the people lived in log homes and tents. They had about ten log homes along the river and about five at Sandy Bar by the summer of 1875.¹⁷

In their family gardens they grew mostly potatoes and Red River corn. The land there was rich and excellent for growing grain and the whole region had very good hay and timber lands. There was also an abundance of fish in that part of the lake especially white fish, sturgeon, jack fish, goldeye,

sunfish, pickerel, catfish and suckers. The main fisheries were in the fall, winter and spring. There was also lots of game in that region, especially moose, ducks and geese in the spring and fall, and the wild berries and other country foods were plentiful, too.¹⁸ Whereas the resources around Norway House had long been tapped out, these lands were bountiful.

The people must have been there for a while because there was a seasonal HBC outpost in their community on the White Mud River sometime before 1863 and then another one a little way north at Grassy Narrows. The outpost was only open during the winter and spring to accommodate the fur and provisioning trade. Mostly it was a provision post where people traded country foods for supplies. Even Henry Prince, the son of Chief Peguis who became Chief at St. Peter's after his father, traded at this post, as did a handful of people from Fairford Mission on Lake Manitoba.¹⁹ When the Rev. James Settee visited the people at Sandy Bar in the fall of 1875 he reported that the people there were building a schoolhouse and called for a teacher.²⁰ It was a good place and the Norway House people very much looked forward to living there.

¹⁶ Wilson, "Black Island," 5.

¹⁷ Nelson Gerrard, *The Icelandic River Saga* (Arborg: Inter-Collegiate Press, 1985), 26, 33, 319, 237, 219.

¹⁸ Canada Sessional Papers (CSP), 39 Victoria No. 8 (1876), "Report Made by the Icelandic Deputation," 5 August 1875, 171-172.

¹⁹ PAM HBCA B.303/d/1, fos. 10, 17; Alexander Morris, *The Treaties of Canada with the Indians of Manitoba and the North-West Territories* (Toronto: Belfords, Clark & Co., 1880), 156.

²⁰ NAC CMSA Reel #A.81, James Settee to C. C. Venn, Netley Creek, 23 November 1875.

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While the Norway House people were planning their removal to Grassy Narrows they were unaware that the new government in Manitoba and the North West Territorial Council were inviting settlers out west. The government offered homesteads to these settlers, complete with financial aid, to move and get settled. Among the invited settlers were the Icelanders who sent a delegation to Manitoba in July of 1875. As they did not find what they wanted within the boundaries of Manitoba the Dominion Lands Agent helped them search north of the provincial boundary.²¹ By the end of July 1875 the Icelandic delegation decided that they wanted a huge block of land along the western shore of Lake Winnipeg that encompassed all the land currently occupied by the Sandy Bar band. In early August they made their official application to the Minister of the Interior to have this land set aside for their exclusive use and benefit and in early October 1875 their request was granted. Two weeks later 270 Icelandic people arrived at Willow Point.²²

It was a travesty of justice. The Icelandic delegation arrived in Winnipeg on July 16th and made their formal request for these lands on 5 August 1875. The Cree delegation made their formal request in June of 1874 and the day after the land was handed over

²¹ Gerrard, *Icelandic River Saga*, pp. 11, 12; W. Kristjanson, *The Icelandic People in Manitoba: A Manitoba Saga* (Winnipeg: Wallingford Press, 1965), 18-19; CSP "Report of the Icelandic Deputation," 168-169.

²² Olof Sigurdson, "Icelandic Settlements in Manitoba and other Points in America," (M.A. thesis, University of Manitoba, 1929), 149; Kristjanson, *Icelandic People*, 36.

to the Icelanders, they were told they could not have it, despite earlier support from the North West Council.²³

Treaty No. 5 "Negotiations"

The general conditions for Treaty No. 5 were set by David Laird (Minister of the Interior) and Lieutenant-Governor Alexander Morris long before the actual negotiations began and it was evident from the start that Indian People would have little to no input into any of the terms or provisions.²⁴ In July of 1875 Cabinet authorized the territorial boundaries of Treaty No. 5 (from northern boundaries of Treaties No. 3, 2 and 4, and surrounding Lake Winnipeg to the north), which included approximately 100,000 square miles of land. The terms were exactly the same as those of Treaties No. 3 and 4 except Treaty No. 5 received smaller gratuities and smaller quantities of land to be set aside for reserves²⁵

According to the records the Treaty Commissioners made a good show of "explaining the terms, asking for Native

²³ CSP, 39 Victoria No. 8 (1876), John Taylor, "Report of the Icelandic Delegation," 11 August 1875, p. 167 and "Report Made by the Icelandic Deputation," 5 August 1875, 168 & 167; PAM MG12/B1 Letterbook "H" Lieutenant Governor Collection, No. 1132. Alexander Morris to the Minister of the Interior, 5 October 1875.

²⁴ Kenneth Coates and William Morrison, "Treaty Five (1875-1908)," (Ottawa: Treaties and Historical Research Centre, Indian and Northern Affairs Canada, 1986), 21.

²⁵ Alexander Morris, "The Lake Winnipeg Treaty, Number Five," *The Treaties of Canada with the Indians of Manitoba*, 343-347.

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suggestions, and securing their acceptance of the package.” But no real negotiations took place.²⁶ Or if there were any, none was recorded. According to Morris, “We explained why we could not grant them a reserve ... at Grassy Narrows as they wished, owing to the proposed Icelandic settlement there, but offered to allot them a reserve at Fisher River, about forty miles north of the Narrows, and this they accepted.”²⁷

There is little available information regarding the size of the reserve to be set aside at Fisher River. The Treaty text merely states that the Norway House faction removing to Fisher River were to receive 100 acres per family of five:

...inasmuch as a number of the Indians now residing in and about Norway House, of the band of whom David Rundle is Chief, are desirous of removing to a locality where they can cultivate the soil, Her Majesty... agrees to lay aside a reserve on the west side of Lake Winnipeg, in the vicinity of Fisher River, so as to give one hundred acres to each family of five, or in that proportion for larger or smaller families, who shall remove with the said period, and that a reserve will be laid aside sufficient for that or the actual number.²⁸

It seems odd that no rationale was given for this land allocation discrepancy. Even in Morris’s report he was vague:

The terms of the treaty were identical with those of Treaties Numbers Three and Four, except that a smaller quantity of land was

granted to each family, being one hundred and sixty, or in some cases one hundred acres to each family of five, while under Treaties Numbers Three and Four the quantity of land allowed was six hundred and forty acres to each such family.²⁹

In the fall of 1875, 187 families at Norway House received their first Treaty money, a total of 691 people including men, women and children.³⁰ The Chief was informed that the few families who had already moved to Grassy Narrows would have to remove to Fisher River at the first open water the following summer.³¹

In many ways the Norway House Crees found themselves caught at the intersection—and in the way – of competing colonial agendas. The HBC did not support their removal south which would have created a smaller wage labour pool and fewer potential trappers. Chief Factor Ross at Norway House wanted to re-open some of the northern outposts and hoped to remove the Norway House Cree to these sites to take up full time trapping.³² The Methodist missionary Egerton Ryerson Young wanted the Norway House Cree to relocate to Berens River on the east side of Lake Winnipeg where he was planning on building a model farming community among the Anishnaabe people there.³³ The

²⁹ Morris, *The Treaties with the Indians*, 145.

³⁰ NAC, RG10 (Indian Affairs) Black Series, Vol. 9353, Treaties 1, 2, 3 and 5. Indian Paysheet Treaty No. 5, Norway House Band, 24 September 1875.

³¹ WMC AR [1876], June 1876-June 1877, Rossville, Norway House, Rev’d John R. Ruttan, xx.

³² Hudson’s Bay Company Archives B.154/e/13 Roderick Ross to James A. Graham, “Norway House District Report, 1875,” 6-7.

³³ Egerton Ryerson Young, *Stories from Indian*

²⁶ Coates and Morrison, “Treaty Five (1875-1908),” 21.

²⁷ Morris, *The Treaties with the Indians*, 143.

²⁸ Morris, *The Treaties with the Indians*, 345.

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Territorial Council initially supported the Norway House Cree initiative to move to Grassy Narrows but quickly reneged and withdrew their support when the Icelanders wanted that same land. The Icelanders, like the rest of them, had little regard for the Norway House Cree people, their needs or desires. Even their trusted friend James Settee sabotaged their efforts and encouraged Governor Morris to reject their request.

The paucity of oral history and the vague references in the official records leave many questions unanswered. Their reason for wanting to move south was to make a living by farming.³⁴ So, why was the least amount of land allocated to the one Band in Treaty No. 5 that intended to embark in full time agriculture? In order to get a better handle on what the Norway House Cree understood they were negotiating for it is useful to consider this question in the context of the ‘spirit and intent’ of Norway House Cree calling for and entering into the Treaty making process. All the evidence demonstrates that their primary motivation was to secure their livelihood. But what did “livelihood” mean to the Norway House Cree in 1875?

Discussions about Treaty Rights in terms of promises and rights to ‘livelihood’ are considered by some scholars to be a relatively recent discourse, emerging in the 1990s out of the Treaty No. 8 research.³⁵

Wigwams & Northern Campfires, (London: Charles H. Kelly, 1893), 256.

³⁴ Morris, *The Treaties with the Indians*, 143.

³⁵ Carl Beal, “The Manitoba Treaties and the ‘Right

It has been most developed in studies about the spirit and intent of Treaty No. 8 predominantly in the work of René Fumoleau, Richard Daniel and Dennis Madill. Outside of Treaty No. 8 territory the work of Jean Friesen and Richard Price took the concept of livelihood further in their discussions on the spirit and intent of Treaties and the preservation of livelihood. By 2000 the academic discourse on ‘livelihood’ emerged as a new interpretive approach that seems to be examining and reframing old evidence rather than examining new evidence.³⁶ It has been suggested that the “ ‘livelihood rights’ doctrine was developed to give practical modern meaning to century old-treaties.”³⁷

While it may be a relatively recent discovery in the mainstream, the concept of livelihood as the basis for understanding the spirit and intent of the Treaties is well-grounded in Indigenous worldviews. In the Cree language there is little difference between the idea of ‘making a living’ and ‘way of life.’ Pimâcihowin means “the ability to make a living” but is more encompassing and inclusive than mere economics. The concept is grounded in relations with the land and resources and includes spiritual as well as physical dimensions. According to the late Harold Cardinal, when the “Elders describe the wealth of the land in terms of its capacity to provide a livelihood, they are referring not simply to its material

to Livelihood’,” (unpublished paper commissioned by the Treaty Relations Commission of Manitoba, 2008), 12.

³⁶ Beal, 13.

³⁷ Beal, 13.

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capabilities but also to the spiritual powers that are inherent in it.”³⁸ Making a living also goes beyond subsistence hunting and fishing. The understanding of the livelihood provisions of the Treaties were “intended to enable First Nations to continue their relationship to the land and to enable them to adapt to and become part of new modes of livelihood, which would accompany the fruition of their treaty relationship.”³⁹

The Norway House Cree intended to take up farming in a major way yet there are no surviving records found yet that shed any light on how they responded to the disparate land allocation they received at Fisher River, until the early twentieth century. In light of the silence in the records on this issue one cannot help but ask if the Norway House people fully understood how little land they were about to receive. Was the concept of an acre adequately explained to them by their interpreter?

James McKay served the Treaty Commission as Interpreter. He was a member of the Executive Council of Manitoba and Advisor to Governor Archibald on the negotiations of Treaties No. 1 & 2. Morris had considerable faith in McKay and wrote that McKay, “[t]horoughly understanding the Indian character he possessed large influence over the Indian tribes which he always used *for the benefit of the government*” [emphasis mine]. While the government

³⁸ Harold Cardinal and Walter Hildebrandt, *Treaty Elders of Saskatchewan* (Calgary: University of Calgary Press, 200), 43.

³⁹ Cardinal and Hildebrandt, 46-47.

may have had tremendous faith in McKay, evidence suggests that First Nations people themselves did not. It was reported that, “In 1873 when the Lieutenant-Governor recommended that McKay, on the basis of his famous friendship with the Indians be made Indian Commissioner, the Indians clearly indicated that they would have nothing to do with the government if McKay was appointed.”⁴⁰ Clearly, by appointing McKay as interpreter for Treaty No. 5 the government gained a decided advantage. McKay’s bias in favour of government agendas also leaves a large question about the thoroughness and integrity of his interpretations during the Treaty negotiation process.

In Cree there are two words used to describe an “acre.” The first is “tipuhaskan” from the root word “tihpaha,” *to measure*. “Tipa kêtum” means *he counts it, he keeps track of it* and “tipuhaskan” means *he counts the land*. More recently, “tihpahiskwéwin” means *the survey of the land*. The second term, “Askikanis,” comes from the root word “aski” meaning *the land*. “Askikanis” translates as *little bit of land* and is sometimes now used to refer to an acre. With little or no previous experience with land surveys, the Norway House Cree may not have thoroughly understood how much land an acre actually consisted of. Clearly more work needs to be done on the character, abilities, and persuasions of the

⁴⁰ TARR, “Fisher River: A Preliminary Report,” (Winnipeg: TARR, 1976), 8.

Fisher River First Nation

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Treaty interpreters, and on First Nations conceptual categories and understandings during the Treaty negotiations.

In the end, what the Norway House Cree received instead of Grassy Narrows was of far less value and quality. In Cree the word for an Indian Reserve is “iskonikan,” meaning *left over land*. In this context it was clearly land that no one else wanted. The Elders explain that the spirit and intent of the Treaties was to protect and enhance what they already had, not take anything away. But that is clearly not the philosophical approach underlying Treaty implementation by the federal government. As one old-timer at Fisher River remarked a few years ago:

*...sometimes I think the government
wanted to get rid of us altogether,
by starving us out with all his rules
preventing us from making a living.
By golly, it almost worked!*