

TREATY LAND ENTITLEMENT IN SASKATCHEWAN:
CONFLICTS IN LAND USE AND OCCUPANCY
IN THE WITCHEKAN LAKE AREA

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By

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ABSTRACT

This thesis examines the creation of the Witchekan Lake Reserve in Saskatchewan, the resulting treaty land entitlement (TLE) for Witchekan Lake First Nation, and the *1992 Framework Agreement for Saskatchewan Treaty Land Entitlement (TLEFA)*. The history of the Witchekan Lake Reserve between 1913 and 1919 is reconstructed and reveals a unique situation within TLE. The creation of a Reserve some thirty-seven years prior to adherence to Treaty Six presents a challenge to the interpretation of TLE. It also points to the importance of the historical context of Reserve creation within TLE.

A study of land use and occupancy of Witchekan Lake First Nation and the area occupied by Settlers was facilitated by the use of Department of Indian Affairs files, map biographies, oral interviews, transcripts of earlier interviews with deceased elders, records and correspondence from Saskatchewan Environment and Resource Management (SERM) and the Department of the Interior Homestead Files. The analysis employs a non-traditional definition of the ethnicity of Settlers. That definition is based on their birthplace, their land use and their life experiences before arriving at Witchekan Lake. Employing theoretical concepts of colonization and underlying ideologies of racial inferiority, the work proposes that the existence of two opposing types of land use and occupancy and their respective value systems led to a TLE for Witchekan Lake First Nation. It is argued here that these ideologies were present in the homestead period and have persisted into the present due to the late timing of settlement and the pluralistic composition of Settlers.

A review of the events around the acquisition of the Bapaume Community Pasture by Witchekan Lake First Nation demonstrates the continuance of conflict with Settlers. This conflict first arose in the homestead era. A critique of the TLEFA, specific to the case of Witchekan Lake First Nation, proposes that lack of attention to their unique circumstances has left the community with unresolved claims. The community hoped that these unresolved claims would be settled in the TLEFA.

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TABLE OF CONTENTS

PERMISSION TO USE.....	i
ABSTRACT.....	ii
ACKNOWLEDGEMENTS.....	iii
TABLE OF CONTENTS.....	iv
LIST OF TABLES.....	vi
LIST OF FIGURES.....	vii
LIST OF ABBREVIATIONS	ix
1. INTRODUCTION.....	1
1.1 The Saulteaux Tribe of the Battleford District.....	3
1.2 Origins of Witchekean Lake First Nation.....	4
1.3 The Sunchild Band.....	6
1.4 TLE in Saskatchewan.....	8
1.1.4 TLE for Witchekean Lake First Nation.....	10
1.4.2 <i>The 1992 Framework Agreement for Treaty Land Entitlement in Saskatchewan (TLEFA)</i>	11
1.5 Thesis Objectives.....	14
1.6 Research Problem.....	15
1.7 Thesis Statement.....	16
1.8 Context of the Thesis Project.....	16
2. BACKGROUND, SOURCES AND THEORETICAL CONCEPTS	18
2.1 TLE Sources.....	19
2.2 Mapping Land Use and Occupancy.....	21
2.3 Mapping Methodologies.....	22
2.3.1 Map Biographies.....	22
2.3.2 Land Use and Occupancy Studies.....	23
2.3.3 Harvest Studies.....	27
2.4 Theoretical Frameworks.....	29
2.4.1 Pluralist Communities and Institutional Completeness	33
2.4.2 The Concept of Ethnicity.....	35
2.4.3 Political Economy.....	37
2.4.4 Manifest Destiny and the Frontier Cultural Complex	42
2.5 Role of Mapping in Determining Land Use and Occupancy	18
3. METHODOLOGY.....	49
3.1 Witchekean Lake First Nation.....	49
3.1.2 Design for Map Biography.....	51

3.2	Settler Land Use and Occupancy.....	52
	3.2.1 Homestead Files, Grant Files, Post-1930 Files and Township Registers.....	54
	3.2.2 Data Manipulation.....	54
	3.2.2.1 Settler Raw Data.ID Number – Master Spreadsheet.....	56
	3.2.2.2 Subsequent Spreadsheets.....	56
3.3	Statistical Analysis of the Data.....	58
4.	RESERVE CREATION ERA.....	61
	4.1 The Saulteaux Band’s Request for a Reserve.....	62
	4.2 The Witchekan Lake Band’s Request for a Reserve.....	64
	4.3 Selection of the Original Reserve at Witchekan Lake.....	68
	4.4 Original Reserve Survey at Witchekan Lake.....	70
	4.4.1 Reductions to the Original Reserve Survey.....	73
	4.4.2 Further Reduction to the Original Reserve Survey	78
	4.5 Reserve Selection for the Sunchild Band.....	80
	4.6 Adjustments to Witchekan Lake Reserve Lands.....	82
	4.6.1 Loss of NE 20-52-11 from the Reserve.....	84
5.	WITCHEKAN LAKE AREA LAND USE AND OCCUPANCY	94
	5.1 Physical Geography of the Witchekan Lake Area.....	95
	5.2 Survey Activity in the Witchekan Lake Area.....	97
	5.3 Results of the Study with Witchekan Lake First Nation	101
	5.3.1 Alienation and Depletion of the Witchekan Lake Haylands.....	102
	5.3.2 Depopulation of the Witchekan Lake Band.....	104
	5.3.3 Agricultural Wage Labour.....	108
	5.3.4 Creation of Northern Fur Conservation area NFCA M-61.....	109
	5.3.5 Adhesion to Treaty Six in 1950.....	110
	5.3.6 NFCA M-61 Conflicts.....	113
	5.3.7 Welfare Payments, Trapping and Sugar Beet Labour	120
	5.3.8 Map Biographies.....	123
	5.4 Settler Land Use and Occupancy in the Witchekan Lake Area.....	128
	5.4.1 Ethnicity.....	128
	5.4.2 Origins of the Settler Community at Witchekan Lake	130
	5.4.3 Institutional Completeness.....	134
	5.4.4 Residency and Occupancy.....	137
	5.5 Alienation of Selected Lands for Reserves.....	142
	5.6 Bapaume Community Pasture.....	154
6.	CONCLUSION.....	166

LIST OF TABLES

5.1	Witchekan Lake Band Population, 1946	106
5.2	M-61 Fur Conservation Area, 1956-1996	116
5.3	M-61 Pelt Harvest by Fur Type, 1956-1996	118
5.4	M-61 Fur Harvest in Dollars of Each Fur Type, 1956-1996	119
5.5	Marital Status of Witchekan Lake Area Settlers, 1911 to 1939, by ethnicity	137
5.6	Settler Residency on Homesteads in the Witchekan Lake Area. 1911 to 1939, by marital status	138
5.7	Time Lapses for Patented Lands in Witchekan Lake Area, 1991 to 1949	141
5.8	Alienated Acres, Original Reserve Survey, 1911 to 1949	153

LIST OF FIGURES

1.1	Partial map of Saskatchewan and Location of Study Area	2
1.2	Area of Study Showing Reserve Selections in the Witchekan Lake Area	7
3.1	Bapaume Community Pasture, 1993 and Lands Never Patented Before 1989	55
4.1	Changes to the Boundaries of the Witchekan Lake Reserve #117, 1913-1919	83
5.1	Witchekan Lake Band Population, 1946	106
5.2	M-61 Fur Conservation Area: Total Pelt Harvest, 1956-1996	116
5.3	M-61 Fur Conservation Area: Total Harvest Value, 1956-1996	116
5.4	M-61 Pelt Harvest, 1956-1996	118
5.5	M-61 Dollar Value of Pelts, 1956-1996	119
5.6	Witchekan Lake First Nation: Areal Land Use and Occupancy	125
5.7	Witchekan Lake First Nation: Witchekan Lake Area Use and Occupancy	126
5.8	Settler Land Use and Occupancy in Witchekan Lake Area, 1911 to 1919	144
5.9	Settler Land Use and Occupancy in Witchekan Lake Area, 1920 to 1929	145
5.10	Settler Land Use and Occupancy in Witchekan Lake Area, 1930 to 1939	146
5.11	Settler Land Use and Occupancy in Witchekan Lake Area, 1940 to 1949	147
5.12	Settler Land Use and Occupancy in Witchekan Lake Area, 1950 to 1959	148
5.13	Settler Land Use and Occupancy in Witchekan Lake Area, 1960 to 1969	150

5.14	Settler Land Use and Occupancy in Witchekan Lake Area, 1970 to 1979	151
5.15	Settler Land Use and Occupancy in Witchekan Lake Area, 1980 to 1989	152
5.16	Homestead Acres on Original Reserve Survey, 1911 to 1949	153
5.17	Patented Acres on Original Reserve Survey, 1911 to 1949	153
6.1	Graphic Representation of an Operational Value System of Individualism in the Witchekan Lake Area	182
6.2	Graphic Model of an Operational Value System of Holistic Collectivity	185

LIST OF ABBREVIATIONS

ABSBGA	Alberta Sugar Beet Growers Association
ADOFS	Adjusted Date of First Survey
CSP	Canada, <i>Sessional Papers</i>
DGSIA	Deputy Superintendent General of Indian Affairs
DIA	Department of Indian Affairs
DNR	Department of Natural Resources
DOFS	Date of First Survey
DTRR	Department of Tourism and Renewable Resources
FSIN	Federation of Saskatchewan Indian Nations
HBC	Hudson's Bay Company
HBCA	Hudson's Bay Company Archives
ICC	Indian Claims Commission
NAC	National Archives of Canada
ORS	Original Reserve Survey
OTC	Office of the Treaty Commissioner
PAM	Public Archives of Manitoba
SAB	Saskatchewan Archives Board
SERM	Saskatchewan Environment and Resource Management
TLE	Treaty Land Entitlement
TLEFA	<i>The 1992 Framework Agreement for Treaty Land Entitlement in Saskatchewan</i>

CHAPTER ONE: INTRODUCTION

Witchehan Lake First Nation celebrated an historical and long-awaited event on May 15, 1998. This date marked the official attainment of the community's shortfall acres under the terms of the *1992 Framework Agreement for Treaty Land Entitlement in Saskatchewan* (hereinafter TLEFA).¹ The land acquired under shortfall terms, locally known as the Bapaume Community Pasture, marked the return of a portion of Witchehan Lake First Nation's traditional lands to their care and use. Government policy, settlement pressures and resource competition between the Canadian state, the province of Saskatchewan and the Settler community formerly alienated these lands.²

Witchehan Lake First Nation is one of twenty-five signatory First Nations to the TLEFA that settled outstanding claims for land under treaty provisions. This community is located within the Treaty Six area, in the north central area of Saskatchewan.³ During the course of this thesis project, research was designed to involve the community of Witchehan Lake First Nation and to produce research that would be meaningful and useful to the community. It was important to the community of Witchehan Lake First Nation to uncover the reasons for the alienation of lands originally contained within the 1913 Original Reserve Survey (hereinafter ORS). Addressing this concern became the primary focus for this thesis project by illuminating the historical creation of the Reserve in more detail than has been previously attempted.

A study of land use and occupancy by Witchehan Lake First Nation and area Settlers was contained to all of the land once selected for Indian Reserves. An historical approach to this study of land use and occupancy sets the scene for contemporary treaty land entitlement (hereinafter TLE). The history of the creation of the Witchehan Lake Reserve is a unique event,

¹ *1992 Framework Agreement for Treaty Land Entitlement in Saskatchewan* (Saskatoon, Sk.: Office of the Treaty Commissioner (hereinafter OTC), 1992).

² The terms Reserve and Band are all capitalized throughout this thesis in an attempt to decolonize these terms. Reserves are the remaining homelands of Indian peoples in Canada and were allocated to groups of Indian peoples recognized as Bands under the *Indian Act*; both terms are distinct outcomes of defined processes and as such, are proper nouns. The writing of the words Bands and Reserves with lower case letters has allowed for their treatment as somewhat less significant than social groups and lands in the rest of Canada, reflecting ethnocentric perceptions about Bands and Reserves. As well, this thesis refers to a specific Reserve and a specific Band. The term "Band" is used in the historical context while "First Nation" is used for contemporary time.

³ See Figure 1.1 for location of study in Saskatchewan.

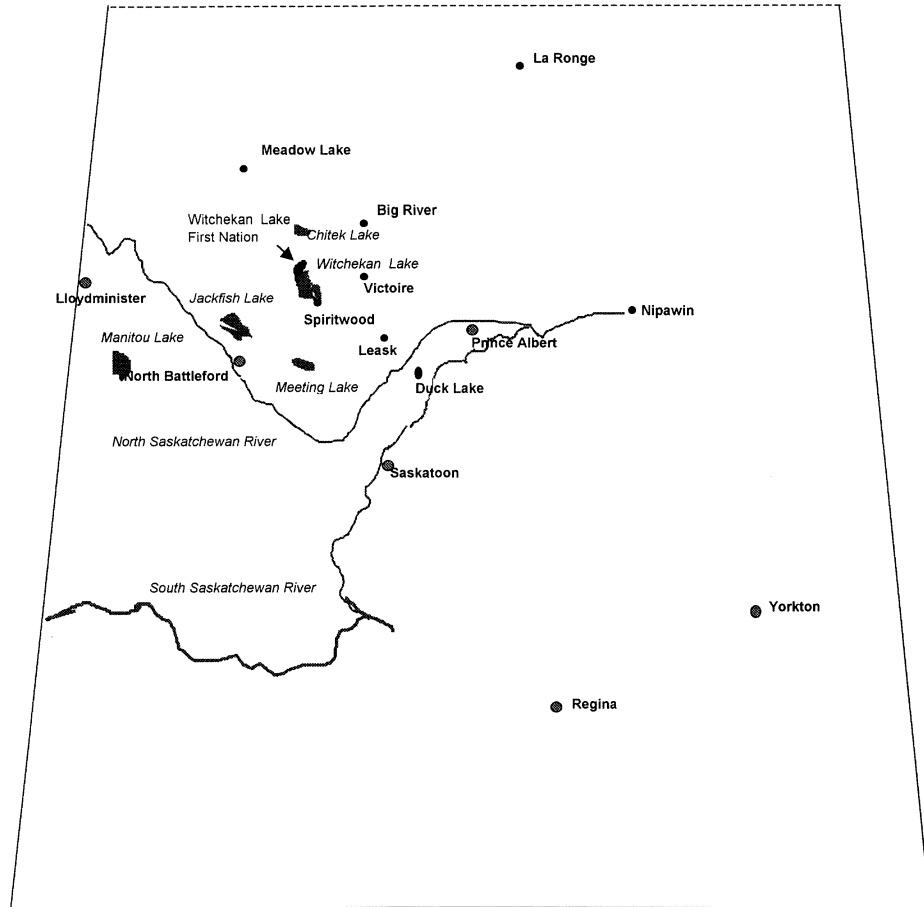


Figure 1.1 Partial Map of Saskatchewan and Location of Study Area

The names of rivers and lakes are printed in italics. Major cities in the province are provided for the purposes of location. The names of towns and villages are provided as these are mentioned in various thesis chapters. Smaller communities present in the early homestead era are not shown.

The community of Witchekan Lake First Nation is located in north-central Saskatchewan, on the northeast side of Witchekan Lake, near the town of Spiritwood.

given the time period in which it was created and the lack of treaty adhesion by each of the individual Bands who made up the Saulteaux Band (Tribe) in the Battleford District.

1.1 THE SAULTEAUX TRIBE OF THE BATTLEFORDS DISTRICT

Members of the Saulteaux Tribe included the Witchekan Lake Band, the Pelican Lake Band (historically known as the Chitek Lake Band) and the Saulteaux Band (historically known as the Jackfish Lake Band). The Sunchild Band may have part of the Saulteaux Tribe but is not covered under the TLEFA as this Band has a Reserve in Alberta. Historically and within the TLEFA negotiations, the Witchekan Lake, Pelican Lake and Saulteaux Bands were all treated as separate Bands. In the interests of living peaceably, the various factions spread themselves throughout the Saulteaux Tribe's traditional lands. Each faction had a particular area of its own while at the same time, sharing some of it with other factions to harvest resources.⁴ The factionalization of the Saulteaux people may have been due to their independent and autonomous spirit. In 1914, Battleford Indian Agent, J.A. Rowland characterized Saulteaux Indians as "ignorant, contrary and independent."⁵ While hardly a flattering characterization, Rowland's description points to a possible explanation for the disbursement of the larger Saulteaux Band (Tribe) amongst its traditional lands.

The Department of Indian Affairs (hereinafter DIA) created a separate file and unique identification number for the Witchekan Lake Band,⁶ as it did for the Pelican Lake and Jackfish Lake Bands. However, when it came to allocation of Reserve lands, these Bands were treated as a collective unit as the DIA requested Reserve lands for the Saulteaux Tribe, rather than for individual Bands. The first of these Reserve lands was allocated at Jackfish Lake for 14.13 sections (9045 acres), sometime around 1909.⁷ Settlement demands for land in this area led to the surrender of the Moosomin Reserve; a new Reserve was awarded to Moosomin, a treaty

⁴ Report, W. J. Chisholm, Inspector of Indian Agencies, Prince Albert to J.D. McLean, Assistant Deputy Minister and Secretary, DIA, Ottawa, October 30, 1914 and W. B. Crombie, Inspector of Indian Agencies, Battleford to McLean, November 1, 1916. Both in National Archives of Canada (hereinafter NAC), RG10, Volume 7767, File 27107-11. Both documents mention the exchange of fish and hay between the various factions.

⁵ Report, I, J.A. Rowland, Indian Agent, Battleford to McLean, October 26, 1914. NAC, RG10, Volume 7767, File 27107-11. Correspondence begins in 1908.

⁶ NAC, RG10, Volume 7767, File 27107-11. This file has no formal title but the face page reads "Carlton, Surveys and Reserves, Witchekan Lake Reserve." Saskatchewan Archives Board (hereinafter SAB), S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827. This file has some information about Witchekan Lake which filled in correspondence gaps in NAC file, but is mainly about the Jackfish Lake Band and its Reserve creation.

⁷ Letter, McLean to P.G. Keyes, Secretary, Department of the Interior, Ottawa, February 2, 1912. NAC, RG10, Volume 7767, File 27107-11.

Band, out of lands previously selected for the Jackfish Lake Band. Understandably, the Saulteaux Indians at Jackfish Lake became nervous and requested the rest of their entitlement, choosing Witchekan Lake as the location. By 1911, the Saulteaux Tribe numbered 293 individuals; by early 1912, the DIA determined that they were entitled to a Reserve balance of 44.47 sections (28,460.8 acres).⁸

In October, 1912, Chief Kawkaykeesick, of the Witchekan Lake Band, wrote to James McKay, Member of Parliament for the Prince Albert constituency, to request McKay's assistance in procuring a Reserve for his Band. He gave the following description of the Band:

We are a band of hunting Indians who have lived in this part of the country for about forty years. We have made our living entirely by hunting. We have never taken treaty or scrip and have not as yet got a reserve. The homesteaders are coming in here now and we think it is about time we got a reserve.⁹

The DIA assured the Chief that a decision had already been made to survey a Reserve at Witchekan Lake for the Saulteaux Indians who lived there. The Chief was told to expect the surveyor in the summer and that he was "expected to render him all the assistance within your power to lay out a reserve of the size he will be instructed."¹⁰

The Original Reserve Survey (ORS) was carried out in October, 1913 by DIA Surveyor Steele. Within weeks of its completion, the size and location of the ORS was challenged by the Deputy Minister of the Interior, Settlers in the Witchekan Lake area and the local Member of Parliament.¹¹ It is at this point that the DIA became concerned about actual population of one Band, the Witchekan Lake Band, as the basis for the size of the Reserve at Witchekan Lake. In the context of prolonged protest to the location and size of the Reserve, a number of efforts were made to determine the population of the Witchekan Lake Band, resulting in a severe reduction to the ORS.

1.2 ORIGINS OF WITCHEKAN LAKE FIRST NATION

Oral interviews with Witchekan Lake elders name Kawkaykeesick as one of four sons of an old Saulteaux man named Osawahpisk (also referred to as Old Brass) who is said to have

⁸ Ibid.

⁹ Letter, Chief Kawkaykeesick to James McKay, October 20, 1912. NAC, RG10, Volume 7767, File 27107-11.

¹⁰ McLean to Chief Kawkaykeesick, c/o Messrs. Anderson & McArthur, Duck Lake, February 20, 1913. NAC, RG10, Volume 7767, File 27107-11.

¹¹ See Chapter Four for details around the survey, protest and eventual recognition of the Witchekan Lake Reserve.

traveled with his family by horseback from the east to the Witchekan Lake area.¹² Early surveyors who came to the area made references to the presence of Indian peoples at Witchekan Lake. There is a reference to an Indian encampment on 20-52-11 in September, 1911.¹³ A member of a survey crew located Indian shacks on 31-51-11 in October, 1911 and a small field was traversed on North East 20-52-11.¹⁴ By 1912, the DIA believed the Witchekan Lake Band to have been in the area for over twenty years before the Band requested a Reserve at Witchekan Lake.¹⁵ Records in the Hudson's Bay Company Archives list the names of Old Brass, Kawkaykeesick and some of his family members on the Indian Debt Lists for the Shell River Post as early 1890 and for the years 1893, 1894 and 1896.¹⁶ These records indicate that Band members were engaged in trading with the HBC and places the Band in the area at just over twenty years before requesting a Reserve at Witchekan Lake in 1912.

However, interviews with elders in the mid-1970s relate instances of Band members and their relatives attending Treaty Six talks at Fort Carlton.¹⁷ This event places the Band at Witchekan Lake in the 1870s, supporting Chief Kawkaykeesick's claim to have been in the area around forty years before the request for the Reserve. However, the DIA was well aware that the people of the Witchekan Lake Band had not yet signed any treaty when the DIA decided to grant the Band a Reserve in 1912.¹⁸ At this time, the Witchekan Lake Band had social and cultural ties with the Saulteaux Band at Jackfish Lake. As a self-defined hunting and trapping Band of Indians, independent of treaty or scrip, the Witchekan Lake Band occupied traditional lands in and around the geographical area of Witchekan Lake that acted as a gathering place during the winter and summer haying season as well as lands of a considerable area north,

¹² Respondent #11. Interview with Harry Nicotine. November 24, 1975. Witchekan Lake Band Files.

¹³ SAB, R190.6, Department of the Interior, Surveyor Diary, E.W. Hubbell, (April 17 to April 30, 1911), File 12317. The expression 20-52-11 refers to Section 20 of Township 52 in Range 11. The Dominion Land Survey system placed lands within a grid system so that quarter sections could be easily located according to markers left on the land after the survey was completed. This system facilitated the tracking of entry on quarter sections homesteaded by Settlers and later patented to them.

¹⁴ SAB, R190.6, Department of the Interior, Surveyor R.C. Laurie, (May 22 to October 27, 1911), File 13068.

¹⁵ Letter, McLean to Keyes, February 2, 1912. NAC, RG10, Volume 7767, File 27107-11.

¹⁶ Public Archives of Manitoba (PAM), Hudson's Bay Company Archives (HBCA), B345/d/13, English River District, Shell River Post, Account Books. A search for trading records before 1890 and after 1896, between the HBC and the Band could not locate any transactions at either Green Lake or Ile a la Crosse. It is possible that local traders were at work in the area; McArthur and Anderson were merchants based in Duck Lake who were known to come out to the Witchekan Lake area to trade goods for furs. (Respondent #10. Interview with Harry Nicotine, December 3, 1975. Witchekan Lake Band Files).

¹⁷ Respondent #12. Interview with Harry Nicotine, November 30, 1975 and Respondent #14. Interview with Harry Nicotine, February 19, 1976. Witchekan Lake Band Files.

¹⁸ Letter, Chief Kawkaykeesick to James McKay, October 20, 1912. NAC, RG10, Volume 7767, File 27107-11.

south, east and west of Witchekan Lake. Chief Osahwahpisk, as the Band's Chief, began the quest for a Reserve for the Saulteaux at Witchekan Lake. Kawkaykeesick became Chief before his father's death in 1916,¹⁹ but he himself died during the 1918 Spanish Flu epidemic that severely depopulated his Band.²⁰

At some point, the Band's cultural identity became a mixture of Cree and Saulteaux. In 1949, a DIA Superintendent described the Band's origins as "a mixture of Saulteaux and Cree and are descendants of Big Bear's Band that became scattered following the Rebellion of 1885."²¹ Given the fact that Big Bear was himself a mixture of Ojibwa and Cree²² and was known to have spent time at Jackfish Lake amongst the Saulteaux Band,²³ the possibility of some Witchekan Lake Band members originating from Big Bear's Band is not far-fetched. Furthermore, after the imprisonment of Big Bear, his Band was scattered and their whereabouts remain unknown.²⁴ Witchekan Lake First Nation refused to sign Treaty Six until 1950, preferring instead to remain independent, self-sufficient and autonomous as a political unit.²⁵

Presently, Witchekan Lake First Nation is located in north central Saskatchewan; the 1996 Census Canada record, indicate a Reserve population of 254, very few of whom are elders. The people who are members of this Aboriginal community are a mixture of Cree and Saulteaux peoples who have cultural and social ties to other First Nations in the area. In the early history of the Witchekan Lake Band, and more recently in the 1992 TLE process, the legitimacy of Witchekan Lake First Nation, as a unique entity, has never been questioned.

1.3 THE SUNCHILD BAND

Scant information was available about the Sunchild Band who were likely another faction of the Saulteaux Tribe in the Battleford District.²⁶ The DIA assumed that the Sunchild Band as

¹⁹ Letter, Agent S.A. Milligan, Carlton Agency to DIA, Ottawa, October 23, 1916. NAC, RG10, Volume 7767, File 27107-11.

²⁰ Letter, Crombie to DIA, January 15, 1919. NAC, RG10, Volume 7767, File 27107-11. See also Respondent #12. Interview with Harry Nicotine, November 20, 1975; Respondent #12. Interview with Harry Nicotine, June 11, 1976 and Respondent #11. Interview with Harry Nicotine, November 24, 1975.

²¹ Letter, Superintendent N.J. McLeod, Superintendent, Duck Lake Agency to DIA, Ottawa, July 21, 1949. This document was obtained from the Office of the Treaty Commission, Saskatoon, Sk. (1995) The document is labeled File 674/23-16-015, Volume 1.

²² Hugh Dempsey, *Big Bear: The End of Freedom* (Vancouver: Greystone Books, 1984), 11.

²³ Dempsey, 57 and 63.

²⁴ Ibid, 196 and 201.

²⁵ NAC, RG10, Volume 7767, File 27107-11. A number of letters from Witchekan Lake Chiefs state their refusal to sign treaty and a desire to remain autonomous; these letters are discussed in later chapters.

²⁶ A request was sent to the Sunchild Band in Alberta but no reply was forthcoming; without a Band Council Resolution (BCR), access to restricted files was denied at institutions with archival holdings.

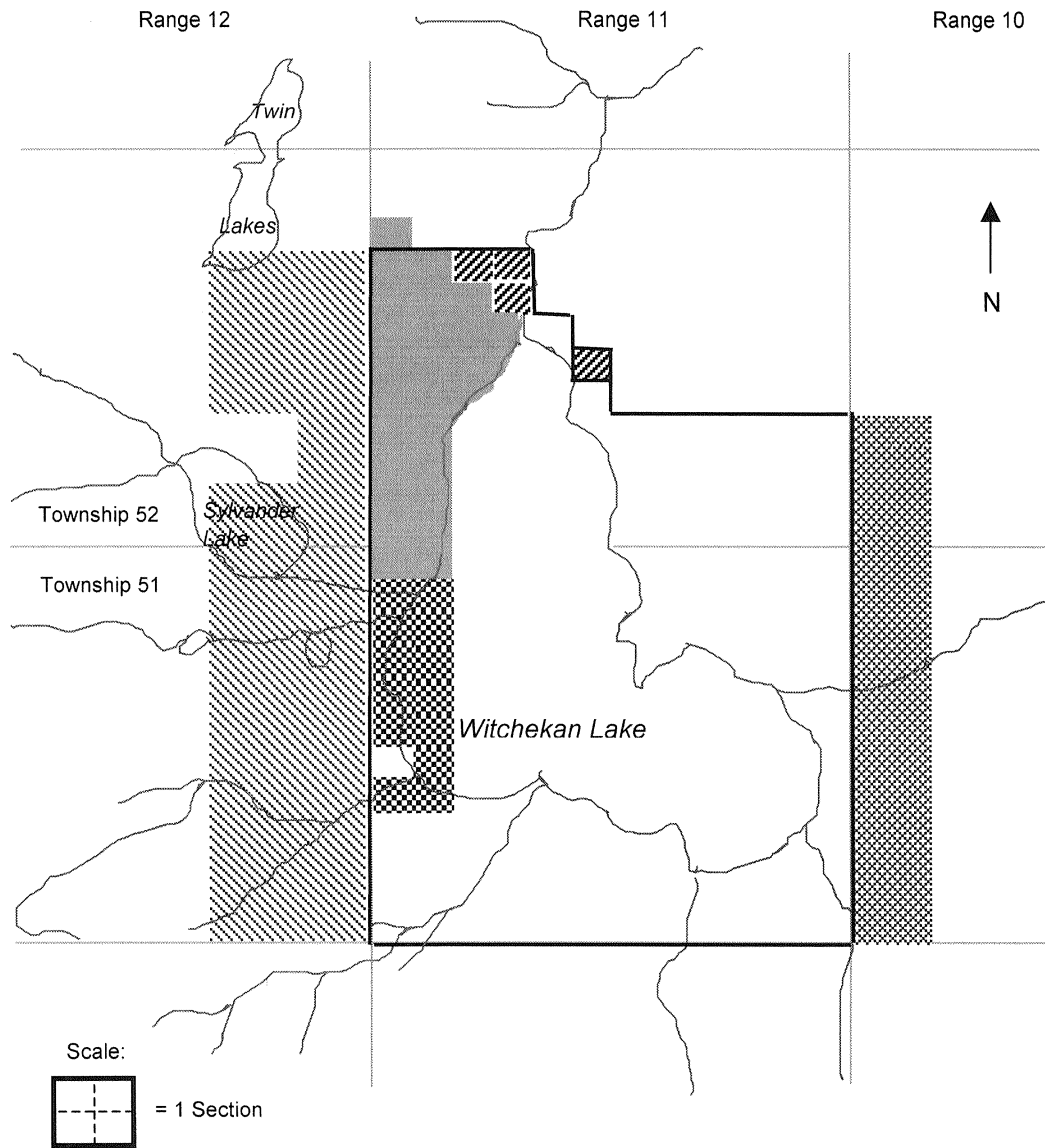


Figure 1.2 Area of Study Showing Reserve Selections in the Witchekan Lake Area

Legend:

- Witchekan Lake Original Survey, 1913
- ▤ Recommended Addition to Witchekan Lake by Surveyor Steele, 1913
- ▨ Sunchild Selection, 1915
- ▩ Overlap of Selections for Witchekan Lake and Sunchild
- ▧ Witchekan Lake Reserve, Order-in-Council, 1919
- ▨ Withdrawn from Original Reserve Survey, 1913

well as Jackfish Lake and Witchekan Lake could share a Reserve within the Saulteaux traditional lands as the DIA proposed that these Bands be amalgamated in 1915.²⁷ A Reserve selection was made for the Sunchild Band by the DIA, within the lands selected for the Witchekan Lake Reserve in the 1913 Original Reserve Survey; this area of overlap would later form part of the Bapaume Community Pasture.²⁸ This Reserve selection was abandoned a short time later as the DIA experienced difficulty in actually being able to meet with “certain roving Indians known as Sunchild’s Band.”²⁹ Eventually, the Sunchild Band received a Reserve near Rocky Mountain House, Alberta after adhering to Treaty Six in 1944.³⁰

1.4 TLE IN SASKATCHEWAN

The historical basis of treaty land entitlement in Saskatchewan lies in the treaties that were signed between the Crown and First Nations, beginning in the 1870s. These treaties were carried out on the Crown’s behalf by Treaty Commissioners appointed by the Dominion of Canada. The introductory language of Treaty Six states that the treaty was made between “Her Most gracious Majesty the Queen of Great Britain and Ireland, by her Commissioners . . . and the Plain and Wood Cree Tribes of Indians, and other Tribes of Indians, inhabitants of the country within the limits hereinafter defined.”³¹ It is the understanding of some Elders within Treaty Six that treaties were agreements between colonial Britain and First Nations in which the Crown provided gifts, annuities and Reserve lands to First Nations in exchange for the rights to “live in peace and share the lands of the Indigenous peoples.”³² As well, these Elders

²⁷ Letter, Chisholm to McLean, July 8, 1915. NAC, RG10, Volume 7767, File 27107-11.

²⁸ Figure 1.2 that illustrates the study area. The overlapping area is indicated in green on the DIA map.

²⁹ Letter, McLean to Dr. E. Deville, Surveyor General, Department of the Interior, January 19, 1916. NAC, RG10, Volume 7767, File 27107-11.

³⁰ Office of the Treaty Commissioner (Saskatchewan), *Statement of Treaty Issues: Treaties As A Bridge to the Future* (Saskatoon, Sk.:OTC,1998), Appendix G, 113 lists the Sunchild Band as Cree. The Band may have been Saulteaux or a mixture of Cree and Saulteaux.

³¹ Although Treaty Commissioners were appointed by the Dominion of Canada, the words of Treaty Six clearly state that the treaty is between the Queen of Great Britain and the Indians of the territory of Treaty Six, with the commissioners acting on the Queen’s behalf. Furthermore, it is the Queen who promised to provide Reserves while the Chief Superintendent of Indian Affairs was to send someone out to determine and set out the Reserve, in consultation with the Indians. See Alexander Morris, *The Treaties of Canada With the Indians of Manitoba and the North-West Territories* (Saskatoon, Sk.: Fifth House Publishers, 1991; Original, 1880), 351-367 for a copy of Treaty Six.

³² Sharon Venne, “Understanding Treaty Six: An Aboriginal Perspective” in *Aboriginal and Treaty Rights in Canada: Essays on Law, Equity, and Respect for Difference* ed. Michael Asch (Vancouver: UBC Press, 1997), 193 . For a theoretical perspective on the relationship of Britain to the Dominion of Canada, see James S. Frideres and Rene R. Gadacz, *Aboriginal Peoples in Canada: Contemporary Conflicts*, 6th ed. (Toronto: Prentice Hall, 2000), 4-7. This theory of colonization proposes that during the

understand it to be Britain, and not the colony of Canada, who had the authority to enter into treaties with First Nations peoples.³³ Treaties were the favoured method by which Britain chose to carry out the stipulations of the *Royal Proclamation of 1763*, a document that recognized the existence of Aboriginal title to North American lands that Britain wished to colonize.

The *Royal Proclamation* gave the British Crown the exclusive right to acquire lands occupied by First Nations through a treaty-making process that included the payment of compensation in exchange for the right to enter and occupy Indian lands specified in signed treaties.³⁴ Lands that were occupied and used by Aboriginal peoples were desired by colonial Britain for settlement of agricultural immigrants that would populate and secure the western frontier of present-day Canada. Settlement of these lands facilitated the security of this territory for the new Dominion of Canada and fed the dreams of its statesmen for a nation from sea to sea.

In the process of negotiating various treaties with Indian Bands, the Crown agreed to provide, among other things, Reserves of land for each Band who signed a treaty. These Reserves were calculated on the basis of a specified number of acres per Band member; a census of Band members was to be taken after the treaty was signed in order to determine the size of the Reserve allocation. Under the terms of Treaty Six, Indian Bands were allocated 640 acres per five Band members; the TLEFA has broken down individual Band member allocation to 128 acres.³⁵ For various reasons, these land allocations were not always fulfilled; inaccurate census records of Band members, survey errors and conflicts with Settler demands and government departments were common reasons for the creation of outstanding land entitlements.³⁶ However, reasons aside, it is important to recognize treaty land entitlements not as largesse, gifts or handouts on the part of the Canadian state but as outstanding debts to selected First Nations who had signed or adhered to a treaty in Canada.

time period when treaties were made to obtain access to Indian lands and resources, Britain acted as an agent of external political control to the lands it was colonizing; the Dominion of Canada was one of those colonies and the predominance of the Queen of Great Britain in the wording of Treaty Six supports the notion that the new Dominion of Canada was not acting independently but with the guidance of Britain.

³³ Venne, 189.

³⁴ Ibid, 185.

³⁵ See Morris, 353 for the terms of Treaty Six and Cliff Wright, *Report and Recommendations on Treaty Land Entitlement* (Saskatoon, Sk.: OTC, 1990), 45 for acreage calculation per Band member.

³⁶ The term Settler is capitalized throughout this thesis to be consistent as the terms First Nation, Aboriginal and Native are all capitalized; respect for the significance of all groups is also ensured.

1.4.1 TLE For Witchekan Lake First Nation

Witchekan Lake First Nation is located within the Treaty Six area but did not adhere to Treaty Six until 1950. In 1912, the Witchekan Lake Band requested a Reserve allocation of one square mile (640 acres) for every man, woman and child in his Band which he estimated to be around fifty.³⁷ The Chief was requesting a Reserve of 32,000 acres. The DIA's response to the Chief was an offer of 640 acres per five Band members, according to the terms of Treaty Six.³⁸ A decision was made by the Department of Indian Affairs (DIA) to survey a Reserve of approximately 28,160 acres at Witchekan Lake; this Reserve was the remaining allocation for the Saulteaux Tribe.³⁹ In his report to the DIA, Surveyor Steele indicated the possible adhesion of the Witchekan Lake Band.⁴⁰ The ORS followed in October 1913 and consisted of 20,480 acres. Settlement pressures and political influence contributed to a much reduced Reserve, formalized in 1919 by Order-in-Council, that measured a mere 4,237 acres.

However, between the years of 1913 and 1919, this tiny Reserve was the subject of extensive correspondence exchanged between officials from the DIA, the Department of the Interior, the Witchekan Lake Band and Settlers from the Witchekan Lake area. A number of events occurred around the creation of the Reserve; during a five and one-half year period, the status of the Reserve remained in limbo while the Department of the Interior, DIA and Settlers disputed the size and location of the Witchekan Lake Reserve. At the centre of the dispute was access to the sizeable tract of haylands that surrounded the lake. After years of delay, the size of the Reserve was eventually accepted by the Department of the Interior and confirmed in 1919, as determined by dubious recommendations of local DIA officials.⁴¹

The end result was a significantly reduced Reserve size which left the haylands under government control and the benefit of access ending up in the hands of area Settlers. Although the Witchekan Lake Band received a portion of the haylands in their small Reserve, an

³⁷ Letter, Chief Kawkaykeesick, to McKay, October 20, 1912. NAC, RG10, Volume 7767, File 27107-11.

³⁸ Letter, McLean to Chief Kawkaykeesick, February 20, 1913. NAC, RG10, Volume 7767, File 27107-11

³⁹ Letter, S. Bray, Chief Surveyor, DIA to W.W. Cory, Deputy Minister of the Interior, February 17, 1913. NAC, RG10, Volume 7767, File 27107-11. Bray commented that the decision to survey the Reserve had been made and communicated to the Department of the Interior in a letter dated February 2, 1912.

⁴⁰ Letter, I.J. Steele, Surveyor, DIA to McLean. November 8, 1913. NAC, RG10, Volume 7767, File 27107-11. The anticipated adhesion is evident in this later correspondence between the DIA and Surveyor Steele as to the likelihood of having the Witchekan Lake Band sign Treaty Six.

⁴¹ Report, Chisholm to McLean, October 30, 1914. NAC, RG10, Volume 7767, File 27107-11. Agent Roland and Inspector Chisholm clearly stated their estimate of the Witchekan Lake Band population obtained from a visit to the area was not reliable but was the best they could do.

American rancher in the area who led the Settler's protest and petition against the ORS of 1913 accessed even these haylands for his personal use.⁴² Since the 1913 survey, Witchekan Lake First Nation has consistently regarded lands within the ORS tract as part of their traditional lands, some of which are included in the Bapaume Community Pasture. In 1981, the Band endeavoured to reclaim this land tract under the 1976 Saskatchewan Formula, a prior attempt to settle TLE in Saskatchewan. Failing to achieve success under this formula, the Band took action towards filing a specific claim, which was suspended with the emergence of TLE negotiations in 1990. The Band hoped to have their outstanding claims to lands and resources settled in the TLEFA.

1.4.2 The 1992 Framework Agreement for Treaty Land Entitlement in Saskatchewan (TLEFA)

Differences existed amongst the various Saskatchewan First Nations who were recognized to have outstanding treaty land entitlement claims in Saskatchewan. These differences were experiential, geographic, economic and political. There was no distinction made between the times when Bands signed or adhered to treaty; differences in economic orientation and geography do not appear to have been allowed for within the TLEFA and all of the Bands were treated as one homogenous political entity. This approach appears to have been supported by the Federation of Saskatchewan Indian Nations (hereinafter FSIN) who negotiated on behalf of the entitlement Bands. The end result has had significant effects on Witchekan Lake First Nation and has left the community with no alternatives to have their unique experience recognized within the TLEFA.

The position of Witchekan Lake First Nation at the conclusion of the TLEFA was that their land claim was only partially settled. Based on the ORS, the Bapaume Community Pasture, an additional land quantum and/or compensation for lost lands and resources, especially the haylands, remained outstanding. Under the terms stated in the negotiations of the TLEFA, Witchekan Lake First Nation could not make a claim for the years between 1913 and 1950 as the Band was outside of a treaty during these years. Although the Witchekan Lake Reserve was first surveyed in 1913, the TLEFA lists the Date of First Survey (DOFS) for the Reserve as

⁴² Report, pp. 2-3, Chisholm to McLean, October 29, 1915. NAC, RG10, Volume 7767, File 27107-1. In May, 1915, the Dominion Lands Office in Battleford issued a permit to cut 60 tons of hay on Sections 17 and 20 to E.R. Coldiron, an American rancher resident on SW 28-52-11 since 1912.

1950, the year that the Band signed the adhesion to Treaty Six.⁴³ In the TLEFA, a Band's DOFS determines the point at which they begin to incur land entitlement because it is assumed that a treaty has been signed and the DOFS is the survey of the Band's Reserve land under the terms of the treaty.

However, the selection of the Witchekan Lake Reserve in 1913 was based on the provisions of Treaty Six while the lands and resources administered under the provisions of the *Indian Act* between 1913 and 1950 when the Band was not in treaty. Until 1919, the status of the Reserve lands were not clear, leaving these lands and resources vulnerable to alienation and in the case of the haylands, permanent depletion in some areas. Between 1913 and 1950, the status of the Band as a treaty Band is not clear. Some of the decisions about the resources were made without the consultation of the Band while compliance under the *Indian Act* appears to have been somewhat sporadic and selective.⁴⁴ The legal implications of this treatment of the Band remain unanswered and are outside the main task of this thesis.

Some progress has been made in satisfying Witchekan Lake First Nation's issues under the implementation of the TLEFA. The recent acquisition of Reserve lands within the Bapaume Community Pasture is under a five-year co-management agreement with Saskatchewan Agriculture and Foods; at the close of this agreement, the Band will assume full control over these lands. The process that Witchekan Lake First Nation underwent to finally acquire the lands within the Bapaume Community Pasture was somewhat lengthy and arduous as negotiations with individual pasture patrons spanned a period of approximately three years.

Mediation services and intense one-on-one negotiations between Band members and Bapaume Pasture patrons yielded the required eighty percent favorable consent on the third vote. Under the conditions of the TLEFA, failure to procure the required favorable consent meant the Band would have been forced to risk appearing before an arbitrator to settle the matter of acquiring the Bapaume Community Pasture for shortfall acres.⁴⁵ The fact that Witchekan Lake First Nation had to undergo such arduous conditions to acquire its shortfall acres - acres that are outstanding under the terms of Treaty Six - speaks to the continued differences between the Band and the Settler community in terms of values towards land use and occupancy.⁴⁶ As well, the resistance of pasture patrons, many who are local, suggests that

⁴³ TLEFA, Schedule 1, 1.

⁴⁴ Letter, Dominion Land Agent, Battleford to N.O. Cote, Controller of Lands Patent Branch, Department of the Interior, December 27, 1916. SAB, S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827.

⁴⁵ TLEFA, Article 19, 116-121.

⁴⁶ TLEFA, Schedule 1. The Witchekan Lake Band is listed as having a shortfall of 65.15% to its entitled acres in 1950 when the Band adhered to Treaty Six. Under the terms of the TLEFA, the Band

relations between the Settler community and Witchekan Lake First Nation have not substantially improved with regards to access and control of the latter's traditional lands.

The creation of the TLEFA provided an opportunity to have Witchekan Lake's unique situation resolved but the political agendas of the negotiating parties did not allow time for the creation of a satisfactory process to deal with these outstanding and unusual issues. All of the negotiating parties - the federal and provincial governments as well as FSIN - began the negotiations with looming elections for each party. During the course of negotiations, pressure began to mount to find resolution to the outstanding issue of TLE before political opportunities were lost as well as any chance of a final settlement. Each party in the negotiations had much to lose if the negotiations failed.

Furthermore, the TLEFA, while satisfying land quantum and setting out compensation packages for the loss of use of lands and resources, failed to compensate Witchekan Lake First Nation for their losses between 1913 and 1950. While the Band was not technically under Treaty Six during these years, lands and resources were granted and administered under the conditions of Treaty Six and administered as Reserve lands and resources, by the DIA, albeit somewhat sporadically. Thus, since the TLEFA was negotiated with the intent of settling unfulfilled TLE and not any other condition of treaties, it is logical to assume that all Reserve lands granted accorded to Treaty Six would be covered under the TLEFA.⁴⁷ Recent findings by the Indian Claims Commission (hereinafter ICC) on TLE claims have upheld the six principles around treaty interpretation, first articulated in the *Report and Recommendations on Treaty Land Entitlement*. Based on those principles, the ICC determined that calculation of a First Nation's TLE would be based on DOFS approach "unless there are unusual circumstances which would otherwise result in manifest unfairness."⁴⁸ It follows that the lands and resources of Witchekan Lake First Nation would be included from the time of their selection and survey in 1913 and not from the date of adhesion to Treaty Six in 1950.

However, because of unclear policy positions of the DIA and a lack of exposure of the circumstances around the creation of the Witchekan Lake Reserve and events until 1950, some of the outstanding issues for Witchekan Lake First Nation do not qualify under the current terms of either Specific or Comprehensive land claims policies. The end result of the TLEFA has been that the claims of Witchekan Lake First Nation for the loss of lands and resources between

had to acquire 3686 acres to cover this shortfall to its Reserve lands. Only when this deficit in acres was covered could the Band gain access to equity acre funds that are the substantive part of their compensation package.

⁴⁷ TLEFA, 5.

⁴⁸ Indian Claims Commission (hereinafter ICC), "Gamblers First Nation Inquiry Treaty Land

the years of 1913 to 1950 remain outstanding, with no clear path to pursue to have these claims satisfied.

Witchekan Lake First Nation's claims for these remaining issues are outside the scope of this thesis but the explanations for the overall creation of land entitlement since 1913 are the main task of this project. An examination of land use and occupancy by the Band and Settler community explains the creation of land entitlement for the Band beginning in 1913 and the continued existence of some of the Band's outstanding claims. The use of a multi-disciplinary approach and varied sources of information including oral history and interviews, archival documents as well as theoretical literature allows for a confident explanation of how and why the lands in the 1913 Reserve survey were alienated from Witchekan Lake First Nation.

A secondary issue within the land use and occupancy of Witchekan Lake First Nation is that of the M-61 trapping block, assigned to the Band in the 1940s, approximately five years before their adhesion to Treaty Six in 1950.⁴⁹ An examination of fur harvest statistics and specific policy demonstrates the importance of trapping block M-61 to Witchekan Lake First Nation. However, Witchekan Lake First Nation experienced restricted access to this area for a twenty-year period, beginning in the early 1970s and continuing until 1992 when a lease agreement between the province of Saskatchewan and grazing lessees was reached. The lease agreement still restricts the Band's access to M-61 as both the Band and lessees are granted access to this area for specified months of each year and for specified activities. Any violation of these terms by either party will cause the lease agreement to be null and void. As well, the agreement expires in 2024 leaving this land vulnerable to, once again, alienation from Witchekan Lake First Nation.⁵⁰

1.5 THESIS OBJECTIVES

A main objective of this thesis project is to delve into the detailed history of land allocation, use and occupancy by Witchekan Lake First Nation and the Settler community in the Witchekan Lake area. The historical relationship between these two parties has had a compelling effect on events leading up to the TLE negotiations that culminated in the creation

Entitlement Claim," ICC Report, October, 1998, 68.

⁴⁹ Witchekan Lake First Nation signed an adhesion to Treaty Six in 1950. Saskatchewan Environment and Resource Management (SERM) files show that the M-61 trapping block was assigned to the Witchekan Lake Band in 1945 or 1946. Respondents #4 and #8. Elders Gathering, February 20, 1997. Interview with Brenda McLeod and Leonard Tipewan. Witchekan Lake Band Files. These two elders expressed the view that the Band was forced to accept the trapping block or risk having no trapping area.

⁵⁰ Saskatchewan Rural Development, Agricultural Lease, January 1, 1992 to December 31, 2024.

of the TLEFA. Indeed, competition and polarized political positioning characterize the tone of the agreement between entitlement First Nations and the rest of the province. The players opposite entitlement First Nations in this relationship are themselves cut across many lines - politicians, Settlers, urban, rural, Native and non-Native.

An anticipated outcome of this thesis project is to contribute to the empowerment of Witchekan Lake First Nation and the Settler community in the Witchekan Lake area. It is hoped that both groups may learn something about themselves and about each other and in doing so, bring about understandings that lead to changed approaches to polarized issues. In this way, each group becomes an agent of a healing process towards a full and meaningful life. This healing process on both sides is crucial to the successful implementation of the TLEFA.

1.6 RESEARCH PROBLEM

The research problem for this thesis project is to explore how early conflict arose between Witchekan Lake First Nation and the surrounding Settler community contributing to the creation of a shortfall of treaty land for Witchekan Lake First Nation; the degree to which that conflict continued to exist and how it affects the implementation of the TLEFA.

Within the contents of this thesis, Witchekan Lake First Nation and the Settler community will be analyzed to explain two phenomena. The first is that of a conflicting difference in land use and occupancy between these two groups that led to the land entitlement as well as the loss of land use and occupancy and resources, especially hay, for the Band. The second item of analysis will be to explain how this conflict continued to persist and impinges upon the implementation of the TLEFA. An examination of the Band's acquisition of the Bapaume Community Pasture will be used to illustrate the effects on implementation. Further discussion and a critique of TLE and the TLEFA is contained in Appendix V

The DIA and the Department of the Interior, acting as agents of the Canadian state, made decisions about the best interests of Witchekan Lake First Nation with regards to land and resources. It is significant that at the time that decisions were being made about the creation of the Witchekan Lake Reserve, its size, location and the abundant haylands around and within it were technically the jurisdiction of the Department of Indian Affairs. However, the location of the Department of Indian Affairs within the Department of the Interior, and the ultimate power of decision lying with the Minister of the Interior, placed the best interests of Witchekan Lake First Nation at considerable risk.

The roles of the Canadian state and the province of Saskatchewan were significant in contributing to the past creation of the land entitlement for Witchekan Lake First Nation. Presently, these roles continue to be significant in how the TLEFA is implemented. The best interests of Witchekan Lake First Nation continue to be balanced with those of the Canadian state, the province of Saskatchewan and the Settler community. An examination of the TLEFA is necessary as it is the means by which Saskatchewan First Nations, the Saskatchewan government, the Canadian state and Settler communities continue their relationships around land and resources.

1.7 THESIS STATEMENT

The profound difference in land use and occupancy, as practiced by Witchekan Lake First Nation and the Settler community in the area, led to an outstanding land entitlement as well as the loss of land use and occupancy and resources, especially hay, for Witchekan Lake First Nation. This difference has led to conflict between the two communities that persisted over time, surfacing during the negotiations to settle TLE in Saskatchewan. This conflict continues to be reflected in the implementation of the TLEFA and impinges on the recognition and timely settlement of Witchekan Lake First Nation's outstanding claims.

1.8 CONTEXT OF THE THESIS PROJECT

Some readers may view the context for this research project as a case study; however, this project was never undertaken in a case study format. Case studies imply that there is an object of study; that the object is a passive participant while the researcher is busy collecting information, learning, observing, inferring and drawing conclusions. On the contrary, Witchekan Lake First Nation actively participated in this research project, consulting, supporting, guiding and directing the research process. The community's input was sought in searching for a theoretical framework in which to place the thesis.

Although I provided the written interpretation and technical knowledge for the research, neither Witchekan Lake First Nation nor myself were an object of a case study. Many months have been spent building a relationship; trust is the basis of this relationship while time is an essential ingredient to building that trust. This thesis is the culmination of close to seven years of cooperative learning and building a working relationship with each other so that vital information could be shared with people who read this document.

Out of respect for the people of Witchekan Lake First Nation and in the interests of continuing to build this relationship, some of the research information, particularly around the agreement reached for the acquisition of the Bapaume Community Pasture has not been shared in this thesis. Some details are so sensitive that they would have a profoundly negative effect on the future well being of the community. It would be unethical to place the people of Witchekan Lake First Nation in such an unfair position for the sake of research.

CHAPTER TWO: BACKGROUND, SOURCES AND THEORETICAL CONCEPTS

INTRODUCTION

In relation to the research question for this thesis project, four sources of information were consulted. The first are primary sources that pertain to Witchekan Lake First Nation itself including archival documents and Band files containing research reports as well as previous transcripts of oral history and interviews about Witchekan Lake First Nation and surrounding Bands in the area, with whom Witchekan Lake First Nation has had a past connection. These sources cover historical data about the creation of the Witchekan Lake Reserve and some of its occupancy and land use.

While these sources set the background for TLE for Witchekan Lake First Nation and the source of conflict between the Band and the Settler community in the Witchekan Lake area, they do not reveal a complete picture of the lands used and occupied by the Band. A second set of sources around previous land use and occupancy studies, as well as other resource studies, were examined in order to design a methodological approach to uncovering land use and occupancy by Witchekan Lake First Nation and the Settler community. Data collected in subsequent map biographies provided information about land use and occupancy by Witchekan Lake First Nation would have been crucial to the settlement of the Band's TLE if it had been gathered and presented to the TLE negotiating parties. Thus, the land use and occupancy study of this thesis project seeks to fill this void and to demonstrate the need for such research before settling outstanding entitlements. In addition, archival documents around homestead activities were used to determine Settler land use and occupancy in the Witchekan Lake area.

As Saskatchewan and Manitoba are presently the only provinces to have reached settlements for TLE, it is hoped that those areas where outstanding entitlements still exist may benefit from the methodology used here and the discussion of this First Nation's experience. Becoming aware of the importance of recognizing Aboriginal land use and occupancy in achieving a fair and equitable settlement for First Nations. Primary and secondary sources around the topic of TLE are scarce. The TLEFA, Band files, and *Bowerman Papers* have limited utility in critiquing TLE as does the body of secondary literature.

With regards to the fourth set of sources, finding an appropriate theoretical framework for this thesis proved difficult. Native Studies, as a discipline, has yet to create its own concrete theoretical frameworks in the same fashion as other social sciences. However, scholars within Native Studies are seeking other ways to create theory that gives voice to Aboriginal experiences that inform theoretical perspectives. Colonization proved to be the most acceptable framework at this point; only two such theories exist at present and are examined along with political economy and the feminist approaches of moral economy and historical context. Other relevant concepts that are examined include the American ideology of manifest destiny, the frontier cultural complex in Canada, ethnicity, pluralism and institutional completeness.

2.1 TLE SOURCES

Although somewhat limited in quantity, these sources provide a general understanding of the origin and nature of the concept of TLE. An outline of this concept can be drawn from documents and articles pertaining to the settlement of TLE in Saskatchewan in 1992.¹ In addition, James Pitsula offered an explanation of the efforts to settle outstanding TLE in Saskatchewan, under the 1976 Saskatchewan Formula (hereinafter the Saskatchewan formula), while providing a basic framework for the emergence of the concept of TLE.² Pitsula covered the contentious issue of community pastures as TLE selections but ignored the larger question of the historical significance of pastures as part of traditional land bases. Richard Bartlett offers a summary of conditions and events around Saskatchewan TLE during the 1980s, while pointing to the hiatus between the federal and provincial governments of the day as the cause for the delay in settlement.³

Pitsula accessed the *Bowerman Papers* to study provincial policy and interaction between Saskatchewan, Canada, FSIN and some First Nations in regards to settling TLE between 1975 and 1982.⁴ Most of this collection covers the years surrounding the Saskatchewan Formula and the efforts of a number of entitlement Bands to have their claims settled. By the time

¹ Primary documents include the *Report and Recommendations of the Treaty Commissioner*, (May, 1990) and *The 1992 Framework Agreement for Treaty Land Entitlement in Saskatchewan*, (1992). A secondary source, David C. Knoll's "Saskatchewan Treaty Land Entitlement Framework Agreement: A Summary," *Native Studies Review*, Volume 8, No. 1, 1992, 75-87 provides an excellent outline of the agreement.

² James M. Pitsula, "The Blakeney Government and the Settlement of Treaty Indian Land Entitlements in Saskatchewan, 1975-1982." *Historic Papers* (Regina: University of Regina, 1989).

³ Richard Bartlett, "Native Land Claims: Outstanding Treaty Land Entitlement in Saskatchewan, 1982-89, in *Devine Rule in Saskatchewan: A Decade of Hope and Hardship*, ed. Lesley Biggs and Mark Stobbe, (Saskatoon, Sk.: Fifth House Publishers, 1991), 137-148.

negotiations that led to the 1992 TLEFA were underway, Saskatchewan had a different political party in power who, upon assuming power, stalled all efforts for selections under the Saskatchewan Formula.⁵ As well, the *Report and Recommendations on Treaty Land Entitlement* issued by the Office of the Treaty Commissioner in May, 1990, clearly articulates the positions of the negotiating parties, principles and guidelines for future negotiations that led to the TLEFA in 1992. As a primary source, the TLEFA provides the actual terms of what the parties agreed to; written as a volume of legalise, it is somewhat limited in its usefulness.

Other secondary literature about TLE in Saskatchewan consists of two articles. The first article, "Saskatchewan Treaty Land Entitlement Framework Agreement: A Summary" is written by David Knoll, the same author of the TLEFA.⁶ This article is helpful in understanding the TLEFA as the summary deals with main headings in the TLEFA, covering the terms of settlement, the execution of the agreement and Band Specific Agreements. In addition, land acquisition and third party interests, mineral and water rights, urban Reserves and settlement of disputes are all summarized in terminology easily understood by readers without legal training.

Peggy Martin-McGuire's article deals with the experiences of entitlement First Nations up to 1998, focusing on the importance of land acquisition as an economic opportunity for these First Nations.⁷ Martin-McGuire states that the process of TLE, while separate from self-government, is connected due to the economic strengthening of Aboriginal economies.⁸ She notes that there are a total of twenty-eight First Nations now involved in TLE and land acquisition but fails to address the slow process at least half of those First Nations are experiencing in reaching Shortfall which gives First Nations access to equity monies.⁹ Although it has been nine years since the TLEFA was signed, little interest has been shown by scholars in analyzing the potential results for TLE First Nations or assessing their TLE experiences to date. This thesis project, through its methodology and theoretical framework, hopes to make a contribution to this body of literature.

⁴ SAB, R1103, Bowerman Papers.

⁵ Pitsula, 207. The Saskatchewan Formula is not dealt with largely because it did not figure into the OTC Report except as background information. In Chapter 5 of this thesis, the Saskatchewan Formula is discussed in relation to the acrimony between Band members and pasture patrons.

⁶ David C. Knoll, "Saskatchewan Treaty Land Entitlement Framework Agreement: A Summary," *Native Studies Review*, 8, no. 1 (1992), 76-87.

⁷ Peggy Martin-McGuire, "The Importance of Land: Treaty Land Entitlement and Self-Government in Saskatchewan," in *Aboriginal Self-Government in Canada: Current Trends and Issues*, 2nd ed., ed. John H. Hylton (Saskatoon, Sk.: Purich Publishing Ltd., 1999): 274-288.

⁸ *Ibid*, 280.

2.2 MAPPING LAND USE AND OCCUPANCY

A body of literature was consulted to determine previous efforts of mapping land use and occupancy by Aboriginal peoples. In Canada, mapping has not extensively been used to demonstrate this concept while other Aboriginal peoples in Central and South America have begun to explore its potential in telling their history of land use and occupancy. Mapping can effectively illustrate conflicts and shared interests through the collection of data, based on interviews and questionnaires from Native communities and records of land use by non-Native peoples.

Maps are the means by which spatial information and change over time are communicated. Maps effectively demonstrate land tenure, especially different types of land tenure systems; changes to land tenure and other aspects of First Nations societies may be illustrated. For example, changes to the physical landscape as well as the spiritual, political, social, economic and cultural impact on Native peoples may be inferred from the effects of the imposition of the township survey system of North American colonizers on existing Native land tenure. The effects of this imposition are due to the differences between land use and occupancy by Native peoples and various forms of colonial government, continued to be reflected into the present.

While maps do not explain changes, they may lead researchers to search out explanations for causes. These effects may, in turn, serve to explain other changes within a First Nation society. Mapping methodologies have a role to play in illustrating the degree to which First Nations experienced losses of land and resources and the impact of such losses on their societies by providing a solid basis on which compensation may be awarded to claimant First Nations. First Nations such as Witchehan Lake who experienced the loss of traditional lands and the accompanying resources before signing treaty are left outside the parameters of the current specific and comprehensive claims processes. At the same time, some First Nations may appear to have a claim fitting under both processes as it is not clear if, when and to what extent they lost their Aboriginal rights, especially where neither consultation, negotiation, or compensation was evident in the process of incurring such losses.

The ambiguous situation of some Aboriginal claims calls for a new claims process or at the very least, expanded terms of interpretation of the existing processes. Mapping can provide expansion to interpretations in current claims processes by providing a forum for presenting an Aboriginal community's oral history of land use and occupancy. As well, an appreciation may

⁹ Ibid, 276.

be gained for the geographical needs for that traditional land use and occupancy which encompasses technology and activities, both the old and modern.

Mapping provides Aboriginal communities with an opportunity to give voice to their perspectives, values and histories regarding lands and resources, in a credible format while challenging outsiders' versions of Aboriginal histories. Mapping, for First Nations, is an effective resistance strategy. As Bernard Nietschmann has stated:

On a day-to-day basis, intrusions, invasions and occupations of indigenous peoples' land and sea territories are nationally and internationally justified by making and remaking and then conditioning people to accept them.¹⁰

Maps of traditional territories, constructed by First Nation communities, are powerful and reinforce group cohesion while challenging maps made by cartographers outside of the community. Maps of traditional territories can effectively demonstrate the colonization of Aboriginal peoples in a way that written words are unable to convey. Maps present a dramatic picture of invasion and loss of use of lands and resources. This drama is particularly powerful where it is evident that invasions were accomplished outside of the appropriate understandings, protocols and rituals that surround the use of lands and resources.

2.3 MAPPING METHODOLOGIES

The idea of mapping land use and occupancy amongst Aboriginal peoples is not new but neither is it a widespread or highly developed area of research. Studies of the use of the land and its resources fall into various categories which include land use and occupancy studies, harvest studies and map biographies. Each category of study is designed to measure specific types of use but unfortunately, have not been consistent in methodology to become standardized. The methodology for these studies is still developing, falling prey to problems of validity and reliability. These studies are briefly discussed, detailing which parts of each one were borrowed to compose a methodology for this thesis project.

2.3.1 Map Biographies

Map biographies contain valuable traditional knowledge transmitted by individuals within Native communities. The collection of this knowledge may be approached in a number of ways

¹⁰ Bernard Nietschmann, "Defending the Miskito Reefs with Maps and GPS," *Cultural Survival Quarterly*, (Winter 1995), 37.

that range from hand recording on paper maps, tracing paper or mylar plastic to computer technology. The methodology of data collection for land use and occupancy studies of First Nations in Canada has been developed and continues to develop out of the recognition of the land claims of First Nations. The purpose of gathering map biographies is two-fold; first, they can provide a regional or areal picture of land use and occupancy of a First Nation group. This picture is compiled from a number of "map biography" interviews.¹¹ Second, map biographies may also be used to demonstrate the intensity with which specific areas are used and occupied within the regional area. Map biographies are a primary component of land use and occupancy studies.

2.3.2 Land Use And Occupancy Studies

In researching mapping methodology for Native land use and occupancy, two sources have been heavily consulted. The first is M.M.R. Freeman's *Inuit Land Use and Occupancy Project*, conducted during the mid-1970s. This study looked at Inuit land use and occupancy in the Canadian Arctic and utilized a map biography approach.¹² Freeman's comprehensive study took just over two years to complete and provided a methodological framework for the second source, Peter Usher's 1990 land use and occupancy study of three northern Saskatchewan Dene Bands in the Northwest Territories.¹³ Usher, due to time and budget constraints, used map biographies in a limited manner and conducted less complex interviews so as to document the extent of land use rather than intensity.¹⁴

Advances in computer technology improved the presentation in Usher's study but data collection technique differed very little. Freeman used paper maps and tracing paper over base maps¹⁵ whereas Usher used mylar plastic over base maps to collect the field data.¹⁶ The advantage of Usher's method is that the data is stored on computer files, making it easier to access for future analysis and manipulation as well as easier generation of additional maps. This data management was accomplished with the use of computer cartography.

¹¹ Peter J. Usher, *Recent and Current Land Use in the Northwest Territories by Chipweyan-Denesuline Bands (Saskatchewan Athabaska Region)*, Research Report No. 1 (Prince Albert, Sask.: Office of the Prince Albert Tribal Council, November, 1990), 1.

¹² M.M.R. Freeman, *Inuit Land Use and Occupancy*, Report (3 vols.) (Ottawa: Department of Indian and Northern Affairs, 1976).

¹³ Usher, *Recent and Current Land Use*.

¹⁴ *Ibid*, 2.

¹⁵ Freeman, (vol. 2), 50.

¹⁶ Usher *Recent and Current Land Use*, 7.

In his book, *Computers in Geography*, Macguire asserted that computer cartography sets geographers apart from other sciences and social sciences.¹⁷ However, cartography, once the domain of geographers, is becoming more accessible to others through the development of integrated computer systems and the widespread use of computers. Land claims research requires the communication of forms of land use and occupancy by First Nations that do not conform to legally codified models of Canadian or Western land use and occupancy. The communication of this spatial information is a vital component to claims research and lends itself to computer cartography through the use of interviews and oral history with graphic presentation in maps. This method represents one way that may increase the validity of oral history as continuity of land use and occupancy patterns may be demonstrated as well as changes that occurred with colonialism and government policy. According to Macguire, computer cartography has led to faster and less expensive production of maps, a reduced time for compiling maps, less storage space required and less cost and time for updating. It has also allowed users to create maps tailored to their needs at a meaningful scale.¹⁸ Computer technology has a valuable place in any data collection about land use and occupancy. Unfortunately, present costs prohibit more extensive use of this method, particularly by non-funded or underfunded studies.

The scale of the base map used to collect respondent data depends upon the type of information being collected and the degree to which accuracy and detail are needed. The scale of the map that Freeman used in his study varied somewhat. For the most part, the study gathered map biographies on topographical sheets at a scale of 1:500,000 or about eight miles to the inch, that were familiar to the respondents.¹⁹ A scale of lesser proportions would have made data collection more cumbersome in the field as each interview would require more maps to cover the same area. Awkward data collection can lead to respondent fatigue and confusion, all of which impinge on the accuracy of the data collected.

Freeman's study plotted traplines according to major topographical features and areal use.²⁰ The concept of areal use affords the opportunity to examine land use and occupancy based on the actual territory used by a hunter or trapper rather than a specified territory with a set quantity (as in acres, sections, etc.). This concept is useful since hunting often takes place

¹⁷ David J. Macguire, *Computers in Geography* (New York: Longman Scientific and Technical, 1989), 66.

¹⁸ Macguire, 78.

¹⁹ Freeman (vol.2), 50.

²⁰ Ibid. The term areal refers specifically to the actual area a hunter covers in the search for animals

outside of fixed boundaries as the tracking of animals is not determined by boundaries but rather by how animals use the land for survival (sites for food, water and shelter). Topographical sheets of a 1:250,000 scale were used for the Mackenzie Delta area for Freeman's study in order to demonstrate the intricate channels and lakes of the area and to provide a less compact area to illustrate more intense land use.²¹ Even at this scale, some respondents noted a lack of detail and were not able to accurately trace their traplines. This problem was solved by using topographical sheets scaled 1:50,000 on which trappers were able to be accurate about the location of their traplines within fifty yards.²² By the time Usher's study took place, maps with a scale of 1:500,000 were no longer available. As his project concerned recent and current land use and occupancy before 1990, he chose to use maps at a scale of 1:1,000,000 in the interests of economy, respondent understanding and field limitations of handling maps. As well, the area and focus of his study differed somewhat as he was covering the Athabaska region in the Northwest Territories with a focus on habitation and hunting travel routes for three Dene First Nations.²³

One area of concern that reflects on data quality is that of transferring concepts between the languages of First Nations and that of the researchers, not only in terms of mother tongue but also from the everyday to the academic and between respondents and translators. Life experiences in relation to the land may vary between respondent and translator and will be reflected in the data set.²⁴ Usher and Freeman both faced this effect on their data sets.

Both Usher and Freeman selected only male respondents and a few widowed heads of household. Usher selected "the most active or senior male in the household, on the assumption that he would have maximum knowledge and experience of the territory utilized by the members of the household (widowed elders excepted)."²⁵ Usher's selected sample excluded older and inactive hunters, in keeping with his focus on current land use and occupancy.²⁶ This omission introduced bias into his research results as the only land use and occupancy recorded is that which the actively-hunting male respondents use in their activities of hunting and trapping and only those activities which have enough prestige assigned to them by the respondents. Current land use and occupancy studies need to include foraging as large areas are covered in this activity and sometimes along side of hunting. As well, mapping selected

rather than a territory measured in miles, acres, sections, etc.

²¹ Ibid.

²² Ibid.

²³ Usher, *Recent and Current Land Use*, 6.

²⁴ Hugh Brody, "Land Occupancy: Inuit Perceptions" in *Inuit Land Use and Occupancy Project*, Report (vol.1), (Ottawa: INAC, 1976), 185.

²⁵ Usher, *Recent and Current Land Use*, 3.

activities of land use and occupancy imports outside value judgments about the importance of some activities over others. The community is being studied but has limited opportunity to voice their entire land use and occupancy; the true extent of their land use may be under-represented.

Researchers in Freeman's study realized the creation of a methodological error by excluding women and children as these population groups foraged for berries and plants in the Arctic and assisted the elderly with fishing. Foraging activities were done in conjunction with summer hunting travels while fishing occurred when the hunters left to pursue larger game.²⁷ As the hunters did not usually participate in these activities and assigned them a lower prestige level, they were inclined to understate the extent to which these activities occurred and the amount harvested or to not report them nor the land area involved in foraging. Usher does not acknowledge the exclusion of all but a selected group of community members as a potential error in data collection for his study. Freeman determined that understating land use area carried over into the men's hunting and trapping activities as they tended to note kill areas where they were more consistently successful rather than occasional kill sites or areas that they had hunted in without success. This approach was tied to cultural understandings and values about telling the truth and being accurate.²⁸ Some species were also understated because of ranging habits and prestige associated with the taking of that particular species. The exclusion of foraging area and sites of unsuccessful harvests led to a serious understatement of land and resource use as foraging is a measure of the extent of land use as well as the intensity.²⁹ It is impossible to tell from Usher's report if he considered that his data set may not show the true extent of land use by the three communities by excluding foraging.

Usher's study, although limited to current land use, may not have been the most useful to the First Nations he studied in terms of the full extent to which land was used by the communities. Many of the problems that Freeman mentions would have been encountered in Usher's study, yet Usher does not acknowledge any of these methodological problems encountered by Freeman even though they would have affected his data set. With the exception of burial sites, Usher's interviewees sought designated activities of trapping, fishing and hunting; foraging, even if mentioned, is not reflected as valid in measuring the extent of land

²⁶ Usher, *Recent and Current Land Use*, 5.

²⁷ Hugh Brody, "Inuit Land Use in North Baffin Island and Northern Foxe Basin" in *Inuit Land Use and Occupancy Project*, Report, vol.1, (Ottawa: INAC), 171.

²⁸ Freeman, (vol.1), 56.

²⁹ Ibid.

use. This omission is due to the exclusion of significant population groups from the First Nations he was surveying; it is an error, regardless of the time period being surveyed.

In addition, Usher, because of his focus on extent and not intensity of land use and occupancy, cannot provide readers with a list of the types of land use that resulted from his research; such a list may be found in the Freeman study.³⁰ While Freeman's list does not indicate harvest quantities, it is a starting point for a group of studies that may be attempted from the results of land use and occupancy studies or may be done in conjunction with them. These studies are called Native harvest studies and offer a basis for the calculation of resource use and loss in the land claims of First Nations.

2.3.3 Harvest Studies

Harvest studies have sought to quantify resource use. In 1985, Usher et al., undertook an evaluation of the methodologies for these studies in northern Canada.³¹ Four basic models have been used in these studies including 1) the documentation of aggregate levels of harvest; 2) obtaining additional information such as harvester effort, harvest location and biological data for resource management; 3) gathering socio-economic data on harvesters for economic planning and development, and 4) the collection of harvest data for impact assessment and compensation.³² Separate methodologies have been used for each of these approaches but each lacked individual documentation and needed to attend to harvester effort so that "traditional" did not become static as the impacts of wage-labour participation became reflected in changes in harvester effort and method.³³

Government records were designed to collect statistics mainly for administrative purposes rather than for resource management or impact assessment purposes. As policy shifted, methodologies were developed and modified, based on field experience rather than adherence to social scientific methods of data collection; such statistics should be used with caution.³⁴ Recall surveys were also attempted as social science entered into the research methodologies. However, improperly trained researchers, assumptions made about the homogeneity of Native

³⁰ Freeman (vol.2), 49.

³¹ Peter J. Usher et al., *An Evaluation of Native Harvest Survey Methodologies in Northern Canada* (Ottawa: Department of Energy, Mines and Resources, Environmental Studies Revolving Funds, No. 004, April, 1985), 7.

³² Usher et al., 2.

³³ Usher et al., 3.

³⁴ Usher et al., 25.

harvesters, the inappropriate transfer of cross-cultural survey techniques and the longevity of Native harvest in the annual cycle all created problems with the findings.³⁵

A more significant problem is the differing objectives in defining Native harvest; resource management and socio-economic analysis sit in opposition to each other with important differences in who and what is being surveyed. Wildlife management focuses on the biological aspects of harvesting, such as quantity of kills and the method of harvest, rather than on total consumption as part of total economic production.³⁶ A study done by Tobias and Kay in 1983-84 of the bush harvest in Pinehouse, Saskatchewan, attempted to address the issue of the significant contribution of land and its resources to Native economies.³⁷ Included in the results were fish, small and large game, waterfowl, berries, fuelwood, potatoes and construction logs which indicate a sensitivity to actual economic activities of significance to the residents of Pinehouse and not just what is of significance to the market economy.³⁸ A further indication of attentiveness to community characteristics is the inclusion of women in reporting berry harvest and the household wood consumption as well as including those women who were heads of households.³⁹

The most interesting result of this study is that it demonstrated the coexistence of income-in-kind and cash sectors of a Native economy.⁴⁰ The inclusion of income-in-kind is useful in land claims, particularly in explaining the impacts of introduced and forced changes which led to adaptations and accommodation on the part of Native peoples while at the same time acknowledging the value and persistence of the "traditional" without presenting it as a static concept. The loss of resources as well as reduced or denied access to them led to significant changes in economic activity and socioeconomic status for Native peoples. Mapping such changes demonstrates the shrinking effect of changes in land use and occupancy while speaking to the loss of land use and resources. This pursuit speaks to the importance of hunting and trapping, not only for supplementary income but also as an important source of food and clothing. It is this important measurement that harvest studies neglect.

Usher et al., found Native harvest statistics to be of limited value as surveys were inconsistent in time and location and involved a small number of people while assuming no

³⁵ Usher et al., 36. Of particular note here is a reference made to early researchers being mainly anthropologists and geographers rather than sociologists, the latter tending to have more training in statistical technique than the other two.

³⁶ Usher et al., 39-40.

³⁷ Terry N. Tobias and James J. Kay, "The Bush Harvest in Pinehouse, Saskatchewan, Canada," *Arctic* 47, no.3 (September 1993), 207.

³⁸ Tobias and Kay, 213.

³⁹ Tobias and Kay, 209.

⁴⁰ Tobias and Kay, 220.

need for resource management in areas predominantly inhabited by Native peoples. No distinctions were made between these numbers and those collected under commercial and sport harvests.⁴¹ In addition, many species harvested were excluded from the collected data. With the exception of the Northwest Territories, government statistics on Native harvests are lacking in quality and availability, necessitating a search through HBC records and annual game reports which provide sporadic data.⁴²

Communal use and occupancy of lands reflects a value system that asserts the notion of autonomy within that community.⁴³ Mapping should not only reflect non-Native forms of land use and occupancy but also engage in writing or communicating revisionist history. Map biographies can accomplish these goals as they record toponomy (place names), resource use, noting geographical features as well as significant gathering places, ceremonial sites and burial sites that are known and of importance to First Nations.

2.4 THEORETICAL FRAMEWORKS

According to Doyle P. Johnson, theory interprets the meaning of a set of facts in terms of understanding, explaining and evaluating them. Theory may used to understand experiences and contemporary issues as well as make predictions.⁴⁴ Therefore, any theory applied to research findings must meet the criteria of understanding, explaining and evaluating the facts produced by research. Conversely, if existing theories are unable to adequately effect an accurate evaluation of facts to produce a satisfactory understanding and explanation of experiences and/or contemporary situations, it follows that it is inappropriate to use such theories. Within the context of community-based research, consideration of accurate evaluation, explanation and understanding must be given to the perspective of the community to which theory is being applied. For Aboriginal communities in Canada, such theory must seek to give voice to the experiences of those communities as a useful tool in breaking down the devastating isolation of the experiences of colonization.⁴⁵

In searching for applicable frameworks to explain the existence and persistence of conflict between the two value systems towards land use and occupancy in the Witchehan Lake area,

⁴¹ Usher et al., 7.

⁴² Usher et al., 22-23.

⁴³ Nietschmann, 37.

⁴⁴ Doyle P. Johnson, *Sociological Theory: Classical Founders and Contemporary Perspectives* (New York: Macmillan Publishing company, 1986), 3-4.

⁴⁵ Erica-Irene Daes, "Prologue: The Experience of Colonization Around the World" in *Reclaiming Indigenous Voice and Vision* ed. Marie Battiste, (Vancouver: UBC Press, 2000), 7.

two models around the theory of colonization were chosen. James S. Frideres has proposed a seven step model that is intended for application to the colonization experiences of Aboriginal peoples around the world and is useful in analyzing the experience of Aboriginal peoples in Canada.⁴⁶ This theory examines the colonization process and its effects on Aboriginal peoples. Winona Wheeler proposes “The Five Stages of the Colonial Encounter” as another model focusing on colonization as an experience of Aboriginal peoples.⁴⁷ As a work in progress and a model being developed for teaching, it meshes well with Frideres model but the added concept of decolonization offers Aboriginal peoples a way out of the dismal legacy that colonization has left them.

Frideres’ model begins with the first arrival of Europeans in Aboriginal homelands with the colonizer acting out of self-interest. The next step is the colonizer’s destruction of the social and cultural structures of Aboriginal peoples by ignoring or violating the norms of their societies and developing policy and programs that undermine traditional lifestyles. Such action was demonstrated in Canada by policies of social change that were aimed at “civilizing” and “Christianizing” Aboriginal peoples.

The practice of political external control over colonized peoples and the creation of their economic dependency are two steps that work simultaneously to subdue and control colonized peoples. The confinement of First Nations peoples to Reserves and the powerful administration of the DIA over Band members served to erode communal bonds and self-identification that led to a lack of political unity. Once colonized peoples were economically dependent, they were forced to rely on the state and become subordinated in the economic system that translated into poor economic development on Reserves and exclusion from meaningful participation in the labour force. Aboriginal peoples found themselves in a marginalized socio-economic position that left them dependent on social services to meet their basic needs. In the fifth step of Frideres’ colonization model, the state responded to the needs of colonized peoples with low-quality social services, particularly in the areas of health and education. Frideres uses health and education indicators to demonstrate the present effects of colonization on Aboriginal peoples while pointing out the social problems that continue to characterize many of their communities.

⁴⁶ Frideres and Gadacz, 4-7. This theory of colonization appears in earlier editions of this book, written by Frideres.

⁴⁷ This theory was presented in a class lecture by Winona Wheeler in Native Studies 305 at the University of Saskatchewan, Saskatoon, Sk. in 1996. This unpublished model is copyrighted by Winona Wheeler and is used here with her permission.

The final two steps in Frideres' model refer to the social interactions between Aboriginal and non-Aboriginal peoples; these are racism and the establishment of a colour line. The existence of racism towards Aboriginal peoples in Canada is well documented and stems from a belief in the superiority of "whites" and the inferiority of colonized Aboriginal peoples. This belief keeps the two groups separate in their interactions, for the most part and contributes to the maintenance of a colour line which, in turn, determines the life chances of individuals who are sorted by skin colour, into superior and inferior groups. For Frideres:

The ultimate consequence of colonization is to weaken the resistance of Aboriginal people to the point at which they can be controlled. Whether the motives for colonization are religious, economic, or political, the rewards are clearly economic. White Canada has gained far more than it has lost in colonizing its Aboriginal peoples.⁴⁸

Frideres admits that his model has limitations because it cannot accommodate change over time but proposes that it is useful to explain how historical colonialism has placed Aboriginal peoples at the margins of Canadian society.⁴⁹ Frideres' model is somewhat limited in that it offers no way for Aboriginal peoples to recover from colonization and as such, does not acknowledge the changes Aboriginal peoples are beginning to undertake in their individual lives and in their communities. Wheeler's model does not contain these limitations but as it accommodates change over time in Aboriginal communities and offers a stage of recovery.

Wheeler's model begins with "the steady state," a phase that Aboriginal peoples were in before any contact with Europeans. Aboriginal societies were autonomous, self-sufficient, healthy and balanced with traditional world-views, philosophies and spirituality intact. Laws and customs maintained social cohesion in families and communities; land and resources were held in common with equal access to resources. Aboriginal communities participated in international relations; territories were negotiated and there was no contact with Europeans in this stage.

The second stage began once European influence occurred; contact may not necessarily have been face-to-face but influence occurred as a result of Aboriginal international trade networks or offshore trade between some Aboriginal peoples and Europeans. Colonizers sought economic profit and Aboriginal peoples were drawn in as the producers of profitable resources that led to resource depletion and eventually, an increased dependency on foreign commodities. Adjustment occurred to the spiritual and philosophical relationship between Aboriginal peoples and the animals they exploited for profit. Inter-tribal relations deteriorated and became confrontational as a result of competition for resources. Trade, prolonged contact and

⁴⁸ Ibid, 7.

intermarriage led Aboriginal peoples into social relations with their colonizers; some of the ideas, practices and values of colonizers such as hierarchical power structures, patriarchal family structures, material accumulation, individualism and alcohol, were adopted by Aboriginal peoples. Foreign disease epidemics, introduced by Europeans, caused Aboriginal populations to become severely depopulated, demoralized and lacking faith in traditional medicine and healing.

The third stage of Wheeler's model, the "imposition of colonial relations" was marked by a dominant/subordinate relationship between the colonizer and the colonized peoples as the colonizer's presence and the demand for Aboriginal lands increased. As the colonial economy shifted from trade to agriculture, the labour and skills of Aboriginal peoples became redundant. Aboriginal peoples were viewed as obstacles to progress and settlement; the "Indian problem" was solved by removing First Nations peoples to Reserves where colonial administration and missionaries imposed policies and legislation such as the *Indian Act*, and residential schools to "civilize" and "Christianize" them. Racialization theories were developed and used to justify colonial theft of Aboriginal lands; these theories became structurally entrenched to deny Aboriginal peoples equal access and opportunity within larger society. Aboriginal peoples were kept dependent, subordinated and demoralized.

The fourth stage, "manifestations of internalized colonialism," is focused on the effects of the lengthy colonization experience on Aboriginal peoples. Economic marginalization is evident in high unemployment rates along with marked socio-cultural chaos that manifests itself in high rates of crime and incarceration, suicide, chemical dependency, social assistance dependency and low levels of education. The internalization of the negative perceptions of "others" about Aboriginal peoples contributes to further dehumanization and alienation that leads to isolation and family dysfunction as well as estrangement and generational cycles of abuse and feelings of isolation. As a result, people experience low self-esteem, feelings of self-hate, inferiority, helplessness, and increased health problems. A targeted social service industry, created by the colonizer, maintains the dehumanization and alienation of Aboriginal peoples by institutionalizing their dependency and making them objects of charity to satisfy a false sense of generosity and paternalism in the rest of society.

The final stage of Wheeler's theory is "decolonization" and offers Aboriginal peoples a sense of hope; this stage is one of recovery for individuals, families and communities. It is a stage of individual empowerment and is often accompanied by anger at being victimized; individuals often direct anger outward to keep from hurting themselves, leading to their

⁴⁹ Ibid, 8.

politicization. The goal of this stage is to bring Aboriginal peoples back to the healthy and functional “steady state” they were in before European contact. Individuals begin this journey by becoming aware of their oppression and rejecting their victimization by the colonizer through resistance. Efforts are directed at reclaiming a sense of humanity and connecting with Aboriginal language, culture, spirituality, ceremonies and communities. A cycle of well-being is empowered through healthy individuals who empower healthy families; healthy families lead to the creation of healthy communities that nurture healthy individuals.

The strength of this particular theory is the circle it forms as it offers a way for Aboriginal peoples to find hope and relief from the despair that is visited upon them from the generational experiences of colonization. As well, it provides a mechanism for accommodating the changes that are going on in individuals, families and communities and explains why Aboriginal peoples find themselves politically weakened, economically marginalized and culturally stigmatized within their own homelands.⁵⁰ This condition is a shared outcome of all Indigenous peoples who have shared similar experiences with colonizers. In Canada, the colonization of Aboriginal peoples is located amidst immigration policy that led to the establishment of Settler communities of pronouncedly diverse ethnic groups.⁵¹ As a result, Canadian society is characterized as highly pluralistic;⁵² this pluralism is reflected in Canada’s approach to public policy.⁵³ However, there is no literature that explores the relationship between pluralist communities, their degree of institutional completeness and their ability to advance the interests and maintain the autonomy of any particular ethnic group.

2.4.1 Pluralist Communities and Institutional Completeness

The study of Canada’s immigration history has revealed a number of characteristics about the people who immigrated to North America as well as their descendants. Settler communities were diverse on many levels – socially, politically, economically, culturally and spiritually. The purpose and intent of Settlers relocating was varied, as was their experience with the geography of the area.⁵⁴ Some Settlers came to improve their economic standing, some were fleeing from

⁵⁰ The last part of this sentence comes from a definition of Indigenous peoples presented by Winona Wheeler and Rodolfo Pino in *Native Studies 305* at the University of Saskatchewan, Saskatoon, Sk., 1996.

⁵¹ Martin N. Marger, *Race and Ethnic Relations: American and Global Perspectives*, 2nd ed., (Belmont, California: Wadsworth Publishing Company, 1991), 448.

⁵² *Ibid*, 433-434.

⁵³ *Ibid*, 436.

⁵⁴ Jean R. Burnett and Howard S. Palmer, *“Coming Canadians”: An Introduction to A History of Canada’s Peoples*. (Canada: Supply and Services and McClelland and Stewart, 1988), 27.

political persecution and others came on an adventure.⁵⁵ The immediate needs of settlement were focused around economic activities.⁵⁶ United as a group by their economic challenges, Settlers collectively employed specific types of land use and occupancy. The differences in perceptions and experiences Settlers had as immigrants contributed to the formation of a group held together by loose associations with each other. To recreate a sense of community, institutions had to be recreated to provide replacement support Settlers left behind in communities and homelands; communities and social institutions had to be reconstructed out of these loose associations.⁵⁷ Because of the demands of rural life, the Settler community in the early homesteading days lacked institutional completeness until the emergence of community centres, halls, churches and schools.⁵⁸

The concept of institutional completeness is attributed to Raymond Breton and is applied to ethnic groups and their development of organizations for their members.⁵⁹ Herberg discussed this concept in relation to rural populations who, because of the nature of the farming occupation, tended to rely more on family resources than those of the larger community. Farmers had only occasional exchanges with the business community to meet their needs and required few resources for themselves and their families. Thus in urban areas, immigrants created more of the institutions to meet the needs of their ethnic group than rural people did.⁶⁰ The establishment of ethnic organizations such as churches, schools, community halls and centres served to strengthen ethnic cohesion through increased interaction and self-identity. Furthermore, Herberg sees institutional completeness as critical to survival of any culture.⁶¹

In particular, First Nations, with North America as their homeland, were armed with a complete set of societal institutions; their communities were not pluralist or formed on competing interests of diverse groups of people. First Nations possessed a firmer foundation upon which to assert their right to autonomy than Settler communities that were highly pluralist and lacked institutional completeness. The basis of institutional completeness and autonomy

⁵⁵ Ibid, 57.

⁵⁶ Wilfred Eggleston, "The Old Homestead: Romance and Reality" in *The Settlement of the West*, Howard Palmer, ed. (Calgary: University of Calgary Comprint Publishing, 1977), 120. Eggleston talks about the assembling of his homestead community in Alberta in 1912, where people were thrown together "... by pure chance: we were diverse peoples but shared a common challenge ... There was lending and borrowing and pooling of useful information." In the early days of the community, "Everyone was friendly and helpful. Barriers of race and sect had not yet emerged."

⁵⁷ Howard Palmer, ed. Preface to *The Settlement of the West*, (Calgary: University of Calgary Comprint Publishing, 1977), vi.

⁵⁸ Edward N. Herberg, *Ethnic Groups in Canada: Adaptations and Transitions* (Scarborough, Ont.: Nelson Canada, 1989), 208.

⁵⁹ Ibid, 208.

⁶⁰ Ibid, 209-211.

⁶¹ Ibid, 213.

for First Nations is grounded in long history of traditional land use and occupancy tied to that land. North America was not the homeland for Settlers due to the relatively short historical attachment to the use and occupancy of the lands and resources, even for those Settlers born in the USA or Canada. Settler communities have not been studied in terms of their attachment to the land but rather in terms of their ethnic identity.

2.4.2 The Concept Of Ethnicity

Traditional theoretical frameworks of pluralism have treated Aboriginal peoples as an ethnic group, ranking Aboriginal peoples within a hierarchy of ethnic stratification. However, some scholars of race relations have begun to treat Aboriginal peoples as a group within their own right recognizing that Aboriginal peoples are not ethnic groups for a number of reasons. First of all, Aboriginal peoples did not immigrate to their traditional lands from an ancestral homeland.⁶² Secondly, the term ethnic, upon closer examination, is not applicable to North American Indigenous groups. Winona Stevenson addressed the issue of deconstructing the term ethnic and provides a rationale for the inappropriateness of applying the term “ethnic” to Indigenous North Americans. Stevenson stated that classifying Indigenous peoples as an ethnic minority “is colonialist because it totally disregards and undermines our legal political uniqueness, our histories, our relationship to the land and our goals.”⁶³ This inclusivity minimizes and displaces the different experiences due to the practice of racial discrimination against Native peoples, a significant basis for social stratification in North America.⁶⁴ Stevenson asserted that Indigenous North Americans are determined to remain “citizens plus” due to their distinctiveness which is defined by federal laws, the Reserve system and treaties.⁶⁵

According to Stevenson, the experiences of Indigenous peoples in North America differs from other North Americans in that Indigenous peoples were subjected to racial domination and exploitation through colonization of their homelands. The result of these experiences marginalized Indigenous peoples; marginalization continues through the existence of neocolonialism found in the forms of bureaucracy and state control over the lives and lands of North American Indigenous peoples.⁶⁶ Europeans and other immigrants, on the other hand, are referred to as ethnic groups and minorities as an indication that their presence in North America

⁶² Herberg, 1.

⁶³ Winona Stevenson, “‘Ethnic’ Assimilates ‘Indigenous’: A Study in Intellectual Neocolonialism,” *Wicazo Sa Review*, 13, no. 1, 1998, 10.

⁶⁴ *Ibid*, 15.

⁶⁵ Stevenson, 41.

was accomplished by voluntary movement; North America is not their homeland. Stevenson defines “ethnic” as a term that belongs to all immigrant groups outside of the colonizing group.⁶⁷

Martin N. Marger, a scholar of race and ethnic relations, also treats Native peoples as a distinct group, separate from other ethnic groups and a unique component of Canadian society.⁶⁸ Marger defined Native peoples in Canada as a separate dimension, unique in that while composing a small proportion of the Canadian population, Native peoples have an official status, cultural systems and relations with other ethnic groups that set them apart from the rest of society.⁶⁹ Marger’s work is a departure from other race and ethnic relations theory as historically Indigenous peoples have been treated as a marginalized ethnic group by academics.⁷⁰

Marger distilled the nature of relations in Canadian society into three levels.⁷¹ First, he classifies the Canadian population as split between Anglophones and Francophones, explained by the legal protection of the languages and cultures of the British and French colonizers.⁷² Further fragmentation of Canadian society yields a split between Anglophones and Francophones as a collective of “founding nations” and the collective of non-British and non-French origin ethnic groups whose ancestors or members immigrated to Canada from other homelands. The latter collective is arranged in an ethnic hierarchy in relation to the British and French-origin colonizing group.⁷³ A final split in the layers of relations can be discerned between Indigenous peoples in Canada (including Indian, Inuit and Metis) and all other ethnic groups, including the French and British-origin groups. By nature, the term “ethnic” is an inclusive term that, when applied to Indigenous North Americans and all other North Americans at once, minimizes the differences between these groups of peoples.

Herberg has stated that in rural areas, Settlers established few ethnic organizations because the very nature of farming encouraged more reliance on family resources rather than social interaction.⁷⁴ Ethnicity needs to be expanded when analyzing the pluralist nature of Settler homestead communities to include a more appropriate basis of the geographic location of a

⁶⁶ Ibid, 34.

⁶⁷ Ibid, 35.

⁶⁸ Marger, 436.

⁶⁹ Ibid, 435-436.

⁷⁰ Alan B. Anderson and James S. Frideres, *Ethnicity in Canada: Theoretical Perspectives* (Toronto: Butterworths, 1981), 183 and Leo Driedger, *The Ethnic Factor: Identity in Diversity* (Toronto: McGraw-Hill Ryerson, 1989), 341.

⁷¹ Ibid.

⁷² Marger, 434-435.

⁷³ Ibid, 455-456.

Settler's birthplace. Settlers brought with them experiences, attitudes and values towards land use and occupancy, based on collective experiences with geographical features of the land, the climate and interaction with other peoples in a particular place and time. People who settled and homesteaded in a given place were located there by chance and faced the daunting task of constructing a cohesive social unit out of the pluralism of their geographic experiences. Ethnicity, as traditionally defined on the basis of cultural group, needs to be qualified with respect to the geographic locations that Settlers came from. Economic concerns, centered in the land and resources, were the most common ground on which Settlers began to build social units.

This common ground was not easily created due to the diversity of Settler political backgrounds. In describing the political mindset of immigrants, Burnett and Palmer have stated:

Even though . . . politically motivated immigrants constituted only a small portion of those who came to Canada, many of those who came for other reasons also brought with them political ideas and experiences that affected their adjustment to the Canadian political process. The political perspectives of their children and grandchildren were often colored by the immigrant experience and by the socio-economic conditions of the ethnic group in which they grew up.⁷⁵

Thus, it is possible to argue that Settlers brought particular political orientations towards Aboriginal peoples with them; the attitudes and values attached to these political orientations were transplanted into the areas they homesteaded. Settler attitudes and values are generational products of their individual experiences within the colonization process and are reproduced generationally among their descendants. The descendants of remaining Settlers raised their children who continued with the same or similar political orientations. In this way, ideologies that arose in earlier eras continue to be demonstrated in contemporary times. The perpetuation of these attitudes and values is part of the legacy of colonization experienced by Aboriginal peoples. In the context of land claims settlements for Aboriginal peoples, the perpetuation of immigrant ideologies over time becomes important in examining the concept of ethnicity as it is applied to Aboriginal peoples, original Settlers and their descendents who now reside in these areas. An examination of the attitudes and values of colonizers is helpful in understanding the legacy of colonization; one method is to look at the political economy of social relations, particularly, power relations, between the colonizer and colonized peoples.

⁷⁴ Herberg, 209-210.

2.4.3 Political Economy

Power relationships are the domain of political economy that has its origins in British social theory that adopted a laissez-faire attitude towards the negative outcomes for people caught in the system of free enterprise. This approach was based on the belief that an “invisible hand” regulated the tension between greed and the greater good for society, as governed by natural law.⁷⁶ Marx was critical of this approach, believing such theories to be individualistic assumptions and naïve about the long-range benefits of capitalism.⁷⁷ He opposed the notion that the negative conditions experienced by workers were “inevitable components of capitalism.”⁷⁸ Marx argued that the capitalist system was not part of natural law but was a particular historical stage that reflected the social relations of the time.⁷⁹ For Marx, the supporting ideology of capitalism would fade with a change in social relations and he sought to point out the shortcomings of the capitalist system for workers so they could bring about that change.⁸⁰ Other scholars followed Marx’s position and became focused on the power relationships between the political and economic institutions that gave rise to social tensions.

As a modern theoretical framework, political economy is particularly concerned with the study of differential power relationships, based on the social relations between political and economic sectors of societies. However, the analytical framework of political economy tends to focus heavily on generalized political and economic structures as contributors to these relationships, leading some scholars to propose a uniquely Canadian perspective.⁸¹ A unique approach includes the analysis of Aboriginal land tenure and rights to lands alienated by treaties as legal rights.⁸² It is important to remember that historically, the legal rights of Aboriginal

⁷⁵ Burnett and Palmer, 151.

⁷⁶ Johnson, 24. The “invisible hand” was the metaphor Adam Smith used in *The Wealth of Nations* to demonstrate the self-regulation within capitalism.

⁷⁷ Ibid, 122.

⁷⁸ George Ritzer, *Sociological Theory*, 3d ed. (Toronto: McGraw-Hill Inc., 1992), 22.

⁷⁹ Johnson, 132.

⁸⁰ Ibid, 123.

⁸¹ See Michael Asch, “To Negotiate into Confederation: Canadian Aboriginal Views on Their Political Rights” in *We Are Here: Politics of Aboriginal Land Tenure* (Berkeley: University of California Press, 1989); Noel Dyck, “Negotiating the ‘Indian’ Problem” in *The First Ones: Readings in Indian/Native Studies* eds. David R. Miller et al. (Craven, Sk.: Saskatchewan Indian Federated College Press, 1992); Harvey Feit, “Negotiating Recognition of Aboriginal Rights: History, Strategies and Reactions to the James Bay and Northern Quebec Agreement” in *Aborigines, Land and Land Rights* eds. Nicolas Peterson and Marcia Langton, (Canberra: Australian Institute of Aboriginal Studies, 1983) and P.J. Usher, F.J. Tough and R.M. Galois “Reclaiming the Land: Aboriginal Title, Treaty Rights and Land Claims in Canada,” *Applied Geography* 12 (1992): 109-132.

⁸² Frank Tough, “Aboriginal Rights Versus the Deed of Surrender: The Legal Rights of Native Peoples and Canada’s Acquisition of the Hudson’s Bay Company Territory,” *Prairie Forum: The Journal of the Canadian Plains Research Centre*, 17, no. 2 (Fall) 1992: 225-250.

peoples have not been treated consistently over time but are significant when considering historical and contemporary issues of land use and occupancy. Legal documents such as the Deed of Surrender contained provisions for the settlement of land claims of Indian peoples but did not provide the mechanism for implementation of those provisions.⁸³ This treatment of Aboriginal peoples' legal rights is seated in the differential power relationship that exists between Aboriginal peoples and the rest of Canada - the state and non-Aboriginal peoples. Legal issues are important in the study of the history of relationships between Aboriginal peoples and the rest of Canada.

A limitation to the approach of political economy is that its study of differential power relationships pays little attention to the historical context of events that created the differentiation of power, particularly at a community level. An examination of work done by Ken Coates around land claims in Canada points to the appropriateness of a political economy approach which includes analysis at the community level, particularly the historical events.⁸⁴ Coates asserted that there are many land claims that contain conflicts and demands; few become highly publicized, giving non-Aboriginal peoples the impression that only a few claims exist.⁸⁵ At the same time, Coates called for changes in perspectives towards land claim issues that will accommodate regional and cultural differences, as each claim comes with its own "history, culture and political agenda."⁸⁶ While regional differences and unique histories may be implicit in land claims, government policies towards lands claims are not able to accommodate all types of claims that communities may have.

Furthermore, Coates advocated for an Aboriginal perspective so as to allow for unique concepts of land occupancy, ownership and transfer of control that differ from the legal system that constrains present claims processes. Most importantly, Coates observed that while many Canadians support the settlement of claims, the majority are reluctant to make the drastic changes necessary to settle claims, particularly when a fiscal crisis arises.⁸⁷ Meanwhile, First Nations continue to bear the negative effects of a lack of control over their lands and compensation for lands and resources they have already lost and continue to lose while settlement delays continue. It is the marginalization of First Nations in the political and

⁸³ Frank Tough, *'As Their Natural Resources Fail': Native Peoples and the Economic History of Northern Manitoba, 1870-1930*, (Vancouver: UBC Press, 1996), 10-11. Tough's discussion of Term 14 of the Deed of Surrender refers to the general recognition of Aboriginal title to property.

⁸⁴ Ken Coates, ed. *Aboriginal Land Claims in Canada: A Regional Perspective*, (Toronto: Copp Clark Pitman, 1992).

⁸⁵ Ibid, 3.

⁸⁶ Ibid, 4.

⁸⁷ Ibid, 5.

economic sectors that allow these negative effects to continue; the lack of control and the continued delays are an indication of a differential power relationship between First Nations and the rest of Canada.

As well, Douglas Daniels, in his analysis of the vulnerability of peoples in “bad times” reviewed the conditions under “Reaganomics” of the 1980s and subsequent policies in Canada that led to a dismantling of the welfare state.⁸⁸ Specifically, social services including health, education and job creation all received drastic cutbacks. The most vulnerable groups in the dismantling of the welfare state are Aboriginal peoples, because of their lack of economic and political security.⁸⁹ Again, the conditions of Aboriginal peoples, as articulated by Daniels, point to differential power relations between Aboriginal peoples and the rest of Canada. The current approach of political economy requires expansion if it is to accommodate the unique situation of Aboriginal peoples in Canada. An expanded approach would have to include the history of relations between the state, non-Aboriginal peoples and Aboriginal peoples involved as players in any land claim situation.

The work of Jane Jenson, in particular, looked at how the addition of the historical perspective has broadened the political economy approach.⁹⁰ Jenson emphasized the importance of paying attention to the variety of actors in any historical relationship in terms of shaping the politics that are played out. She explored three issues around the political economy approach.⁹¹ The first was the analysis of how groups present their identity and its attached politics and second, the historical reconstruction of that relationship which gives importance to time and space. In other words who was situated where and at what time - did someone gain an advantage or were they at a disadvantage? Was that situation created, manipulated or did it occur by chance? Jenson’s third issue concerned the struggle for the ideals of equality, the respect for difference and empowerment. Jenson connected politics to identities and the struggles of the actors in a relationship to create a preferred collective identity and to capitalize their interests on the support garnered for that identity. Jenson noted that there is a constant struggle among actors to create living conditions based on equality, dignity and empowerment.⁹²

⁸⁸ Douglas Daniels, “The Coming Crisis in the Aboriginal Rights Movement: From Colonialism to Neo-Colonialism to Renaissance,” *Native Studies Review* 2, no. 2, 1986: 97-115.

⁸⁹ *Ibid*, 107.

⁹⁰ Jane Jenson, “All the World’s a Stage: Ideas, Spaces and Times in Canadian Political Economy,” *Studies in Political Economy* 36, (Fall)1991: 43-72.

⁹¹ *Ibid*, 50.

⁹² *Ibid*, 51.

Actors require an identity to be recognized by others; competition arises over who has the right to make claims and where the conflict occurs. Those actors who are marginalized are sometimes able to incur changes by making demands on the future, engaging in redefinition and carving out political space for themselves. However, Jenson noted that historical time is not always welcoming or accommodating of change. At times, some actors asserting claims may face challenges to their rights to make political claims based on their identity due to the intensity of the conflict between themselves and the rest of society.⁹³ The reality of the state of relations between marginalized or excluded groups and the rest of society will be defined by each group's definition of the situation. Dorothy Smith also pointed out the necessity of allowing the language of the political economy discourse to accommodate peoples' own definition of their reality. In particular, Smith identified a need to explore political economy from hidden perspectives such as race.

Out of an historical political economy perspective, feminist theory has sought to create a more holistic analytical approach within political economy.⁹⁴ Heather Maroney and Meg Luxton stated that feminist theory argued that "no single dimension, whether biological, sexual, economic, psychological, political or historicist is adequate to explain the origins and persistence of gender hierarchies."⁹⁵ A range of differences exists amongst women; paying attention to these differences prevents the creation of generalizations that the experiences are the same for all women, particularly when the speakers are from a select class and race.⁹⁶ This approach is especially applicable to the situation of Aboriginal peoples in Canada, given their diversity not only in terms of social, political, economic, cultural, and spiritual aspects but also due to differences in climate, geography and hence, historical experiences of lands and resources. In order to expose and examine these differences, feminist theory attempts to recover the story hidden from historical accounts; deconstruct assumptions that have arisen over time, based on incomplete information; reconstruct the knowledge base and empower the image of women and contribute to theory construction with a unique perspective.⁹⁷ Finally, the authors advocated, "political economy must realize that 'gender' is not just a fancy word for 'women'

⁹³ Ibid, 52-53.

⁹⁴ Heather Jon Maroney & Meg Luxton, eds. "From Feminism and Political Economy to Feminist Political Economy" in *Feminism and Political Economy: Women's Work, Women's Struggles* (Toronto: Methuen, 1987) and Dorothy Smith, "Feminist Reflections on Political Economy," *Studies in Political Economy* 30 (Autumn) 1989: 37-59.

⁹⁵ Ibid, 1.

⁹⁶ Ibid, 3.

⁹⁷ Ibid, 2.

but a fundamental social structure.”⁹⁸ By the same token, Aboriginal peoples do not constitute another ethnic group but are unique social structures.

Other feminist theorists have suggested that in order to be a more complete analytical approach towards diverse and complex issues, political economy also requires the addition of moral economy. Moral economy refers to the shared assumptions about the underlying norms of a society. Members of a society agree upon underlying norms that form the basis of social organization. Shared assumptions about these norms provide a means of regulating social behaviour and maintaining order within a society, governing the distribution of goods and resources so that balance and equity is maintained within the society. The approach of moral economy analyzes how members of a society treat each other within structures of differential power, status and access to resources.

The work of Meredith Minkler and Carol Estes provides insights into this framework as they apply the concern of moral economy with the context of popular norms and beliefs to aging.⁹⁹ Minkler and Estes examined the differing value systems or moral economy towards those persons, in a given society, who are outside of active participation in the labour market. One ideal type of moral economy focuses on the “use value” of individuals where societies create social structure so that every member is able to maximize their life chances. A second ideal type of moral economy, that of “exchange value,” concerns itself with individuals and their productivity in the labour market; individuals without active participation in the labour market are discounted.¹⁰⁰ The approach of moral economy may be applied to analysis of Settler ideology around land use and occupancy; ranching and agriculture were judged to be morally good uses of land as opposed to Aboriginal peoples who chose amoral activities of hunting and gathering. This ideology found voice in American expansionism of the 1840s as “manifest destiny” that justified increased Settler access to Aboriginal lands and resources.¹⁰¹

2.4.4 Manifest Destiny and The Frontier Cultural Complex

According to Reginald Horsman, the phrase “manifest destiny” was first coined in the 1840s by John O’Sullivan, an American Democratic politician.¹⁰² However, its origins lay in

⁹⁸ Ibid, 11.

⁹⁹ Meredith Minkler and Carol L. Estes, *Critical Perspectives on Aging: The Political and Moral Economy of Growing Old* (New York: Baywood Publishing Company, Inc., 1991).

¹⁰⁰ Ibid, 5-6.

¹⁰¹ Albert K. Weinberg, *Manifest Destiny: A Study of Nationalist Expansionism in American History* (Chicago: Quadrangle books, 1963, original, 1935), 82.

¹⁰² Reginald Horsman, *Race and Manifest Destiny: The Origins of American Racial Anglo-Saxonism*,

earlier theories of racial superiority of American peoples who believed they were “a chosen people,” based on their British Anglo-Saxon racial origin and their historical circumstances in America. Theories were developed to explain the superiority of the Anglo-Saxon race - especially Americans - and the inferiority of other races.¹⁰³ Racial inferiority was extended to include nationalism as by the mid-1820s, as chosen people, Americans were entitled not only to special privileges but also were chosen for special duties.¹⁰⁴

While the philosophy of nationalism, as espoused by Europeans, condemned conquest and aggressive expansionism because of the threat to the right of peoples to self-determination, the rights and welfare of humanity could only be accomplished by diversity of peoples in homogenous states.¹⁰⁵ According to Albert K. Weinberg, Americans emphasized the rights of natural law more than its duties, declaring the rights of Americans to liberty and personal safety. In their struggle for independence from Britain, this sentiment translated into the right to a government of their own. The success of their revolution led Americans to regard liberty, the foundation of their political system, as predestined and protected by the Creator. American independence, due to “manifest destiny” was also accompanied by a doctrine of national mission. American independence, due to “manifest destiny” was also accompanied by a doctrine of national mission.

The ideology of manifest destiny supported and rationalized American expansionism as a natural and God-given right of American people, as part of their doctrine of nationalism. Racial ideology and nationalism were combined and put into practice, particularly during the 1830s and 1840s when the United States was experiencing rapid growth and change. President Andrew Jackson introduced his Indian Removal Policy in 1830 to facilitate the removal of Indian peoples from their lands near the southern states in order to open up more of the American frontier for settlement.¹⁰⁶ Americans perceived themselves to be the “chosen people” who possessed the right “to regulate the future destiny of North America.”¹⁰⁷ This right was due to “geographical predestination” of the earth’s configuration and extended into Mexico and Canada.¹⁰⁸ By the 1840s, American Indian tribes east of the Mississippi had been forcibly removed from their lands by the southern states. Jackson’s policy was highly controversial because of the opposition from some members of Congress as well as Indian peoples

(Cambridge, Mass.: Harvard University Press, 1981), 219.

¹⁰³ Ibid, 5.

¹⁰⁴ Ibid, 88.

¹⁰⁵ Weinberg, 12-13.

¹⁰⁶ Horsman, 201.

¹⁰⁷ Weinberg, 31.

themselves to the use of force in removing Indian peoples from their lands.¹⁰⁹ Objections to forcible removal defined it as immoral and a violation of Indian legal rights. However, forcible removal was justified by the principle of the right of the superior white race to cultivate the soil as God intended. Indians were labeled as inferior because they did not use the soil in the same manner and had no natural right to the soil.¹¹⁰ Treaties were used to acquire Indian lands without bloodshed and place these lands in the possession of civilized peoples who had a divine right to them.¹¹¹ The doctrine of territorial utilization arose out of this ideology to justify large-scale expansionism. Eventually, it was not just Indian peoples who were excluded from the principle of cultivation as this principle was applied to contest the land tenure of all other peoples in North America.¹¹²

The principle of political interference followed the principle of cultivation and justified external political control by Americans over peoples in other areas who were deemed to be incapable of developing the rich resources of their lands. Political interference extended to people of color and some largely white populations that were considered inferior in terms of their degree of civilization and economic efficiency.¹¹³ Political interference gradually moved towards intervention to be able to fulfill the economic agenda of expansionism. The American-Mexican War was a test of these principles in the 1840s; American defeat in 1848 cooled the push for expansionism.¹¹⁴ Americans still believed they had a racial destiny to fulfill – it was just a matter of time.¹¹⁵

Expansionism was lost for a time but reared its head in the 1890s during the Spanish-American War. Merk argued that American expansionism at this time was akin to imperialism rather than the continentalism of previous nationalism. He cited the Spanish-American War as the opposite of manifest destiny because this type of nationalism “involved the reduction of a distant peoples to a state of colonialism.”¹¹⁶ However, David Wrobel argued that American expansionists in the 1890s mourned for the closing of the domestic frontier viewed as “the greatest most benign force in American life – the source and lifeblood of qualities such as

¹⁰⁸ Ibid, 53.

¹⁰⁹ Ibid, 202.

¹¹⁰ Ibid, 73-77.

¹¹¹ Ibid, 79-83.

¹¹² Ibid, 90-94.

¹¹³ Ibid, 94-95. Weinberg cites the example of the American- Mexican War (1848) in this instance.

¹¹⁴ Frederick Merk, *Manifest Destiny and Mission in American History* (New York: Alfred A. Knopf, 1963), 256.

¹¹⁵ Horsman, 1.

¹¹⁶ Merk, 257.

independence, self-reliance and manliness.”¹¹⁷ Expansionists looked to the annexation of Canada to provide a place to “nurture the manly virtues.”¹¹⁸ However, the election of a Tory government in Canada in 1891 dashed hopes for annexation but not a desire for the frontier space offered there. Increasing prices for homestead lands in the USA also drove Americans to immigrate to Canada where land was still available at less cost. Immigration officials in Canada, anxious to settle the vast tracts in the Canadian Northwest, encouraged the immigration of Americans.¹¹⁹

The disappearance of territory for expansion is picked up by Roger Nichols in his comparison of Indian policy in the USA and Canada.¹²⁰ By the 1860s, the territory of Omaha, the only remaining Indian territory, was soon engulfed in American settlement. Nichols attributes the violence and conflict that followed as due to the attitudes of American Settlers; Indians were living on lands desired for agriculture, resided close to trails frequented by Settlers and their lands contained timber and minerals – valuable resources Indians were not entitled to monopolize. In particular, Nichols noted that:

Few [Settlers] accepted the Indians’ right to continue living a traditional lifestyle. Although only a small proportion openly called for destroying the tribes, many western Americans wanted the government to push the tribal people out of their way. On that issue they shared values with the Canadians.¹²¹

Government policy in both countries moved towards facilitating this issue for Settlers. In 1871, the USA ended its policy of making treaties with Indian peoples and began to dictate unilateral executive agreements; Canada entered into an era of making treaties with Indian peoples in the Northwest.¹²² Government policy continued to develop towards assimilation and acculturation of Indians peoples as well as freeing up Indian land base for sale to Settlers, resulting in embittered relations between government officials and Indian peoples during the early years of the twentieth century.¹²³ In Canada, Indian Commissioner Graham’s “Greater Production Scheme” of 1918 pushed the remaining Indian land base into use while amendments to the *Indian Act* permitted large scale leasing of these lands for grazing and ranching, resulting in overgrazing and reduced crop reduction on some Reserves.¹²⁴ The 1917 *Soldier Settlement Act*

¹¹⁷ David M. Wrobel, *The End of American Exceptionalism: Frontier Anxiety From the Old West to the New Deal* (Lawrence, Kansas: University Press of Kansas, 1993), 54.

¹¹⁸ *Ibid*, 55.

¹¹⁹ *Ibid*, 87.

¹²⁰ Roger Nichols, *Indians in the United States and Canada: A Comparative History* (Lincoln: University of Nebraska Press, 1998).

¹²¹ *Ibid*, 219.

¹²² *Ibid*, 222-223.

¹²³ *Ibid*, 243; 253.

¹²⁴ *Ibid*, 259-260.

also placed pressure on Indian lands as by 1918, “the government . . . authorized the Settlement Board to buy private lands for [returning] veterans, through compulsion if necessary.”¹²⁵ Government policy intended Indians lands to be exempted but perceptions of Indian Bands monopolizing “large amounts of unused lands” prompted complaints from Members of Parliament which led to the DIA frequently encouraging the sale of Reserve lands, especially lands close to the railroads, for non-Indian veterans.¹²⁶

Both Canada and the USA became preoccupied with recovering from World War I but little changed in their attitudes towards Indian peoples. Diamond Jenness, a Canadian anthropologist visited Reserves across Canada, observing the state of Indian and Settler relations in the 1920s and 1930s:

In every region, I found a deep-rooted prejudice against them [Indians], a prejudice that was stronger in some places than in others, but one which was noticeable everywhere from the Atlantic to the Pacific. It was strongest on the western frontier settlements where the Indian population outnumbered the white and the latter was struggling to uphold its prestige . . .

In the interior of British Columbia one or two villages actually enforced a Jim Crow law; thus at Hazelton (which in 1926 counted some 30 white inhabitants to perhaps 400 Indians), no Indian might walk beside a white man or woman, or sit on the same side in the village church. Still further north, on the upper waters of the Peace River, white trappers by threats of violence sometimes expelled Indian families from their traditional trapping grounds; and the Indians had no protection or redress.

The prairie farmers during that same time period shared prejudices of their countrymen beyond the Rockies. In 1921 those around Calgary were paying \$4 a day to immigrant harvesters of Polish and Ukrainian nationalities, but to Indians working in the same fields only \$2.50.¹²⁷

These attitudes are manifestations of what Elizabeth Furniss describes as “the frontier cultural complex,” a concept akin to the concept of manifest destiny in the USA, but distinct in its character.¹²⁸

Her analysis of popular historical literature, high school history textbooks and city museum displays in Williams Lake, British Columbia uncover differences between perceptions about the American and Canadian frontiers. While the myth of the American frontier is one of conquest through violence accompanied by the discovery of free and abundant resources and untamed

¹²⁵ Ibid, 260.

¹²⁶ Ibid, 261.

¹²⁷ Diamond Jenness, “Canada’s Indians Yesterday. What of Today?” *The Canadian Journal of Economics and Political Science*, 20, no. 4 (February) 1954: 96-96.

¹²⁸ Elizabeth Furniss, *The Burden of History: Colonialism and the Frontier Myth in a Rural Canadian Community* (Vancouver; UBC Press, 1999), 62.

wilderness, the Canadian frontier myth presents Settler colonization of savage and primitive Aboriginal peoples and their lands as paternal benevolence and a moral process.¹²⁹ In Canada, expansionism and settlement by Europeans is justified by these taken-for-granted convictions.¹³⁰ These convictions are based on ideology that upholds the racial inferiority of Aboriginal peoples.¹³¹ The frontier myth ignores and silences the history of Aboriginal peoples within expansionism and settlement, allowing the public to “forget” about conflicts within Aboriginal and non-Aboriginal past relations. Out of the myth of the Canadian frontier, Furniss extracts the concept of the frontier cultural complex, describing it as:

. . . a diverse yet interrelated set of values, beliefs, attitudes, identities, and understandings about society, history and Aboriginal/non-Aboriginal relations that appear repeatedly in multiple domains of Euro-Canadian everyday life, ranging from casual conversations to public history to political discourse on contentious issues.¹³²

Because of the continued tendency of official histories that emphasize discovery and conquest themes as well as the racial inferiority of Aboriginal peoples, contemporary relations between the two groups are significantly affected, as seen in discourse around land claims and related issues.¹³³ Thus, the Canadian frontier cultural complex, like its American counterpart, manifest destiny, has its roots in the ideology of racial superiority of colonizers and the inferiority of colonized Aboriginal peoples.

Furniss contends that the frontier cultural complex has carried over from early settlement days, evolved over time and is pervasive throughout Canadian society today:

Although community leaders do not always use the term “frontier” to describe their city, their understandings of regional culture and identity and their orientations to both the urban world and the surrounding wilderness, can be considered expressions of contemporary frontier identity. The central features include the values of individualism and self-sufficiency, the idea of the self-made man, the sense of existing on the periphery of urban society and being surrounded by a wilderness rich in resources for the taking, and a resistance to outside (urban) controls and regulations.¹³⁴

In Canada, the purpose of the frontier has remained to uphold a particular set of values carved out of the early days of colonization of Aboriginal peoples and their lands. In spite of the lack of lands available for colonization today, non-Aboriginal communities and individuals continue to subject Aboriginal peoples to the same colonial constraints based on the “moral discourse of

¹²⁹ Ibid, 68-69.

¹³⁰ Ibid, 68-69.

¹³¹ Ibid, 57

¹³² Ibid, 17.

¹³³ Ibid, 77; 138.

¹³⁴ Ibid, 86.

equality.”¹³⁵ This discourse is a tool that is used to deny Aboriginal interests and history to protect the Canadian economy from the perceived destruction by Aboriginal peoples when they negotiate land claims settlements. The frontier cultural complex manifests itself in economic and political control of First Nations lands and resources through prolonged failure to settle land claims as well as through the terms of negotiated settlements where the DIA maintains ultimate power over First Nation lands and resources.

SUMMARY

The use of theoretical models of colonization help to understand the past experiences of Aboriginal peoples as well as the context in which they are trying to decolonize. An expanded political economy framework that allows for Aboriginal perspectives and social structures must also consider the socio-economic status of Aboriginal peoples. This status has an historical context as demonstrated by the concepts of manifest destiny and the frontier cultural complex, both of which were founded on racist ideology that treated Aboriginal peoples as inferior to their colonizers. Any theoretical framework needs to accommodate the identity struggles of Aboriginal peoples as unique entities by including their historical contexts and acknowledging differing values around land use and occupancy, between Aboriginal peoples and Settlers. Such a framework of analysis provides the best opportunity for an holistic explanation of the conflict in land use and occupancy.

¹³⁵ Ibid, 145.

CHAPTER THREE: METHODOLOGY

INTRODUCTION

This chapter sets out the methodology used to undertake the study of the land use and occupancy in the Witchekan Lake by Settlers and Witchekan Lake First Nation. The events around the creation of Witchekan Lake Reserve and the homesteading of the geographical area of Witchekan Lake have a connection to the present in the more recent developments under the TLEFA. Central in these time periods is the jockey for space and access to land and resources between the Settler community and the Witchekan Lake Band.

The research for this thesis project involved primarily the Witchekan Lake Band/First Nation and the Settler community in the immediate area of the geographical feature, Witchekan Lake. This lake is a central geographical feature in the study area as its abundant surrounding haylands were the focal point of conflict between the Band and area Settlers during the extended period of Reserve creation. A portion of the haylands around Witchekan Lake eventually became the Bapaume Community Pasture during the 1950s.

3.1 WITCHEKAN LAKE FIRST NATION

A combination of interviews transcripts, oral interviews, map biographies and some archival information provided a picture of the land use and occupancy of Witchekan Lake First Nation. Archival collections in Ottawa, Saskatoon, Regina and Edmonton along with files from FSIN in Regina yielded scant information; Band files and oral sources provided the majority of the information. Archival records yielded a starting point from which to begin to study the traditional land use and occupancy of the Witchekan Lake Band. Oral history about the Witchekan Lake area and the Band were gathered from Band files that contained transcripts of previous interviews conducted with five Band elders during 1975 to 1976. The interviews resulted when the Witchekan Lake Band and FSIN hired a researcher to gather information from the elders with regards to the signing of Treaty Six and the creation of the Band's Reserve

that led to a land entitlement for the Band.¹ These transcripts provided information primarily about the depopulation of the Witchekean Lake Band during the 1918 Spanish Flu epidemic, the loss of the Reserve lands, the signing of Treaty Six and the Band's adhesion to Treaty Six.

Some of the transcripts also covered traditional activities and the Band's participation in wage labour before and after the signing of the Treaty Six Adhesion in 1950. Only one of the elders interviewed during this time period was alive and available for interviews during this thesis project. Content analysis was attempted on these transcripts but could not be completed as there was no standard set of questions asked of respondents. There were no repeated interviews carried out for map biographies as all but one of the respondents had passed away and the surviving respondent declined a map biography interview. A list of map biography respondents and respondents from the 1975 interviews; some biographical information about respondents is provided in Appendix I.

Other archival sources included RG10 files (Department of Indian Affairs) at the NAC in Ottawa and SERM files at the Fish and Wildlife Branch Office in Prince Albert (formerly the Department of Natural Resources or DNR). The study of Witchekean Lake First Nation's land use and occupancy on Northern Fur Conservation Area (hereinafter NFCA) M-61 relied on *Annual Reports, 1956 to 1996* from SERM; these reports listed individual and compiled trapping statistics. Research about trapping focused on NFCA M-61, a trapping block assigned to the Witchekean Lake Band in 1946.² There were no records available prior to 1956 although the HBCA had a few references to names of specific Indian peoples known to be residing at Witchekean Lake in the 1890s. From these sources, topographical maps were chosen as base maps on which to collect data that would demonstrate the use and occupancy of the larger traditional lands by Witchekean Lake First Nation as well as those in the immediate area of Witchekean Lake, the site of the 1913 ORS.

3.1.2 Design for Map Biography

Topographical sheets at a scale of 1:250,000 were used to examine regional land use and occupancy. Topographical sheets at a scale of 1:50,000 were used in the immediate area of

¹ Transcripts of these interviews are available from the Witchekean Lake First Nation office files. Interviews were carried out by Harry Nicotine, a Cree speaker, but transcribing was done by other individuals. One of the elders lived on the Sauleaux Reserve but was related to people on the Witchekean Lake Reserve.

² Letter, M. Cheryl Crane, Crown Solicitor, Saskatchewan Justice, Legal Services Division, Constitutional Branch to Ruth Montgomery, Senior Policy Analyst, Saskatchewan Indian and Metis Affairs Secretariat (SIMAS), June 4, 1984, 3. SERM, Fish and Wildlife Office, Prince Albert Office.

Witchekan Lake as archival research and interview transcripts from 1975 and 1976 indicated intense use of the immediate lake area by the Band. During the course of this thesis project, fourteen interviews were conducted between July, 1995 and February, 1997 with eleven community members; respondents consisted of seven male and four female, who are considered to be elders within the Witchekan Lake First Nation community. While the number of elders interviewed is not large, the Reserve population structure did not allow for a larger sampling; the population structure is a result of the Band's depopulation in 1918

For the purpose of this study, the focus of data collection was on each individual's experience rather than on what is "traditional" for the community, although this information was offered in the context of the interviews. There was an attempt to gather experiences within the "living memory" of respondents as opposed to strictly oral history and oral tradition; however, oral history and oral tradition, when offered, were not excluded. To keep the interviews focused, a questionnaire composed of general, open-ended questions was used. Attention was paid to land uses, the types, location and periods of occupancy and the presence, location and uses by other Bands in the area.³

After all of the individual map biography interviews were completed, a group session was held with seven of the respondents attending. Two other individuals asked to be interviewed after the group session; their information was included in the composite maps. In preliminary interviews, there appeared to be a significant line between the past and present land use and occupancy that coincided with the signing of the adhesion to Treaty Six in 1950. This division of time periods was discovered to be a significant boundary in the minds of the people interviewed in terms of marking changes to the annual patterns of the Band's seasonal cycle.

The study was designed as an attempt to define the traditional territory that Witchekan Lake First Nation used and occupied while the Band remained in a self-sufficient mode. Ten map biographies were undertaken, attempting to trace the traditional seasonal and mixed economy of the Band and its intensity of land use and occupancy of the area. The purpose of using map biographies in this project was to identify the traditional land use and occupancy of Witchekan Lake First Nation in relation to the surrounding Settler community that began to homestead in the area of the Band's traditional lands in the early 1900s.

Base maps were marked with reference points that could be transferred to individual sheets of tracing paper. Each individual sheet of tracing paper also contained reference marks to facilitate the correct transfer of information to from the respective base map. As well, each sheet was labeled with the map scale, name of respondent, date and the names of the interpreter

and researcher. Each respondent identified activities he or she participated in during the past and at present and marked the locations where each activity took place on a sheet of tracing paper placed over the base maps and positioned according to reference marks. This identification was completed for the immediate area of Witchekan Lake on a 1:50,000 scale and at a regional level at a scale of 1:250,000. Land use and occupancy activities were color coded; respondents marked areas or specific points to indicate location. Each respondent's information was then transferred to the corresponding base map to produce two composite maps; one which showed use and occupancy in the immediate lake area and the other demonstrating the extent of the Band's traditional territory; see Figures 5.6 and 5.7. The results of the map biographies are discussed in detail in Chapter Five.

Attention was paid to the importance of the area of NFCA M-61 to Witchekan Lake First Nation, both in the past before its creation in the 1940s and in the present time. A summary of the pelt harvest and the dollars earned in pelt harvest are found in Tables 5.2 and 5.3 and Figures 5.2 to 5.5. These tables were compiled from the *Annual Reports* of the Fish and Wildlife Branch of SERM. These reports began to appear with the 1955-56 trapping season and were available up to the date of research - the 1995-96 trapping season. Reports that were prepared before the 1955-56 season are sporadic and incomplete, even though NFCAs began to be designated and administered in the late 1940s.

Permission was obtained from SERM to access this information from individual trapper reports. In using the raw data from individual trapper reports, steps could be taken to ensure that the information gathered was about all of the registered trappers in M-61; members of Witchekan Lake Nation were found to be the only registered trappers in M-61. Unfortunately this data source lists very personal information such as names and income earned about each trapper that, under access conditions, cannot be divulged. Thus the summary tables provided are a compilation of the pelt harvests and dollar values for M-61 for the trapping seasons 1955-56 to 1995-96, inclusive.

3.2 SETTLER LAND USE AND OCCUPANCY

The criteria used to select lands in the Witchekan Lake area for this study was made on the basis of their selection for Reserves. The only Reserve actually created was the Witchekan Lake Reserve that measured 4237 acres in 1919, a fraction of the 1913 ORS of approximately 20,480 acres. Another 5,120 acres were recommended as an addition to the ORS but were

³ See Appendix III for a copy of the questionnaire used in this thesis project.

never surveyed. Approximately two years later, a Reserve selection was made for the Sunchild Band. Figure 1.1 shows the study area of lands selected for Reserves in the Witchekan Lake area; these quarter sections were analyzed for Settler land use and occupancy.

A variety of written records and archival sources provided much of the information about the Settler community, including homestead records, RG10 files, surveyor's records and local history books. In particular, homestead and grant files as well as Township Registers provided data for the reconstruction of land use and occupancy within the Settler community. This information is not complete as the SAB asserts that only ten percent of all of the homestead files were acquired intact from the Department of the Interior.⁴ The remaining ninety percent of the homestead files have varying degrees of information missing; the Township Registers were consulted to attempt to fill in the gaps of occupancy and land use.

The Rural Municipality (R.M.) of Spiritwood provided tax records for the years 1956 to 1989; these records provided information about land use and occupancy for Townships 51 and 52, Ranges 10, 11 and 12, W3M. Records before 1956 were not available as they could not be located. The cutoff date of 1989 was used as records after this date were on a computer system at the R.M. office and posed a problem with access. The 1989 date was close to the time that negotiations began towards settling TLE in Saskatchewan in 1990. These records showed changes in the status of the lands during these decades that filled in missing information from the Township Registers.

The two main townships involved in the project were Townships 51 and 52, Range 11, W3M, as they comprised the land area from which a Reserve was surveyed for the Witchekan Lake Band in 1913; portions of these townships in Ranges 10 and 12 were also included in the study area. Other map information came from the SAB and included homestead records, grant files, township registers and three local history books. Surveyor's records and Department of the Interior files as well as various maps came from the SAB and the NAC.

In total, 319 quarter sections (51,040 acres) of land are involved in the lands considered for Reserve selections in the Witchekan Lake area; of this number, no information was found for thirteen quarters (2080 acres) of land. Information about the 306 quarters (48960 acres) of land came from the Department of the Interior Homestead Files, Saskatchewan Department of Agriculture Grant Files, Post-1930 Files and the Township Registers. Three local history books, written during three different time periods, were utilized as corroborating sources but do not form the basis of any of the statistical data.

⁴ D'arcy Hande, Reference Archivist, SAB, "Homestead Records" Conference Presentation, Association of Canadian Map Libraries and Archives, *University of Saskatchewan*, 25-31 May 1997.

3.2.1 Homestead Files, Grant Files, Post-1930 Files and Township Registers

The Department of the Interior Homestead Files cover 103 (16,480 acres) of the total 319 quarters while twenty-seven (4,320 acres) are from the “Grant” files and thirty-four (5,440 acres) are from the “Post-1930” files of the Saskatchewan Department of Agriculture. Homestead records that were intact generated a wealth of information about each homesteader, their family and some information about the two witnesses required on the application for patent. Upon receipt of the issue of patent from the Department of the Interior, the homesteader became the titled owner of the homestead. The information provided included full name, birthplace, last residence, age, marital status, occupation, family size, date of homestead entry, date of patent application, the date patent or grant was issued, length and periods of residency on the homestead, buildings and improvements including broken and cropped acres as well as livestock and grazing. There were, at times, information links to other file numbers and previous occupants.

Information for 145 quarters (23,200 acres) came from the Township Registers which record all interested parties for any given quarter from the time the land was surveyed until it was patented for the first time. However, the Township Registers only provide the entrant’s name, date of entry, cancellation or abandonment and date of patent and accompanying reference or file numbers. As well, once a quarter section of land became successfully patented for the first time, there were no further entries within the Township Register with regards to change of ownership or occupancy. Proof of this lies in the fact that entries were made in Township Registers for Townships 51 and 52, Range 11, W3M as late as 1987, on lands that had previously not been patented. See Figure 3.1 for an indication of lands (3,520 acres) having never been patented in the study area, at the time of the research in March, 1997.

3.2.2 Data Manipulation

Data was gathered and compiled by quarter section from township registers, homestead, grant and Post-1930 files and entered, first of all, into a master spreadsheet as raw data. Raw data was coded and categorized; sections of this coded data were entered into subsequent spreadsheets that were easier to manage and did not overtax the capabilities of the Excel 5.0 spreadsheet program and the supporting computer platform. This spreadsheet program also

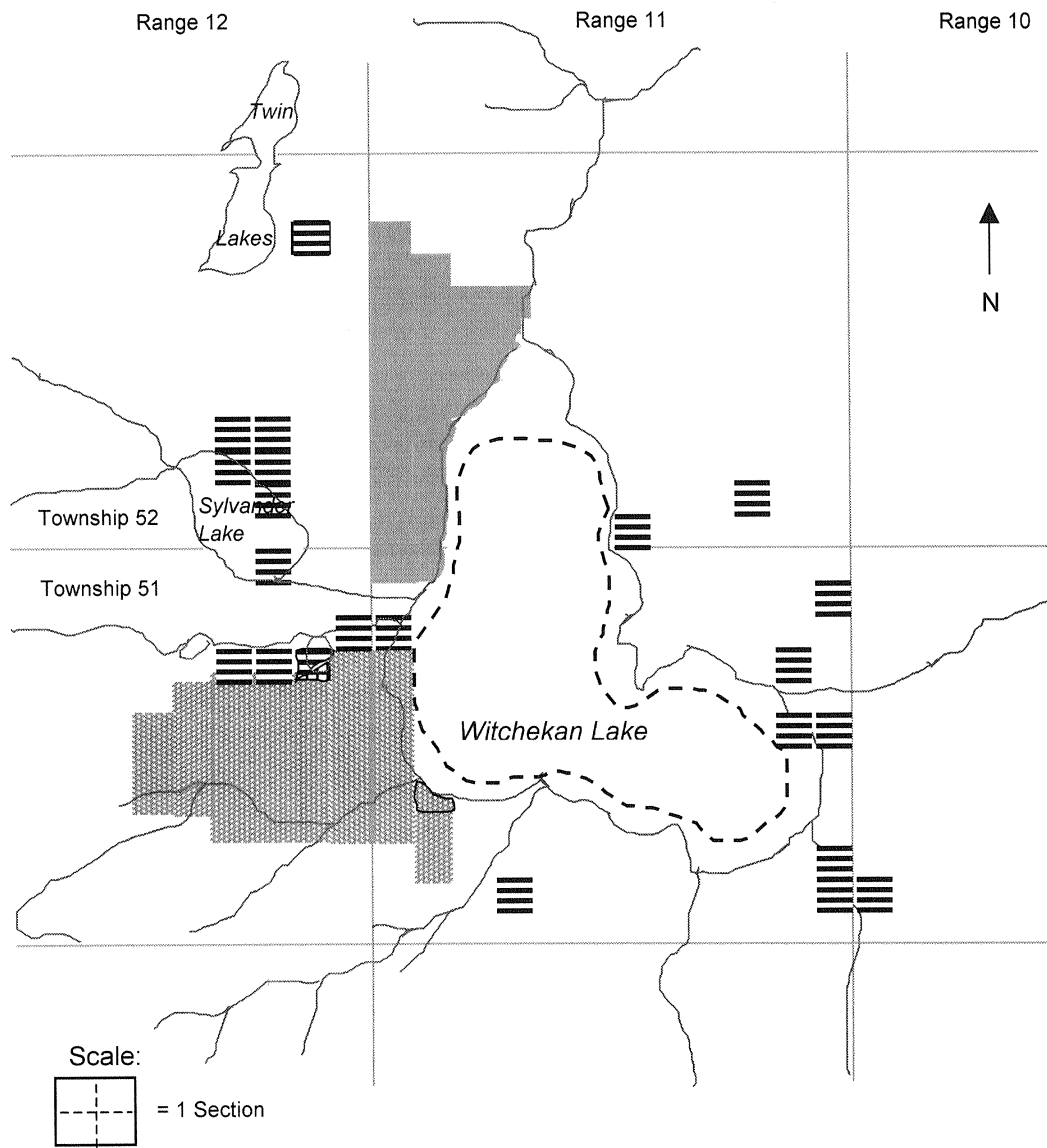






Figure 3.1 Bapaume Community Pasture, 1993 and Unpatented Lands
 Legend:

-  Bapaume Community Pasture, 1993
-  Lands Never Patented Before 1989
-  Witchekan Lake Reserve Lands, 1993
-  -- Decreased Boundary of Witchekan Lake, 1958

aided in the in the creation of a map series in Figures 5.8 to 5.15 that demonstrate Settler land use and occupancy between 1911 and 1989.

3.2.2.1 Settler Raw Data.ID Number - Master Spreadsheet (Appendix IV, Spreadsheet I)

The master spreadsheet, labeled “Settler Raw Data.ID Number” holds the raw data as it appeared in the archival records, with each quarter section having a unique identification number (ID Number). There are two additional columns within the master spreadsheet, one to collect additional information from the archival sources and another column to collect information from three secondary sources. The secondary sources were three local history books written about the Witchekan Lake area; each on three different occasions and by three different organizations.

Each quarter section of land is listed in a Township Register as NW, SW, SE or SW. As part of the ID Number on the spreadsheets, the number one was given to the NW, two to the NE, three to the SE and four to the SW. The master spreadsheet separated each quarter section’s transaction by ID Number and each land description into separate categories of the quarter, section, township and range. Each entry is a transaction on that quarter section; each transaction is assigned a chronological number. In categorizing the land uses, each separate transaction was given a number; thus transactions are listed in chronological order and not by category or preference. For example, Alexandre Arcand’s ID number is 075110-2-1 and Earl Thomas’ ID number is 075110-2-2. Both individuals entered on Section 7 of Township 51 in Range 10 as indicated in 075110; “075110-2” denotes the NE quarter and “075110-2-1” indicates Mr. Arcand was the first entrant onto the quarter while “075110-2-2” identifies Mr. Thomas as the second entrant on the same quarter section. This system worked the best as some of the quarter sections selected as Reserve selections were later reserved for grazing lands; as Witchekan Lake changed shape and boundaries, some of the grazing lands were categorized as water, only to be reinstated as land when the lake receded and sometimes opened for homestead entry. This categorization was helpful in sorting and manipulating the data set in subsequent spreadsheets.

3.2.2.2 Subsequent Spreadsheets

Subsequent spreadsheets were generated from the master spreadsheet. Throughout various spreadsheets, the categories of “Count” and “Missing” frequently appear as quality control

mechanisms. The “Count” category was included so that each individual was only counted once as some entered on more than one quarter section over the study period of 1911 to 1989. Raw data from the master spreadsheet was coded and categorized in a series of spreadsheets for making statistical calculations. The first spreadsheet included all entries ever made on the lands in the study area. Categorization of the data began by defining nine categories of ethnicity; these were American, British, French, East Canadian, West Canadian, Scandinavian, East European and unknown. These categories were later collapsed into American, European and Canadian. Ethnicity was determined by the geographical location of each Settler’s birthplace. This decision was based on the fact that the Settler community was unified in a common form of land use and occupancy. Each Settler brought to the Witchekan Lake area, individual and collective knowledge and experiences with ranching and agriculture. At the same time, the depth of knowledge and experience with these activities varied between the ethnic groups of Settlers due to geography, location and climate from which they emigrated.

Marital status was categorized as single, married, married and family and widowed and family; these were later collapsed into single and married. A column was added to list the year that an individual entered a homestead in order to find a common year (mode) in which most of the homesteaders arrived in the Witchekan Lake area. Residency information was supplied on the “Application for Patent” form submitted before the homesteader could receive title to his quarter section. A wealth of information was provided on this document, not only about the homesteader and his family but also about the neighbours who acted as witnesses for the homesteader. Residency was given in specific time periods, dated and broken into actual dates of residency and absence from the homestead.

From this detailed information, four categories for residency were set up as continuous, seasonal, vicinity and absent. All were measured in months to allow for a more accurate assessment of the time spent on the homestead. As well, months fit well when comparing time that the Witchekan Lake Band spent at their land and resource use as an annual (twelve month) cycle determined the Band’s location and timing of various activities. Nine categories of land use were determined out of the entire time period of entries from 1911 to 1989. These categories included abandoned homesteads, soldier grants, hay reserves, public service, railroad, Indian Reserve, Ducks Unlimited and patents. A “Missing” category was set up for quarters without this information. The category “Year of Patent” was added to be able to find the average and modal years of patent.

“Count” categories appear for land, entries, individuals, age, resident, house, buildings, acres broken (1911-1919, 1920-1929, 1930-1939), acres cropped (1911-1919, 1920-1929, 1930-

1939), acres hay, fencing, cattle (1911-1919, 1920-1929, 1930-1939), horses (1911-1919, 1920-1929, 1930-1939), hogs (1911-1919, 1920-1929, 1930-1939) and grazing (winter, summer, winter & summer). “Missing” categories appear for age, land use and residency of Settlers.

From this expanded version of the raw data, two additional spreadsheets were created by dividing all of the Settlers by marital status - single and married. This breakdown was done for easier handling of the data as well as determining the effect of marital status on land use, improvements, residency and livestock. A series of spreadsheets were created for each of these two categories by sorting those with single marital status into ethnic groups of European, Canadian or American. The process was repeated for married marital Settlers. These breakdowns were used to analyze the relationship between ethnicity and land use, improvements, residency and livestock. The spreadsheet data were then subjected to statistical analysis to determine total numbers for each category and the calculation of averages and modes, as appropriate.

Summary tables were created to compile the results and provide the basis of the discussion about land use and occupancy found in Chapter Five. Summary tables by ethnicity and marital status were compiled to show average age of Settlers at entry, the number of entries, the average year of a Settler’s arrival to the Witchekan Lake area and nine types of land use - abandoned homesteads, soldier grants, hay reserves, public service, railroad, Indian Reserve, Ducks Unlimited and patents. Other calculations include average year of patent, averages of four residency types, (continuous, seasonal, vicinity and absent), the number of Settlers with buildings, houses, grazing and hay, the total number and averages of broken acres and cropped acres ever reported and the total number and averages of broken and cropped acres during the time periods of 1911-1919, 1920-1929 and 1930-1939. Finally, the most and average cattle, horses, hogs and sheep reported by Settlers were calculated for the time periods 1911-1919, 1920-1929 and 1930-1939. These time periods were chosen for convenience and on the basis of availability of the data.

3.3 Statistical Analysis Of The Data

The available data for the study area provides sufficient information for about 145 quarters of land on which a data analysis could be attempted. It is these parcels of information that were used to make summary tables and set up the theoretical model for the Settler community. It is emphasized here that there was no selected sample as the information available for the missing quarters is not retrievable due to the incompleteness on some of the homestead files. All of the

available information was used in the analysis; missing information is not due to decisions of exclusion in the course of the research process.

The data collected about the study area was analyzed using non-parametric techniques where no assumptions are made about the population distribution of the Settler population. Although the Township Registers list every land use and occupant for each quarter section, other information at the nominal and ordinal level that would allow for analysis of ethnicity, marital status, age, etc. are not provided for every occupant. Thus the analytical conclusions and theoretical proposal made from this analysis are specific to the Settler population in the Witchekan Lake and cannot be applied to any other Settler population. This limitation, however, does not mean that certain conclusions cannot be stated about the Settler population in the Witchekan Lake area.

The data was analyzed to determine if there were relationships or associations between the variables of ethnicity, marital status, age, the type of land use and land status. It is important to apply statistical techniques to test for significant relationships and to eliminate insignificant relationships. The chi-square test is suited to non-parametric samples and does not require a specified population distribution. According to Loether and McTavish, chi-square "...help[s] the researcher decide whether sample findings can be generalized to the population from which the sample was drawn."⁵

Settlers and Witchekan Lake First Nation have left their mark on the land and resources over time. State policy is easy to access and analyze as is Settler land use and occupancy through the sorting out of government files, local histories (what Settlers say about themselves and what others say about them) as well as the homestead records that trace land use and occupancy by the Settlers. As previously stated, these records are incomplete and somewhat sparse; however, what evidence is available is presented in a form that lends itself to constructive analysis, leading to certain assumptions about this particular group of Settlers. The data allows a descriptive set of statistics to be presented but the use of chi-square allows for a higher level of analysis that leads to a plausible explanation for the loss of land use and resources for Witchekan Lake First Nation.

All of the information gathered about Settler land use and occupancy within the study area is illustrated in a set of maps that appear as a series of figures in Chapter Five. Each map covers a decade, beginning with 1911 to 1919 and ending with 1980 to 1989. A consistent set of categories and corresponding patterns were used to demonstrate changes on each quarter

⁵ Herman J. Loether and Donald G. McTavish, *Descriptive and Inferential Statistics: An Introduction.*, 4th ed. (Toronto: Allyn and Bacon, 1993), 586.

section, over the time period 1911 to 1989. Some quarter sections contain more than one pattern, indicating that land use changed within that decade.

SUMMARY

Mapping the land use and occupancy of Witchekan Lake First Nation and Settlers was done to determine two things; first, the extent of the traditional lands of Witchekan Lake First Nation and the intensity with which these lands were used. Most of the conflict between the Settlers and the Band seemed to be centred around the lake itself and the haylands. Mapping the extent of use as well as some degree of intensity of use could perhaps lead to clues about other sources of conflict aside from the haylands. Of particular concern was the area near the river, at the north end of the lake where early surveyors noted the presence of Indian dwellings. What happened to all of the lands in the Witchekan Lake area that were selected for Reserve lands?

The second task of the land use and occupancy study was to determine the degree to which Settlers alienated Reserve lands once they were selected by survey. As well, with the presence of vast haylands and competition over them, the types of land use were of special interest – ranching, grazing and cultivation. The intensity of homestead activity was also of interest since this area consisted of later survey activity and Settlers demanded access to haylands in their protest over the ORS in 1913. In particular, who were the homesteaders that came to Witchekan Lake and why?

A limitation in uncovering Settler land use and occupancy was the lack of complete information about all of the homestead activity in this area. Out of 319 quarters of land, only 145 quarters could provide information for analysis; the loss of just over fifty percent of the data limited any conclusions about land use in this area to be specific to the study area. Predictions about Settler populations and Reserve lands could not be attempted because of the small data set. As well, some of the conclusions around ethnicity and marital status are also based on relatively small numbers.

However, Settler land use and occupancy was influenced by ethnicity and marital status due to the nature of agriculture and ranching. These activities required some control over the lands and resources in order for a new system of land tenure to become established. The new system of land tenure conflicted with the already established land tenure of Witchekan Lake First Nation. The historical events around the creation of the Witchekan Lake Reserve provide insight into the establishment of the new system of land tenure and are the subject of the next chapter.

CHAPTER FOUR: RESERVE CREATION ERA, 1913 TO 1919

INTRODUCTION

This chapter discusses the historical events around the creation of the Witchekan Lake Reserve for Witchekan Lake First Nation, also known as the Witchekan Lake Band. From the first request for Reserve lands in the Witchekan Lake area in 1911 until the Order-in-Council in 1919, it took almost a decade for the Witchekan Lake Indian Reserve #117 to be officially recognized.¹ The first recorded request for a Reserve at Witchekan Lake originated from the Jackfish Lake Band, also known as the Saulteaux Band.² In 1913, the Reserve at Witchekan Lake was awarded to Chief Kaykaykeesick of the Witchekan Lake Band.³

The events that precede the Reserve selection at Witchekan Lake are important as they demonstrate the confusion between the Department of the Interior and the DIA as well as a power struggle for control of the lands in the Witchekan Lake area. Local Settlers and the Witchekan Lake Band joined in this power struggle while the Jackfish Lake Band was involved as the initial party requesting a Reserve at Witchekan Lake as fulfillment of the remainder of their land entitlement. Within this multi-layered power struggle, Indian peoples of both Bands involved in the creation of the Witchekan Lake Reserve were treated as pawns in their relations with both government departments and Settlers.

¹ Letter, J.P.G. Day, Indian Agent, Battleford to McLean, June 7, 1911 and Letter, McLean to W.B. Crombie, Inspector of Indian Agencies, Regina, April 25, 1919. NAC, RG10, Volume 7767, File 27107-11. The official date of the Order-in-Council is April 9, 1919.

² Today the Jackfish Lake Band is known as Saulteaux First Nation. Before the signing of the TLEFA, this Band was sometimes referred to as the Saulteaux Band, a factions of the tribal group labelled the Saulteaux Band /Indians of the Battleford District.

³ Letter, McLean to Chief Kawkaykeesick, February 20, 1913. NAC, RG10, Volume 7767, File 27107-11.

4.1 THE SAULTEAUX BAND'S REQUEST FOR A RESERVE

In 1906, the earliest record of a request for a Reserve asked for land in the vicinity of Jackfish Lake for the "Saulteaux Indians living in the Battleford District."⁴ The Jackfish Lake Band, a faction of the Saulteaux Band was known to have resided mainly at Jackfish Lake for some time. DIA Secretary J.D. McLean requested the Department of the Interior to reserve lands for:

A number of the Saulteaux Indians living in the Battleford District, who have hitherto been roaming from place to place, and who have never entered Treaty are now desirous to have a reserve where it is hoped the greater number of them will settle. These Indians have never been provided land elsewhere; they number about two hundred. They have made Jackfish Lake their headquarters for a number of years . . .⁵

McLean's request represented the efforts of the Jackfish Lake Band to obtain Reserve land within their traditional lands in the area of Jackfish Lake. These efforts were thwarted by the desire of the Department of the Interior to keep the land around the Jackfish Lake area open for homesteading.

In 1906, a departmental memorandum read that "Special attention should be drawn to the condition of settlement and the Indian Department should be asked if they can select sufficient unappropriated land that would be satisfactory for the purpose intended."⁶ The DIA persisted on behalf of the Saulteaux Band to have land selections in the area accepted for a Reserve. In 1908, the DIA noted that Jackfish Lake had been the main camping grounds of the Saulteaux Band who had been in the vicinity for years.⁷ The Department of the Interior remained steadfast in its practice to favour homestead entries over Reserve selections. A memo in mid-December of 1908 stated that ". . . several of the quarter sections applied for by the Indian Department have been homesteaded, and I am of the opinion that the *entries should not be disturbed* [emphasis added]."⁸

⁴ Letter, McLean to Keyes, June 13, 1906. SAB, S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827.

⁵ Ibid.

⁶ Memo, Cory to N.O. Cote, July 23, 1906. SAB, S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827.

⁷ Letter, McLean to Keyes, June 4, 1908. SAB, S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827. It is not clear if McLean was referring specifically to the Jackfish Lake Band or the Saulteaux Band (Tribe) in the Battlefords district.

⁸ Memo, N.O. Cote to J.W. Greenway, Commissioner of Dominion Lands, December 14, 1908. SAB, S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827.

Further delays resulted from uncertainty as to the number of persons in the Saulteaux Band.⁹ Competition arose between the Jackfish Lake Band and the Moosomin Band as the latter was searching for a Reserve to replace the one they had just surrendered to the DIA in entirety.¹⁰ Eventually, the disputed Reserve selection at Jackfish Lake was awarded to the Moosomin Band, owing to the favoured position of the Moosomin Band as signatory to Treaty Six.¹¹ Some time after this dispute, a small Reserve of about fourteen sections was allocated to the Saulteaux Indians in the Jackfish Lake area which partially fulfilled the Band's Reserve Land entitlement.¹²

In 1909, a request was made by the DIA for a Reserve at Witchekan Lake to satisfy the outstanding allocation of land for the Saulteaux Indians.¹³ By June, 1911, the Saulteaux Bands of the Battleford District had become increasingly nervous that Settlers would crowd them out of the Witchekan Lake area before they would receive the rest of their Reserve lands. In 1911, Battleford Indian Agent Day requested the DIA to select the balance of the Reserve lands for the Saulteaux Band near Witchekan Lake in an area not yet subdivided or settled, giving the location of Witchekan Lake in Townships 52 and 53, Ranges 12 and 13, West of the Third Meridian; the location should have read Townships 50 and 51, range 11, West of the Third Meridian.¹⁴ The location error for Witchekan Lake, made by the DIA, led to further delays in the Reserve selection at Witchekan Lake.

The Agent sent another letter in January, 1912, stating that the Saulteaux were insisting upon the Reserve at Witchekan Lake as Settlers were moving into that area. The agent noted that some of the Indians had been living near Witchekan Lake for over twenty years.¹⁵ In anticipation of adhesion to Treaty Six of both the Witchekan Lake Band and the Saulteaux Band,¹⁶ the DIA calculated a Reserve entitlement of 58.6 square miles (37,504 acres) for the Saulteaux Bands in the Battleford District. This allocation was based on a 1911 census population of the Saulteaux Band in the Battleford District that numbered 293 persons.¹⁷ As the

⁹ Letter, McLean to Keyes, June 4, 1908. SAB, S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827.

¹⁰ *The Saskatchewan Herald* (Battleford), Volume XXXL, No. 18, Whole Number 1360, 8 May 1909, p. 1. SAB, Newspaper Index, Reel 255.

¹¹ Letter, Keyes to McLean, September 29, 1909. SAB, S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827.

¹² Letter, Day to McLean, January 23, 1912. NAC, RG10, Volume 7767, File 27107-11.

¹³ Letter, McLean to Keyes, April 6, 1909. NAC, RG10, Volume 7767, File 27107-11.

¹⁴ Letter, J.P.G. Day, Indian Agent at Battleford to McLean, June 7, 1911. NAC, RG10, Volume 7767, File 27107-11. Witchekan Lake is located in Townships 51 and 52 in Range 11, W3M.

¹⁵ Letter, McLean to Keyes, February 2, 1912. NAC, RG10, Volume 7767, File 27107-11.

¹⁶ Letter, McLean to Keyes, June 13, 1906. SAB, S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827.

¹⁷ Letter, Day to McLean, January 23, 1912. NAC, RG10, Volume 7767, File 27107-11. The source

Saulteaux Band had received a Reserve of 14.13 square miles (9043 acres) near Jackfish Lake; the remaining entitlement of 44.47 square miles (28,460 acres) was requested at Witchekan Lake.¹⁸

The Department of the Interior maintained silence towards the DIA request to hold lands for the selection at Witchekan Lake until October, 1912 when Deputy Minister Cory instructed Controller Cote that the application papers for this Reserve selection were being held for submission to the Minister of the Interior. In the interim, “no decisive action can be taken on the case without special reference here.”¹⁹ Cory further instructed Cote, “If anything occurs in connection with the case that in your opinion warrants prompt consideration, you might return the file with a memorandum.”²⁰ On a memo that noted that Township 53, Range 12 was surveyed, Cory penned a note to Surveyor-General Deville, asking which of the selected townships had been surveyed in 1912.²¹ Upon learning that a number of the townships were under survey within the selected eight townships,²² Cory asked the DIA for a more definite (legal) description of the desired lands before the Department of the Interior would hold them for selection.²³

4.2 THE WITCHEKAN LAKE BAND’S REQUEST FOR A RESERVE

On October 20, 1912, Chief Kawkaykeesick of the Witchekan Lake Band requested a Reserve as Settlers were moving into the area. He requested one square mile of land for each individual in the Band, while indicating that his Band had not yet signed Treaty or taken scrip and had lived in the area of Witchekan Lake for about forty years. The Chief specifically stated the Band did not want treaty money.²⁴

of this census was likely the official Census undertaken by the Department of Agriculture. The DIA may have done the actual census for the Department of Agriculture.

¹⁸ Ibid.

¹⁹ Memo, Cory to N.O. Cote, October 12, 1912. SAB, S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827.

²⁰ Ibid.

²¹ Memo, N.O. Cote to Cory, November 22, 1912. SAB, S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827.

²² Letter, Dr. E. Deville, Surveyor General, Department of the Interior, Ottawa to Cory, November 22, 1912. SAB, S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827.

²³ Memo, Cory to N.O. Cote, November 15, 1912. SAB, S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827.

²⁴ Letter, Chief Kawkaykeesick to James McKay, M.P. for the Prince Albert constituency, October 20, 1912. NAC, RG10, Volume 7767, File 27107-11. The Chief estimated the size of his Band to be about 50 people. There has been some speculation by other researchers as to whether this number represented the number of individuals or families. Given that the Saulteaux Band were factionalized and spread between Jackfish Lake and Witchekan Lake, this number could well represent the number of individuals

The DIA refused the land allocation of the Chief's request, reasoning that under the terms of Treaty Six, the Band was only entitled to one square mile for every five persons.²⁵ This reasoning ignored the fact that the Witchekan Lake Band had not yet signed a treaty or any other agreement that would have limited their land rights. The DIA did not consider that the size of Reserve the Chief requested may have been in lieu of the treaty money that the Chief specifically declined. Given the perpetual nature of treaty annuities, the request for a larger Reserve represented the same degree of perpetuity. Instead, the DIA asked Battleford Agent Rowland to consult with the Chief at Witchekan Lake at the earliest convenience to select the desired lands in Townships 51 and 52, but to be mindful of the advancing settlement.²⁶ It was November before the Department of the Interior replied, requesting the DIA to "submit a definite description of the lands you desire to select in townships 52 to 55, Ranges 12 and 13, west of the 3rd meridian."²⁷

In February, 1913, DIA Deputy Superintendent D.C. Scott asked the DIA Surveys Branch for a full report.²⁸ The ensuing report confirmed the Reserve size to be forty-four sections based on one section per five people and noted that the decision to survey this Reserve had been made in February, 1912.²⁹ Chief Kawkaykeesick was then notified on February 20, 1913, by the DIA, that a surveyor would be sent out to survey his Reserve in the summer of 1913, providing one section for every five persons. The Chief's assistance to the surveyor was requested in laying out the predetermined size of the Reserve.³⁰

In April, 1913, McLean informed the Department of the Interior that a DIA surveyor would survey the Reserve. He requested that subdivision plans of the selected townships not be confirmed until after the Reserve selection had been made.³¹ Two weeks later, the DIA realized its error in locating Witchekan Lake and asked the Department of the Interior to withhold confirmation of the surveys of Townships 51 and 52, Range 11, W-3-M, until the Reserve had

of the faction led by Kawkaykeesick. This number may not reflect the *total* number of people living in the Witchekan Lake area as other factions may have lived there at that time. The letter was written on the Chief's behalf by a storekeeper in the Witchekan Lake area.

²⁵ Ibid.

²⁶ Letter, McLean to Keyes, February 2, 1913. NAC, RG10, Volume 7767, File 27107-11.

²⁷ Letter, L. Pereira, Assistant Secretary, Department of the Interior, to McLean, November 28, 1912. NAC, RG10, Volume 7767, File 27107-11.

²⁸ Memo, D.C. Scott, Deputy Superintendent General of Indian Affairs (D.S.G.I.A.) To Surveys Branch, DIA, February 10, 1913. NAC, RG10, Volume 7767, File 27107-11.

²⁹ Memo, S. Bray, Chief Surveyor, DIA to Scott, February 17, 1913. NAC, RG10, Volume 7767, File 27107-11.

³⁰ Letter, McLean to Chief Kawkaykeesick, February 20, 1913. NAC, RG10, Volume 7767, File 27107-11.

³¹ Letter, McLean to Secretary, Department of the Interior, April 2, 1913. NAC, RG10, Volume 7767, File 27107-11.

been selected.³² However, the request came too late as the township plans were confirmed in early 1913 and had already been let out for homestead entry; the Reserve selection would have to be made according to available sections.³³

Additional lands outside these two townships were needed to make up “*possibly about* forty-four sections [that] *may* be required for the Witchekan Lake Reserve [emphasis added].”³⁴ In mid July, the DIA asked the Department of the Interior to “be good enough to reserve as long as possible the sale, occupation or alienation of any of the lands in Townships 51 and 52, Range 11, W3M.”³⁵ The DIA informed the Land Patents Branch of the Department of the Interior of the delay in the Reserve selection and asked for the lands in Townships 51 and 52, Range 11, W3M to be held as long as possible³⁶ and informed the Surveyor General of this communication.³⁷ At the same time, Agent Rowland was urged to select the Reserve at Witchekan Lake as soon as possible.³⁸

At the beginning of July, Surveyor Steele communicated with the DIA in anticipation of the upcoming survey at Witchekan Lake.³⁹ Steele was instructed to select the Reserve according to guidelines received regarding other Reserve surveys he was engaged in and to communicate with the Indian Agent at Battleford.⁴⁰ Steele wired the DIA to request the Department of the Interior to withdraw Townships 50 to 53, Ranges 10 to 12, W-3-M from homestead entry until the Reserve selection was made, as he was ready to begin the selection.⁴¹ Two days later, the DIA complied with this request and asked that the District Land Agent be notified of the withdrawal.⁴² The DIA notified Steele that the Department of the Interior had been contacted and he was urged to select the Reserve as soon as possible, but not to include lands already disposed of or homesteaded.⁴³

A check by the Department of the Interior on the status of the lands in Townships 51 and 52, Range 11 on October 11, 1913 revealed one homestead in Township 51 and twenty-nine

³² Letter, McLean to the Secretary, Department of the Interior, April 22, 1913. NAC, RG10, Volume 7767, File 27107-11.

³³ Letter, Cote to McLean, June 6, 1913. NAC, RG10, Volume 7767, File 27107-11.

³⁴ Letter, McLean to Rowland, Battleford, June 17, 1913. NAC, RG10, Volume 7767, File 27107-11.

³⁵ Letter, McLean to N.O. Cote, July 16, 1913. NAC, RG10, Volume 7767, File 27107-11.

³⁶ Ibid.

³⁷ Letter, McLean to Deville, July 16, 1913. NAC, RG10, Volume 7767, File 27107-11.

³⁸ Letter, McLean to Rowland, July 16, 1913. NAC, RG10, Volume 7767, File 27107-11.

³⁹ Letter, I.J. Steele, Dominion Land Surveyor, DIA to McLean, July 8, 1913. NAC, RG10, Volume 7767, File 27107-11.

⁴⁰ Letter, McLean to Steele, August 9, 1913. NAC, RG10, Volume 7767, File 27107-11. Steele had received instructions for laying out Reserves at Wabiscan and Heart Lake.

⁴¹ Telegram, Steele to McLean, October 7, 1913. NAC, RG10, Volume 7767, File 27107-11.

⁴² Letter, McLean to N.O. Cote, October 9, 1913. NAC, RG10, Volume 7767, File 27107-11.

⁴³ Telegram, McLean to Steele, October 9, 1913. NAC, RG10, Volume 7767, File 27107-11.

homesteads in Township 52.⁴⁴ A memo followed to Assistant Deputy Minister J.A. Cote of the Department of the Interior with a notation by Controller N.O.Cote of the Lands Patent Branch to advise the DIA of the standing of these lands.⁴⁵ The Department of the Interior informed the DIA of these disposed lands⁴⁶ and asked if these lands were still desired as the total requested lands of 44.47 square miles were not available within these two townships.⁴⁷ The Department of the Interior was also under the impression that the Saulteaux had taken treaty, with these lands being provided accordingly.⁴⁸

On October 14, 1913, Controller Cote issued a memo to Cory which related events of the Witchekan Lake selection since February 2, 1913, drawing particular attention to the repeated requests of the DIA to have lands in Townships 51 and 52, Range 11 held for Reserve selection.⁴⁹ Cote closed by requesting instructions on whether or not the Battleford Land Agent should be advised to withhold homestead entries on the remaining lands until the DIA selection was completed.⁵⁰ There is no evidence in the files to suggest that Cory answered Cote's memo.

On October 15, 1913, the DIA wrote to the Lands Patent Branch to inform them that the Reserve survey was underway at Witchekan Lake with the surveyor instructed "not to include lands for Indians . . . already homesteaded or disposed of."⁵¹ The DIA once again requested the temporary withdrawal of Townships 50 to 53, Ranges 10 to 12, W-3-M from "homestead entry or alienation,"⁵² noting that the Reserve selection was in progress, with the understanding that homesteaded land would not be included in the Reserve survey.⁵³

The DIA was anxious that the matter of this Reserve selection and survey would be completed before the year's end. The Department of the Interior took the matter of reserving the requested land under consideration.⁵⁴ Evidently, the DIA decided to continue with the survey as planned, with the view that the withdrawal of the requested lands from homesteading or alienation would be forthcoming from the Department of the Interior. Cote sent another

⁴⁴ Memo, M.B. Sheppard, Lands Patent Branch, Department of the Interior to J. Johnston, Land Patents Branch, Department of the Interior, October 11, 1913. SAB, S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827.

⁴⁵ Memo, N.O. Cote to J.A. Cote, Assistant Deputy Minister of the Interior, October 11, 1913. SAB, S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827.

⁴⁶ Letter, N.O. Cote to McLean, October 13, 1913. NAC, RG10, Volume 7767, File 27107-11.

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ Memo, N.O. Cote to Cory, October 14, 1913. SAB, S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827.

⁵⁰ Ibid.

⁵¹ Letter, S. Stewart, Assistant Secretary, DIA to Cote, October 15, 1913. NAC, RG10, Volume 7767, File 21707-11.

⁵² Letter, McLean to N.O. Cote, October 15, 1913. NAC, RG10, Volume 7767, File 27107-11.

⁵³ Ibid.

memo to Cory on October 16, 1913 that repeated the DIA's request to withdraw the selected lands from further homestead entries; the memo appears to have been forwarded to Cory's assistant but remained officially unanswered.⁵⁵

4.3 SELECTION OF THE ORIGINAL RESERVE AT WITCHEKAN LAKE

The ORS at Witchekan Lake was embroiled in conflict as soon as the surveyor notified the DIA of the completion of his survey. On October 22, 1913, Surveyor Steele wired the DIA that the Reserve survey and selection at Witchekan Lake was completed.⁵⁶ In his report to DIA Deputy Superintendent, Steele reported "The work of running the necessary lines and posting the boundaries required two and one half days and was finished Oct. 18th."⁵⁷ Steele reported to McLean that the Battleford Dominion Land Agent still had not received instructions to withdraw lands from homestead entry and that he had selected the following lands for the Reserve, "All Township fifty-one, sections one to twelve inclusive, sections seventeen, eighteen, nineteen, twenty, south half twenty-nine, south half thirty, south-west quarter twenty-one in township fifty-two, all in range eleven, west third [meridian]."⁵⁸

On the same day, the Dr. Roche, Minister of the Interior received two memos, one from Deputy Minister Cory and the other from D.S.G.I.A. Scott. The first memo expressed Cory's concern over the withdrawal of twelve recently surveyed townships, for the Reserve selection. He wrote:

It is important no doubt, that the Department of Indian Affairs should have an opportunity of selecting the lands that are coming to them, but it seems to me that it is rather dangerous to go and close up 12 whole townships against *actual settlers who may have made arrangements to take up lands* and at any rate if any reservation is made it should be for only a very little time . . . for your consideration and decision [emphasis added].⁵⁹

The Department of the Interior was advised of the selection the next day by the DIA who requested that the Battleford Dominion Land Agent be advised to reserve this selection from sale or settlement; it was noted this had not yet been done, as previously requested.⁶⁰ Scott's memo to the Minister of the Interior indicated that the DIA surveyor had selected the Witchekan

⁵⁴ Ibid.

⁵⁵ Memo, N.O. Cote to Cory, October 16, 1913. SAB, S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827.

⁵⁶ Telegram, Steele to McLean, October 22, 1913. NAC, RG10, Volume 7767, File 27107-11.

⁵⁷ Report, Steele to Scott, January 8, 1914. NAC, RG10, Volume 7767, File 27107-11.

⁵⁸ Telegram, Steele to McLean, October 22, 1913. NAC, RG10, Volume 7767, File 27107-11.

⁵⁹ Memo, Cory to Dr. Roche, Minister of the Interior, October 22, 1913. SAB, S-6.17, File 1215019, Reel 827. This was an error on Cory's part as the selected townships numbered only eight.

⁶⁰ Letter, McLean to N.O. Cote, October 23, 1913. NAC, RG10, Volume 7767, File 27107-11.

Lake Reserve for the Saulteaux Indians.⁶¹ As the information was being forwarded to the Controller of the Land Patents Branch, Scott commented that this would “enable the Department of the Interior to deal with the matter at once.”⁶² It is not clear just what matter Scott was referring to here. It is possible that Cory had already raised his objections to the Reserve selection or that Scott was referring to the ongoing matter of this Reserve selection finally being settled.

Controller Cote in the Land Patents Branch also informed the DIA that their application to reserve the selection was under consideration and further advisement.⁶³ Cote submitted a memo to Cory on October 29, 1913, indicating the 44.47 square mile (28460 acre) entitlement for the Saulteaux Band and the subsequent selection of only 32.52 square miles (20,810 acres) at Witchekan Lake. This memo was likely forwarded to Roche, as a notation initialed by Cory stated, “Dr. Roche, Do you think it advisable to grant the Indians complete control of this lake? Would it not be better to confine them to one side of the lake only?”⁶⁴ There is no filed record of Roche’s reply. However, the final outcome for the Reserve location was confinement to one side of the lake and a Reserve of only seven sections at the ORS. The Witchekan Lake Reserve assumed this size and location within a few months of the ORS and remained so until the 1919 Order-in-Council. The concerns raised by Cory at this early date appear to have prevailed over the years it took to pass the Reserve Order-in-Council by April, 1919.⁶⁵ No questions or objections were raised about the entitlement of the Saulteaux Bands (Tribe) of the Battleford District to a Reserve in the absence of treaty. As well, the DIA used the 1911 census to determine the size of the Reserve for the Saulteaux Tribe, splitting the Reserve between the Jackfish Lake and Witchekan Lake locations.⁶⁶

⁶¹ Memo, Scott, to Roche, NAC, RG10, Volume 7767, File 27107-11.

⁶² Ibid.

⁶³ Letter, N.O.Cote to Stewart, October 28, 1913. NAC, RG10, Volume 7767, File 27107-11.

⁶⁴ Memo, N.O. Cote to Cory, October 29, 1913. SAB, S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827.

⁶⁵ Cory joined the Department of the Interior in 1901. He was appointed Deputy Minister of the Interior in 1905 and remained in this capacity until 1930 when the lands were transferred to provincial jurisdiction. Although the Minister of the Interior shifted at the will of the Prime Minister, Mr. Cory remained in a position to have continued control over the Witchekan Lake Reserve for not only the six years it took to pass the Order-in-Council for its official creation but also in the succeeding years when the haylands were under the administration of the Department of the Interior.

⁶⁶ Letter, Day to McLean, January 23, 1912; Letter, McLean to Keyes, February 2, 1912 and Letter, McLean to Chief Kawkaykeesick, February 20, 1913. All in NAC, RG10, Volume 7767, File 27107-11.

4.4 ORIGINAL RESERVE SURVEY AT WITCHEKAN LAKE

As indicated by earlier correspondence between the DIA, its Surveys Branch and the Department of the Interior, the basis of the Reserve selection at Witchekan Lake, for the Saulteaux Bands, was made on the numbers counted in a 1911 Census that indicated this population to be 293 persons.⁶⁷ This number determined that the Saulteaux Indians were entitled to forty-four sections to settle their outstanding land entitlement at 128 acres per Band member, according to the provisions of Treaty Six.

Surveyor Steele provided a handwritten report to the DIA in November, 1913 which listed the selected lands; sections sixteen and twenty were listed in addition to those on his previous telegram.⁶⁸ Steele described the selection as “about thirty-two square miles exclusive of Witchekan Lake and almost entirely surrounds it.”⁶⁹ Steele explained that he did not select the forty-four square miles as instructed because there were “only about 80 Indians permanently living there at present - although a number of others stated that they intended to live there in the future.”⁷⁰ In spite of his decision at the time of the survey, Steele recommended an additional eight sections to be taken if the DIA wanted to make the Witchekan Lake selection larger.⁷¹ Steele also felt that the Indians could be tactfully persuaded to sign the treaty.⁷²

It is not clear why Steele recommended to the DIA that if they desired extra land for the Reserve, an additional eight sections (5,120 acres) could be added, allowing land for forty people. Perhaps Steele was estimating an additional forty people who had indicated at the time of survey that they intended to live at Witchekan Lake or perhaps he was having second thoughts about reducing the survey from the DIA’s original instructions. Were the DIA’s instructions ambiguous or was he motivated to cover an error of judgment he made in the field? However, in making his recommendation, Steele raised the size of the Reserve to forty sections but was still four sections short of the forty-four section entitlement for the ORS, as determined by the DIA.⁷³ Steele appears to have surveyed the size of the Reserve based on actual numbers

⁶⁷ The actual source of this census has never been located in archival records or alluded to by DIA correspondence. Given the date, I am assuming here it is the decennial National Census whose access is sealed after 1906.

⁶⁸ Letter, Steele to McLean, November 8, 1913. NAC, RG10, Volume 7767, File 27107-11.

⁶⁹ Ibid.

⁷⁰ Ibid.

⁷¹ Ibid. The recommended sections were in Township 51, Range 10, Sections 6,7,18,19,30 and 31 and in Township 52, Range 10, Sections 6 and 7, all W-3-M.

⁷² Ibid.

⁷³ As events unfolded, Steele’s recommendation for the additional eight sections was not carried out; combined with the four sections he was short, the Reserve lands that were still owed after the Original Reserve Survey total twelve sections.

of the Band who **resided** in the area of the proposed Reserve and not on actual Band **membership**, as required by the terms of Treaty Six.

Steele's report indicated that he consulted with the Indian Agent at Battleford with regards to the Band population. In setting aside the allocation for the Reserve at Witchekan Lake, the DIA appears to have been relying on the 1911 census figure of 293 Saulteaux in the Battleford District. Steele surveyed approximately 20,480 acres (thirty-two sections) in the ORS; at 128 acres per Band member, the surveyed Reserve set out land for 160 people. It is likely that the 1911 Census represented all of the known Saulteaux people in the various factions and that 160 of this total were determined to be at Witchekan Lake. Given the previous DIA confusion around actual population numbers and suspicions that there may have been other Saulteaux people at Witchekan Lake, the ORS may have been allocated for all of those Saulteaux at Witchekan Lake. There is no other reasonable explanation for why the surveyor would survey land for 160 people when he estimated only eighty people to be living at Witchekan Lake.

Steele may have been somewhat skeptical of the numbers of Band members and did not take in to account that possibly, not all of the Band members were in the area or returned to Witchekan Lake when he arrived for the survey. It is also possible that Steele consulted with only some of the Saulteaux at Witchekan Lake, believing them to be the only ones there. Perhaps the other factions were absent at the time of survey or did not know that the impending survey intended to provide land for them as well. Archival records indicated only Chief Kawkaykeesick at Witchekan Lake requested a Reserve and it was to this Chief that the DIA gave assurance of a Reserve. However, the Chief estimated his Band members to be about fifty – well short of the 160 that Steele surveyed land for; the actual survey was for double the number of Indians that Steele estimated to be living at Witchekan Lake Steele's report to DIA Deputy Superintendent Scott indicated that upon his arrival at Witchekan Lake on October 13, 1913, the Indians were all at Pelican Lake, attending a dance.⁷⁴ The surveyor had to wait until the Band returned from a gathering at Pelican Lake, before beginning the survey. Surveyor Steele likely assumed that all of the Saulteaux returned to Witchekan Lake to await his bidding with regards to the survey. Steele stated that upon their return from Pelican Lake, "a council meeting was held at once and after a discussion for about an hour I came to a general understanding with them."⁷⁵ Steele's report does not indicate if the council meeting consisted of a number of leaders from different factions or only from Kawkaykeesick's Band.

⁷⁴ Surveyor's Report, Steele to Scott, January, 8, 1914. NAC, RG10, Volume 7767, File 27107-11.

⁷⁵ Ibid.

The degree to which Steele acted in an authoritarian manner with at least two other Indian Bands in Alberta is evident in his report to the DIA. Surveyor Steele's report for his 1913 survey work indicates that previous to the survey of the Witchekan Lake Reserve, he surveyed a Reserve for the Indians at Wabiskaw Lake in Alberta. He noted that he had difficulty getting men to assist with that survey. He stated:

There was an excellent catch of fur the preceding winter, and most of the Indians felt very prosperous and considered it beneath their dignity to work. However, *by threatening not to give them a reserve unless they cut the line, I was able to secure a number; but the party was short-handed some of the time* [emphasis added].⁷⁶

Steele did not have the authority to threaten the Band with the loss of the Reserve under any circumstances. Decisions regarding the survey of Reserves, their size and location appear to have been the domain of upper level officials in the DIA and the Department of the Interior, not surveyors.

Steele does not appear to have been a man who allowed the Indians much time to make their decisions as he indicated by his account of the events around the survey he conducted at Heart Lake. The local Indian Agent from the Saddle Lake Agency was in a hurry to return home so,

[W]e held a meeting that evening and *within a few minutes* obtained a general idea of what the Indians desired. The next day I spent travelling around with the chief and his advisors, giving them an opportunity of showing me the land they most desired . . . and proceeded immediately to stake out the reserve (along subdivision lines) . . . requir[ing] two days [emphasis added].⁷⁷

Steele then made his way to Battleford, picked up supplies and arrived at Witchekan Lake on October 13th. As Band members were away at a dance at Pelican Lake, it was October 15th before Steele and the Witchekan Lake Band could confer on the Reserve selection. Steele made up for lost time as indicated in the following:

A council meeting was held at once, and after a discussion *for about an hour* I came to a *general understanding* with them. The rest of the afternoon and the next morning was spent in driving over the proposed reserve to see that it included the land they most wished for. . . running the necessary lines and posting the boundaries required two days and a half, and was finished on October 18 [emphasis added].⁷⁸

The Reserve selection was not particularly troublesome to Steele even though some of the land selected by the Witchekan Lake Band was not available. Steele reported:

As all the land in this vicinity had been thrown open for homestead entry, I took the precaution, while in Battleford, of finding out exactly what quarter-sections had been filed

⁷⁶ Canadian Sessional Papers (hereinafter CSP), 1915, no. 23, 85.

⁷⁷ Ibid.

⁷⁸ Ibid.

on. . . the Indians wanted some of the land which had already been homesteaded but. . . were satisfied to take other land instead.⁷⁹

All things considered - travel by horses and carts, along trails through bush and muskeg - Steele accomplished considerable travel distances in relatively short time periods. His efficiency in Reserve surveys is also a point of admiration as he appeared to reach agreements in record time as to which lands the Witchekan Lake Band and the Indian peoples at Heart Lake desired in both instances. It is doubtful that a man with Steele's penchant for speed and efficiency would have been in a gracious frame of mind after having been kept waiting for two days. The question that remains is whether Steele allowed the Indians from both the Heart Lake and Witchekan Lake Bands to fully express their wishes about the selection of their Reserves or did he make their decisions for them?

4.4.1 Reductions and Protest To The Original Reserve Survey

The selection, as per Steele's earlier report to the DIA, was amended by McLean to exclude the North West quarter of section 16 in Township 52 and the North West quarter of section 18 in Township 51, both in Range 11, as these homesteads were entered before the ORS.⁸⁰ The amended selection was then submitted to the Department of the Interior to be confirmed as a Reserve "for the Witchekan Band of Indians."⁸¹ At the same time, the DIA requested that the additional eight sections that Steele recommended be reserved, until further advisement, "as it appears that it is not fully ascertained whether certain other Indians will finally decide to settle at Witchekan Lake."⁸² These "other Indians" remained nameless at this point but Agent Rowland was instructed to get a list of the names of the Indians at Witchekan Lake so land grants would not be duplicated in the future.⁸³

Agent Rowland, at Battleford, was advised of the selected lands, (excluding NE 16-52-11), W3M, which " have been applied for to be set apart as a reserve for the said Indians. It will not

⁷⁹ Ibid.

⁸⁰ Letter, McLean to N.O. Cote, November 18, 1913. NAC, RG10, Volume 7767, File 27107-11. This was confirmed in homestead files. The NE 16-52-11 W3 was filed as a homestead on July 17, 1913. SAB, G.11, Department of Agriculture (Saskatchewan), Volume I, File 2971561; the NW 18-51-11 W3 was filed as a homestead on January 16, 1912. SAB, Township Register, Range 11 W3M, File 436889.

⁸¹ Ibid.

⁸² Ibid. The rest of the lands in the Witchekan Lake area that the Department of the Interior may have temporarily reserved were relieved of reservation by the DIA with this letter.

⁸³ Letter, McLean to Rowland, November 18, 1913. NAC, RG10, Volume 7767, File 27107-11. From this correspondence, it is clear that the DIA intended for the Witchekan Lake Reserve to consist of the 32 sections as surveyed and the additional 8 sections would be added only if the other Indians settled at Witchekan Lake.

be constituted a reserve until finally confirmed by Order-in-Council.”⁸⁴ On his next visit, Rowland was instructed to discuss entry into treaty with the Indians at Witchekan Lake. On the same day, McLean wrote to Steele and informed him that all the lands selected by Steele **except for** NE 16-52-11 and NW 18-51-11 were “ applied for to constitute a Reserve for the said Indians at Witchekan Lake.”⁸⁵

A local newspaper in the Battlefords reported the completion of the Witchekan Lake Reserve survey in its social column.⁸⁶ There appears to have been considerable interest in the selection of this Reserve. Interest may have been keen due to the fact that the lands contained within the Reserve selection had been opened to homesteading a mere ten months earlier. As well, the same newspaper had previously reported the Witchekan Lake area to be fine ranching country; it was expected that entries would be substantial once the area was thrown open for homesteading.⁸⁷

Within weeks of the completion of the Reserve survey and selection, protests arose from the Department of the Interior, the local Member of Parliament and Settlers in the Witchekan Lake area. The first of these protests came from the Deputy Minister of the Interior on December 12, 1913 who requested that the head of the DIA amend the Reserve selection to “leave a larger part of the lake front available for white settlement.”⁸⁸ Cory raised the issue based on **anticipated** “considerable objection to blocking up the lake in the manner proposed.”⁸⁹ On December 22, 1913, Scott responded that the Reserve selection would be reconsidered so as to leave “ a considerable portion of the lake shore not in the Reserve.”⁹⁰ However, Scott mentioned that the inclusion of the lake in the Reserve presented no hardship for Settlers because of its shallow depth and because it was of no value for fish as it contained neither whitefish or trout.⁹¹ Agent Rowland was also instructed to look into the matter, make the change to the selection and choose other lands adjacent to the Reserve.⁹² The second source of protest came from James McKay, the Member of Parliament from Prince Albert, who represented the interests of the Settlers from the Witchekan Lake area.⁹³ Scott informed McKay

⁸⁴ Ibid.

⁸⁵ Letter, McLean to Steele, November 18, 1913. NAC, RG10, Volume 7767, File 27107-11.

⁸⁶ *The Saskatchewan Herald* (Battleford), Volume XXXV, No. 44, Whole Number 1573, 24 October 1913, 8. SAB, Newspaper Index, Reel 256.

⁸⁷ *The Saskatchewan Herald* (Battleford), Volume XXXIII, No. 44, Whole Number 1469, 4 November 1911, 10. SAB, Newspaper Index, Reel 257.

⁸⁸ Letter, Cory to Scott, December 2, 1913. NAC, RG10, Volume 7767, File 27107-11.

⁸⁹ Ibid. This information came from Steele’s survey report to Scott on January 8, 1914.

⁹⁰ Letter, Scott to Cory, December 22, 1913. NAC, RG10, Volume 7767, File 27107-11.

⁹¹ Ibid. This came from Steele’s survey report to Scott on January 8, 1914.

⁹² Letter, McLean to Rowland, December 22, 1913. NAC, RG10, Volume 7767, File 27107-11.

⁹³ Letter, McKay, to Scott, December 31, 1913. NAC, RG10, Volume 7767, File 27107-1. Chief

that others had objected to the Reserve location; Scott assured McKay that he had “no doubt that some arrangements satisfactory to all will be reached.”⁹⁴

Chief Kawkaykeesick also wrote to the DIA, expressing concern over Settlers telling him he would not get a Reserve and inquiring about the title papers he was to be sent once the Reserve was surveyed.⁹⁵ The DIA issued an evasive response to the Chief and told him “it is hoped this matter will be settled at an early date and you and your band will be well satisfied with the lands which the Department is able to secure for you.”⁹⁶ The DIA was under considerable political pressure to adjust the Reserve; pressure that interfered with the DIA’s ability to act in the best interests of the Band.

A third form of protest came from a group of well-organized Settlers in the Witchekan Lake area who sent a petition to the Minister of the Interior through a land and financial broker from North Battleford.⁹⁷ The petition, dated December 20, 1913, was received by the Minister on January 10, 1914, then forwarded to D.C. Scott on January 21, 1914.⁹⁸ The petitioners did not desire access to the lakefront, only the haylands in the area; oddly enough, the petitioners had no objection to the Reserve, but made a request that the Reserve be in a block and not take in all of the hay.⁹⁹ This petition and letter are the first official opposition by area Settlers, although Cory was suggesting opposition to the survey as early as December 2, 1913. The lake itself does not appear to be an issue for the Settlers, although the expressed desire for the block Reserve selection is puzzling. This phrase is almost identical to the one that Cory used in a memo he sent to Cote regarding the Jackfish Lake selection in 1909.¹⁰⁰ The unanswered question here is why the petitioners would feel the need to express **their** desire for a block of Reserve land to constitute the Reserve lands for the Witchekan Lake Band?

The value of the hay to the petitioners is a significant fact; it would appear that Settlers may have counted on the hay as a resource, free for the taking, which was a false assumption as

Kawkaykeesick had written to McKay in October, 1912 to request a Reserve for his Band at Witchekan Lake.

⁹⁴ Letter, Scott to McKay, January 7, 1914. NAC, RG10, Volume 7767, File 27107-11.

⁹⁵ Ibid.

⁹⁶ Letter, McLean to Chief Kawkaykeesick, January 22, 1914. NAC, RG10, Volume 7767, File 27107-11. This letter was sent to Agent Rowland for delivery to Chief Kawkayseesick.

⁹⁷ Letter, M.J.Howell, Land Broker, North Battleford to Roche, January 6, 1914 and Letter and Petition, Witchekan Lake area Settlers to Roche, December 2, 1913. NAC, RG10, Volume 7767, File 27107-11. For full text of the petition and signatures, see Appendix V.

⁹⁸ Memo, Roche to Scott, January 21, 1914. NAC, RG10, Volume 7767, File 27107-11.

⁹⁹ Ibid.

¹⁰⁰ Memo, Cory to N.O. Cote, March 3, 1909. SAB, S-6.17, File 1215019, Reel 827. In response to an earlier Reserve selection submitted for the Saulteaux Band at Jackfish Lake, Cory stated that the Minister of the Interior had decided that “the block (Reserve selection) must be a compact one. ”

permits for hay and grazing were issued by the government for a fee.¹⁰¹ Settlers also reported that they would bring in stock and make use of the hay - better use than the Indians appeared to be making of it. Research of the homestead records and secondary sources demonstrate a significant presence of livestock in the area at the time of the ORS in 1913.¹⁰²

Some Settlers engaged solely in horticulture while others had small mixed farming operations with insignificant numbers of stock. Other Settlers had large numbers of cattle and horses, suggesting the establishment of ranching in the area. The availability of hay would not have been a major issue to mixed farmers as they tended to graze their stock on their homestead and grow grain to supplement stock grazing. However, ranchers in the area did have stock of significant proportions and depended on the abundant hay to assist their ranching enterprises.

As well, the Indians clearly made use of and intended future use of the hay through sale or lease.¹⁰³ Chief Kawkaykeesick was explicit in his intended use; Settlers and Indians would have had access to the haylands but Settlers would have had to pay for the hay they used. The Chief clearly intended that proceeds from lease or sale of hay would replace hunting as a main means of economic support for his Band. Perhaps Settlers were never made aware of this fact or if they were, they may have had objections to doing so. Settlers may not have been aware of the custom of paying the Band directly for hay gathered in the area; one early rancher reported haying with his sons in the area in 1908 when he paid the Indians twenty-five cents per ton of hay.¹⁰⁴

The issue of the Settler petition bears some scrutiny as well. The petition's handwritten text appears to strongly resemble other letters written by P.R. Cox, a Justice of the Peace located at Belbutte and one of the signatures on the petition itself.¹⁰⁵ Of the thirty-seven signatures, three

¹⁰¹ Letter, Agent Weir, Leask to W.M. Graham, Indian Commissioner, Regina, November 22, 1919. NAC, RG10, Volume 7767, File 27107-11.

¹⁰² A compilation of the data extracted from homestead files can be found in Appendix IV.

¹⁰³ Report, W.J. Chisholm, to McLean, October 30, 1914. NAC, RG10, Volume 7767, File 27107-11.

¹⁰⁴ Idylwild Women's Institute, *Pioneers and Followers of Idylwild and Witchekan Districts* (North Battleford, Canada: Turner-Warwick Printers Ltd., 1983), 74. Harry Diehl ranched in the Witchekan Lake area between 1908 and 1913. He came from Marcelin, a community southeast of Witchekan Lake, in search of hay for his ranching operation. For two to three years, Diehl and his sons drove cattle from the Marcelin area to Witchekan Lake for winter grazing north of the lake along the river and then drove the cattle back to Marcelin for summer grazing. Diehl and his family wintered on the east side of Witchekan Lake in 1912 until the death of the youngest son, aged 2 years. Diehl's wife returned to Marcelin while Diehl and his sons left in the Spring, 1913 after a fire, set to burn off the meadows, went out of control and burned the area all the way to Big River. In 1913, surveyors moved in to survey homesteads.

¹⁰⁵ Letter, Howell to Roche, January 6, 1914. NAC, RG10, Volume 7767, File 27107-11. The other letters referred to here are those written on Tepowewe's behalf on September 19, 1919 (NAC, RG10, Volume 7767, File 27107-11) and one written March 17, 1920 (NAC, RG10, Volume 1619). Belbutte is a small hamlet located in Township 51, Range 13 and was a post office location.

(including Cox's) cannot be established as homesteaders within Townships 51, 52 and 53, range 11, W3M while an additional four have homesteads outside of these parameters. Of the remaining thirty signatures, all except one are outside of the ORS. Thus, eighteen percent of the signatures on the petition may be called into question as legitimate Settlers with a legitimate right to voice their concerns about the Reserve selection in relation to lands they were homesteading with a view to permanent settlement. There does not appear to be evidence that any of the thirty Settlers had leases for hay or grazing before 1914¹⁰⁶ while the only homestead within the Reserve selection was later excluded from the Reserve.¹⁰⁷

There can be no doubt that the Settler group was well organized in its protest as it had enlisted the help of local M.P. James McKay, who had also been entrusted with Chief Kawkaykeesick's request for a Reserve in 1912.¹⁰⁸ McKay was therefore in a position to provide Settlers with this information and direct them as to the most effective route for their petition - to the Minister of the Interior, rather than to the DIA first. A petition sent to the DIA first would have led to delays as it made its way around the bureaucratic trail, taking considerable time before the concerns of Settlers would have been addressed, perhaps long enough to have placed the Witchekan Lake Reserve safely in the hands of Band members.

The Minister of the Interior forwarded the Settler's petition and a memo to the DIA with a request that the matter be dealt with, in the interests of the Settlers.¹⁰⁹ Roche instructed the DIA that "the claims of *actual settlers* in that vicinity (Witchekan Lake) may not be overlooked [emphasis added]."¹¹⁰ The DIA assured North Battleford land broker Howell that the petition was received and the matter was under investigation.¹¹¹ Cote updated Cory on this latest condition to be imposed on the Witchekan Lake Reserve selection.¹¹² By September of 1914, Agent Rowland, at Battleford had received two inquiries from his DIA superiors as to the

¹⁰⁶ Letter, E.R. Coldiron to McLean, July 21, 1917. NAC, RG10, Volume 7767, File 27107-11. According to this letter, Mr. Coldiron had been obtaining permits to cut hay for the past three years and had allowed the Indians to cut on his permits. However, the hay was getting thin and he was unable to continue to do this so he wrote the DIA asking for their assistance in sorting out his differences with the Indians about cutting hay in the Reserve area.

¹⁰⁷ Letter, McLean to Rowland, November 18, 1913. NAC, RG10, Volume 7767, File 27107-11.

¹⁰⁸ Frank Tough and Leah Dorion, "*the claims of the Half-breeds. . . have finally been closed*": *A Study of Treaty Ten and Treaty Five Adhesion Scrip* (Unpublished Research Report for The Royal Commission on Aboriginal Peoples, 1993). This report identifies McKay as a partner in the Prince Albert law firm of McKay and Adam who were closely linked to land speculation schemes involving Metis/Halfbreed Scrip and South African Volunteer Scrip.

¹⁰⁹ Memo, Roche to Scott, January 21, 1914. NAC, RG10, Volume 7767, File 27107-11.

¹¹⁰ Ibid.

¹¹¹ Letter, McLean to Howell, January 26, 1914. NAC, RG10, Volume 7767, File 27107-11.

¹¹² Memo, N.O. Cote to Cory, January 14, 1914. NAC, RG10, Volume 7767, File 27107-11.

progress of the elimination of part of the Witchekan Lake Reserve.¹¹³ It appears that Rowland had some difficulty locating the Indians at Witchekan Lake during the summer and he indicated the possibility of Inspector Chisholm accompanying him to meet with the Indians.¹¹⁴

4.4.2 Further Reduction to the Original Reserve Survey

By enlisting the assistance of Inspector Chisholm, Agent Rowland met with the Witchekan Lake Indians at the end of September, 1914; during their visit, the two DIA officials, alone, drove around “the Reserve” as the Indians were away visiting at Pelican Lake and refused to come back to Witchekan Lake to meet with them.¹¹⁵ The surveyed Reserve contained plenty of good hayland with a number of ranchers squatting on the selected Reserve lands; Rowland felt that the ranchers were making better use of the land and that a Reserve would deprive them of its use.¹¹⁶ Rowland did not give consideration to leasing the Reserve land to the ranchers that would have given the Witchekan Lake Band a source of revenue. Instead, Rowland's solution to the dilemma, as he saw it, was to recommend that the size of the Reserve be reduced to 4121 acres (seven sections), all of which were in Township 52, Range 11 and on the northwest shore of Witchekan Lake.¹¹⁷ His parting comment was, “For all the use that will be made of this land by the Indians, there will be ample for their requirements.”¹¹⁸

Inspector Chisholm's report proposed to the DIA that the Indians at Jackfish Lake and Witchekan Lake be regarded as one Band, holding both Reserves in common for the entire Band.¹¹⁹ His reasons for the proposal were that the lakes and land provided complementary resources for each of the Bands to share; that is, Jackfish Lake lacked abundant hay that Witchekan Lake had and Witchekan Lake lacked the fish of which Jackfish Lake had plenty. As well, the different locations allowed the various factions of the Band a choice of where they wished to live, an accommodation of the differences that also maintained the factions.¹²⁰

Chisholm noted that Chief Kawkaykeesick “counted upon [the abundant hay] to make a living from. . . by sale or leasing.”¹²¹ Chisholm was fully aware of the economic potential of the

¹¹³ Letter, McLean to Rowland, September 4, 1914. NAC, RG10, Volume 7767, File 27107-11.

¹¹⁴ Letter, Rowland to McLean, August 26, 1914. NAC, RG10, Volume 7767, File 27107-11.

¹¹⁵ Report, Rowland to McLean, October 26, 1914. NAC, RG10, Volume 7767, File 27107-11.

¹¹⁶ Ibid.

¹¹⁷ Ibid. The recommended selection consisted of Sections 6, 7, 17, 18, 19, 20 and the South half of Sections 29 and 30, all in Township 52, Range 11, W-3-M.

¹¹⁸ Ibid.

¹¹⁹ Report, 2, Chisholm, to McLean, October 30, 1914. NAC, RG10, Volume 7767, File 27107-11.

¹²⁰ Ibid.

¹²¹ Ibid, 2. According to Inspector Chisholm, the haylands were a distance of one-half to one mile

vast haylands around Witchekan Lake as he estimated these haylands to yield about 10,000 tons of hay annually. The Inspector also noted that the soil in the area was “of the finest quality for agricultural purposes [and] . . . will be all the land to which all the Saulteaux of this district are entitled.”¹²² He concurred with Rowland's recommendation for a reduced Reserve that included the acres of the Reserve at Jackfish Lake. Attached to this report was a list of twenty-two Witchekan Lake Indians that was obtained from the Lafleur brothers who were Metis ranchers in the area and squatters on the selected Reserve lands.¹²³ The list was somewhat suspect as Rowland commented, “I will not guarantee that this is reliable, but it was the best we could procure on our trip.”¹²⁴ Band members had been reluctant to give their names to DIA personnel in a census as they had provided this information to the surveyor and a local storekeeper on previous occasions.

At this point, the DIA accepted the recommendations of these two reports, requesting the lands for the Witchekan Lake Indian Reserve #117 to consist of Sections 6, 7, 18, 19, 20, 30 and fractional 5, 8, and 17 in Township 52, Range 11, W3M and for these lands to be confirmed by an Order-in-Council.¹²⁵ While the lands of the ORS “were relieved of said reservation,”¹²⁶ neither the Saulteaux Band nor the Witchekan Lake Band were advised of the reduction to the Reserve size.¹²⁷ In addition, the original request by the Jackfish Lake Band was set aside, without their knowledge. In the ensuing correspondence between the DIA and the Department of the Interior to finalize the land description, the North East quarter of 30-52-11 was removed from the Reserve selection as a homestead.¹²⁸

back from the lakeshore and almost entirely surrounded the lake.

¹²² Ibid.

¹²³ Report, 2, Rowland to McLean, October 26, 1914. NAC, RG10, Volume 7767, File 27107-11. Rowland would not guarantee the list to be reliable, but said it was the best they could get at the time as the Indians refused to provide them with their names as they had already given this on two other occasions - one occasion being to Surveyor Steele and the other to the local storekeepers at Witchekan Lake. A local history book, *A Tapestry of Time: A History of Spiritwood, Mildred and Norbury Districts* (North Battleford, Sk.: Turner Warwick Publications, Inc, 1984), 534-542 reports the Lafleur family as having origins in St. Boniface, Manitoba. The Lafleurs were also related to the family of Louis Riel. Some members of the family came to the Witchekan Lake area from Ile a la Crosse where they had been employees of the HBC.

¹²⁴ Ibid.

¹²⁵ Letter, McLean to the Department of the Interior, Land Patents Branch, November 10, 1914. NAC, RG10, Volume 7767, File 27107-11.

¹²⁶ Ibid.

¹²⁷ Letter, Tepowewe to the DIA, September 19, 1919. Tepowewe complained of encroachment on his Reserve and the rumour about the removal of NE 20-52-11 from the Reserve as this land was where he claimed to have lived for the past seven years and to have built five houses. NAC, RG10, Volume 7767, File 27107-11.

¹²⁸ Letter, N.O. Cote to McLean, March 18, 1915. NAC, RG10, Volume 7767, File 27107-11. This homestead was granted on July 3, 1914, after the recommendation to reduce the Reserve in October, 1914.

After further prompts from the DIA, Inspector Chisholm indicated that he had no further information as to the population of the Saulteaux at Witchekan Lake and recommended a selection be made to replace the alienated quarter section, but only after he had visited the Indians to make the selection in person.¹²⁹ In the meantime, the Chief from Witchekan Lake called on the Indian Agent at Carlton Agency. In his written notice to Inspector Chisholm, the Agent said that the Chief informed him he had “applied for the authority to use the land which I (the Agent) understand was surveyed for their benefit.”¹³⁰

A notation in the Indian Agent’s daily journal indicated that Chief Kawkaykeesick had requested that the Agent notify the white people to get off of the Band’s lands before haying started.¹³¹ The Chief wanted to know which land was set aside for his band as “He states there are 100 Indians ready to go and live on the Reserve and he wishes the white people at present living on the reserve to be removed if possible, before the haying season commences.”¹³² The Chief also complained about being chased away by white people in the area and of the burning of some of the Indian residences and the removal of doors and windows from the Band’s houses.¹³³

4.5 RESERVE SELECTION FOR THE SUNCHILD BAND

Chisholm’s report to the DIA alluded to the presence of the Sunchild Band at Witchekan Lake - likely the Band referred to in previous correspondence as the “other Indians.”¹³⁴ Chisholm was awaiting information from Inspector Graham about the Sunchild Band so their Reserve selection and the alternate selections for Witchekan Lake could be made at the same time.¹³⁵ It is not clear whether Chisholm was saving an extra trip to the same area or if the DIA was still considering the previously proposed “Reserve to be held in common” for Jackfish Lake and Witchekan Lake Bands with a view to include the Sunchild Band. In this regard, Chisholm assumed “that the Department would prefer that this Band (Sunchild) should be incorporated

¹²⁹ Letter, McLean to Chisholm, June 9, 1915. NAC, RG10, Volume 7767, File 27107-11. It appears from the correspondence addresses that Chisholm moved from Battleford to Prince Albert during this time that may explain the delay in his reply.

¹³⁰ Letter, Agent at Mistawassiss to Chisholm, Prince Albert, June 18, 1915. NAC, RG10, Volume 7767, File 27107-11.

¹³¹ Daily Journal, Mistawassiss Indian Agent, June 11, 1915. NAC, RG10, Volume 7767, File 27107-11.

¹³² Ibid.

¹³³ Ibid. The Indian Agent at Mistawassiss treated the Chief’s report seriously, soliciting the DIA’s assistance in investigating the situation.

¹³⁴ Letter, McLean to Rowland, November 18, 1913. NAC, RG10, Volume 7767, File 27107-11.

¹³⁵ Letter, Chisholm to McLean, July 8, 1915. NAC, RG10, Volume 7767, File 27107-11. NAC,

with the Saulteaux of Jackfish and Witchekan Lakes and that there should be but one Reserve at each of these two points, all to be owned in common by the amalgamated bands”¹³⁶ As Inspector Graham had been unable to meet with Sunchild’s Band to determine where Sunchild wished to accept lands, Chisholm himself went to Witchekan Lake. For the Witchekan Lake Reserve, he recommended the South East quarter of 1-52-12 in lieu of the North East quarter of 30-51-11; as a second choice, the North West and fractional North East quarters of 31-51-11 were recommended. At this time, the North East quarter of 20-52-11 also appeared as a homestead, so Chisholm's second choice of selections were utilized.¹³⁷

In view of the mounting pressure from increased levels of settlement in the Witchekan Lake area, Chisholm recommended the “temporary reservation” of lands for the Sunchild Band, listing the selection as:

Fractional Sections 18, 19, 30 and 31 in Township 51, Range 11, Sections 13, 14, 23, 24 , 25, 26, 35 and 36 in township 51, Range 12 and Sections 1, 2, 12, 13, 14, 23, 24, 25, and 26 in Township 52, Range 12, all West of the Third Meridian.¹³⁸

This selection is shown in Figure 1.2 that illustrates the Reserve selections in the study area. This map shows the ORS for Witchekan Lake Reserve in 1913 and the temporary selection for the Sunchild Band. There is an area of overlap within Township 51, Range 11 that is located directly south of the present Reserve. This area of overlap comprises a sizeable portion of what later became the Bapaume Community Pasture.¹³⁹ The Sunchild Reserve selection is important in the Witchekan Lake history as according to oral history and elder interviews, lands within the pasture are considered by members of the Witchekan Lake Band to be their traditional lands.¹⁴⁰

There is no evidence to suggest any of the three Bands involved had been consulted about the proposed amalgamation and sharing of the Reserve lands. In fact, the proposed amalgamation was not anticipated as an easy task; Chisholm noted, “*as it may take some time to bring the Indians of Sunchild's Band to a decision in the matter, it may not be desirable to delay the formal setting apart of the Reserve already decided upon [emphasis added].*”¹⁴¹ Later correspondence dealt with the selection for the Sunchild Band in the Witchekan Lake area:

RG10, Volume 7767, File 27107-11.

¹³⁶ Ibid, 2.

¹³⁷ Ibid.

¹³⁸ Ibid, 3-4.

¹³⁹ See Figure 3.1 for Reserve selections in the Witchekan Lake Area which shows the location of the Bapaume Community Pasture.

¹⁴⁰ Copies of transcripts of these interviews are available from the Witchekan Lake Band Office.

¹⁴¹ Letter, Chisholm to McLean, July 8, 1915. NAC, RG10, Volume 7767, File 27107-11, 2.

You will be informed in a separate letter of another tract of land *which has been applied for to be set apart* temporarily as a possible reserve for certain roving Indians known as Sunchild's Band [emphasis added].¹⁴²

These passages, together with a map, indicating a selection matching Chisholm's recommended temporary Reserve selection, reflect amalgamation as a strong position of the DIA.¹⁴³ Sunchild may or may not have actually been in the area of Witchekan Lake at the time the Reserve selection was made for his Band. Eventually, the Sunchild Band left the Witchekan Lake area; when and why the Band left remains unanswered.

4.6 ADJUSTMENTS TO WITCHEKAN LAKE RESERVE LANDS

While the DIA was casting about for a solution to the dilemma at Witchekan Lake, the Department of the Interior continued to seek confirmation of the lands selected for the Witchekan Lake Reserve. Between the date of the 1913 ORS and the final Order-in-Council in 1919, many changes occurred to the boundaries of the Witchekan Lake Reserve. At no time was the Witchekan Lake Band ever consulted about or informed of the plans of either government department or the proposed changes to the Reserve boundaries. The changes, which occurred between October, 1913 and April, 1919, are demonstrated in Figure 4.1.

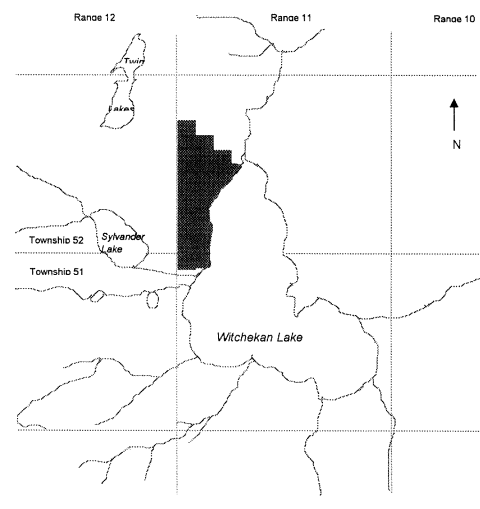
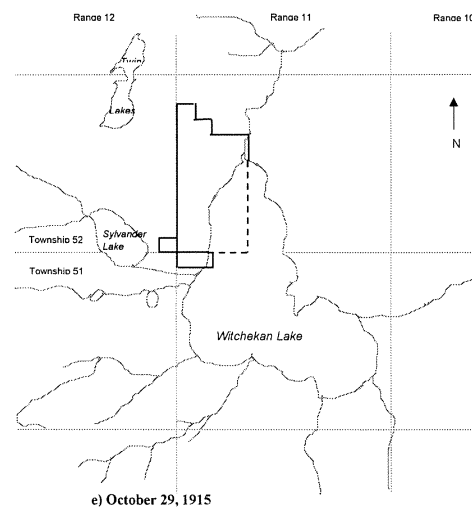
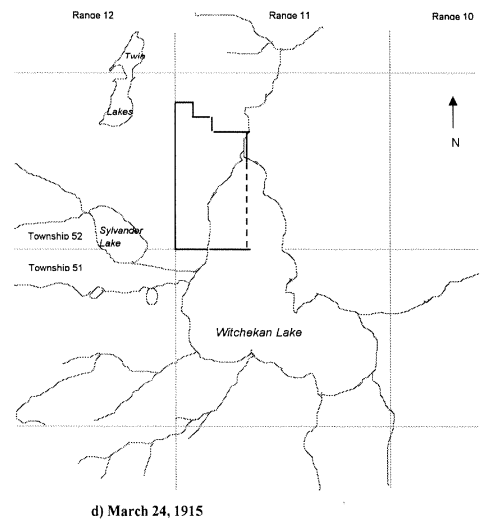
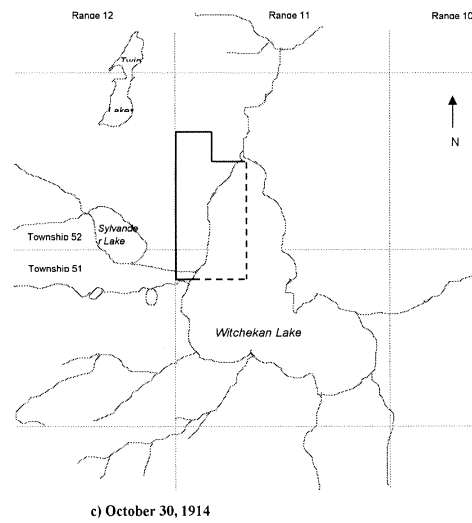
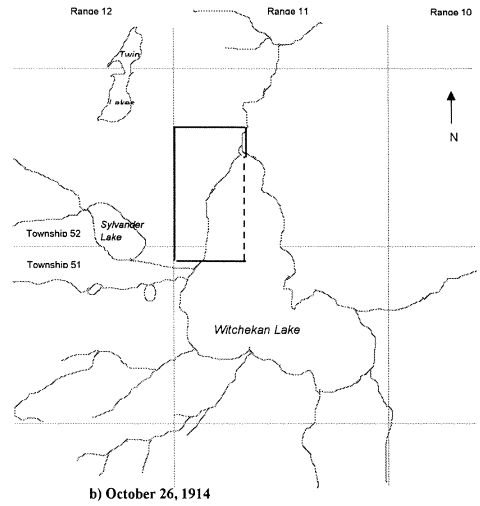
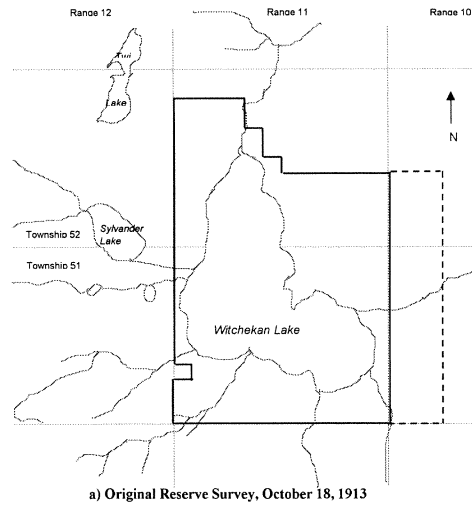
The Witchekan Lake Band did not wait passively for instructions; instead the Band adopted a proactive approach towards the status of their Reserve. The son of the now deceased Chief Osahwapisk paid a visit to Agent Milligan at Leask to inform him of the Reserve survey and continued encroachment of Settlers to cut hay and graze cattle on the Reserve.¹⁴⁴ As Chisholm's replacement, Inspector Crombie from Battleford, was asked to investigate the matter; the DIA determined that the Indians were entitled to sixteen square miles, based on a population of eighty Band members. This proposed Reserve size differed from Chisholm's previous recommendation of seven square miles.¹⁴⁵ Even though the DIA noted the Witchekan Lake Band was not under treaty, land was being secured for them, including additional land if

¹⁴² Letter, McLean to Deville, January 19, 1916. NAC, RG10, Volume 7767, File 27107-11.

¹⁴³ SAB, Map Collection, Map A28/129. Note overlap in Township 51, Range 11 in Figure 1.2.

¹⁴⁴ Letter, Agent S.A. Milligan, Leask (Carlton Agency) to the Secretary, DIA, October 23, 1916. NAC, RG10, Volume 7767, File 27107-11. The son's name is given as Kaykaykawkykweeick, later regarded as the Band's Chief by the DIA (November, 1916). However, on April 14, 1917, Inspector Crombie related remarks made by Chief Kawkaykeesick (Long Pipe) of the Witchekan Lake Band, during Crombie's visit to Pelican Lake.

¹⁴⁵ Letter, Stewart to Crombie, November 1, 1916. NAC, RG10, Volume 7767, File 27107-11.



Scale  = 1 Section

Figure 4.1 Changes to Witchekan Lake Reserve #117 Boundaries, 1913 to 1919

their numbers warranted it.¹⁴⁶ It was about this time that the Witchekan Lake file was removed from the Lands Branch of the Department of the Interior and became misplaced.¹⁴⁷

4.6.1 Loss of NE 20-52-11 from the Reserve

In December, 1916, the Department of the Interior, for the first time, decided to reserve the lands requested by the DIA for the Witchekan Lake Reserve until the numbers for the Band could be confirmed, at which time the Order-in-Council would be considered.¹⁴⁸ The DIA protested the exclusion of the South East quarter of 6-52-11, the East half of 20-52-11, the South East quarter of 1-52-11 and the North East quarter of 30-52-11; Steele's survey notes had indicated five Indian houses on 21-52-11.¹⁴⁹ The East half of 20-52-11 was seen by the DIA as valuable hay land for the Indians, of which they now had very little, with the reduced size of the Reserve. The concern was that the Indians should be treated favourably so they would be more amenable to signing the treaty.¹⁵⁰

More jockeying for land occurred between the two Departments as errors had been made in the recording of the selected lands.¹⁵¹ These errors resulted in communication between Cote and the Dominion Land Agent in Battleford to reserve the South East of 6 and all of 20-52-11.¹⁵² Just weeks previous to this date, the Dominion Lands Agent from Battleford had written to the Department of the Interior about whether or not he should continue to issue hay permits on Witchekan Lake Indian Reserve for the coming year, given that "the lands carry considerable hay."¹⁵³ In an intradepartmental memo, Cote recommended "that no hay permits be issued to the settlers in that tract, until it has been definitely decided what lands are to be set apart for the Indians."¹⁵⁴ Due to "some misunderstanding" (Cote's words to McLean), the South East

¹⁴⁶ Ibid. At this time, a plan of the Reserve was made available for the Chief of the Band through the Indian agent at Battleford.

¹⁴⁷ Memo, N.O. Cote to Cory, December 11 1916. SAB, S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827.

¹⁴⁸ Letter, N.O. Cote to McLean, December 21, 1916. NAC, RG10, Volume 7767, File 27107-11.

¹⁴⁹ Memo, H.W. Fairchild, DIA to Bray, Surveys Branch, DIA. January 3, 1917. NAC, RG10, Volume 7767, File 27107-11.

¹⁵⁰ Ibid.

¹⁵¹ Letter, McLean to N.O. Cote, January 4, 1917. NAC, RG10, Volume 7767, File 27107-11.

¹⁵² Letter, N.O. Cote to Dominion Land Agent, Battleford, January 15, 1917. SAB, S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827.

¹⁵³ Letter, Battleford Land Agent to N.O. Cote, December 27, 1916. SAB, S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827.

¹⁵⁴ Letter, N.O. Cote to Dominion Land Agent, Battleford, February 16, 1918. NAC, RG10, Volume 7767, File 27107-11.

quarters of 20 and 21-52-11 were inadvertently excluded from the reservation of lands but were still available at this point.¹⁵⁵

In addition, the Department of the Interior continued to exclude the South West quarter of 21-52-11. This quarter section in particular, was the subject of a number of communications between the DIA and the Department of the Interior due to the location of Indian houses on it.¹⁵⁶ McLean wrote to the Department of the Interior, informing them that an error had been committed in granting this homestead:

You state that the S.W. 1/4 of Sec. 21, Tp. 52, R.11, W.3.M., cannot be included in the reserve as it is already under homestead entry. . . We have been informed there have been for many years some Indian houses on this quarter section. If this is the case it would appear that your Lands Agent, was not fully informed of this fact and consequently made the homestead entry in error.¹⁵⁷

Four weeks later, McLean wrote again on April 13th asking, "what action has been taken towards protecting the Indian improvements on this quarter section."¹⁵⁸

On the same day, McLean received a reply that informed him that the North East quarter of 30-52-11 became unavailable as it was homesteaded on July 3, 1914, again, well before the decision had been made to reduce the Reserve.¹⁵⁹ In February, 1918, in spite of the continued efforts of the DIA to keep the North East quarter of 20-52-11 in the Reserve selection, the effort was lost when the Department of the Interior informed the DIA that a homestead had been issued on June 23, 1915 for that parcel.¹⁶⁰

However, the South West quarter of 21-52-11 was also under homestead entry, later determined by the Lands Patent Branch to be the homestead of an enlisted soldier.¹⁶¹ Inspector Crombie was once again called upon to investigate the situation; his lengthy report refers to the letters of instruction he received from the DIA.¹⁶² Crombie was to consult with the Indians at

¹⁵⁵ Letter, N.O. Cote to McLean, January 15, 1917. NAC, RG10, Volume 7767, File 27107-11.

¹⁵⁶ Letters, McLean to N.O. Cote, January 29, 1917, March 8, 1917 and April 13, 1917. NAC, RG10, Volume 7767, File 27107-11.

¹⁵⁷ Letter, McLean to N.O. Cote, March 8, 1917. NAC, RG10, Volume 7767, File 27107-11.

¹⁵⁸ Letter, McLean to N.O. Cote, April 13, 1917. NAC, RG10, Volume 7767, File 27107-11.

¹⁵⁹ Idylwild Women's Institute, *Pioneers and Followers of Idylwild and Witchekan Districts* (North Battleford, Sk.: Turner-Warwick Printers Ltd., 1983), 62. Although the North East quarter was patented in 1922, it was homesteaded in 1914, according to a map at the end of this book. The Township Register in the records of the SAB (Regina) listed a date of homestead entry as July 3, 1914.

¹⁶⁰ Letter, N.O. Cote to McLean, February 18, 1918. NAC, RG10, Volume 7767, File 27107-11.

¹⁶¹ Letter, N.O. Cote to McLean, April 11, 1917. NAC, RG10, Volume 7767, File 27107-11. Time spent on actual service as a soldier was counted as residence on a homestead. Thus the soldier's entry was protected until his return.

¹⁶² Report, Crombie to McLean, April 14, 1917. NAC, RG10, Volume 7767, File 27107-11.

Witchekan Lake about which land was to be set aside for a Reserve and to look into a complaint from the Indians about Settler encroachment on lands already selected for the Reserve.¹⁶³

Crombie's report contained a memo of the remarks made by Chief Kawkaykeesick (Long Pipe) of the Witchekan Lake Band. The Chief spoke of wanting a Reserve when Settlers first moved into the area. He talked of the value of the Reserve land and its exploitation by Settlers with no gain for the Band. The Chief stated that with the receipt of the Reserve, he still did not want treaty but wanted to hunt at will. In addition, he protested against the pass system but stated the Band had stayed close to the Reserve out of fear of being forced to fight in World War I.¹⁶⁴ He concluded by saying that there were twenty people at Witchekan Lake and the rest of the Band was at Pelican Lake. According to Inspector Crombie, the Witchekan Lake Band spent a good deal of time fishing at Pelican Lake.¹⁶⁵

There is also the issue of confusion around the Band's population at the time of the ORS in 1913. Crombie noted that the Chief reported to Agent Milligan that his Band was about 80 people,¹⁶⁶ but Crombie was told there were about 65 people "when the first survey was made around Witchekan Lake."¹⁶⁷ There are at least three possible explanations for the discrepancy in population; first of all, Milligan reported, "Kawkayweeick is of the opinion that there are about 80 inhabitants."¹⁶⁸ It is not clear here if the Chief was giving just the population of his Band or stating the number of Indians living at Witchekan Lake. We know from previous correspondence that other Indians, possibly the Sunchild Band, were in the area in 1913 and possibly in 1916.¹⁶⁹

The second possibility is that the Chief may have been referring to the actual number of people present at Witchekan Lake at the time of the ORS, not the actual number of Band members or even all of the people who lived at Witchekan Lake; recall that when Steele arrived at Witchekan Lake, he had to wait a couple of days as the Indians had been away to a dance at Pelican Lake. The third explanation could be that the Chief was referring, not to the ORS, but to the first Dominion Lands Survey of Townships 51 and 52, Range 11, W-3-M which took

¹⁶³ Ibid, 1.

¹⁶⁴ Ibid, 2.

¹⁶⁵ Ibid, 3.

¹⁶⁶ Letter, Milligan to McLean, October 23, 1916. NAC, RG10, Volume 7767, File 27107-11.

¹⁶⁷ Report, p.3, Crombie to McLean, April 14, 1917. NAC, RG10, Volume 7767, File 27107-11.

¹⁶⁸ Letter, Milligan to McLean, October 23, 1916. NAC, RG10, Volume 7767, File 27107-1.

¹⁶⁹ Letter, McLean to N.O. Cote, November 18, 1913. NAC, RG10, Volume 7767, File 27107-11.

This letter mentions the possible presence of other Indians in the Witchekan Lake area while Crombie's report of October 29, 1915 lists a temporary Reserve selection, adjoining the Witchekan Lake Reserve, for the Sunchild Band.

place somewhere between 1910 and 1911.¹⁷⁰ Each possibility would yield a different number of people. It is not clear if the numbers being expressed are Band members or residents at Witchekan Lake at the time.

The greatest confusion for the DIA centered around the actual population of Witchekan Lake; as late as 1917, the DIA was unable to say confidently how many people belonged to the Witchekan Lake Band.¹⁷¹ The confusion was largely due to the fact that members of the Witchekan Lake Band migrated to and from Jackfish Lake and Pelican Lake to fish and gather for celebrations.¹⁷² Crombie recommended, in his report of April 4, 1917, that no additional lands be selected at Witchekan Lake, except for the NE 20-52-11 “which should be included if possible as some of the Indians are reported to have dwellings on this quarter.”¹⁷³ He suggested that a larger territory be selected for the Pelican Lake Reserve in order to accommodate any other stragglers claiming membership in the area. Then a portion of the Witchekan Lake Reserve could be surrendered for settlement if a census determined that the Witchekan Lake numbers and those of the stragglers showed that “they had been too liberally provided for.”¹⁷⁴ In other words, Crombie was suggesting a way around the dilemma that had arisen between the Witchekan Lake Reserve selection and the Settlers of the area, while at the same time settling the matter in favour of the Settlers.

In July of the same year, E.R. Coldiron, a Witchekan Lake Settler wrote to the DIA complaining that he could no longer let the Indians cut hay on his permits as the hay was getting thin and he had “trouble every fall with them (the Indians) about the hay.”¹⁷⁵ McLean provided to Coldiron a list of the lands “reserved for Indian purpose . . . [which did not include his homestead] but may include some of the lands on which you have been accustomed to cut hay, if so, kindly advise me.”¹⁷⁶ It is evident from this communication that the Band still regarded the land as theirs; their position was that they were allowing Coldiron to cut and use the hay

¹⁷⁰ SAB, R183.I Individual Surveyors, E.W. Hubbell (1911), File 240. This survey was referred to in a letter from the Surveyor General to E.W. Hubbell, Inspector of Surveys, Prince Albert, dated June 10, 1911.

¹⁷¹ There are four documents that indicate various numbers for the Band’s population. Refer to Letter, Steele to McLean, November 8, 1913; Report, W.J. Chisholm, Inspector, DIA, Prince Albert to McLean, October 30, 1914; Letter, Chisholm to McLean, July 8, 1915 and Report, Crombie to McLean, April 14, 1917. All in NAC, RG10, Volume 7767, File 27107-11.

¹⁷² Letter, Steele to McLean, November 8, 1913 and Report, Crombie to McLean, April 14, 1917. Both in NAC, RG10, Volume 7767, File 27107-11.

¹⁷³ Report, p.4, Crombie to McLean, April 14, 1917. NAC, RG10, Volume 7767, File 27107-11.

¹⁷⁴ Ibid.

¹⁷⁵ Letter, Coldiron to the DIA, July 21, 1917. NAC, RG10, Volume 7767, File 27107-11. It is apparent from the letter that the Indians thought **they** were allowing Coldiron and others to cut on *their* land. They obviously expected payment for the hay that was cut and used.

¹⁷⁶ Letter, McLean to Coldiron, August 4, 1917. NAC, RG10, Volume 7767, File 27107-11.

from it. It is also evident that they expected payment for the hay that he took or used.

In reply to Coldiron's letter of August 4, 1918 McLean replied that the homestead on NE 20-52-11 would not be included in the Reserve.¹⁷⁷ However, homesteader Raoul Lavigne, by this point, had not been fulfilling his homestead requirements on NE 20-52-11 and knew that his entry would be cancelled. It is not known if the Band protested this entry but an oral interview with an elder in 1975 tells of Lavigne putting up hay on the Reserve and wintering cattle over two winters, undisturbed, without making payment to the Band.¹⁷⁸

The lines of communication and concern for the best interests of the Band failed when Lavigne abandoned his homestead on NE 20-52-11 on December 2, 1918. The Battlefords Land Branch cancelled Lavigne's entry on January 7, 1919; another entry was received at Battleford on the land on January 13, 1919.¹⁷⁹ Both the DIA and the Department of the Interior continued to include this land in the Order in Council drafts until January 16, 1919 when Controller Cote noted that it could not be included because it was a homestead.¹⁸⁰ The Department of the Interior in Ottawa did not officially cancel Lavigne's entry until January 22, 1919. Since there were no improvements declared at the second entry, it would not have caused undue hardship to relocate the entrant and allow this land back into the Reserve.

In November, 1918, Chief Kawkaykeesick of Witchekan Lake died in the influenza epidemic that severely depopulated his Band.¹⁸¹ Evidence of the effects of this depopulation lie in a 1946 census of the Band that are discussed at greater length in Chapter Five.¹⁸² This sudden depopulation left the Band vulnerable to the strategies being used to alienate as much of their land base as possible. The sale and lease of the vast haylands around Witchekan Lake and within the ORS would have contributed to the Band's recovery. The Band recognized this opportunity and on numerous occasions, asked to be allowed to cut and sell hay for their livelihood. Their requests went unacknowledged or were denied by the DIA.

The Minister of the Interior submitted an Order-in-Council for the creation of Witchekan Lake Reserve #117, on September 30, 1918.¹⁸³ An accompanying map showed a Reserve area

¹⁷⁷ Letter, McLean to Coldiron, February 22, 1918. NAC, RG10, Volume 7767, File 27107-11.

¹⁷⁸ Respondent #16. Interview with Harry Nicotine, December 4, 1975. Witchekan Lake Band Files. This elder was still alive at the time of research in 1995-97.

¹⁷⁹ SAB, AG.11, Department of Agriculture, Volume I, File 2696842.

¹⁸⁰ Letter, Cote to McLean, January 16, 1919. NAC, RG10, Volume 7767, File 27107-11.

¹⁸¹ Respondant # 12. Interview with Harry Nicotine, November 20, 1975. Respondent # 12. Interview with Harry Nicotine, June 11, 1976. Respondent # 11. Interview with Harry Nicotine, November 24, 1975. All in Witchekan Lake Band Files. Another source that speaks of the toll on the Band is Idylwild Women's Institute, *Pioneers and Followers of Idylwild and Witchekan Districts* (North Battleford, Sk.: Turner-Warwick Printers Ltd.), 227.

¹⁸² Duck Lake Agency, Census Report, 1949. NAC, RG10, Volume 11562, File 63c, Part 15.

¹⁸³ Order-in-Council. NAC, RG10, Volume 7767, File 27107-11.

of 4086 acres.¹⁸⁴ McLean wrote to Cote in November, 1918, noting various errors and omissions in the Order-in-Council; of importance was the boundary of the Reserve lying next to the west shore of Witchekan Lake itself.¹⁸⁵ Cote, after communicating with the Surveyor General,¹⁸⁶ responded to McLean in January, 1919 stating the need to amend the Order-in-Council with reference to the bank of the lake so as to avoid ambiguity of the Reserve boundaries.¹⁸⁷ As well, the North East 20-52-11 and North East 30-52-11 were withdrawn.¹⁸⁸

Within days, McLean notified Cote of amendments to the Order-in-Council that limited the Reserve so that the land that became exposed, by the drying up of the lake, could not be claimed by the Band.¹⁸⁹ Cote replied with suggested amendments, enclosing a map to illustrate a Reserve of 4237 acres. In addition, he stated, "If at a later date the water of this lake further receded the question of extending the reserve to meet the situation will then be considered."¹⁹⁰ Cote replied that the Order-in-Council had been amended to include the South East 20-52-11.¹⁹¹ After a few months of debate over wording and shore boundaries, the Order-in-Council¹⁹² to confirm the Witchekan Lake Indian Reserve #117, at just over 4000 acres, was passed on April 9, 1919.¹⁹³

SUMMARY

Archival documents show that the Department of the Interior treated the Witchekan Lake Band as part of the Saulteaux Band in the Battlefords District, for the period of 1906 to 1918. There is considerable confusion on the part of the Department of the Interior as to the identity and composition of the Witchekan Lake Band. There appears to be more concern with the location of the Reserve selection rather than the Band for whom the lands were being chosen.

However, the DIA did not appear as confused about the existence and identity of the Witchekan Lake Band, creating a separate file and unique identification number for the Witchekan Lake Band, as it did for the Pelican Lake and Jackfish Lake Bands. The DIA also

¹⁸⁴ Map, undated. NAC, RG10, Volume 7767, File 27107-11.

¹⁸⁵ Letter, McLean to N.O. Cote, November 23, 1918. NAC, RG10, Volume 7767, File 27107-11.

¹⁸⁶ Letter, Deville to N.O. Cote, December 26, 1918. SAB, S-6.17, Department of the Interior, Homestead Files, File 1215019, Reel 827.

¹⁸⁷ Letter, N.O. Cote to McLean, January 16, 1919. NAC, RG10, Volume 7767, File 27107-11.

¹⁸⁸ Ibid.

¹⁸⁹ Letter, McLean to N.O. Cote, January 20, 1919. NAC, RG10, Volume 7767, File 27107-11.

¹⁹⁰ Letter, N.O. Cote to McLean, February 5, 1919. NAC, RG10, Volume 7767, File 27107-11. No map was found with this letter.

¹⁹¹ Letter, N.O. Cote to McLean, February 28, 1919. NAC, RG10, Volume 7767, File 27107-11.

¹⁹² Order-in-Council, Privy Council #790. Office of the Treaty Commissioner, Saskatoon, Sk. (1995)

¹⁹³ Letter, McLean to Crombie, April 25, 1919. NAC, RG10, Volume 7767, File 27107-11. Figure

knew that the origins of the Witchekan Lake Band were Saulteaux and that they, along with the Jackfish Lake and Pelican Lake Bands, comprised the factions of the Saulteaux Indians in the Battleford District. In 1915, it was proposed by a DIA Inspector that the Bands of Saulteaux at Jackfish Lake and Witchekan Lake be amalgamated with the Sunchild Band and have two Reserves amongst them, to be held in common. This amalgamation proposal does not appear to have involved any of the Bands' consent or consultation. The proposal was not acted upon and the Reserve selection for the Sunchild Band was withdrawn.

The DIA was well aware that the Witchekan Lake Band had not signed treaty when the DIA and the Department of the Interior decided to grant the Band a Reserve in 1912 as per the request of Chief Kawkaykeesick at Witchekan Lake. The land allocation for the Reserve was based on Treaty Six that allowed 128 acres per Band member with the anticipated adhesion by the Witchekan Lake Band to Treaty Six. Chief Kawkaykeesick's request for a larger allocation of one square mile per Band member was denied. Thus, the DIA treated the Witchekan Lake Band as though they had signed or adhered to Treaty Six even though Chief Kawkaykeesick explicitly rejected treaty payments and adhesion to Treaty Six.

One of the finer points in discussing the issue of Reserve creation is that it is the act of signing or adhering to Treaty Six that creates the legal right of a Band to a Reserve. In addition, it is Treaty Six that set out selection conditions for Reserves at Jackfish Lake and Witchekan Lake. Although Treaty Six does not explicitly state the moment a Reserve is officially created as a legal entity, the treaty sets out the process of first, signing the treaty and second, the taking of a census of the Band's membership. Finally, the selection of a Reserve is made by an appointed government surveyor, in consultation with the Band. Neither the DIA policies nor the *Indian Act* specify the process for either treaty-making or Reserve creation. Therefore these two processes, treaty-making and Reserve creation, are deemed to be outside of the *Indian Act* and the policies of the DIA. However, the administration of treaties and Reserves are clearly within the mandate of the DIA and guided by the *Indian Act*.

Perhaps as a matter of policy, Bands outside of treaty by the early 1900s were regarded as unfinished business that the Canadian state left to the policies and bureaucracy of the DIA. Bands that were residing in established homesteaded areas would be left with few alternatives. However, such was not the case for the Witchekan Lake Band. The Band was known by the DIA to have resided in the Witchekan Lake area that was not surveyed and subdivided until early in 1913. Complicating the events around the creation of the Witchekan Lake Reserve is the existence of the DIA within the Department of the Interior, the latter being less than

4.1 shows changes to the Witchekan Lake Reserve boundaries between October, 1913 to April, 1919.

concerned with satisfying the best interests of the Band over its zeal to safeguard lands for homesteaders at ten dollars an entry.

Another issue that arises from this chain of events is the right of the Canadian government to send surveyors to the Witchekan Lake area before either reaching a formal agreement with the Witchekan Lake Band or satisfying the Band's existing Aboriginal title to the lands in the area. The *Royal Proclamation 1763* clearly states that the Crown retained the exclusive right to enter into agreements with Aboriginal peoples in order to obtain lands for colonization. Homesteading should not have been permitted in the Witchekan Lake area until the Crown had entered into an agreement with the Band or at the very least, until the Reserve had been selected and officially recognized.

The Canadian state can hardly plead ignorance in this case as the disposition of Indian lands for Reserves and homesteading were contained within one department. The Canadian state is left with manufacturing an explanation for its intentions through the granting of a Reserve to the Witchekan Lake Band and then failing to recognize the existence of the size of the Reserve laid out by its own officials. It is reasonable to argue that in deciding to grant the Reserve to a Band outside of treaty, the Canadian state recognized the existing land rights of the Witchekan Lake Band to the lands in the area - consistent with the Crown's intent regarding the Royal Proclamation.

It would also be reasonable to assume that the Witchekan Lake Band regarded this Reserve as their sovereign territory, free from control and administration by the Canadian state. The lands of the ORS possessed abundant haylands of value to local Settlers; the Band felt the gains made from the lease or sale of the hay would be for their management and benefit, not the Canadian state. It is evident that even with the administration of hay dues for the Band in 1921 and 1922, the Band was not pleased with this administration, regarding it as interference in their affairs. In addition, it is apparent that hay dues are owed to Witchekan Lake First Nation for the hay that was removed by Settlers on these reduced Reserve of seven sections; at no point in time, since the 1913 ORS, did the Witchekan Lake Band ever appear to be dispossessed of these seven sections of land.

The actual ORS is somewhat controversial and further contributes to confusion and conflict. The decision of the surveyor to reduce the size of the selection from the amount set out by the DIA Surveys Branch was based on the actual numbers of Band members who were resident at Witchekan Lake at the time of the survey, not Band membership. It is clear that the Witchekan Lake Band was aware that the ORS was done on their behalf and they also clearly understood where the boundaries of that selection lay.

Mere weeks after the completion of the Witchekan Lake survey, protest was raised by politicians, Department of the Interior officials and well-organized Settlers from the Witchekan Lake area. The loss of the Band's file within the Department of the Interior in December, 1916 contributed to the process of alienation of lands within the ORS. This event occurred at a time when the DIA renewed its efforts to determine the membership of the Witchekan Lake Band and proposed an increase in Reserve lands from the reduced Reserve size, if Band membership warranted such action.

Conflict between the Witchekan Lake Band and area Settlers continued to build as the ORS became further reduced by quarter sections. One quarter section contained seasonal homes for the Band but was lost despite inquiries and protests by the Band as well as efforts by DIA to have the Department of the Interior withdraw the land parcel from homestead entry. In the end, the Witchekan Lake Band became displaced from a seasonal base important to their survival.

The DIA appeared unable to successfully establish the actual population of the Witchekan Lake Band before and at the time of the 1913 ORS as well as during the years leading up to 1917. In fact, throughout the entire time period that the Witchekan Lake Reserve was being created, the DIA was unable to say confidently how many people belonged to the Witchekan Lake Band. The migration patterns of Band members between Pelican Lake, Jackfish Lake and Witchekan Lake contributed to the confusion over population numbers as did the factionalized positions of Band members at each of these locations. After the ORS, fear of conscription during World War One and a desire to retain Band autonomy made Band members reluctant to provide names of Band members for DIA census requests.

The 1918 Spanish Flu epidemic severely depopulated the Band and left the lands of the ORS more vulnerable to processes of alienation. Political pressure on the highest levels of the DIA bureaucracy and continued concern with the land interests of Settlers over those of the Witchekan Lake Band led to nearly a seven-year delay in the formal creation of the Reserve from the date of its original survey. During the delay period, the Reserve was reduced to a mere seven sections from the original thirty-two sections.

A deeper irony to the situation is that while the Witchekan Lake Band was never entirely dispossessed of all of the lands in the ORS, there is a total absence of consultation with the Band as to which seven sections they desired. Neither was the Jackfish Lake Band ever informed of the decision to award the Reserve at Witchekan Lake to another Band. As both the Jackfish Lake Band and the Witchekan Lake Band were still outside of treaty at this time, the absence of Band consultations calls into question the legitimacy of the creation of the Reserve.

Each Band, including the Sunchild Band, was recognized as a separate Band but the creation of the Witchekan Lake Reserve appears to have been created to satisfy land entitlements for the Saulteaux Tribe in the Battlefords District. Treaty Six does not set up provisions of Reserves for Tribes but does sospecifically for Bands.

Changes made to the Witchekan Lake Reserve size and boundaries after the ORS, without consultation with the Witchekan Lake Band, also violated any agreement that the DIA may have been perceived to have reached with the Witchekan Lake Band on the size of the Reserve. The loss of land for the Band was significant. Band members were confined to a Reserve too small to allow for self-sufficiency and denied access to the greatest share of benefits from the vast haylands. Proceeds from the sale or lease of the haylands would have helped them to remain self-sufficient. Treaty benefits were not available as the Band had not signed treaty; in order to meet basic needs of survival, Band members were readily recruited to participate in the local wage labour market as poorly paid, seasonal labour. In turn, their marginalized participation in wage labour led to changes in land use and occupancy for Witchekan Lake Band members.

The forms of land use and occupancy of the lands within the Witchekan Lake area before and after the arrival of Settlers are the subject of the next chapter. The Witchekan Lake Band had an established land use and occupancy when early Settlers and later, representatives of the Canadian state arrived in the area. Some attempt was made to follow previous state policies of providing Reserves to Indian peoples in homestead areas. However, clearly established understandings between early ranchers who grazed the haylands within the Band's traditional lands were disregarded as both the Canadian state and Settlers, particularly later ranchers, cast a greedy eye about the vast haylands around Witchekan Lake.

CHAPTER FIVE: WITCHEKAN LAKE AREA LAND USE AND OCCUPANCY

INTRODUCTION

This chapter presents the results of a study of the land use and occupancy in the Witchekan Lake area in north central Saskatchewan; research was undertaken with Witchekan Lake First Nation and with the surrounding Settler community. The time period covered is somewhat different for both groups with earliest recorded presence of Witchekan Lake First Nation being around the late 1800s and the Settlers community, the early 1900s. The study is more specifically concerned with events from 1912 to 1930, beginning with the creation of the Witchekan Lake Reserve due to the encroachment of the Settler community and during the homesteading era before Saskatchewan received control of its land and resources with the passing of the *Natural Resources Transfer Agreement* (hereinafter NRTA) in 1930.

Witchekan Lake, as a geographical feature, was and is an important place for both the Witchekan Lake Band and the Settler community. Before the arrival of Settlers in the area, the lake served as a seasonal base for the Band; field diaries of various surveyors demonstrate that the lake served as a residential base in the summer and winter¹ - a place to camp and to gather, socially and culturally.² The natural resources located in and around the lake sustained the Witchekan Lake Band for decades and continue to be of significance at present as shown in two maps, compiled through a series of interviews and map biographies as shown in Figures 5.6 and 5.7.

The lake and its abundant natural resources were and continue to be important to the survival of the Settler community. The soil yielded even more value, luring European, American and

¹ SAB, R190.6, Surveyor Diaries, File 11705, E.W. Hubbell (March 21, 1910 to January 21, 1911); File 12317, E.W. Hubbell (April 17 to December 30, 1911); File 13068, R.C. Laurie (May 22 to October 27, 1911) and File 14352, R.C. Laurie (May 5, 1913 to January 19, 1914).

² SAB, E.19.45. Canada. DIAND, Carlton Agency. This file contains photographs and text around the Sundance Lodge and the pile of offered gifts on the Witchekan Lake Reserve; dated March 25, 1910.

Canadian Settlers who dreamed of owning 160 acres or more and cultivating crops.³ Early ranchers looked to the abundant haylands to supplement their enterprise. Settlers followed and continued to utilize the hay for their mixed farming operations; wild game, fish, plants, berries and timber contributed significantly to Settler survival.⁴ Settler use and occupation of lands formerly selected as Indian Reserve lands are shown in Figures 5.8 to 5.15.

5.1 PHYSICAL GEOGRAPHY OF THE WITCHEKAN LAKE AREA

Witchekan Lake, located in Townships 51 and 52, Range 11, W3M is quite large with an irregular shape. The lake's wide south end takes up approximately eighteen sections of Township 51 and the northern half of the lake occupies about six sections of Township 52 (See Figure 1.2). Most of the soil in the Witchekan Lake area varies from moderate to severely limited in terms of agricultural capability.⁵ Combined with an assortment of stony materials, some areas have excess water and others have problems with salinity, poor moisture retention and limited growth potential.⁶

However, there are pockets of soils in the area that have good to excellent agricultural potential. A topographical study in 1926 by G.J. Lonergan placed farms on the west side of Township 51, Range 10 and those in Township 52, Range 12 as some of the best farmland in the area. Lonergan rated other lands in the region relative to these lands.⁷ A soil survey of the Witchekan Lake Reserve, carried out in 1969 by the *Agriculture Rehabilitation and Development Act* (ARDA), estimated that the Reserve had a land base of approximately 3,250 acres. The survey showed that eighty per cent of the Reserve was “well suited to the production of annual grain crops.”⁸ The rest of the Reserve land, located along the west shore of the lake, was described as better suited to pasture as this area was saline and too wet to cultivate.

³ D. P. Fitzgerald, “Pioneer Settlement in Northern Saskatchewan, Parts I and II” (Ph.D. Diss., University of Minnesota, 1966), 173-175.

⁴ Ibid, 112 and 802-805. Refer also to *Tapestry of Time*.

⁵ Agricultural activity includes cultivation of soil, growing and harvesting cereal crops and hay and may include raising livestock. Ranching is a separate activity that involves harvesting hay, grazing livestock on native grass and forage; cereal supplement is not grown by the rancher but is purchased.

⁶ Canada, *Canada Land Inventory* (Ottawa: Agricultural and Rural Development Act [ARDA], 1966), Map 73G, Shellbrook.

⁷ G.J. Lonergan, Dominion Land Surveyor, Department of the Interior. “Land Classification Report on Saskatchewan, 1927.” SAB, R183.I, Individual Surveyor, File 283, G.J. Lonergan (1926-27). This topographical survey by the Department of the Interior was undertaken to examine the feasibility of opening up some lands in various Forest Reserves for settlement. The result of Lonergan’s study was that some of the boundaries of the Big River Forest Reserve were moved further north and some sections were opened for settlement.

⁸ H.B. Stonehouse and J.L. Henry, “Soil Survey of the Witchekan Lake Indian Reserve No. 117 (Saskatoon District)”, ARDA, Publication S166 (Saskatoon, Sk.: University of Saskatchewan, Department of Soil Science, Saskatchewan Institute of Pedagogy, 1969), 7.

The shorelines and the shape of the lake have fluctuated since 1913 and the lake appeared, at one point, to be going dry. At the time of the 1913 ORS, the shape of the lake was the same as illustrated and it is much the same shape presently. One Settler recalled that in 1922, Witchekan Lake was good for swimming and fishing. However, by the late 1930s, there were no fish and the lake reached its shallowest point in 1947.⁹ The fluctuating lake size is a mystery to local residents but the heavy rains in the 1940s and 1950s may have contributed to its recovery.¹⁰ One reason for the shrinking of the water body may have been the rapid pace of settlement activity.¹¹ The overall effect of the water loss was an increase of swampy land and hay around the lake.¹²

Winter climate has varied over time in the Witchekan Lake area with mild winters occurring before World War I and again in the mid 1950s. Outside of these time periods, winters were usually cold, more so than any other areas in the region.¹³ Heavy snows hampered the brush work season that Settlers relied on for winter income to support their homesteading habits.¹⁴ On the other hand, cold winters with less snowfall assisted in the clearing of land as well as other brush work. Summer climate has fluctuated over time and influenced settlement.¹⁵ Summers tended to be cool with high precipitation levels from May to August, putting crops at risk for water damage. Rainfall occurs mainly in June and July, averaging thirteen to fourteen inches, annually.¹⁶ Fitzgerald also makes note of the presence of mosquitoes and horseflies due to the ideal habitat provided by plentiful slow-moving water bodies. These insects are believed to have been partly responsible for the death of a number of horses in the 1920s and 1930s.¹⁷ A heavier pattern of rainfall at the end of the summer allows for moisture retention; overall, the Witchekan Lake area is not usually plagued by drought.¹⁸ This tendency proved to be an advantage in encouraging settlement as the area experienced rapid growth before 1930; the rate of settlement in the area remained stable until 1959.¹⁹ A final climatic limitation in the area, and perhaps the most crucial to

⁹ *Tapestry of Time*, 852.

¹⁰ Fitzgerald, 63. Fitzgerald's research shows an abnormally high precipitation level for these decades in the Witchekan Lake area.

¹¹ *Ibid*, 59. Fitzgerald noted that settlement seems to deplete surface water. He also noted that settlement in the Witchekan Lake area occurred at a relatively rapid rate when compared to other northern areas, 363.

¹² See Figures 3.1 and 5.7 for changes to lake boundaries and an increase in haying area, particularly at the north end of the lake and along its west shore on the Reserve. These areas are presently under water.

¹³ Fitzgerald, 46-50.

¹⁴ *Ibid*, 67.

¹⁵ *Ibid*, 62.

¹⁶ *Ibid*, 56.

¹⁷ *Ibid*, 106.

¹⁸ *Ibid*, 58.

¹⁹ See Figures 5.6 to 5.13 which show much of the land homesteaded in 1919 receiving patents during the next three decades. Fitzgerald, 303, 313 and 324 shows the Witchekan Lake area to be one of an advancing frontier during 1921 to 1931, stable between 1931 and 1941 and no evidence of relief schemes

agriculture, is that of frost. Frost was a constant concern to Settlers as the number of frost-free days in the Witchekan Lake area are estimated to be between sixty and sixty-seven.²⁰ Frost may occur as late as mid-June or as early as mid-July; the estimated frost-free period is mid-June to mid-August.²¹ Frost affected the quality and quantity of grain crops, translating into less cash income for Settlers.

The geography of the area provided timber resources, water, hay and grasses as well as berries, plants, fish, upland game birds, fur-bearing and large animals for food and cash. Fitzgerald noted that these animal resources were plentiful until settlement became established. By the 1930s and 1940s, fur-bearing animals were endangered in the area because of overharvesting, disease and a lowered watertable.²² Settlement during the 1930s was aided by long, dry spells that assisted land clearing and the presence of light brush cover on the land due to previous forest fires.²³ The railroad arrived in the Spiritwood area in 1929 and facilitated the movement of Settlers into the Witchekan Lake area as well.²⁴

5.2 SURVEY ACTIVITY IN THE WITCHEKAN LAKE AREA

The earliest survey activity in this area is noted in surveyors' diaries in 1886 when one of the many trails around Witchekan Lake was laid out.²⁵ The township boundaries and subdivision of Townships 51 and 52, Range 11, W3M took place during 1909 1910, 1911, 1913 and 1914.²⁶ More specifically, Townships 51 and 52, Range 11 were surveyed by 1911.²⁷ There are no textual references to the hiring of Indian helpers as part of the survey crews in any of the surveyor's files.

However, a close examination of an interview with a Witchekan Lake elder indicates that he worked for "more than ten days, perhaps even closer to a month"²⁸ off and on, with a survey party which he believed was surveying the Reserve. The elder stated:

Surveying is very slow work and there were some days we did not work. . .the surveyors insisted that some member of the Band accompany them as they worked. Also the old people

in 1933 to 1934.

²⁰ Fitzgerald, 54.

²¹ Ibid, 52.

²² Ibid, 101-103.

²³ Ibid, 363.

²⁴ *Tapestry of Time*, 168-169.

²⁵ SAB, R190.6, Surveyor Diary, File 4395, R.C. Laurie (June 26 to November 12, 1886).

²⁶ SAB, R190.6, Surveyor Diaries, Files 11705, 12317, 13068, and 14352.

²⁷ Letter, Surveyor General, Ottawa to E.W. Hubbell, Inspector of Surveys, Prince Albert, June 10, 1911. SAB, R183.I, Individual Surveyor, File 240, E.W. Hubbell. This document refers to the contracts that were awarded for the survey year of 1911.

²⁸ Respondent #12. Interview with Harry Nicotine, June 11, 1976. Witchekan Lake Band Files.

of the Band asked me to be there all the time they were surveying so I would know exactly where the reserve lines were.²⁹

Two other elders confirmed that this elder worked on the survey for the Witchehan Lake Reserve.³⁰ There is little doubt that this particular elder worked on the ORS as on June 8, 1976, this elder was able to locate all of the markers for the ORS, except for one, located near a gravel pit excavated in the 1950s and used to build the highway.³¹

However, from the description of the work this elder did, the length of time he worked and the pattern of the work is more consistent with the subdivision of a township. It is possible that the elder worked on the ORS set out by Steele from the DIA in October, 1913 and with the survey party of R.C. Laurie, a Dominion Land Surveyor from Battleford, who worked on the subdivision of Townships 51 and 51, Range 11 in 1911 and again in 1913 to 1914.³² The elder may have been confused as to what particular survey activity resulted in the ORS. The presence of two survey parties in the area at the same time may have caused some confusion.

Surveyor Steele was employed by the DIA Surveys Branch and Surveyor Laurie by the Dominion Land Surveys Branch of the Department of the Interior. Steele would only have needed to know the boundary between the two townships as all of Township 51, Range 11 was included in the Reserve survey except for NE 18-51-11. According to Steele, this quarter section was registered as a homestead in the Battlefords Dominion Land Office. As the subdivision of Township 52, Range 11 was already completed, Steele could easily finish marking the Reserve boundaries. The reason for the elder's confusion may have been due to the fact that the subdivision of Township 51, Range 11 was not completed until 1913 and may have continued on into early 1914,³³ while the ORS was completed over two to three days time in mid-October, 1913.

Surveyor Laurie indicated in his diary that Townships 51 and 52 were subdivided in 1911.³⁴ Laurie subdivided Township 52, Range 11 in 1911 and returned in May and June, 1913 to continue

²⁹ Ibid.

³⁰ Respondent #11. Interview with Harry Nicotine, November 24, 1975 and Respondent #13. Interview with Harry Nicotine, November 24, 1975. Witchehan Lake Band Files.

³¹ Memo, Allan Campbell, FSI to Lew Lockhart, FSI, Claims Development Coordinator, June 10, 1976. File RE74D, FSIN Files, Regina. Several people from Witchehan Lake First Nation recalled this event in 1976 in the course of interviews and conversations held between 1995 and 1998. The elder led a group of people from the Witchehan Lake Band, the Federation of Saskatchewan Indian Nations (FSIN) and other officials to each one of the steel markers for the Reserve boundaries as laid out in Steele's survey in 1913. At each marker, the elder told a story, in Cree about the placing of the marker. The event was videotaped but the tape could not be located. At the time of the video, the elder was approximately 86 years old.

³² SAB, R190.6, Surveyor Diary, R.C. Laurie (May 15, 1913 to January 19, 1914), File 14352.

³³ Ibid.

³³ R183.I, Individual Surveyor, R. C. Laurie (1910 to 1916), File 263.

³⁴ SAB, R190.6, Surveyor Diary, R.C. Laurie (May 22 to October 27, 1911), File 13068.

the subdivision of Township 51, Range 11. Laurie and his survey crew left the Witchekan Lake area for Battleford on June 22, 1913, returning November 22 to work on the same subdivision, until January 8, 1914.³⁵ The activities described in Surveyor Laurie's 1913 diary are consistent with subdivision in which lines were traversed across the lake and some at one-mile intervals. Surveyor Steele reported that he finished the survey of the Witchekan Lake Reserve on October 18, 1913, on lines already run in the subdivision, completing the survey in a mere two and one-half days.³⁶

Surveyor Steele was not concerned with a subdivision survey of the Reserve lands as only the outer boundaries were required. Thus, it seems strange that a subdivision would be carried out on Township 51, Range 11 after it had been reserved for the Witchekan Lake Band. The occurrence of such a puzzling event is likely due to one of two things; either there was a lack of communication between the DIA and the Department of the Interior as to the timing of each of their surveys or Laurie, having received his contract, was bent on fulfilling its terms. Laurie's contract was issued in the spring before the DIA and the Department of the Interior settled the location of the Witchekan Lake Reserve.³⁷ Recall that an error had been made on the part of the DIA in locating the required townships, followed by Deputy Minister Cory's concern around the withdrawal of these townships until the Reserve was selected. In the meantime, survey contracts were sent out and in the confusion, Laurie was not notified of the changes. The evasive action the Department of the Interior took towards the DIA over the Reserve selection likely contributed to this event as well.

It is also entirely possible that the Department of the Interior counted on the DIA selecting another location and never truly intended to honour the DIA's request. The late survey activity by Laurie leads to some confusion as to whether or not Township 51, Range 11 was actually completely surveyed by early 1913 when the DIA was notified that the township had been thrown open to homestead entry.³⁸ The additional subdivision of this township is further confounded by the fact that Laurie had already indicated its subdivision in his 1911 Survey Diary.³⁹ The elder who worked on the ORS does not mention the names of people he worked with or why the surveyors insisted on having a Band member with them, so it is difficult to say with certainty which survey the elder is referring to, or if he is referring to both survey activities.

³⁵ SAB, R190.6, Surveyor Diary, File 14352. See the entry for November 22, 1913 where Surveyor R.C. Laurie noted that the survey crew was camped in a barn southwest of Witchekan Lake. Steele's survey was completed by October 18th. (Letter, Steele to Scott, January 8, 1914. NAC, RG10, Volume 7767, File 27107-11.

³⁶ Letter, Steele to Scott, January 8, 1914. NAC, RG10, Volume 7767, File 27107-11.

³⁷ Letter, Surveyor General, Ottawa to E.W. Hubbell, Survey Inspector, Prince Albert, June 10, 1911. SAB, R183.I Individual Surveyor, E.W. Hubbell (1911), File 240.

³⁸ Letter, N.O. Cote to McLean, June 6, 1913. NAC, RG10, Volume 7767, File 27107-11.

³⁹ SAB, R190.6, Surveyor Diary, File 13068.

The same elder discussed the circumstances that led to the actual survey he worked on:

The people here did not ask to have a reserve surveyed here for them. They were asked if it would be alright with them to send surveyors here to survey a reserve for them. Some were agreeable others did not want a reserve surveyed . . . [the residents of Witchekan Lake] were living near the town [of Spiritwood] when they were approached by white people who suggested they have some land surveyed for a reserve on which to live. They were camped near the town when the surveyors arrived and they at once got to work surveying a reserve for us, but they paid no heed when the Indian leaders who were there with them suggested they go

straight, they turned this way and that way. . .our reserves should have been larger had they surveyed the way the Indians wanted them to.⁴⁰

The elder's account is in conflict with the documented events around the Witchekan Lake Reserve survey in 1913 as Chief Kawkaykeesick petitioned in 1912 for a Reserve to be surveyed for the Band.⁴¹ Perhaps Laurie's 1911 survey party asked the Indian peoples in the Witchekan Lake area if they wanted a Reserve and took this concern back to the Department of the Interior and eventually, the DIA. The presence of the 1911 survey party could explain why a request for a Reserve at Witchekan Lake came from Chief Kawkaykeesick in October, 1912 in spite of the fact that a decision to survey a Reserve at Witchekan Lake had already been made by February, 1912.

There are a number of possible explanations for these conflicting accounts around the ORS at Witchekan Lake. There is no archival evidence to support the possibility of more than one survey of the Witchekan Lake Reserve. There is also no evidence to support a survey of the selection of the additional eight sections recommended by Steele in November, 1913. These sections were already occupied by Settlers who had been in the area for some time; since some quarter sections were already patented, a survey would not have been carried out on this recommended selection. Thus it is not likely that surveyors laid out a Reserve in 1911, for the Sauteaux Band or in any official capacity. The disregard for the Indian leaders' instructions may be explained by the subdivision activities of the survey. Perhaps the surveyors only directed an inquiry to the Indian peoples about a future survey and did not plan to carry out a Reserve survey at this point in time.

Finally, it is also possible that the elder who participated in the Reserve survey did not belong to the Sauteaux Band, but was a member of another Band in the area. Another elder described the events at the time of the Reserve survey. He stated:

That man. . .who requested the reserve. . .When land was being settled and surveyed around this area he wanted his own land too, to be surveyed where we could all stay. He finally got it surveyed, he had many children in his family, at that time people were by a bridge in a camp close by the river. It was very soon afterward that he collected list of names for his own Band, there were lots of people with a camp, when the surveyors arrived to do survey for him here

⁴⁰ Respondent #12. Interview with Harry Nicotine, June 11, 1976. Witchekan Lake Band Files.

⁴¹ Letter, Chief Kawkaykeesick to McKay, October 20, 1912. NAC, RG10, Volume 7767, File 27107-11.

were people in different groups along with the elders. We were in one group. . .all the names of people were listed. . .My father's name also. . . that is how we got into this reserve because this was the first time we got the reserve.⁴²

Clearly, Saulteaux Chief Osawahpisk led a distinct Band but it is not clear if he listed all of the Indians at Witchekan Lake as part of his Band in the interests of obtaining a Reserve large enough for all of the people in the area. The Chief may have been reluctant to speak for other Bands present at the time, especially if they had their own leaders.

Another elder described the events around the Reserve survey that took place when he was about twelve years old:

Many old men got together. When the whitemen arrived they came this side of the river and made camp beside the bridge, then they invited the old men to a meeting. Both Saulteaux and Cree were invited . . .The meeting was for the surveying of a reservation for the Indian people. At this meeting the Indian people were told that a reserve would be surveyed for them. All the lake would be taken in . . . the people were many, both young and old.⁴³

According to this elder, Osawahpisk retired after the Reserve survey and his son Kawkaykeesick became Chief. Apparently some of the people at Witchekan Lake were unhappy when Osawahpisk retired and they left the Reserve.⁴⁴

There was considerable survey activity in the Witchekan Lake area and homesteading of the area was also awaited with great anticipation, possibly generating enough pressure to give the ORS second place to the subdivision survey. The ORS was completed and marked, likely before the complete subdivision of Township 51, Range 11. An incomplete subdivision should not have been a concern for either the DIA or the Department of the Interior in surveying the Witchekan Lake Reserve. The fact that the Department of the Interior contracted the subdivision of this Township in 1913, after the 1912 decision to survey the Reserve, calls into question the sincerity of the intent to grant the Witchekan Lake Reserve. Subdivision of the Reserve at this time made it easier for future leasing or surrender of the Witchekan Lake Reserve.

5.3 RESULTS OF THE STUDY WITH WITCHEKAN LAKE FIRST NATION

Elders from Witchekan Lake First Nation indicated that the Reserve was not protected once it had been surveyed. The residual sentiments expressed by these elders and by some Band members at present is that the Reserve land was taken away without Band consent or consultation. An elder interviewed in the mid-1970s stated that no one ever informed the Band about the reduction to the

⁴² Respondent #11. Interview with Harry Nicotine, November 24, 1975. Witchekan Lake Band Files.

⁴³ Respondent #13. Interview with Harry Nicotine, November 13, 1975. Witchekan Lake Band Files.

⁴⁴ Ibid.

size of the Reserve. He stated, “No one was ever informed about it, it was like it was open for whitemen to settle on it and take the land.”⁴⁵ According to the same elder:

[O]ur reserve is much smaller. . . It is about four times smaller than it was before, four times less in size. . . It was the time after the war was over when the veterans returned the epidemic was on that people died off, They were war veterans who were taken up lands and making settlement, I believe it was a war veteran who settled on that land. . . because they were the ones, veterans who had taken land making settlement on the land all over.⁴⁶

There is some truth to this statement with regards to the land that was selected for the Sunchild Reserve as a number of land entries were soldier grants. However, research of the homestead records showed that for the ORS in 1913, there were no quarter sections allocated as soldier grants after World War I.

The Band recognized the economic potential within the ORS as, on numerous occasions, they asked to cut and sell the hay for their livelihood. The Band viewed itself as able to administer the haylands independently. Their requests went unacknowledged or were denied by the DIA in spite of the fact that the Band remained outside treaty and the status of their Reserve remained ambiguous until April, 1919. At the same time, Settlers hoped to make use of the hay while the Department of the Interior saw the hay as an exploitable resource in high demand.⁴⁷

5.3.1 Alienation and Depletion of the Witchekan Lake Haylands

Competition for the resources in the Witchekan Lake area existed between the Witchekan Lake Band, the Settler community and the Canadian government, particularly the Department of the Interior. As events unfolded, two DIA inspectors decided that the fate of the Witchekan Lake Band would be to do without the abundant haylands and accept a reduced Reserve size of seven sections because “For all the use that will be made of this land by the Indians, there will be ample for their requirements.”⁴⁸

In 1914, Inspector Chisholm’s report to the DIA described the condition of the farmland on the lands within the Original Reserve Survey as well as the extent of the haylands. He stated:

The land surrounding Witchekan Lake . . . consists of rich hayland to a distance of from half a mile to a mile back from the shore and almost entirely around the lake. The possible hay product of the lands for which reservation was asked for would amount to about 10,000 tons annually; and Kahkaykeesick stated that he counted upon that to make a living from, that is, by sale or leasing. For some miles back from this belt of hayland the soil is of the finest quality

⁴⁵ Respondent #11. Interview with Harry Nicotine, November 24, 1975. Witchekan Lake Band Files.

⁴⁶ Ibid.

⁴⁷ SAB (R), R190.6, Surveyor Diaries, Files 11705, 12317, 13068 and 14352 and Report, Crombie to McLean, April 14, 1917. NAC, RG10, Volume 7767, File 27107-11.

⁴⁸ Ibid.

for agriculture purposes, consisting of deep, rich loam, with an abundant accumulation of humus. It is well wooded in places with tall, straight poplar, of good size; but there is neither spruce nor jackpine in the vicinity.⁴⁹

Upon settling on a Reserve, the Witchekan Lake Band planned to retain self-sufficiency by leasing the haylands to area Settlers or harvesting the hay for sale to the Settlers. The Chief planned to use the monies earned from the sale or lease of hay to replace the loss of resources from traditional lands with the confinement of the Band to the Reserve. Between 1913 and 1950, the status of the Band as a treaty Band was somewhat ambiguous, leaving the haylands vulnerable to exploitation by outsiders. Unfortunately, in 1914, just months after the ORS, the haylands began to be heavily exploited by the Canadian state and Settlers. Until the 1919 Order-in-Council officially set out the lands of the Witchekan Lake Reserve, the status of all of the lands within the ORS was not clear, leaving lands and resources vulnerable to alienation from the Band. The haylands, alienated from the control of the Witchekan Lake Band, became vulnerable to permanent depletion in some areas.⁵⁰ At the same time as the Dominion Land Agent at Battleford was making queries as to the status of the Reserve lands, the Witchekan Lake Band had been protesting to the DIA about the removal of hay by area Settlers and inquiring as to when the Band's lands would receive official Reserve status.⁵¹

A letter from E.R. Coldiron to the DIA in 1917 stated that he had received permits to cut hay in the area for the previous three years and had allowed Indian peoples in the area to cut hay for themselves on his permits. However, in the letter, Coldiron complained that the hay was now too thin to continue sharing. A number of archival files include applications to withdraw certain quarter sections from established Hay Reserves and open them up for cultivated homesteads as the hay was too poor or non-existent.⁵² As well, vast tracts of land around Witchekan Lake were reserved for the Department of the Interior (Timber and Grazing Department); these lands were later opened for homestead entries.

The Band would have drawn significant income from the hay crop estimated by Inspector Chisholm to be about 10,000 tons, annually, around the immediate area of Witchekan Lake as the estimated price for a ton of hay at that time was \$9.31.⁵³ Perusal through restricted financial

⁴⁹ Report, 1-2, Chisholm to McLean, October 30, 1914. NAC, RG10, Volume 7767, File 27107-11.

⁵⁰ Letter, Coldiron to McLean, July 21, 1917. NAC, RG10, Volume 7767, File 27107-11.

⁵¹ Letter, Dominion Land Agent, Battleford to N.O. Cote, December 27, 1916. SAB, S-6.17, File 1215019, Reel 827.

⁵² SAB, S-6.17, Department of the Interior, Homestead Files, File 4525724 (SW 16-52-11 W3) and AG11.I, Department of Agriculture (Saskatchewan), Lands Branch, Post-1930 Files NW 5-51-11 W3; SW 35-51-12. These applications begin in 1926.

⁵³ Richard Schoney, "An Economic Analysis of Lost Use of Saskatchewan Indian Lands" Unpublished Report, July 19, 1990, 162. Commissioned by FSIN for internal informational purposes during the

records show only two recorded payouts to Band members for hay leases in 1921 and 1922. Complete records could not be found although the Band did have a Trust Fund in place and regular interest payments were found for the seasons 1927-28; 1930-31 and 1933-34 to 1943-44, inclusive. The sale and lease of the vast haylands, by the Band or on their behalf, around Witchekan Lake and within the ORS would have contributed to the Band's recovery, providing a means of self-sufficiency.

In 1921 and 1922, thirty-three Band members received hay dues and accused the Indian agent of trying to trick them into accepting treaty annuities.⁵⁴ There are no further records of the Band receiving any other hay dues; Band members appear to have continued with their lifestyle of hunting and trapping while being supervised at a distance by the DIA who issued hay permits to Settlers for the reduced Reserve of seven sections. The rest of the lands from the ORS were under the control of the Department of the Interior who continued to issue homestead entries, patents and permits for grazing and hay to Settlers. Control of these lands later passed to the province in 1930 with the passing of the NRTA, but until then, sudden depopulation left the Band vulnerable to the strategies being used to alienate as much of their land base as possible.

5.3.2 Depopulation Of The Witchekan Lake Band

Disease was another event that contributed to the alienation of the selected Reserve lands. The 1918 Spanish Flu Epidemic was a significant and tragic event in the history of the Witchekan Lake Band as this event left the Band and its lands and resources vulnerable to exploitation by outside interests. The timing and effects of the 1918 epidemic negatively affected the Band's ability to retain all of the lands within the ORS. During interviews in the mid-1970s, elders recalled that the 1918 Spanish Flu epidemic ravaged the Band population, reducing their numbers to sixty; the population loss was estimated by elders to be just over half of the Band's members. In turn, elders attributed the loss of Reserve land to this sudden depopulation. In interviews, elders made the following statements describing the magnitude of loss and the extent of the loss:

Very many died. Before the big sickness came there were very many people here, this would be the reason a very large reserve was surveyed for us. After the big sickness was over, very many people had died. Not many lived and we noticed that our reserve seemed very large, because so many had died and not many lived.⁵⁵

negotiations for treaty land entitlement, this number represents the dollar value in 1914. However, Dr. Schoney cautions that the landlord or the Band would only have realized about a third of this dollar amount as the other two-thirds of the price would be the costs of harvesting the hay.

⁵⁴ See Appendix V for a detailed account of this event.

⁵⁵ Respondent #12. Interview with Harry Nicotine, November 20, 1975. Witchekan Lake Band Files.

Quite a number of them died . . . it is hard to give an estimate, in some families all but one or two died. In some cases an old man and his wife both died. There were cases where whole families died. The descendants of the man who was chief at the time are few.⁵⁶

[J]ust about half (died), before the sickness there were many people but after there were very few people, whole families died. Sickness came twice to our people. The first time many had died. The second time not so many died. I became very sick myself . . .⁵⁷

[A]fter the big sickness came and many people died, only about 60 of us people had lived.⁵⁸

One elder described the effect of the epidemic on one family in particular:

His father was in that reserve, he had a big family with many children, his family was wiped out except for him and his older sister who were left, they are the only ones who were alive from that family. His uncle raised him up, his uncle was the youngest of the brothers and chief that we had here, the chief was his young brother.⁵⁹

Evidence of the effects of serious depopulation is indicated in a population pyramid in Figure 5.1. The total population of the Witchekan Lake Band in 1946 is listed at 75 people;⁶⁰ individuals aged twenty-six years in 1946 would have been newborns at the time of the Spanish Flu epidemic in 1918. The 1946 Band population is divided at five-year intervals and separated into male and female categories. The graph is characterized by a broad base overall, indicative of a population with a high birth rate and in a state of recovery in 1946.

In 1946, the children of 1918 became the segment of the Band that produced children and carried the heavy burden of providing for their children and the elderly. The low numbers of persons over the age of thirty years suggests that there would be a limited number of potential parents in 1946 to fulfill this role. Surprisingly, they appear to have been able to do quite well, given the high birth rate indicated by the broadened base of the population pyramid. A greater proportion of individuals between the ages of fifteen and twenty-nine undoubtedly supported the high birth rate.

An examination of the segment of the population that would have been part of the Band in 1918 shows twice as many males as females in the twenty-five to twenty-nine age group. This gap may be due to the marriage of women outside the Band. However, the succeeding intervals have significantly reduced proportions of males and females. The population pyramid is notched and

⁵⁶ Respondent #12. Interview with Harry Nicotine, June 11, 1976. Witchekan Lake Band Files.

⁵⁷ Ibid. This respondent was the only known Band member present at the ORS. Fortunately for the Band, he could recall the placement of all but one of the boundary markers. The second time of sickness he refers to likely occurred in the early 1920s.

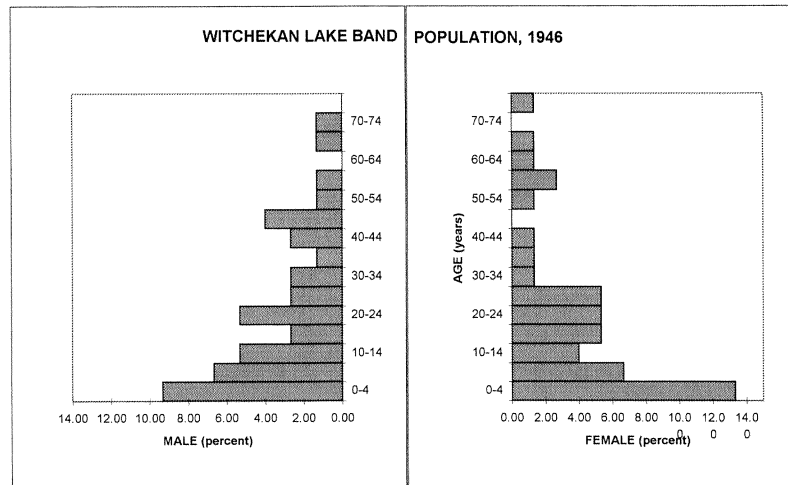
⁵⁸ Respondent #14. Interview with Harry Nicotine, November 20, 1975. Witchekan Lake Band Files.

⁵⁹ Ibid.

⁶⁰ SAB, Canada, DIA, File E19.49, Carlton Agency. This file contains a census of the Witchekan lake Band in 1946 as reported by the Indian Agent at the Carlton Agency.

TABLE 5.1 WITCHEKAN LAKE BAND POPULATION, 1946.

AGE	MALE	MALE %AGE	FEMALE	FEMALE %AGE
0-4	7	9.33	10	13.33
5-9	5	6.67	5	6.67
10-14	4	5.33	3	4.00
15-19	2	2.67	4	5.33
20-24	4	5.33	4	5.33
25-29	2	2.67	4	5.33
30-34	2	2.67	1	1.33
35-39	1	1.33	1	1.33
40-44	2	2.67	1	1.33
45-49	3	4.00	0	0.00
50-54	1	1.33	1	1.33
55-59	1	1.33	2	2.67
60-64	0	0.00	1	1.33
65-69	1	1.33	1	1.33
70-74	1	1.33	0	0.00
75+	0	0.00	1	1.33
TOTAL	36	47.99	39	51.97



Source: SAB (S), DIA, E19.49.

Figure 5.1 Population of Witchekan Lake Band, 1946. The population pyramid shows an expansive population that has undergone notching in the male age groups of 15-19 year and 35-39 year bars; males are missing in the 60-64 year and 75 and over bars. The female population underwent significantly more notching, leading to an overall imbalance between males and females. The female group registers absences in the 45-49 year and the 70-74 year bars. Notching indicates the effects of population devastation through events of war or disease. An examination of historical events points to the Spanish Flu epidemic in 1918 as well as possibly a high rate of female deaths due to the effects of childbearing. The broad base of the population suggests a population in recovery.

uneven; some age groups are entirely missing representation. Overall, the population aged thirty years and older in 1946, is approximately twenty-eight percent of the total population in 1946 with slightly more males than females. This difference may be due to females leaving the Band upon marriage, pointing to an imbalance as a result of the epidemic.

The relatively small proportions of male and female population over thirty years of age in 1946, notching in the graph and intervals of absent representation are indicative of population devastation. The known causes of these features are warfare and disease.⁶¹ There is no evidence to support the notion that Witchekan Lake Band members were engaged in warfare with other peoples in 1918 or that they participated in World War One.⁶² The only other logical explanation is the occurrence of a disease epidemic. Oral history supports the devastation caused by the 1918 Spanish Flu epidemic as do newspaper accounts and history books. All of these sources describe the devastating effects of this epidemic and some note particular hardship for Indian peoples in the Witchekan Lake area.⁶³

The implications of depopulation for the Witchekan Lake Band are numerous; oral history indicated that many elderly people died as did many young children. The loss of the Band's Chief in the epidemic and the loss of entire families, children and the elderly impacted on the social structure of the community. The loss of the elderly was a loss of wisdom, guidance and accumulated past knowledge. Elderly Band members provided guidance and wisdom for the Band as a social unit; the loss of this segment of the Band affected leadership strength and the Band's ability to maintain the struggle to keep their Reserve lands.

The low proportion of elders (persons aged sixty years and older) present in the Band's population in 1946 is further evidence of the devastating effects of the epidemic on children in 1918. The elders of 1946 would have been aged fourteen years and older in 1918; in 1946, elders represented just five per cent of the total population. The effects of the 1918 population on the Witchekan Lake Band are evident even today as there are very few elders, let alone many over seventy years of age, who would have been alive during the 1918 epidemic.

The loss of children reduced the community's ability to replace itself and later to sustain itself as a self-sufficient unit. As well, the unevenness of the male and female proportions would have caused some females to leave. The loss of entire families in a community with a network of extended family left gaps in genealogy and knowledge carried by individuals and families in terms

⁶¹ Loether and McTavish, 89.

⁶² Report, p.2. Crombie to McLean, April 14, 1917. NAC, RG10, Volume 7767, File 27107-11. Crombie noted that Chief Kawkaykeesick stated the Band stayed away entering into the war.; the Band was afraid the government would force them to go to war.

⁶³ *The Saskatchewan Herald* (Battleford), Volume XL, No. 47, Whole No. 1838, 28 November 1918,

of oral history and oral tradition. In addition, the community suffered emotional and psychological devastation at the magnitude of loss over a relatively short time period. Band members who survived the 1918 epidemic at Witchekan Lake were left to reconstruct their community. The decade after World War I brought increased settlement pressures to the Witchekan Lake area.

5.3.3 Agricultural Wage Labour

In response for the demands for settlement lands, the province of Saskatchewan commissioned a land classification study with a view to freeing up forest reserves and evaluating the agricultural potential of lands in central northern areas of the province.⁶⁴ In 1931, following the recommendations of a topographical survey, the boundaries of the Big River Forest Reserve were altered so as to allow for more settlement lands, bringing an increased demand for the labour power of Band members to clear Settler homesteads. The Witchekan Lake Band's annual cycle of land use and occupancy adapted to accommodate the men and their families who worked out on farms as wage labourers for parts of the year⁶⁵ and occasionally, all year.⁶⁶ Wage labour decreased the amount of time spent out on the land and affected the social organization of the Band when time was spent on the land. Sometimes, the men did not join their families when they went picking berries and gathering herbs or the amount of time men spent on outings or camping out on the land was reduced or disappeared. One elder recalled that when he was a child, his entire family went out on the trapline. This pattern changed when his father was away working for farmers; the rest of the family continued to follow the annual cycle in the absence of his father.⁶⁷

The mechanization of farming in the years following World War Two displaced Witchekan Lake Band members within the local wage labour force. One elder spoke of how the coming of the combine to the area replaced the dependency of local farmers on Indian labour for harvesting. He remarked that this was the beginning of farmers forbidding Band members to camp on their land and labour was confined to picking stones and roots. This type of work was done on newly cleared and broken land; as labour-intensive as it was, the work was seasonal and paid very low wages.⁶⁸

1. SAB, Newspaper Index, Reel 257 and Idylwild Women's Institute, 227.

⁶⁴ Lonergan, "Land Classification Report on Saskatchewan, 1927." SAB, R183.I, Individual Surveyors, File 283. A map within this file demonstrates the activity carried out by the surveyor with a view to freeing up lands for settlement.

⁶⁵ All of the elders mentioned this in their interviews which were carried out in 1997. See also Respondent #16 transcripts from 1975 and 1976. Witchekan Lake Band Files.

⁶⁶ Respondent #7. Interview with Brenda McLeod and Leonard Tipewan, February 18, 1997. Witchekan Lake Band Files.

⁶⁷ Ibid.

⁶⁸ Respondent #9. Interview with Brenda McLeod, February 21, 1997. Witchekan Lake Band Files.

Assistance was provided to the Witchekan Lake Band after World War Two, in the form of welfare payments that were introduced as a social safety net for low income people in Canada.

5.3.4 Creation of Northern Fur Conservation Area NFCA M-61

The NRTA of 1930 represented the transfer of control of lands and resources to the province and affected land use and occupancy in the Witchekan Lake area while also influencing and changing hunting, trapping and fishing activities as the province began to increasingly regulate these activities. An increase in the number of Settlers also increased competition for the resources on the land. Provincial records showed that in the post World War Two years, the province moved towards the designation of NFCAs or trapping zones for all trappers, including Treaty Indians. A 1946 Federal-Provincial Agreement established the fur trapping blocks to avoid conflict between trappers and manage the conservation of the fur. The lands of NFCA M-61 are located outside the actual boundary for NFCAs but became part of the NFCA in 1948.⁶⁹

Witchekan Lake Band elders stated that previous to the assignment of NFCA M-61 as their trapping zone in 1946, people were free to trap and hunt in any area. Elders recalled that trapping blocks were introduced so that trappers knew their area to trap and so that the fur would not become depleted in one area and leave some people without fur in their trapping area.⁷⁰ Elders from Witchekan Lake First Nation were interviewed in 1997 about their trapping zone, NFCA M-61, and recalled the Band being pressured into accepting the establishment of the trapping zone or risk having no trapping area.⁷¹

Upon being approached by DNR and DIA in 1946, the Band supplied a list of Band members to these agencies so they would know who was to have access to the NFCA M-61 area which included Witchekan Lake, Sylvander Lake to the west and Bland Lake to the east.⁷² Elders stated that NFCA M-61 was for the exclusive use of the Band; these lands had always been part of their traditional hunting, trapping and fishing area, even when these activities were not restricted.⁷³ Elders also recalled that at the time NFCA M-61 became established as their trapping block, some

⁶⁹ Memo, Cheryl Crane, Saskatchewan Justice to Ruth Montgomery, Native and Indian Affairs Secretariat (Sk.), June 4, 1984. SERM Files.

⁷⁰ These same sentiments were expressed in Memo, Crane to Montgomery, June 4, 1984. SERM Files.

⁷¹ Respondents #4 and #8. Elders Gathering, February 20, 1997 with Brenda McLeod and Leonard Tipewan. Witchekan Lake Band Files.

⁷² See Figure 5.6 for the location of these lakes, relative to each other.

⁷³ Respondents #1, #4 and #8. Elders Gathering, February 20, 1997 with Brenda McLeod and Leonard Tipewan. Witchekan Lake Band Files.

Band members were not in favour of accepting a trapping zone as they felt they were being too restricted in their trapping area.⁷⁴

The boundaries and composition of the NFCA M-61 trapping zone remained the same in 1948 with the passing of the provincial *Fur Act*. Only treaty Indians from Witchekan Lake were permitted to hold membership in NFCA M-61. In 1948, five Band members were issued badges and jackets to wear in their capacity as Deputy Game Wardens.⁷⁵ This administrative activity occurred just before Witchekan Lake First Nation signed the adhesion to Treaty Six in 1950.⁷⁶

The receipt of welfare payments meant that trappers stayed closer to the Reserve for the winters and made daytime or overnight forays to Sylvander Lake; trappers spent smaller amounts of time at the NFCA M-61 trapping block over the course of the trapping season from October to April.⁷⁷ By 1950, social and cultural changes had already occurred which significantly altered the pattern of land use and occupancy by the Witchekan Lake Band. Provincial regulation of lands and resources produced gradual changes to the annual land use and occupancy cycle of the Witchekan Lake Band. Consequently, the boundaries between the past and the present did not become apparent for elders until the signing of the adhesion to Treaty Six when changes happened more quickly, altering family and social patterns at a much faster pace.

5.3.5 Adhesion to Treaty Six in 1950

Historically, Witchekan Lake First Nation was a latecomer to the treaty process. After decades of persistent refusal to sign treaty, the Band signed an adhesion to Treaty Six in 1950. In the decades before the adhesion, the DIA, aware of the presence of the Band in the Witchekan Lake area, engaged in a minimal amount of administration for the affairs of the Band, choosing to supervise at arm's length.⁷⁸ An elder confirmed that prior to adhesion to Treaty Six, there was no government presence.⁷⁹

⁷⁴ Respondents #4 and #8. Elders Gathering February 20, 1997 with Brenda McLeod and Leonard Tipewan. Witchekan Lake Band Files.

⁷⁵ Letter, Joseph Johnson, Game Branch, Prince Albert to D. Frechette, Field Officer, Department of Natural Resources, Leoville, November 2, 1948. SERM Files.

⁷⁶ Letter, P.C. Naftel, Assistant Director, Fisheries and Wildlife Branch, Department of Tourism and Renewable Resources (DTRR, alias DNR) to Evan Lloyd, Executive Assistant to the Minister of the Department of Agriculture, March 3, 1977. SERM Files.

⁷⁷ Respondent #2. Interview with Brenda McLeod and Karen Fineday, September 12, 1996. Witchekan Lake Band Files.

⁷⁸ Report, J.P.B. Ostrander, DIA Inspector, Regina to DIA, Ottawa, December 6, 1945. Office of the Treaty Commissioner, Saskatoon, Sk., (1995). A notation on the document reads "File 674/30-16-117." It is possible this document may be from the Central registry files held in either at the NAC or in Hull, Que.

⁷⁹ Respondent #1. Interview with Brenda McLeod and Karen Fineday, September 12, 1996.

Some controversy surrounds the actual adhesion as one elder recalled the persistence of the DIA that the Band sign the adhesion.⁸⁰ In a 1951 inspection report, Corporal Chester of the Spiritwood RCMP detachment stated that the adhesion was: [a] second important step [for the Witchekan Lake Band]. . .and was most gratifying. . .as it marked the culmination of 4 years of effort, in co-operation with Supt. N.J. McLeod of Duck Lake Agency, to assist these Indians to better themselves and their living conditions.⁸¹ Chester indicated that Indian Commissioner J.P.B. Ostrander took the Band into treaty and remarked on the general good health of Band members at the time of the adhesion.⁸² Elders reported that Band members were motivated to sign the adhesion because of the promises that were made for houses, a school, horses and haying equipment.⁸³ One elder specified that people were not destitute or in need of any of the promised items; people merely wanted what was offered.⁸⁴ Yet another elder reported being told by Corporal Chester that if the Band did not sign the treaty adhesion, they might lose their Reserve.⁸⁵

There was considerable discussion amongst elders in 1997 about how the lifetime Chief of the Band was deposed at the meeting held when the Band signed the adhesion. The lifetime Chief was opposed to signing the adhesion based on the teachings of elders in previous years⁸⁶ and his fear that Band members would be under control of white people.⁸⁷ The officials at the meeting persisted in having Band members elect a new Chief who would accept the treaty; twice during the meeting, Band members voted to keep their lifetime Chief. On the third round of voting, officials were successful at deposing the lifetime Chief after threatening not to pay out treaty money unless the people elected a Chief who would sign the treaty.⁸⁸ Not all of the Band members took treaty that day; a number of families continued to refuse treaty money for several years after the adhesion.

Several elders recalled that the treaty was signed late in the day or early evening as it was dark when they left the meeting with their parents. All of the stores were usually closed on that weekday

Witchekan Lake Band Files.

⁸⁰ Respondent #1. Elders Gathering. Interview with Brenda McLeod and Leonard Tipewan, February 20, 1997. Witchekan Lake Band Files. The elder reported that DIA officials met with individuals at their homes, trying to convince them to sign the treaty.

⁸¹ Report, Corporal C.J. Chester, RCMP, Spiritwood Detachment, March 27, 1951. Office of the Treaty Commissioner Files (1995).

⁸² Ibid.

⁸³ Respondents #1 and #4. Elders Gathering. Interview with Brenda McLeod and Leonard Tipewan, February 20, 1997. Witchekan Lake Band Files.

⁸⁴ Respondent #1. Interview with Brenda McLeod and Karen Fineday, September 12, 1996. Witchekan Lake Band Files.

⁸⁵ Respondent #16. Interview with Harry Nicotine. December 4, 1975. Witchekan Lake Band Files.

⁸⁶ Ibid. Elders maintained that as long as not every Indian was under Treaty, white domination over Indian peoples would not be complete.

⁸⁷ Respondent #1. Interview with Brenda McLeod and Karen Fineday, September 12, 1996. Witchekan Lake Band Files.

⁸⁸ Ibid.

afternoon but storekeepers came back in the evening to open up so that Band members could spend their treaty money. One elder recalled that people received twelve dollars the first time they signed treaty⁸⁹ while another elder recalled receiving only five dollars rather than twelve dollars and was told that the other seven dollars was put away for future use.⁹⁰

With the signing of the treaty adhesion, the federal government presence was established quickly; the first changes began with the establishment of a Day School on the Reserve. The Day School changed the way in which the family unit followed the annual cycle of land use and occupancy. Only the men went out to hunt and trap as the women stayed behind to care for the children attending the Day School.⁹¹ The Family Allowance cheque was a source of monthly income for families, provided school-aged children had regular school attendance. Once the Band entered into treaty, an increased government presence in their lives and enforcement of *Indian Act* truancy regulations monitored school attendance closely. More specifically, one of the women stated, "Trapping at M-61 changed with the school. Before the school, everyone lived an Indian life. After the school, people began to speak English and began to live a White life. The young people went to school but not the entire population."⁹²

The time the men were spending on the land had already become reduced, given their participation in the local labour force, working for area Settlers. Families continued to spend time out on the land without the men, until the introduction of the school, when less continuous time was spent on the land. However, it is evident that the Band continued to put up hay, along with all of these other activities; an RCMP report in 1951 indicated that the Band had put up a total of two hundred tons of hay and had sold hay to Settlers for \$5.00 per ton.⁹³ However, the Band did not abandon traditional activities of hunting and trapping. One woman remarked that "her husband hunted and trapped when he could, between jobs;"⁹⁴ while another woman stated that "They hunted and trapped as much as they could and the rest of the time, they worked for farmers."⁹⁵ In spite of more time being spent working at seasonal labour and constrictions experienced by children's

⁸⁹ Respondent #1. Elders Gathering. Interview with Brenda McLeod and Leonard Tipewan, February 20, 1997. Witchekan Lake Band Files.

⁹⁰ Respondent #4. Elders Gathering. Interview with Brenda McLeod and Leonard Tipewan, February 20, 1997. Witchekan Lake Band Files.

⁹¹ Respondent #7. Interview with Brenda McLeod and Leonard Tipewan, February 18, 1997. Witchekan Lake Band Files.

⁹² Respondent #1. Interview with Brenda McLeod and Karen Fineday, September 12, 1996. Witchekan Lake Band Files.

⁹³ Report, Corporal C.J. Chester, RCMP, Spiritwood Detachment, March 27, 1951. Office of the Treaty Commissioner (1995).

⁹⁴ Respondent #1. Interview with Brenda McLeod and Karen Fineday, September 12, 1996. Witchekan Lake Band Files.

⁹⁵ Respondent #3. Interview with Brenda McLeod and Leonard Tipewan, February 19, 1997. Witchekan Lake Band Files.

school attendance, Band members still sought opportunities to participate in traditional activities of hunting, trapping and fishing; less time spent at NFCA M-61 also left the lands and resources vulnerable to alienation by outsiders. Opportunity to alienate the lands and resources from the Band came to some agricultural lessees on NFCA M-61, leading to conflict between Band members and some lessees.

5.3.6 NFCA M-61 Conflicts

Prior to establishing NFCA M-61, the provincial government had granted leases in 1943 and in 1946, on some of the lands that were eventually included in NFCA M-61. It is not clear what the status of these leases were in 1948; they do not appear to have compromised the accessibility of NFCA M-61 by the Witchekan Lake Band. However, the same cannot be said for subsequent leases granted within NFCA M-61. In the 1960s, The Band was approached and consented to allow grazing leases on NFCA M-61, with the understanding that there would be no interference with their hunting and trapping activities.⁹⁶ The Witchekan Lake Band faced a formidable obstacle in their trapping pursuits when the northwestern area of the NFCA M-61 trapping block became leased to an area rancher for grazing his cattle. The first lease was issued to one rancher in 1971 while an additional leased area was granted to the same rancher in 1975; both leases for were agricultural grazing.⁹⁷

Although the leases made no provision for the Band's accessibility to NFCA M-61, the leases were not granted with the intention of removing the Band from the trapping area.⁹⁸ However, in the first years of the leases, the lessee erected fencing and denied the Band access to the leased area around Bland Lake, closing the only access trail into the northern half of the NFCA M-61 trapping block by Bland Lake. When Band members continued to attempt to enter the area to trap, they were harassed with threats, shot at, had traps stolen or found them flung into the trees.⁹⁹ These actions on the part of the lessee and his family members clearly violated the understandings under which the Witchekan Lake Band had agreed to the leases on NFCA M-61. The size of NFCA M-61 accessible to the Witchekan Lake Band was effectively reduced by fifty per cent. Most certainly, members of the Witchekan Lake Band perceived the loss of half of their trapping zone and today,

⁹⁶ Letter, David Knoll, Solicitor, FSIN, Saskatoon to Bob Pickering, Minister of Parks and Renewable Resources, Regina, June 20, 1984. Witchekan Lake Band Files.

⁹⁷ Memo, Crane to Montgomery, June 4, 1984. SERM Files.

⁹⁸ Ibid.

⁹⁹ In 1989, Band trappers were interviewed and gave testimony which listed this treatment, naming the lessee and his family members as perpetrators. Witchekan Lake Band Files.

some are still puzzled as to how and why these lands were taken away from them.¹⁰⁰ In fact, the physical and administrative boundaries of NFCA M-61 have never been changed since their establishment in 1948.

In the meantime, the lessee and his family continued to trap furs in the leased area in spite of the fact that trapper membership in NFCA M-61 was restricted to Band members. The lessee sold his harvested furs under a southern trapping license but it is not clear if the lessee obtained a trapping license for all of the years that he blocked the Band's access. However, at one point, SERM was aware that the lessee, holding only agricultural leases to the M-61 lands, had trapped upwards of 200 beaver in one season.¹⁰¹ The lessee, of Metis ancestry, maintained that he and his family had trapped the NFCA M-61 area from 1930 to 1945 when it was still within the Big River Forest Reserve.

J.W. Clouthier investigated the NFCA M-61 dispute at the request of the DIA and established the lessee's claim to trap in M-61 as a fact. Thus, the lessee, while not issued a license to trap NFCA M-61, also felt that:

They (the N.D.P., then C.C.F.) caused this problem by giving our trapping area to the Indians from under our very noses . . . We will have to fight the Riel Rebellion over again with these guys and the sooner the better. . . We have some Indian blood on both sides and should have received some consideration too. . . I tried hard to get a piece of land to trap for many years. I was away when the government held the first meeting to form a fur bloc . . . We trapped as young boys on there and I held a trapping license every year since I was young.¹⁰²

Clearly, the lessee too, argued that trapping was a vital part of his livelihood and lifestyle with his entitlement to a trapping area, based on his Aboriginal ancestry. However, the lessee appears to have become frustrated with the process of trying to obtain a trapping area and may have either stopped trapping for a period of time, continued to trap without a license or trapped elsewhere. In the interviews, the lessee stated:

We finally gave up and let the Indians trap until 1972 or 1973 . . . [by which time] The beaver built up so much on my grazing lands that all my low lying grass and hay areas were under water. . . Nobody would give me some satisfaction so we took out some 200 beaver in one season. . . We had to do it again about 1976-77.¹⁰³

¹⁰⁰ Elders, Witchehan Lake First Nation, requested in February, 1997, that research to be done around this issue.

¹⁰¹ Report, J.W. Clouthier, CESO Advisor, no date. Estimated date is between 1979 and 1981. SERM Files.

¹⁰² Ibid, Exhibit "C," no date. SERM Files. Excerpts of interviews held with parties in NFCA M-61 dispute.

Clouthier noted that when the lessee was asked what he wanted, the lessee replied, “Trapping rights and about 3 sections of area to trap in from home.”¹⁰⁴

The Band complained on several occasions to the local Conservation Officer and the DNR about their denied access, but to no avail; Band members continued to be denied access to this portion of NFCA M-61.¹⁰⁵ The lack of action appears to have been due to the question of who had jurisdiction over NFCA M-61; grazing leases covered about two-thirds of the area and the rest was shared by a PFRA pasture and vacant Crown lands. According to SERM Files, there appears to have been a change to the *Wildlife Act* in 1979 that permitted fur conservation areas to be located only on vacant Crown lands; thus, lands under lease for grazing, etc. were under provincial jurisdiction.

To further complicate the situation, nothing in the lease stated that the lessee had to grant the Band access to NFCA M-61; Saskatchewan Justice concluded that the lessee was within his rights to block anyone’s access to his leased area.¹⁰⁶ The best that Crown Solicitor Cheryl Crane could do was to offer the Band her sympathy, “The radical changes to the rights of the trappers made in 1979 was apparently done without any notice to them [the Witchekan Lake Band] and, perhaps, without any real consciousness of what was being done to their interests.”¹⁰⁷ Access to M-61 was denied to Witchekan Lake band members from 1972 until 1992 when Saskatchewan Rural Development drew up a thirty-three year joint lease agreement between the Band and the lessees grazing within the NFCA M-61 trapping block.¹⁰⁸ The lease does not guarantee continued protection of the NFCA M-61 lands for the Band but it does allow restricted, shared access to valuable, traditional hunting, trapping and fishing lands.

Evidence of the effects of denied access to the Bland Lake area of NFCA M-61 for the trapping activities of Witchekan Lake First Nation is demonstrated in a summary of fur yields between 1955 and 1996 in Table 5.2 and Figures 5.2 and 5.3. Records of the NFCA M-61 fur harvest begin approximately ten years after its assignment to the Witchekan Lake Band. Pelt harvests (numbers of pelts and dollar value) are summarized for the time period 1955-56 to 1995-96 in Table 5.2, and Figures 5.2 and 5.3. The pelt harvest for the 1956-57 season totals 4474 pelts; annual totals of pelt harvests until 1970-71 fluctuate between a low of 304 and a high of 3201. Between 1971-72 and 1986-87, there are only four seasons where the total pelt harvest is over 1000.

¹⁰³ Ibid.

¹⁰⁴ Ibid.

¹⁰⁵ Letter, David Knoll, FSIN Solicitor to Bob Pickering, Minister of Parks and Renewable Resources, June 20, 1984. SERM Files.

¹⁰⁶ Memo, Crane to Montgomery, June 4, 1984. SERM Files.

¹⁰⁷ Ibid.

¹⁰⁸ The lease covers the period January 1, 1992 to December 31, 2024. Witchekan Lake Band Files.

TABLE 5.2 M-61 Fur Conservation Area: Total Harvest, 1956-1996

YEAR	Pelts	FCA TOTAL Harvest Value
1956-57	4474	\$ 3,749.69
1958-59	3201	\$ 3,342.48
1960-61	1471	\$ 3,130.46
1961-62	2069	\$ 2,885.00
1962-63	612	\$ 1,201.09
1963-64	304	\$ 745.75
1964-65	883	\$ 1,198.34
1965-66	1463	\$ 1,618.18
1966-67	1612	\$ 1,525.63
1967-68	847	\$ 1,231.71
1968-69	942	\$ 1,405.30
1969-70	1165	\$ 1,735.99
1970-71	1637	\$ 2,472.65
1971-72	418	\$ 1,462.46
1972-73	308	\$ 1,100.73
1973-74	707	\$ 1,854.32
1974-75	2252	\$ 5,628.30
1975-76	1442	\$ 2,633.90
1976-77	442	\$ 3,452.32
1977-78	324	\$ 9,264.50
1978-79	887	\$ 18,941.56
1979-80	2759	\$ 2,175.19
1980-81	260	\$ 2,072.50
1981-82	429	\$ 3,684.00
1982-83	573	\$ 4,875.50
1983-84	708	\$ 1,914.25
1984-85	203	\$ 3,810.00
1985-86	384	\$ -
1986-87	0	\$ -
1987-88	0	\$ -
1988-89	0	\$ -
1989-90	0	\$ -
1990-91	5	\$ 68.00
1991-92	12	\$ 242.00
1992-93	118	\$ 155.00
1993-94	0	\$ -
1994-95	1	\$ 5.00
1995-96	0	\$ -
TOTAL	34647	\$ 96,973.30

Source: SERM, Fish and Wildlife (Prince Albert), Annual Reports, 1956-1996.

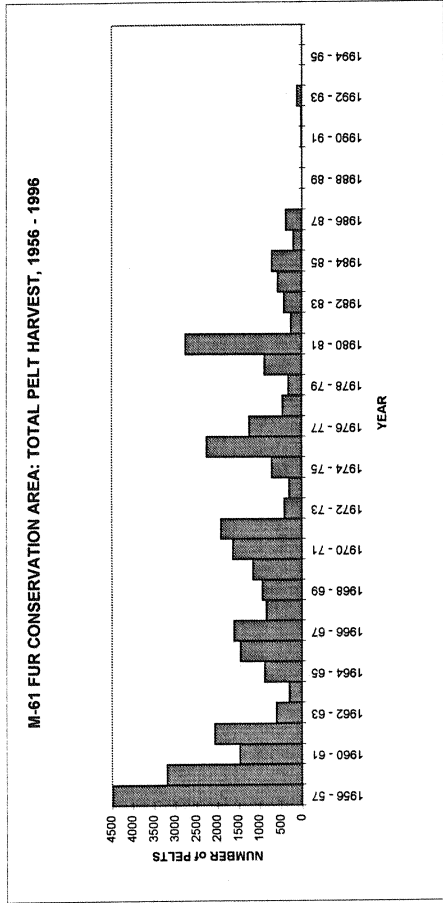


Figure 5.2 M-61 Fur Conservation Area: Total Annual Pelt Harvest, 1956-1996.

Source: SERM, Fish and Wildlife (Prince Albert), Annual Reports, 1956-1996.

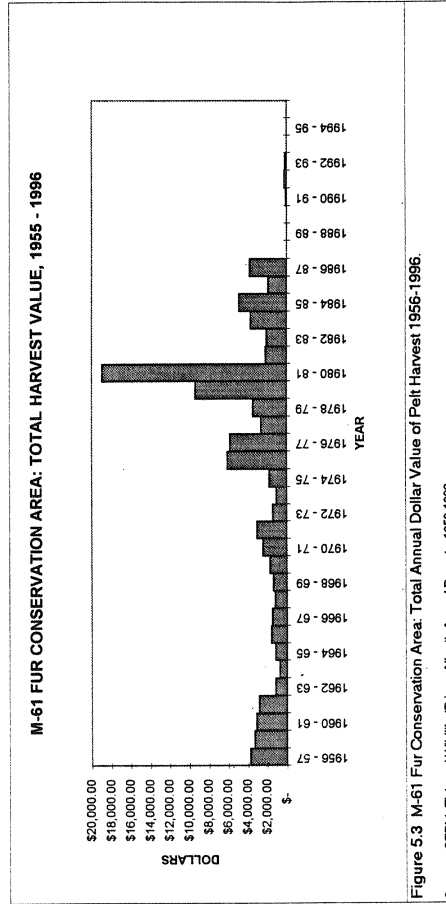


Figure 5.3 M-61 Fur Conservation Area: Total Annual Dollar Value of Pelt Harvest 1956-1996.

Source: SERM, Fish and Wildlife (Prince Albert), Annual Reports, 1956-1996.

The remaining seasons in this time period show annual pelt harvests ranging between 203 to 887. Prices were not particularly profitable for furs but for the Witchekan Lake Band, access was restricted to Witchekan and Sylvander Lakes. After the 1987-88 season, scant trapping occurred within NFCA M-61 with five seasons showing no recorded pelt harvest between 1987-88 and 1995-96.

Table 5.3 provides a closer examination of the types of pelts harvested between 1955-56 and 1995-96. Figure 5.4 shows a consistently high percentage of muskrat in the total annual pelt harvests of NFCA M-61 for the entire time period. Table 5.4 shows the total annual pelt harvests and Figure 5.5, their dollar value. Muskrat pelts consistently paid low returns per pelt but form the bulk of the pelts sold by NFCA M-61 trappers, all of whom are members of Witchekan Lake First Nation. Few furs were taken from the Bland Lake area after 1971 due to the Band's blocked access. According to Figure 5.7, Sylvander Lake and Witchekan Lake were principal sources for muskrats with only a few selected sites for beaver.

The close proximity of these lakes to the community as opposed to Bland Lake, led to a heavier reliance on these two lakes for muskrat, especially in later years when the Band was denied access to the greater area of NFCA M-61 around Bland Lake. As well, the denied access of trappers to the Bland Lake area is also evident in the lack of any significant numbers of pelts other than muskrats. The Bland Lake area was known for its variety of furs and the abundance of pelts that could be trapped. Thus, the areas around Witchekan Lake and Sylvander Lake became the base for trapping and hunting activities for the Band after 1971 but were limited in potential harvest and dollar yields.

Relative to increased trapping activity in the entire province of Saskatchewan during the 1970s, NFCA M-61 experienced a decline in trapping.¹⁰⁹ The data shows NFCA M-61 experiencing its highest revenue period at the beginning of the 1980s when beaver and muskrat pelts were significantly higher in price and demand. As well, it is important to note that the main type of pelts accessed at Sylvander and Witchekan Lakes were muskrat and beaver. There can be no doubt about the negative effects of the restriction on NFCA M-61 on the Witchekan Lake Band in terms of lost pelt harvest, revenues and the resource itself due to overtrapping by the lessee. Reasons for this decline fall into three categories. The first is that given the harassment by the lessee in the Bland Lake area, NFCA M-61 trappers were unable to pursue a trapping livelihood successfully with resulting lower pelt harvests and considerably lower revenues. Secondly, it is possible that

¹⁰⁹ Wayne Runge, *A Century of Fur Harvesting in Saskatchewan: Wildlife Report Number Five*, (SERM, Wildlife Branch, Department of Environment and Resource Management, 1995), 63. According to Runge's research, fur revenues in the province of Saskatchewan peaked in the 1978-79 season at \$10 million.

TABLE 5.3 M-61 Pelt Harvest by Fur Type, 1956-1996.

YEAR	Beaver	Coyote	Fox	Mink	Muskrat	Squirrel	Weasel	OTHER
1956 - 57	44	1		55	3665	479	228	2
1958 - 59	63	2		43	2862	89	122	
1960 - 61	76	5	4	70	1016	154	130	16
1961 - 62	205	2	2	8	1565	258	23	6
1962 - 63	65	15	2	5	374	102	44	5
1963 - 64	37	7	4	3	210	22	10	11
1964 - 65	54	10	1	3	683	106	19	4
1965 - 66	22	2	6	1	1090	293	46	3
1966 - 67	18		3	6	1476	86	2	3
1967 - 68	60	2	1	10	533	227	14	
1968 - 69	53	2	3	7	658	210	7	2
1969 - 70	86	1	2	9	726	322	16	3
1970 - 71	48	10		5	1552	22		
1971 - 72	52	18		7	1751	87		4
1972 - 73	24	5		7	316	45	14	7
1973 - 74	22	4	2	2	240	33	4	2
1974 - 75	73		2	4	807	21		
1975 - 76	97	16	3	18	1884	208	26	
1976 - 77	109	12	4	38	1004	65	8	2
1977 - 78	83	9	3	12	323	19	9	
1978 - 79	69	8	3		219	15	4	6
1979 - 80	157	17	2	12	461	228	9	1
1980 - 81	331	16	4	21	2034	346	5	2
1981 - 82	37	19	5	6	178	13	1	1
1982 - 83	49	1	1	7	352	17		7
1983 - 84	90	3	4	1	457			
1984 - 85	83	8	1	1	613			2
1985 - 86	55	3		1	143	1		
1986 - 87	89	2	2	1	274	3	6	7
1987 - 88								
1988 - 89								
1989 - 90								
1990 - 91	2	3						
1991 - 92	1	2	5		3	1		
1992 - 93		1			117			
1993 - 94								
1994 - 95		1						
1995 - 96								
TOTAL	2254	207	69	363	27416	3472	747	100

Source: SERM, Fish and Wildlife (Prince Albert), Annual Reports, 1956-1996.

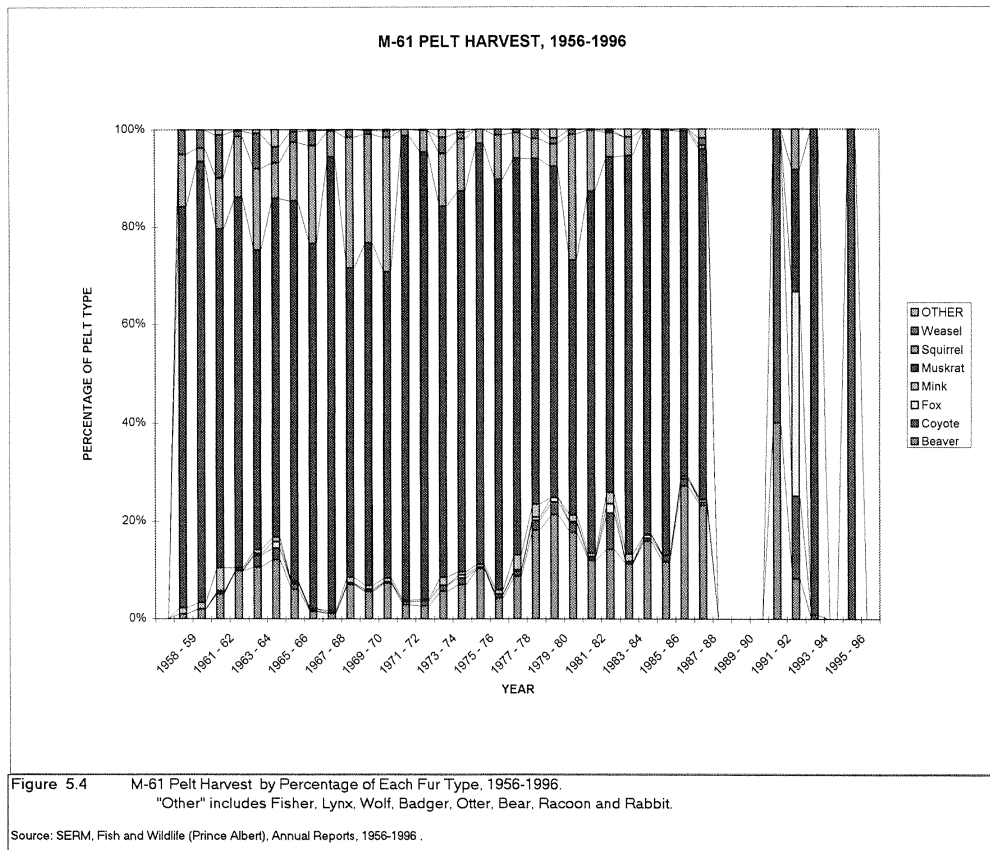


TABLE 5.4 M-61 Fur Harvest in Dollars of Each Fur Type, 1956-1996.

YEAR	BEAVER	COYOTE	FOX	MINK	MUSKRAT	SQUIRREL	WEASEL	OTHER	FCA TOTAL
1956 - 57	\$ 284.14	\$ 1.50		\$ 1,036.00	\$2,086.70	\$ 164.25	\$ 176.45	\$ 0.65	\$ 3,749.69
1958 - 59	\$ 444.77	\$ 4.50		\$ 862.00	\$1,946.46	\$ 22.00	\$ 62.75		\$ 3,342.48
1960 - 61	\$ 796.66	\$ 17.00	\$ 12.00	\$ 1,422.00	\$645.90	\$ 52.90	\$ 91.70	\$ 92.30	\$ 3,130.46
1961 - 62	\$ 1,710.50	\$ 6.00	\$ 2.75	\$ 109.50	\$959.40	\$ 52.80	\$ 14.20	\$ 29.75	\$ 2,885.00
1962 - 63	\$ 608.39	\$ 54.54	\$ 1.50	\$ 51.45	\$990.14	\$ 33.45	\$ 17.85	\$ 43.50	\$ 1,201.09
1963 - 64	\$ 335.41	\$ 22.50	\$ 13.72	\$ 52.00	\$228.91	\$ 8.85	\$ 4.60	\$ 78.75	\$ 745.75
1964 - 65	\$ 424.35	\$ 39.25	\$ 3.00	\$ 83.05	\$575.41	\$ 36.85	\$ 10.60	\$ 26.00	\$ 1,198.34
1965 - 66	\$ 136.90	\$ 10.00	\$ 32.50	\$ 20.00	\$1,233.48	\$ 110.30	\$ 27.05	\$ 47.95	\$ 1,818.18
1966 - 67	\$ 122.06		\$ 12.00	\$ 83.20	\$1,220.57	\$ 34.50	\$ 6.30	\$ 37.00	\$ 1,525.63
1967 - 68	\$ 689.50	\$ 8.00	\$ 2.00	\$ 117.00	\$324.44	\$ 84.28	\$ 6.49		\$ 1,231.71
1968 - 69	\$ 597.43	\$ 20.00	\$ 16.50	\$ 53.45	\$590.45	\$ 85.07	\$ 2.40	\$ 40.00	\$ 1,405.30
1969 - 70	\$ 826.31	\$ 10.00	\$ 11.00	\$ 75.38	\$665.87	\$ 89.24	\$ 8.19	\$ 50.00	\$ 1,735.99
1970 - 71	\$ 471.39			\$ 73.20	\$ 41.00	\$1,882.06	\$ 5.00		\$ 2,472.65
1971 - 72	\$ 684.50	\$ 190.00		\$ 88.25	\$1,970.10	\$ 45.85		\$ 80.00	\$ 3,058.70
1972 - 73	\$ 281.50	\$ 95.00		\$ 157.50	\$622.61	\$ 18.50	\$ 7.35	\$ 280.00	\$ 1,462.46
1973 - 74	\$ 291.00	\$ 84.00	\$ 43.78	\$ 40.00	\$555.75	\$ 30.70	\$ 5.50	\$ 50.00	\$ 1,100.73
1974 - 75	\$ 693.87		\$ 70.00	\$ 55.65	\$979.00	\$ 5.50			\$ 1,804.02
1975 - 76	\$ 1,060.50	\$ 540.00	\$ 60.00	\$ 256.00	\$4,029.35	\$ 105.70	\$ 31.75		\$ 6,083.30
1976 - 77	\$ 1,670.13	\$ 525.34	\$ 185.00	\$ 348.96	\$2,361.21	\$ 48.01	\$ 8.25	\$ 70.00	\$ 5,816.90
1977 - 78	\$ 1,078.00	\$ 397.00	\$ 110.00	\$ 126.00	\$912.50	\$ 9.10	\$ 5.50		\$ 2,638.10
1978 - 79	\$ 1,518.52	\$ 640.80	\$ 211.75	\$ 170.00	\$877.50	\$ 21.50	\$ 5.25	\$ 177.00	\$ 3,452.32
1979 - 80	\$ 5,098.00	\$ 1,546.00	\$ 170.00	\$ 380.00	\$1,751.20	\$ 371.50	\$ 13.25	\$ 35.00	\$ 9,364.50
1980 - 81	\$ 6,815.65	\$ 76.90	\$ 230.73	\$ 679.39	\$9,672.10	\$ 411.17	\$ 4.50	\$ 151.12	\$ 18,941.56
1981 - 82	\$ 572.80	\$ 710.92	\$ 230.00	\$ 125.00	\$467.47	\$ 18.00	\$ 1.00	\$ 50.00	\$ 2,175.19
1982 - 83	\$ 668.00	\$ 70.00	\$ 70.00	\$ 125.00	\$1,044.50	\$ 15.00		\$ 226.00	\$ 2,072.50
1983 - 84	\$ 1,498.00	\$ 95.00	\$ 115.00	\$ 15.00	\$1,745.00				\$ 3,694.00
1984 - 85	\$ 2,020.00	\$ 300.00	\$ 30.00	\$ 30.00	\$2,353.00			\$ 135.00	\$ 4,878.50
1985 - 86	\$ 1,410.00	\$ 77.50		\$ 35.75	\$350.00	\$ 1.00			\$ 1,914.25
1986 - 87	\$ 2,411.00	\$ 136.00	\$ 65.00	\$ 51.00	\$928.60	\$ 1.00	\$ 7.50	\$ 200.00	\$ 3,810.00
1987 - 88									\$ -
1988 - 89									\$ -
1989 - 90									\$ -
1990 - 91	\$ 26.00	\$ 42.00							\$ 68.00
1991 - 92	\$ 20.00	\$ 90.00	\$ 125.00		\$6.00	\$ 1.00			\$ 242.00
1992 - 93		\$ 20.00			\$135.00				\$ 155.00
1993 - 94									\$ -
1994 - 95		\$ 5.00							\$ 5.00
1995 - 96									\$ -
TOTAL	\$ 35,265.28	\$ 5,907.95	\$ 1,823.23	\$ 6,519.53	\$44,150.68	\$ 1,883.02	\$ 518.43	\$ 1,901.02	\$ 98,979.30

Source: SERM, Fish and Wildlife (Prince Albert), Annual Reports, 1956-1996.

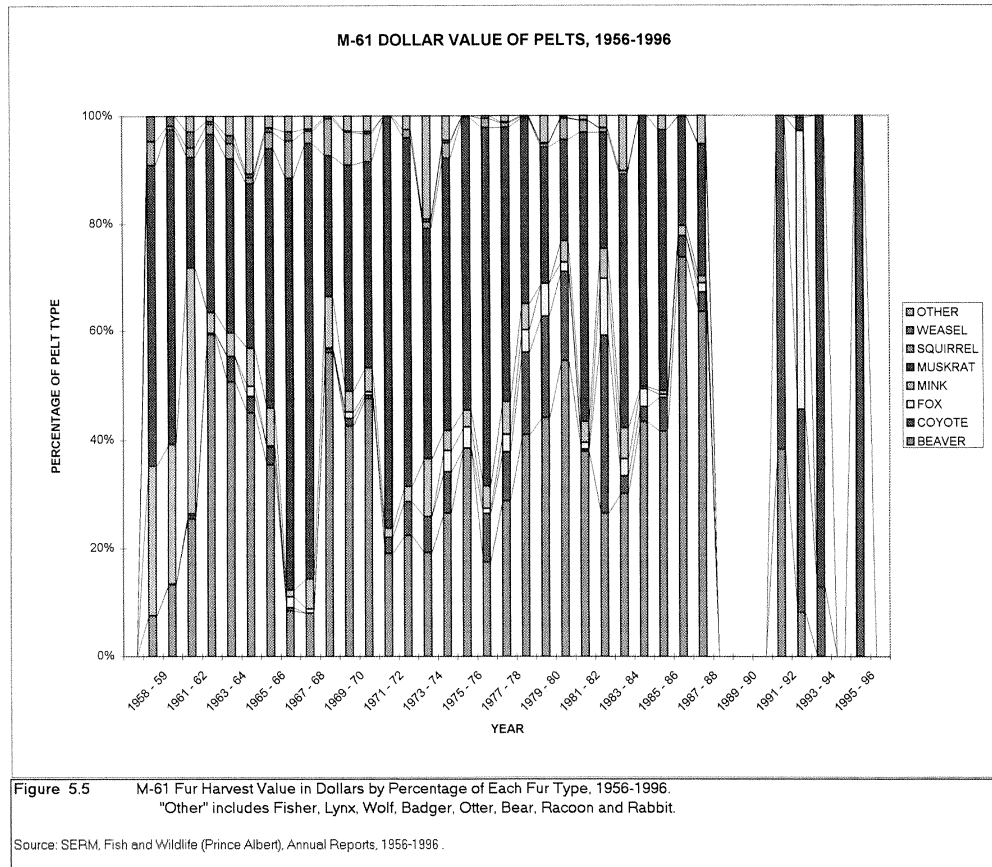


Figure 5.5 M-61 Fur Harvest Value in Dollars by Percentage of Each Fur Type, 1956-1996. "Other" includes Fisher, Lynx, Wolf, Badger, Otter, Bear, Raccoon and Rabbit.

Source: SERM, Fish and Wildlife (Prince Albert), Annual Reports, 1956-1996.

because of the restrictions to trappers in accessing the Bland Lake area, they overtrapped the other areas in NFCA M-61 or perhaps these areas were unable to support the same number of trappers, leading to fewer pelts, lower revenues and less variety of higher-priced pelts.

A third reason for the decline in trapping is the fact that Band members began to spend less time engaged in trapping activities on the land as lifestyles changed to accommodate wage labour and school attendance. Wage labour participation and school attendance altered the patterns of participation in trapping activities. The participation of the Witchekan Lake Band in wage labour had occurred long before the adherence to Treaty Six in 1950. As well, after the adherence, the Day School on the Reserve led to further changes as children attended school during the months families would have been camped out on their traplines. Both wage labour and the introduction of the school would have caused the community to rely on trips to closer trapping areas to trap during day trips, overnight trips or weekends.

By the mid-1950s, the Witchekan Lake Band had attempted and abandoned a Band Farm.¹¹⁰ One or two Band members continued to farm on an individual basis while the rest of the Band survived on diminished opportunities for local seasonal labour, trapping, hunting, gathering and welfare payments for cash income and survival. At the end of the trapping season, wage labour provided cash income. Once the opportunities to work for local farmers became diminished, the Canadian state introduced Witchekan Lake Band members to the migratory seasonal labour of the Alberta sugar beet industry.

However, in the face of significant changes and restrictions, it is important to note that the Witchekan Lake Band continued to spend time in the pursuit of hunting, trapping, foraging and fishing in spite of the pressures affecting the continued maintenance of these activities. At no time does it appear these land-related, traditional activities were ever entirely abandoned even when access to NFCA M-61 was restricted for approximately twenty years previous to the joint lease agreement signed in 1992.¹¹¹

5.3.7 Welfare Payments, Trapping and Sugar Beet Labour

After the signing of the adherence to Treaty Six in 1950, the introduction of welfare and the Band's participation in transient sugar beet labour altered their annual land use and occupancy cycle

¹¹⁰ NAC, RG10, Volume 8834, File 674/15-10-16-117, Part 1, Reel 9730. Various restricted files also provided financial records and correspondence between the Band and DIA over the establishment and operation of the Band Farm and its disbanding between 1951 and 1953.

¹¹¹ Respondent #5. Interview with Brenda McLeod and Leonard Tipewan, March 3, 1997. Witchekan Lake Band Files.

even further. Research conducted on sugar beet labour in Southern Alberta by Ron Laliberte demonstrated that recruitment of Indian labour for the Alberta sugar beet industry began as a joint effort.¹¹² Beginning in 1953, the Alberta Sugar Beet Growers Association (hereinafter ABSBGA) and the National Employment Service (forerunner of Canada Manpower) joined together in the recruitment scheme. The DIA was also heavily involved from the beginning of the recruitment scheme.¹¹³

By 1959, the Alberta sugar beet industry relied heavily on Indian labour from Reserves.¹¹⁴ Recruitment and transportation was funded jointly by the federal and provincial governments and workers themselves.¹¹⁵ In his thesis about migrant labour in the Alberta sugar beet industry, Ron Laliberte cited a 1969 study by Herman French who stated:

The area from which the heaviest concentration of seasonal workers came [to the Alberta sugar beet fields] appears to be northern Saskatchewan . . . [the] Canada Manpower Centre in Prince Albert estimates the following percentages of these various populations became part of the seasonal labour movement: Witchekan Lake Reserve 95% . . . Pelican Lake Reserve 90% . . . Big River Reserve 6.5% . . . Montreal Lake Reserve 25% . . . One Arrow Reserve 25% .¹¹⁶

The labour season ran from mid-May to mid-July; individuals were engaged in hard manual labour that paid poorly for the effort expended. However, it provided badly needed cash flow for Indian families. Although the work was physically demanding, it was an opportunity for families to work together, likely a welcome change from the segregation of workers from families when working for Settlers in the Witchekan Lake area. Entire families went to Alberta and worked as a unit for farmers there.¹¹⁷ However, school-aged children suffered one drawback in participating in sugar beet labour; their withdrawal from school in early May, particularly for older students, interfered with their academic progress.¹¹⁸ After 1970, policy was instituted to exclude school age children from going to the fields, but was not always carried out.¹¹⁹

¹¹² Ronald F. Laliberte, "The Canadian State and Migrant Labour In Southern Alberta's Sugar Beet Industry." (Unpublished Thesis, University of Saskatchewan, 1994), 67.

¹¹³ Ibid, 84.

¹¹⁴ Ibid, 70.

¹¹⁵ Ibid, 90.

¹¹⁶ Herman French, A Study Conducted During May and June Regarding the Education of the Children of Saskatchewan Treaty Indians Who Become Transient Labourers Sugar Beet Fields of Alberta, (Calgary: Glenbow archives, 1969), 11-12. Quoted in Laliberte, 71-72.

¹¹⁷ Respondent #7. Interview with Brenda McLeod and Leonard Tipewan, February 18, 1997. Witchekan Lake Band Files.

¹¹⁸ Respondent #18. Conversation with Brenda McLeod, February 18, 1997 and Respondent #17. Interview with Brenda McLeod, September 25, 1996. All in Witchekan Lake Band Files Both of these individuals attested to the difficulties encountered with leaving school before the end of the year; there was little choice in the matter as it was expected that families would go to the sugar beet fields.

¹¹⁹ Laliberte, 135.

As well, in Alberta, workers were included in community events such as stampedes as a goodwill gesture and enticement to return the following year.¹²⁰ While families were in the sugar beet fields, farmers provided housing and utilities for the workers and their families. Thus, some of the costs of living were absorbed by the employers and not by the family unit even though some of the facilities left a lot to be desired.¹²¹ French's study also found that workers were threatened with the termination of their welfare benefits if they refused to go to the sugar beet fields.¹²²

In 1969, the average worker cultivated one acre per day for a wage of seventeen dollars. Workers were expected to put in a six-day work week, although weather interfered as did the availability of crops at the right stage for the workers who did the thinning, weeding and hoeing of sugar beet plants.¹²³ Sometimes, workers would have days or weeks without work.¹²⁴ Before improvements in mechanization and chemical control, an estimated 115 hours was needed to produce one acre of sugar beets. This was ten times the labour needed to produce one acre of grain.¹²⁵ When working seasonally for Settlers in the Witchekan Lake area, Band members picked roots and stones, equally demanding manual labour with poor pay.¹²⁶ But by 1969, eighty percent of the migrant workers who had tried to find work close to their Reserves were unsuccessful.¹²⁷ By 1969, many experienced workers returned to the sugar beet fields on their own, as "freelancers"¹²⁸ the majority of whom by 1971, had originally been recruited to work in the sugar beet fields.¹²⁹

Being a freelancer meant that a worker actively sought to return to the labour of the sugar beet fields, without being recruited to go there. Freelancing represents the incorporation of migrant labour into an individual's labour cycle. This action definitely affected the land use and occupancy patterns of the people from the Witchekan Lake Band but also allowed them to pursue hunting and trapping for part of the year. Just as Band members adapted to accommodate the seasonal labour

¹²⁰ Alberta Sugar Beet Growers Association (ABSBGA), 1956 Annual Report as cited in Laliberte, 90.

¹²¹ Laliberte, 123 - 126. No criteria existed for housing standards and some facilities were shacks, granaries and even chicken coops with dirt floors, no plumbing or easy access to water and no refrigeration leading to a heavy reliance on canned goods for 2 to 3 months. Poor housing was justified by the poor treatment of the facilities by the workers.

¹²² French as cited in Laliberte, 100.

¹²³ Ibid, 115.

¹²⁴ Ibid, 116.

¹²⁵ Ibid, 112.

¹²⁶ The agricultural nature of both seasonal jobs meant that workers were not protected under provincial and federal labour laws; workers were exempt from the protection of 1) leaving school before statutory age 2) minimum age of employment 3) minimum wage legislation 4) equal pay 5) regulated hours of work 6) weekly rest day 7) annual paid vacation 8) public holidays 9) fair employment practices - discrimination 10) notice of termination of employment 11) Worker's Compensation 12) Unemployment Insurance benefits and 13) Labour Relations Act.

¹²⁷ John Ferguson and Barry Lipton, as cited in Laliberte, 101.

¹²⁸ Laliberte, 71.

¹²⁹ ABSGA 1971 Annual Report, as cited in Laliberte, 72.

needs of Settlers, Band members accommodated the needs of the sugar beet industry into their seasonal cycle while still engaging in some pursuit of traditional activities on the land.

As mechanization and chemical weed control improved throughout the 1980s, the demand for workers declined and workers sought employment within the industry on their own.¹³⁰ French speculated that workers returned each year because of the opportunity to make cash and for the social gathering aspect. In general, according to French, having a good time was one of the main reasons for the return to the sugar beet fields each year.¹³¹ French was not completely wrong in his assessment; the opportunity was there to make some cash as the sugar beet season followed the closing of the trapping season for the Witchekan Lake Band. However, the labour in the sugar beet fields could hardly be classed as a good time. As well, when displaced by technology, workers were forced to search for a new source of labour to incorporate into their seasonal cycle. At the same time, seasonal labour, particularly migrant labour, served to further separate the Band from its traditional lands and related activities of fishing, trapping, hunting and foraging.

Settlement in the Witchekan Lake area brought with it increased challenges for members of the Witchekan Lake Band in their pursuit of a livelihood of self-sufficiency from their traditional lands, on a full-time basis. Physical survival necessitated the accommodation of changes within the annual seasonal cycle of land use and occupancy. Traditional pursuits of trapping, hunting and gathering were not abandoned, but eventually became part-time activities. The continuation of these activities can be demonstrated in a series of map biographies carried out with members of Witchekan Lake First Nation.

5.3.8 Map Biographies

Two composite maps resulted from the map biography research undertaken with Witchekan Lake First Nation. These maps, as research products, demonstrate the importance of land and resources to the well-being of Witchekan Lake First Nation and the extent of the lands required for the community's self-sufficiency. They also provide a visual representation of Witchekan Lake's oral history as the places and activities are ones that the community revisits on an annual basis, in a regular and predictable cycle of land use and occupancy. This regular and predictable cycle has been followed by the people who live there now, based on knowledge taught to them and followed by their ancestors who were taught by their ancestors, as taught by their ancestors and so on. Thus, we see in these maps, the transmission of history and of culture, not as dead historical facts but as

¹³⁰ ABSGA 1988 Annual Report, as cited in Laliberte, 74.

¹³¹ French, as cited in Laliberte, 76.

living in people's memories, present activities and teachings that will continue to inform future generations.

From the map biographies, an approximation of the Band's seasonal cycle and a variety of species of plants, animals and fish may be ascertained. Economic activities in these areas include hunting, trapping, haying, woodcutting, grazing and ranching. Other activities for subsistence include fishing in the river near Witchekan Lake and at Pelican Lake as well as foraging for plants and berries near Witchekan Lake. Burial grounds and past settlements and camps are also evident as are ceremonial sites.

The composite areal or regional map in Figure 5.6 on a scale of 1:250,000, demonstrates the geographical range over which the Band carried out activities of hunting, trapping, fishing, berry picking, gathering herbs and plants and haying. These activities extend as far south as the northern boundary of Meeting Lake and north to Meadow Lake; Sylvander Lake is the most westerly edge while the M-61 trapping zone in the Bland Lake area defines the eastern boundary. This estimated area of the gathered data takes in approximately sixty townships; thirty-six sections in each township contain 23,040 acres of land and water mass. The encompassing sixty townships hold approximately 1,382,400 acres that Witchekan Lake First Nation utilized each year, during the course of a seasonal cycle. It is important to note that while the entire area of Witchekan Lake First Nation's traditional lands were accessed as needed in an annual cycle of land use and occupancy. The range of lands contained a variety of climatic and geographic conditions that produced the plants and animals necessary for the Band's survival in the past. Over time, government policy and outside interests produced restrictions on this area and today, Witchekan Lake First Nation struggles with many of the same problems and challenges that other Aboriginal communities face in Canada today. This utilization has continued even with imposed constraints on land and resources by state administration and policies.

Intense use and occupancy of the immediate area of Witchekan Lake area is illustrated in Figure 5.7. This composite map was compiled on a base map at a scale of 1:50,000 and includes the M-61 trapping zone which is composed of a six-mile square area around Bland Lake to the east of Witchekan Lake as well as the immediate areas around Witchekan and Sylvander Lakes. While most of the activities carried out in this area are the similar to those at the regional level, the degree to which they could be accomplished was somewhat limited by the diminished size of the Reserve, the climate and the geographical features of the land. This limitation is largely because the Reserve was surveyed and granted on a proportion of one mile for every five Band members; allocation of

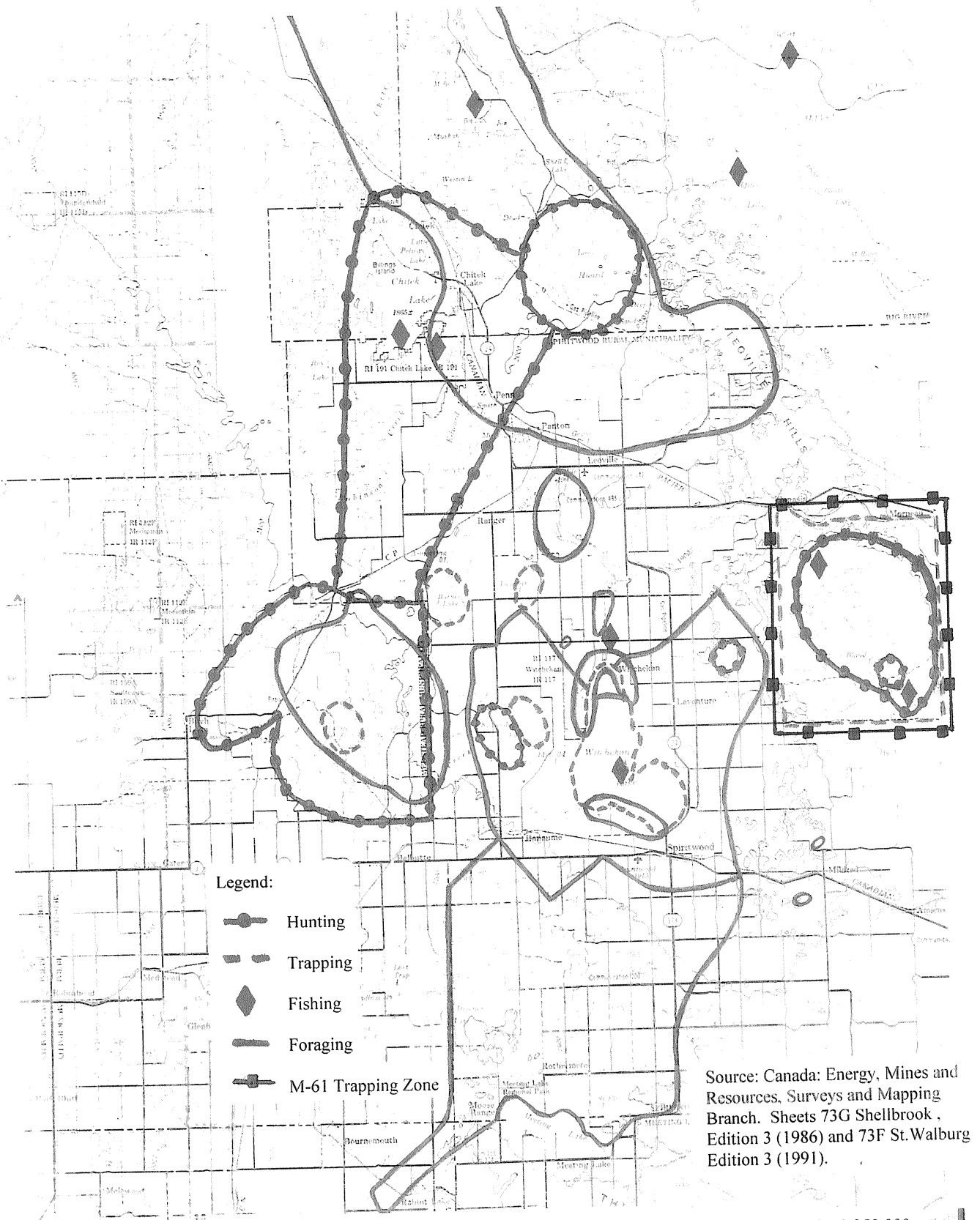


Figure 5.6 Witchekan Lake First Nation: Areal Land Use and Occupancy

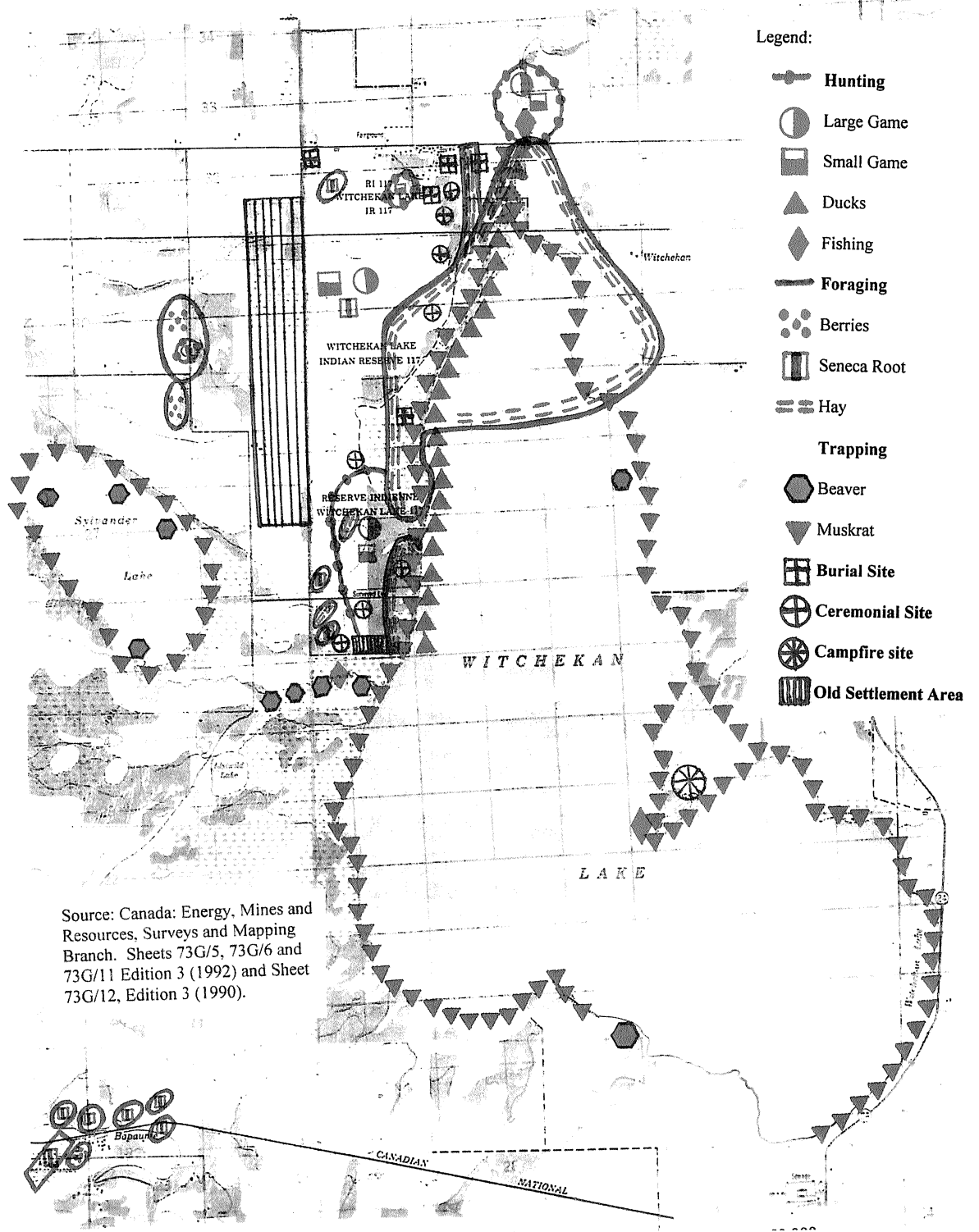


Figure 5.7 Witchekan Lake First Nation: Witchekan Lake Area Use and Occupancy

Scale: 1:50,000

the Reserve was not based on its capabilities to provide the resources needed for self-sufficiency. Clearly, Band members had to leave the Reserve lands to forage for berries and plants as well as for substantial fishing and hunting activities.

While treaties permitted Aboriginal peoples to hunt and trap anywhere on unoccupied Crown land, this opportunity decreased as settlement encroached on traditional lands. Hunting and trapping were not compatible with agriculture and the township survey system introduced land ownership, which stood in conflict with the need for large land tracts and fluid boundaries that hunting and trapping required. As well, foraging also requires large tracts of undisturbed land; the relatively small Reserve provided to the Witchekan Lake Band and the pressures of settlement caused the same problems for foraging as for hunting and trapping.

With the arrival of Settlers to the Witchekan Lake area, it is evident that there were significant and immediate changes in the pattern of land use and occupancy for the Witchekan Lake Band as changes to the Band's annual cycle had begun before the adhesion was signed. The loss of land base and the haylands as well as the lack of cash from treaty annuities and treaty benefits forced Band members to seek out their livelihood as labourers for area Settlers. The introduction of agricultural technology reduced Settler reliance on Indian labour for farm work.¹³² Later, the assigned trapping block and the adhesion to Treaty Six brought more restrictions on the time that Band members had to spend in hunting, trapping, fishing and foraging pursuits on their traditional lands. The entry of Band children into school changed how families worked together on the land at these traditional activities as women and children spent less time on the land. Men from the Band also spent less time on the land as they adapted to the demands of seasonal labour in the area. Families spent shorter periods of time on the land engaged in traditional activities while still trying to maintain meaningful participation and supplementing their income and food supply from the hunting, trapping, fishing and foraging.

The introduction of welfare payments and the expected participation of entire families in migrant labour, right after the close of the trapping season, served to remove Band members from their traditional lands in time for the lease of Reserve lands to Settlers. However, the Band's continued connection to their tiny land base and the importance of such a connection ensured their cultural and spiritual survival amidst a society that operated a cash-based economy as the Witchekan Lake Band was afforded limited or no opportunities for equal participation. Map biographies of the Witchekan Lake Band's use and occupancy of their traditional lands do demonstrate their continued connection to their traditional land base as well as their participation as migrant labourers and wage labourers in Settler forms of land use and occupancy.

5.4 SETTLER LAND USE AND OCCUPANCY IN THE WITCHEKAN LAKE AREA

Homesteading in the Witchekan Lake area was by no means an easy task as Settlers faced many challenges. Fitzgerald's study divided the pioneer settlement of northern Saskatchewan into two time periods. The first stage occurred before 1900, ranching and farming occurred in small pockets where Settlers were a distinct minority; settlement was motivated by the stands of timber in northern Saskatchewan as lumber supplies were depleted in eastern Canada and Manitoba.¹³³

The second stage of settlement occurred between 1900 and up to the end of World War One. Until 1910, a large demand for lumber encouraged the establishment of mills and lumber camps.¹³⁴ Trails developed as an extension of the railroad, especially north and south, although some were better traveled only when frozen.¹³⁵ Between 1910 and 1914, immigrants from the United Kingdom and the USA arrived in northern Saskatchewan. When the lumber industry faltered, these individuals remained in the north to farm and required surveyed land on which to settle and establish their farms.¹³⁶

By 1913, the Witchekan Lake area was known to have abundant hay around its lakeshores. The overall effect of the drop in the lake level was an increase of swampy land and hay around the lake. The presence of hay, water and wood did much to attract Settlers to the area. Hay helped to cut the costs of feeding stock in the winter but ranching efforts were challenged in some years by heavy snowfall, especially during the 1930s and 1950s.¹³⁷ Fitzgerald noted that Settlers faced limitations in their agricultural pursuits in the Witchekan Lake area due to poorly drained and swampy soil composed of stony materials left by glacial retreat.¹³⁸ However, it is Fitzgerald's contention that the greatest limitation Settlers faced was the climate itself.

5.4.1 Ethnicity

Settlers who came to the Witchekan Lake area were not a homogeneous group. Studies in race and ethnic relations tend to discuss relationships between ethnic groups. Ethnicity is a difficult concept to operationalize as it is the product of an individual's value system, connected to an

¹³² Respondent #12. Interview with Brenda McLeod, February 21, 1997. Witchekan Lake Band Files.

¹³³ Fitzgerald, 132.

¹³⁴ Ibid, 135. The winter population of northern Saskatchewan increased as a series of lumber camps were situated ten to twelve miles apart with 175 to 200 workers per camp.

¹³⁵ Ibid, 147.

¹³⁶ Ibid, 134.

¹³⁷ Ibid, 258.

underlying belief system, culture, social customs, political impacts and geography. As previously explained, the Witchekan Lake Band is not treated as an ethnic group in this study. Furthermore, this project did not treat the ethnicity of Settlers in a traditional manner of cultural group but in terms of geographical birthplace. An examination of the homestead records reveals that Settlers, as a group, came from different parts of the world and different areas in North America to the Witchekan Lake area.

Some Settlers were born in another location and came as adults to Witchekan Lake; others came as children and teenagers and remained to file homesteads in the area. As well, the Settlers were from such varied places and ethnic backgrounds that it was difficult to establish a common culture, set of social customs, belief system and political orientation amongst Settlers as a whole. Thus for the purposes of studying land use and occupancy in this thesis project, the ethnicity of each Settler was assigned according to the geographical location of birthplace in the categories of American, European and Canadian.

Settlers came to the Witchekan Lake area primarily to engage in ranching, cultivation of the land or mixed farming. Based on information provided in the homestead entry and patent applications, the majority of Settlers appear to have been raised in their birthplace or a nearby area. The majority of Settlers appear to have moved into communities near the Witchekan Lake area, spending a relatively short time in these communities before filing on a homestead in the Witchekan Lake area. This was especially true for Settlers who came to the area from the USA and other parts of Canada. European Settlers tended to have had a longer sojourn in other parts of Canada before homesteading at Witchekan Lake.

Given the timespan between arriving in nearby communities and filing on a homestead in the Witchekan Lake area, there was little time for Settlers to change their orientation towards land use and occupancy. The understandings Settlers brought with them upon relocation would have informed and guided their choices and actions around their homestead activities. Settlers brought with them a variation of experiences in these land-based activities; a few were without previous farming experience while the homestead records show a majority of the Settlers stating their previous occupation as a farmer or farm labourer. Settlers brought to their homesteads past life experiences with these activities and interaction with the geographical places where they were raised and lived.

Within the European group, there were differences in their immigration experiences due to a differential and evolving immigration policy of the Canadian state.¹³⁹ Canada's immigration

¹³⁸ Ibid, 35.

¹³⁹ Scholars have written about the degree of discrimination within Canadian immigration policy. For

history reveals that previous to the late nineteenth century, non-British and non-French groups were not a significant proportion of the Canadian population.¹⁴⁰ The dominant presence of immigrants with a British background reinforced Anglo-Canadian identity in terms of culture and population proportion. This identity was firmly in place when large numbers of other western Europeans settled on the prairie provinces during the 1800s. Immigration to this area began with German and Dutch groups followed by east and central Europeans, in particular, Ukrainians. At the same time, the early 1900s saw significant numbers of Americans seeking land in Canada.¹⁴¹

Canada aggressively sought American immigrants and Americans regarded homestead lands in Canada as their last frontier in which to fulfill their manifest destiny.¹⁴² However, all prospective immigrants still had to raise the means to travel to the Witchekan Lake area. Americans faced less stringent naturalization and immigration regulations than some of the European immigrants and Americans were actively encouraged to immigrate to Canada during the years that the Witchekan Lake area was thrown open to ranching and homesteading.¹⁴³ Canadians and Americans had a less demanding travel schedule and arrangements to make in terms of arriving to homestead or take up ranching as compared to individuals coming from Europe. However, the earliest archival information indicates that Americans also came in the early 1900s to the Witchekan Lake area to ranch, before homestead surveys were undertaken.¹⁴⁴

5.4.2 Origins of the Settler Community at Witchekan Lake

In examining of the ethnicity of the Settlers who immigrated to the Witchekan Lake area between 1911 and 1930, homestead records show that of 145 Settlers, thirty-nine were American, thirty-two were European and seventy-four were Canadian. In the European group, British immigrants numbered fifteen, the French totaled eleven with two Scandinavians and four East

example, see Jean R. Burnet and Howard Palmer, *Coming Canadians: An Introduction to a History of Canada's Peoples* (Toronto: McClelland and Stewart, 1988). Martin N. Marger also has a detailed discussion about ethnic stratification and its origins within the Canadian immigration history in *Race and Ethnic Relations: American and Global Perspectives* (Belmont, Cal.: Wadsworth Publishing Company, 2nd ed., 1991).

¹⁴⁰ Marger, 450.

¹⁴¹ Burnet and Palmer, 27. Canadian homestead regulations were more relaxed and the cost of land considerably cheaper than in the USA. Estimates are that some one million immigrants came to Canada from the USA between 1901 and 1914. According to Burnet and Palmer, some were returning Canadians and some were Europeans.

¹⁴² Wrobel, 86-87.

¹⁴³ Burnett and Palmer, 27. The area was thrown open to homesteading in the later months of 1911 and early in 1912.

¹⁴⁴ Fitzgerald, 153. The presence of Settlers before the Witchekan Lake area was opened to homesteading was supported by accounts in the three local history books as well as scattered references

Europeans. The Canadian group was composed of twenty-two from eastern provinces, thirty-three French Canadians and nineteen from the western provinces. In terms of population proportions, it is fair to say while Canadians clearly compose the majority of the Settler population, their numbers are split in three ways in terms of geographical orientation, with neither of these three groups, alone, outnumbering the Americans. Americans were in a better position than the majority of the other Settlers as “Many of [them] brought capital; all of them brought experience in dealing with North American conditions and were able to provide advice and support to neighbours.”¹⁴⁵ A number of American Settlers in the Witchekan Lake areas brought cattle with them for the purpose of ranching and were regarded as affluent as opposed to the “have-nots” which comprised the majority of the area Settlers.¹⁴⁶ The status of affluence was attributed to the fact that a number of local Settlers often were employed by these ranchers, providing Settlers with much needed cash.

In the analysis of land use and occupancy in the Witchekan Lake area, we need to consider the dynamic role played by the interests of the Canadian state and the concept of land tenure held by American Settlers that came to the Witchekan Lake area. American Settlers constituted a significant numerical presence, bringing with them intentions to ranch in an area known as “fine ranching country.”¹⁴⁷ They also brought livestock, capital and experiential knowledge of how to ranch in the North American climate. At the same time, Canadian state policy supported and encouraged such ventures, leaving Americans in the advantageous position of establishing ranching in the Witchekan Lake area. American Settlers and ranchers also came with attitudes towards Aboriginal peoples, grounded in a history that had removed Indian peoples from their traditional lands in order to clear the way for settlement.

American history was set in the ideology of manifest destiny, beginning in the 1830s and enjoying a revival during the homesteading period at Witchekan Lake. American Settlers brought this history with them to the Witchekan Lake area. American Settlers, combined with European Settlers, predominately of British extraction, and Canadians influenced by British colonial ideology of the frontier cultural complex, drew up a petition in protest to the 1913 ORS of the Witchekan Lake Reserve. The petition text demonstrates the characteristics of these two related ideologies. The petition reads:

We the undermentioned petitioners desire to put on record our protest against the granting by the Government, of all of the hay land surrounding Witchekan Lake, to the Indians of this District for a Reserve. We fully believe that if the Reserve takes in the hay land that it will be

in surveyors’ records.

¹⁴⁵ Burnet and Palmer, 27.

¹⁴⁶ *Pioneers and Followers*, 132. One Settler, describing himself and most of his cohorts as “have-nots” remarked on the affluence of local ranchers, many of whom came from the USA.

¹⁴⁷ *Saskatchewan Herald* (Battleford), 4 November, 1911, 10. SAB, Reel 256.

to the detriment of the settlement of this District, by keeping out Settlers who would bring in stock and depend on the hay. As for ourselves the majority of us would not have taken up land in this vicinity if we had of once thought that all of the hay land would be handed over to the Indians who by the way have no stock with the exception of a few ponies. We do not object to the granting of a Reserve to the Indians as long as it is in a block and does not take in all of the hay. Hoping this petition will be favorably received.¹⁴⁸

While the petitioners do not oppose the setting up of the Reserve, the petition presents an air of competition around the hay resource. The petition clearly assumes the superiority of Settler land occupation and that Settlers with stock would make better use of the hay land. These two assumptions reflect the attitudes and values about land use and occupancy that are associated with the ideology of manifest destiny. In particular, the petition refers to higher levels of development in the ideology of manifest destiny – the principles of territorial utilization and political interference, justified by the belief that people of other races were not capable of developing resources to their potential. The earlier principle of cultivation, also found in manifest destiny ideology, is not demonstrated, likely because cultivation is not associated with ranching, an occupation for which Witchehan Lake was well-known.

There is also a small echo of the attitudes of paternalism and benevolence found in the frontier cultural complex towards the granting of the Reserve to district Indians. Its placement in the petition and the relatively small reference to the Reserve depict this concern as an afterthought or may not have been supported by the majority of petitioners. It is possible that this clause was added as a concession to some petitioners in order to obtain their signatures. Noticeably absent from the petition signatures are the signatures of French Canadian homesteaders who were at Witchehan Lake in 1913. If the petitioners primarily made their protest in the interests of fairness, the lack of objection to the granting of the Reserve should have been placed near the front of the petition to invoke the government's sympathy for the breach of fairness that had occurred in the circumstances of the Reserve survey. Instead petitioners were intent on retaining access to these haylands, reminding the government of their vital role in settlement of the lands as well as their self-sufficiency and independence. The tone of the petition communicates an air of political betrayal as it leaves the impression they were promised homesteads but not informed about the Reserve. However, the overwhelming attitude of the petition is not paternalism and benevolence but one of arrogant assumption – more reminiscent of manifest destiny. This attitude is characteristic of the way in which Aboriginal peoples were treated by the government and Settlers in the USA.

The source of such an ideology being transplanted to the Witchehan Lake area lies in the group of American Settlers who were amongst the first to arrive in the Witchehan Lake area, most ahead

¹⁴⁸ Petition, Witchehan Lake area Settlers to Minister of the Interior, Ottawa, December 20, 1998.

of the Dominion land survey in 1912 and the ORS in 1913. Given the history of violent relations between American Settlers and Aboriginal peoples in the United States, it is safe to assume that Americans who came to the Witchekan Lake area carried the legacy of that history and were not appreciative of the presence of the Witchekan Lake Band. By this time period, Aboriginal peoples had been cleared off of settled lands in the midwestern United States. Thus, American Settlers to the Witchekan Lake area likely assumed the same fate awaited the Witchekan Lake Band and did not concern themselves with the Band's presence until the ORS in 1913. Petitioners clearly assumed a position of political interference that is characteristic of manifest destiny.

The petition accused the Band of hoarding the haylands; there is no evidence to support this accusation. On the contrary, while some people did record payment to the Band for hay before the Township survey the Band permitted some Settlers in the area to graze on the lands without the collection of payment for the use of the haylands, after this survey.¹⁴⁹ Consideration of the rights of the Witchekan Lake Band to those same haylands is conspicuously absent in the wording of the petition. It begs the question of why should the government bother to allocate the Witchekan Lake Band a Reserve at all?

Previous to the 1913 petition and the Dominion Land Survey of these townships, the Indians in the area had been accustomed to receiving payment for hay that ranchers took from the haylands.¹⁵⁰ Surveyors also noted that they used hay from the Witchekan Lake area but there is no indication if they paid for it.¹⁵¹ It is logical to assume that the Witchekan Lake Band was a likely recipient of any such payments, if not the only recipient. Furthermore, the DIA had knowledge that the Chief of the Witchekan Lake Band had stated that he was counting on the lease of the haylands or the sale of the hay once the Reserve had been surveyed. It is not unreasonable to assume that Settlers and ranchers knew of the Chief's plans to exercise economic control over the haylands. Certainly, the 1913 Settler petition anticipated the Band's economic control over the haylands; both the Band and Settlers recognized the economic value of the haylands.

The wording of the petition ignores the tradition of the Royal Proclamation and the treaties, both of which recognize the inherent right of Aboriginal title, based on the first occupancy of lands by Aboriginal peoples. The petition assumed that Settlers and ranchers had rights to the haylands

NAC, RG10, Volume 7767, File 27107-11.

¹⁴⁹ Respondent #12. Interview with Harry Nicotine, June 11, 1976. Witchekan Lake Band Files.

¹⁵⁰ *Pioneers and Followers*, 74. This passage gives an account of a pre-survey rancher by the name of Harry Diehl who came from Marcellin to graze cattle and put up hay in the Witchekan Lake area. Mr. Diehl is reported to be one of the earliest ranchers and white men in the area and paid the Indians twenty-five cents per ton of hay in 1908. He remained in the area until the Spring, 1913 when he burned off the meadows in the Witchekan Lake area; the fire spread to Big River and surveyors moved into survey the area.

¹⁵¹ SAB, R190.6, Surveyor Diary, File 12317, E.W. Hubbell, December 4, 1911.

without due compensation or consideration of the rights of the Witchekan Lake Band to those same haylands. The basis of these assumptions more closely resembles the principles within manifest destiny than the paternalism and benevolence of its Canadian counterpart, the frontier cultural complex; manifest destiny was part of the historical and geographic experiences of American Settlers alone. While clearly not the majority ethnic group in the Witchekan Lake area, Americans were the early arrivals that combined with their the experience of a similar climate and land as well as the capital and/or livestock they brought, placed them in a position of socio-economic prominence.

This set of circumstances led to the establishment of a particular type of land tenure in that the Canadian state appears to have adopted a reluctant attitude towards the land rights of Aboriginal peoples in the Witchekan Lake area.¹⁵² Given the turn of events in the Witchekan Lake area during the homesteading era that ignored the existence of Aboriginal land rights, it is possible to assert that the ideology of manifest destiny that informs American land tenure became established first. The prolonged period of Reserve creation and its official recognition as well as the absent pursuit of treaty adherence portrays the Canadian state as disregarding Aboriginal land tenure, basing its assertion on economic advantages for the Settlers and not on paternalism or benevolence towards Aboriginal peoples.

Furthermore, based on geographical location before arrival in the Witchekan Lake area, American Settlers from the midwestern USA were numerically a majority over any other group of Canadians or Europeans as a whole. The timing of the arrival of American Settlers in the Witchekan Lake area allowed for the predominance of midwestern American attitudes towards land use and occupancy during the homestead era. Armed with experiences around ranching in similar social and geographic conditions, Americans in the Witchekan Lake area were in a position to significantly influence their fellow Settlers as to how the Reserve and the haylands should be treated.

5.4.3 Institutional Completeness

The presence of a pluralist Settler group was due to the fact that homesteading did not occur in the Witchekan Lake area until after 1911, a time when the immigration policy of Canada had allowed for a wide variety of immigrant groups to enter the country. The multicultural composition

¹⁵² Sharon Venne, "Understanding Treaty Six: An Aboriginal Perspective." In *Aboriginal and Treaty Rights in Canada: Essays on Law, Equity, and Respect for Difference* ed. Michael Asch: 173-207 (Vancouver: UBC Press, 1997), 185. The right of Aboriginal peoples to land in Canada was first recognized in *The Royal Proclamation (1763)*.

of the Settler group posed some problems for group unity. Canada's immigration policy set up a hierarchy of Settler groups based on the desire to keep a British influence in Canada. Settlers to the Witchekan Lake area brought this imposed hierarchy with them, creating a source of division rather than unity. As well, a number of the countries from which these Settlers came had experienced conflict and disruption to national identity that the Settlers brought over with their baggage. Out of a variety of cultural backgrounds and mixed identities, Settlers also had to establish an identity of time and place with the land in their new location. For the Settler group, social supports and institutions to maintain identity were all conspicuously absent and needed to be recreated.

The strength of a group's identity is indicated by the degree of completeness of societal institutions, and affects perceptions about and reactions to other groups. The Settler community regarded the Witchekan Lake Band as a threat to the establishment of Settler society and placed their rights to the lands and resources in the Witchekan Lake area ahead of the Band. However, the Settler community arrived within the Witchekan Lake Band's traditional land area with incomplete societal institutions to support their assumed dominance. At the time of their arrival, there were no schools, churches or community centres, and neither was there the supportive network of family and friends to provide the sense of identity and shared values for Settlers. The differences in perceptions and experiences Settlers had as immigrants to the Witchekan Lake area contributed to the formation of a group held together by loose associations with each other; communities and social institutions had to be reconstructed out of these loose associations.¹⁵³ Economic commonalities united the Settler group; collectively they formed a common value system towards the use and occupancy of the land, including the Reserve selections in the Witchekan Lake area.

In direct contrast, the Witchekan Lake Band, in its homeland, was supported by complete societal institutions and by extended kinship networks. Witchekan Lake First Nation, as a group, was strongly united in its value system towards land use and occupancy within its traditional lands in the Witchekan Lake area. These institutions were tied directly to the land base itself while only the economic and political institutions were tied to the land for the Settler group. The language spoken amongst members of the Witchekan Lake Band was virtually the same and their sense of identity, in relation to each other, was not an issue. As well, Witchekan Lake First Nation had not experienced the same threats to its identity or sense of unity as a group although basic individual differences existed as they did in the Settler group. The breadth of individual differences was significantly less for the Witchekan Lake Band because of extended family networks and its low degree of pluralist composition. The strength of that unity was due to the presence of social, political, economic, cultural and spiritual institutions (SPECs). As a complete society, Witchekan

Lake First Nation possessed a strong base for group autonomy, expressed in terms of land use and occupancy according to a distinct and different value system from the newly emerging Settler community.

The lack of Settler families with which to reconstruct a community lifestyle affected the relations between Settlers and the Witchekan Lake Band. Both groups viewed each other as competition but the basis of reaction differed. The stance of the Settler group was defensive and reactive to the perceived competition of the Witchekan Lake Band for control over the resources of the land. In contrast, Witchekan Lake First Nation reacted to perceived changes to resource access that would affect their survival; their stance was proactive and one of accommodation, arising largely out of a difference in land tenure. Each Settler intensely used and occupied a mere 160 acres to meet basic needs while Witchekan Lake First Nation used and occupied a territory of thousands of acres to meet its needs. Settlers were legally limited in their access to resources in the area needed for survival while before restrictions, the Witchekan Lake Band was able to access a larger territory, rich in the quality and abundance of its resources.

The marital status of incoming Settlers is an important consideration when examining land use and occupancy in the Witchekan Lake area. A good number of the Settlers were single men; only a small number of married homesteaders had young families. The lack of a significant number of families further delayed the construction of societal institutions to nurture and support a sense of common identity amongst Settlers. The presence of families in newly settled areas was important in establishing communities and building societal institutions in these communities. Settlers with families required schools to educate children, churches for spiritual and social support as well as halls or community associations where people could gather socially, politically and culturally. Settlers were united in political action in having school districts established as well as the building of roads and infrastructure to support their access to these institutions.

Table 5.5 illustrates a breakdown of the marital status of Settlers in the Witchekan Lake area, by their ethnicity, as defined within this project. Of the total entries between 1911 and 1930, twenty-six percent were American, twenty-one percent were European and forty-nine percent were Canadian. In terms of marital status, single homesteaders comprised sixty-four percent of the entries, the greatest percentage of which were Canadian. Only twenty-five percent of Canadian entrants were married while fifty-one percent of American entrants were married. The majority of the Settlers in the Witchekan Lake area were single, with little need for and few resources to construct institutions or even establish a permanent sense of community.

¹⁵³ Palmer, vi.

Table 5.5 Marital Status of Witchekan Lake area Settlers, 1911 to 1939, by ethnicity.

Marital Status	Ethnicity*		
	American	European	Canadian
Single	19	22	52
Married	20	9	19

Source: SAB. S-6.17, Homestead Files.

* Ethnicity is determined by place of birth of each Settler. Marital Status was available for 141 out of 145 Settlers as declared at the time of Homestead Entry.

Many of the Settlers declared themselves as single at the time of entry on their homesteads, only to declare themselves married with one or more children by the time they applied for patent on their homesteads. Given the low number of families in the area, single Settlers likely had to leave their homesteads to find marriage partners which meant that Settlers spent less time in the Witchekan Lake area than they would have, had they been married and raising families.¹⁵⁴ The predominance of single Settlers hampered the establishment of communities and the recreation of societal institutions for the establishment of Settler society.

5.4.4 Residency and Occupancy

Actual residency on homesteads is also an important point in examining land use and occupancy conflict between Settlers and the Witchekan Lake Band. In the Witchekan Lake area, a number of Settlers left and returned at regular intervals; some Settlers also left their homesteads for extended periods of time on a regular and frequent basis. In order to meet the requirement of six months annual residency on the homestead, some Settlers stayed on their homesteads for the winter months and left after spring seeding, returning for harvest or later in the fall. Without a community base from which to operate, single Settlers frequently left their homesteads for extended periods of time to find wage work to be able to continue to improve their homesteads but, also to renew ties with family and friends who lived in the communities Settlers left to relocate at Witchekan Lake.

¹⁵⁴ Local history books recount many instances of young single men leaving to be married in other

Table 5.6 lists the various types of residency and the average number of months single and married Settlers spent on their homesteads, between the date of entry and the date of application for patent. In order to apply for patent on their homesteads, Settlers were required to cultivate fifty acres of their allotted 160 acres and to live on their homestead for six months out of every twelve months for a period of three years (thirty-six months).¹⁵⁵ Government regulations were initially set up to allow three years or thirty-six months between entry and patent application.

Table 5.6 Settler Residency on homesteads in the Witchekan Lake area, 1911 to 1939, by marital status.

Marital Status	Type of Residency (Average Number of Months)			
	Continuous	Seasonal	Vicinity	Absent
Single	116	32	116	82
Married	173	85	110	55

Source: SAB, S-6.17, Homestead Files.

Continuous = Homesteaders who resided on their homestead without any absence from time of Entry to date of application for patent.

Seasonal = Homesteaders who left their homesteads for regular and frequent intervals from the date of entry to the date of application for patent.

Vicinity = Homesteaders who never resided on their homestead but lived in the area with relatives during the entire period between entry and date of application for patent.

Absent = Average number of months homesteaders were absent from their homesteads from entry to date of application for patent.

These averages are based on residency data given by 52 Settlers on their Applications for Patent.

Many Settlers in the Witchekan Lake area exceeded the expected three years to qualify for patent by nearly double during the period of 1911 to 1939. Married Settlers with continuous residency on their homesteads resided on their homesteads an average of 173 months before being granted patent to their homestead; single continuous residents spent an average of 116 months before receiving patent. Those Settlers taking the least amount of time to receive patent were single

communities and sometimes, outside Canada. The absence of local clergy likely contributed to this trend.
¹⁵⁵ Kirk N. Lambrecht, *The Administration of Dominion Lands, 1870-1930* (Regina: Canadian Plains

and married Settlers with seasonal residency, requiring thirty-two and eighty-five months, respectively before receiving patent. Overall, married Settlers tended to spend time on their homesteads continuously and were less likely to abandon their homesteads. Although both married and single homesteaders left to look for wage labour, the families of married Settlers stayed at the homestead, thereby fulfilling residency requirements.

Settlers took possession of quarter sections and failed to use and occupy those lands to the fullest potential for significant time periods when the Witchekan Lake Band could have made use of those same lands and resources. Furthermore, Settlers tended to be absent during the summer months when Band members moved around on the lands and could have harvested resources and occupied the lands under homestead. Settlers entered on quarter sections only to be absent from homesteads, on average from fifty-five to eighty-two months, before qualifying for property ownership. Thus, Settlers were not using the lands and resources of their homesteads for survival or self-sufficiency for approximately four and one-half to over six and one-half years, in total. Clearly, many Settlers took considerably longer than three years to fulfill residency requirements and did so without threat of loss to their use and occupancy from the Witchekan Lake Band or government officials.

In contrast, members of the Witchekan Lake Band used the resources these lands provided for their survival and self-sufficiency and had undisputed occupancy and ownership of the lands and resources until the arrival of Settlers. As long as Settlers had registered entry on these lands, the Witchekan Lake Band was denied access to these resources for their own use or to sell for cash. Settlers without livestock and those with prolonged absences from their homesteads had no use for the resources, particularly the hay, but had the support of the state in denying Band members access to the lands and resources for survival and self-sufficiency.

Homestead regulations were modified many times in the ensuing decades so that Settlers would have less physical and financial stress in qualifying for patent.¹⁵⁶ One modification to homestead policy that figured significantly in the Witchekan Lake area occurred in 1912 when the newly elected Conservative government announced its intention to boost the ailing Canadian cattle industry by revising grazing leases through changes to the *Dominion Lands Act*.¹⁵⁷ This policy revision also helped to encouraged more settlement in areas to which it was otherwise difficult to attract Settlers. Particularly in the Witchekan Lake area, there was little available to offer to Settlers except for open homesteads as the climate, growing conditions and lack of infrastructure

Research Center, 1991), 118.

¹⁵⁶ Lambrecht, 22-24.

¹⁵⁷ *The Saskatchewan Herald* (Battleford), Volume XXXIV, No. 2, Whole No. 1521, 11 September 1912, 1. SAB, Newspaper Index, Reel 256.

did not make the area attractive to established Settlers in the southern parts of the province and the USA.

However, a shortage of available homesteads and the high costs of purchasing land in these established areas contributed to the migration of Settlers to the Witchekan Lake area. As well, policy revisions to the *Dominion Lands Act* made ranching homesteads an attractive option in the Witchekan Lake area; those Settlers with capital to pursue ranching found abundant haylands to support their venture. Terms for acquiring a patent on a homestead using stock were relatively easy compared to the Settler who was attempting to acquire patent on a homestead through cultivation and residency.¹⁵⁸ By April, 1914, an amendment was made to the *Dominion Lands Act* which made the policy official.¹⁵⁹ Unfortunately, the timing of the new legislation coincided with the protest and investigation over the boundaries to the newly surveyed Indian Reserve at Witchekan Lake. American Settlers were arriving in Canada in droves during this time period and those arriving in the Witchekan Lake area took advantage of the change in policy that allowed ranching to fulfill patent regulations on homesteads.¹⁶⁰ The reputation of the Witchekan Lake area as good ranching country likely did much to encourage Settlers to relocate there.

The process of applying for patent had three stages; first, a Settler had to enter on a homestead, fulfill the requirements of residency, cultivation and erect a house of minimum specified value. Once these conditions were met, an application for patent was filed by the Settler and supported by sworn statements by two neighbours who lived within a specified range of the applicant. The application was submitted to the Lands Patent Branch of the Department of the Interior for consideration and if successful, the applicant received title to the homesteaded quarter section. An examination of Table 5.7 shows that the average length of time it took Settlers to file for patent after homestead entry increased over time as did the time between the Settlers' entry date and receipt of patent or title to homesteads in the Witchekan Lake area. The date of homestead entry was selected as this was the point at which lands became occupied Crown lands and were not available for use and occupancy by the Witchekan Lake Band.

¹⁵⁸ Lambrecht, 118-119. In 1914, the cultivating homesteader was required to 1) pay a \$10.00 fee upon entry 2) pay for any improvements upon entry if taking over a previous homestead 3) reside on his homestead six months per year for three years 4) cultivate fifty acres in three years and 5) erect a house worth at least \$300.00 in order to apply for patent. By contrast, a homesteader using the option of raising stock, had to own the stock he kept on his homestead; the first year, a minimum of five head of stock, the second year, ten head, the third year, sixteen head, twenty in the fourth year and twenty-four in the fifth year. Stock could be cattle, horses, sheep and hogs; one head of cattle or one horse equaled ten hogs or sheep. The stock had to be kept on the homestead for summer grazing or winter feeding and buildings erected to accommodate the number of stock kept.

¹⁵⁹ *The Saskatchewan Herald* (Battleford), Volume XXXVI, No. 14, Whole No. 1595, 3 April 1914, 7. SAB, Newspaper Index, Reel 257.

¹⁶⁰ Burnett and Palmer, 27.

Table 5.7 Time lapses for patented lands in Witchekan Lake area, 1911 to 1949.

Decade	Time lapses (Average Number of Months)		
	Entry to Application	Application to Issue	Entry to Issue
1911-1919	N/A	N/A	40.25
1920-1929	63.11	6.33	67.69
1930-1939	68.70	15.55	84.49
1940-1949	89.54	38.00	110.25

Source: SAB, S-6.17, Homestead Files.

Time lapses are calculated in average number of months from dates declared at the time of Entry and Applications for Patent on homesteads. Calculations are based on data from Patent Applications of 52 Settlers.

Entry = date homestead application filed
 Application = date of application for patent
 Issue = date patent or grant was issued

A substantial increase in time lapse is noted after 1930 when the province began to administer the lands, particularly in the time between the application and the date of issue of the patent/grant. During the 1940s, leasing became more popular and likely contributed to the long period of time between entry and application. With the arrival of homesteaders and ranchers to the Witchekan Lake area, members of the Witchekan Lake Band faced immense changes to their access to lands and resources in the Witchekan Lake area. Sharing these lands and resources was inevitable with arrival of the newcomers and there is little evidence to support any notion that the Band was prepared to prevent or even interfere with Settlers.

However, the Band did demonstrate some duress over the coming of Settlers as the Chief stated in his 1912 letter to McKay that the Band required a Reserve at this point, with the increased presence of ranchers and Settlers to the area. Until Settlers arrived, the Witchekan Lake Band made its living by hunting; settlement of the lands diminished the land base available for hunting. Both the Band and Settlers recognized the value of the vast haylands around the lake; the Band, as a means to supplement their loss of hunting lands and Settlers, as a subsidy for raising livestock on homesteads with poor crop returns. Needless to say, lands and resources, desired by both parties as

the means to shore up lagging livelihoods, resulted in an atmosphere of competition and eventually, conflict. Subsequent developments in government land policy encouraged the continuation of conflict between Settlers and Band members, some of which was inherent in the differences in the approaches and values the Band and Settlers applied to the use and occupancy of the lands in the Witchekan Lake area. Conflict was enhanced by the fact that government land policy, under the jurisdiction of the federal government, tended to favour the requests and needs of Settlers over Aboriginal peoples. This bias occurred within the Department of the Interior that administered lands for Indian peoples and Settlers.

5.5 ALIENATION OF SELECTED LANDS FOR RESERVES

Surveying first began in the Witchekan Lake area in 1911 and was completed by 1914. Homesteads registered before the ORS of October, 1913 were located at NE 10-51-11, NW 18-51-11, SW 36-51-11, NE 16-52-11 and NE 20-52-11.¹⁶¹ All of the Reserve selections, including the ORS for the Witchekan Lake Band compose the study area that was examined to determine what happened to these selected lands upon their alienation as Reserve lands. The study area, as shown in Figure 1.1, consists of 319 quarter-sections of land, concentrated in Townships 51 and 52, Range 11, with portions of the same townships in Ranges 10 and 12. Specifically, the land under study consists of Sections 6, 7, 18, 19, 30 and 31-51-10; Sections 6 and 7-52-10; All of 51-11; Sections 1 to 12, 16 to 20, SW 21, South half 29 and 30-52-11; Sections 13, 14, 23 to 26, 36 and 36-51-12 and Sections 1, 2, 12, 13, 14, 23 to 26-52-12, all West of the Third Meridian (W3M).

Alienation of the selected Reserve lands began in the immediate area of the lake and is presented in a series of eight maps in Figures 5.8 to 5.15, inclusive. These maps show the alienation of the quarter sections within the various Reserve selections and depict land use by the Settler community in the study area. Each map contains information for a specific time period; the first is for a time period of nine years with the other time periods for ten years each. Mapping intervals begin in 1911 as Settlers were already squatting on these lands before the completed township survey in 1913. The first time period, illustrated in Figure 5.8, shows mainly grazing and homesteads on the newly surveyed lands with only seven patented quarters of land although sixty quarters were under homestead entry and two quarters were leased. Homesteads were predominately located on the east side of the lake; there were no homesteads at the south end of the

¹⁶¹ Intradepartmental Memo, M.B. Sheppard to J. Johnston, Lands Patent Branch, Department of the Interior, October 11, 1913. SAB, S-6.17, File 1215019, Reel 827.

lake. Grazing lands were concentrated at the south end of the lake and extended north along the west side of the lake, to the boundary between Townships 51 and 52.

Land use during the 1920s, as shown in Figure 5.9, demonstrates thirty-seven quarters under homestead entry with patents to eighty-three quarters and approximately the same amount of land reserved for grazing as in the previous time period. Six quarters were leased, two of which gained patent in this time period. Grazing remained concentrated in much the same area but Settlers managed to homestead twenty-five quarters at the south end of Township 51, Range 11. Approximately half of the homesteads entered on in the 1920s received patent in this same time period.

The 1930s yielded nine homestead entries with four land grants issued for these entries; additional patents were issued for thirty-nine quarters. Figure 5.10 emphasizes that grazing lands were still a significant land use as additional quarters were allocated for grazing as well. There were fourteen quarter sections under lease and while leasing was a not a new form of land use, it is significantly increased during this time period, likely a reflection of the poor economic times. By contrast, Figure 5.11 indicates a significant decline in grazing area in the 1940s, particularly in Township 51, Range 12; two quarters were under homestead and were issued grants while fourteen other quarters were issued land grants. There were twelve leases with all but two acquiring land grants.

The 1950s marked the end of the homesteading period. Further policy development is shown in Figure 5.12 with the creation of the Bapaume Community Pasture was established out of former grazing lands in 52-12 and 51-11. The rest of the grazing lands from the 1940s remained and thirteen quarters received land grants for title. Overall, in Figure 5.12, there was a significant reduction in Settler ownership of lands. Most of the lands formerly patented came under lease from the Crown with only four under time-sale agreements. During the 1960s, time-sales with land grants increased to seventeen with four quarters committed to an irrigation project at the south end of Witchekan Lake. The location of these quarters in Figure 5.13 suggests that this project was undertaken to assist the Bapaume Community Pasture and grazing lands in general as all are located at the southwest end of Witchekan Lake. Leases increased very slightly to 119 with land grants awarded to seventeen quarters. Seven quarters of grazing lands at the south end of the lake were leased by the end of the time period.

A large wetlands project was proposed with Ducks Unlimited in the 1970s; the extent of the project is illustrated in Figure 5.14 and for the most part, involved the lake itself and marshy lands in Township 51, Ranges 11 and 12 and Township 52, Ranges 11 and 12. Out of the rest of the quarters, twenty-one quarters were listed as additional land grants. During this decade, the local

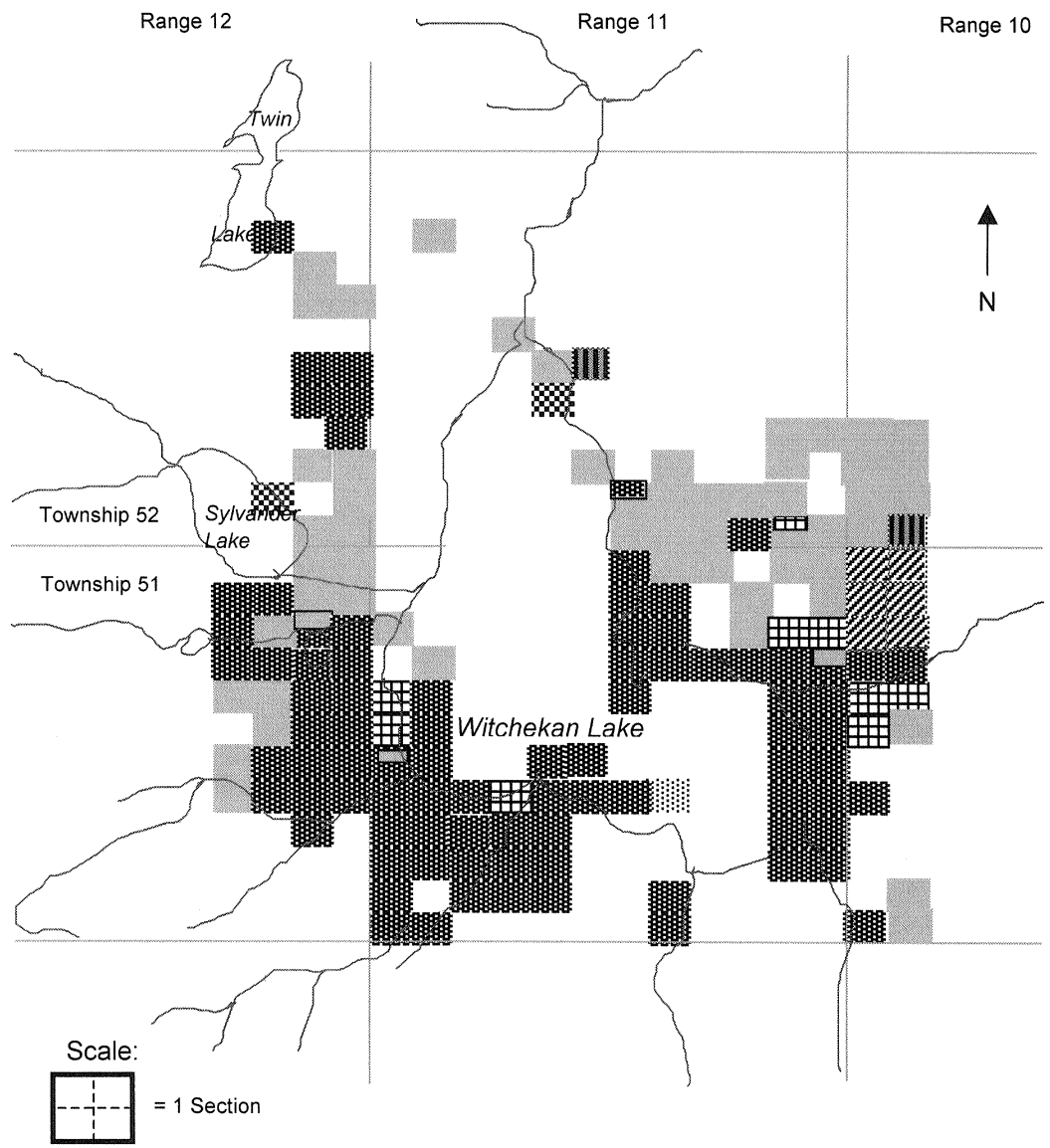










Figure 5.8 Settler Land Use and Occupancy in Witchekan Lake Area, 1911 to 1919

- Legend:
- | | | | |
|---|----------------|---|--------------------------|
|  | Squatter Claim |  | Homestead |
|  | Grazing |  | Patented |
|  | Hay |  | Soldier Settlement |
|  | Lease |  | Permit of Unknown Nature |

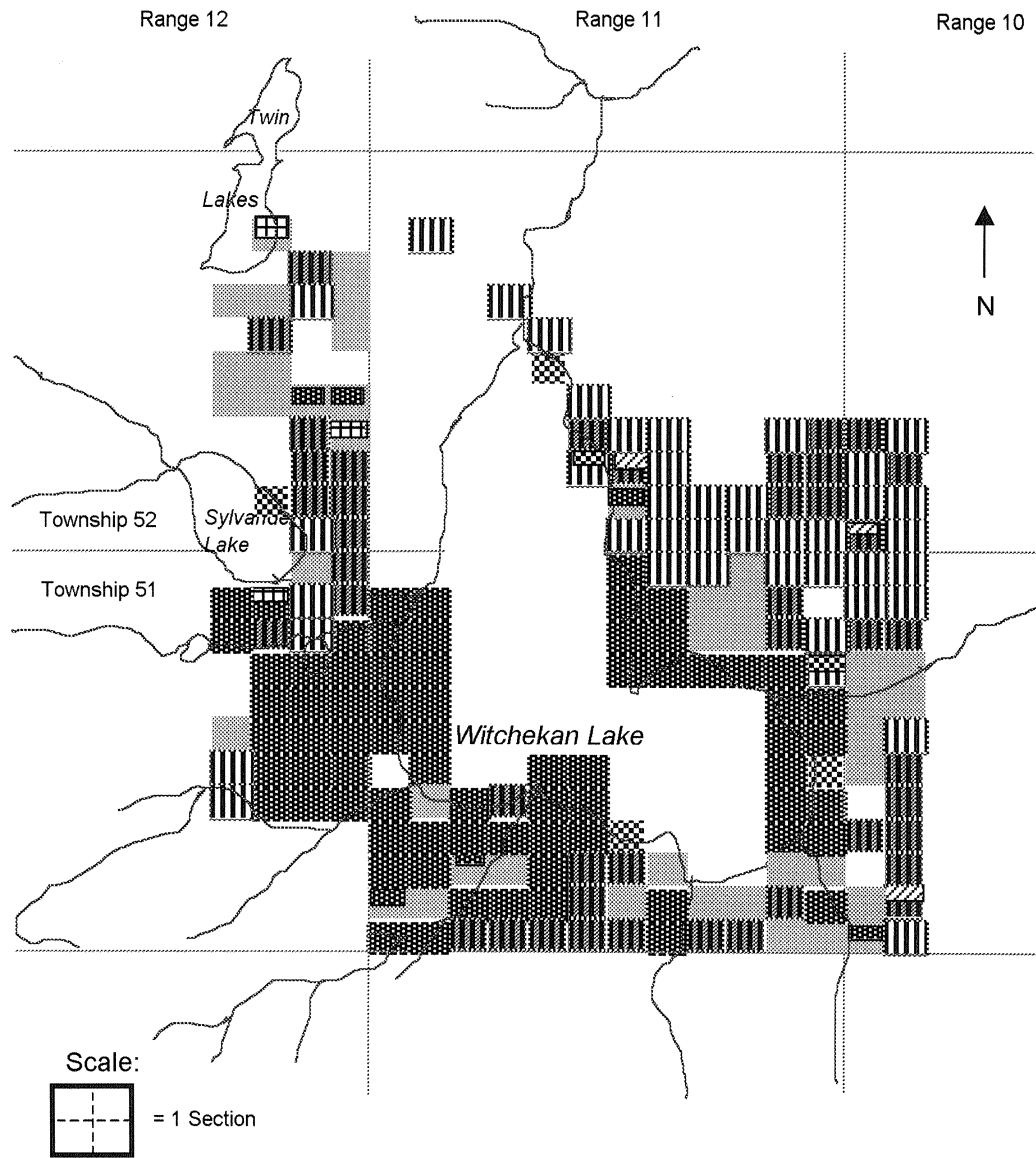









Figure 5.9 Settler Land Use and Occupancy in Witchekan Lake Area, 1920 to 1929

Legend:

- | | |
|---|--|
|  Lease |  Homestead |
|  Grazing |  Patented (this time period) |
|  Hay |  Soldier Settlement |
| |  Patented (before this time period) |

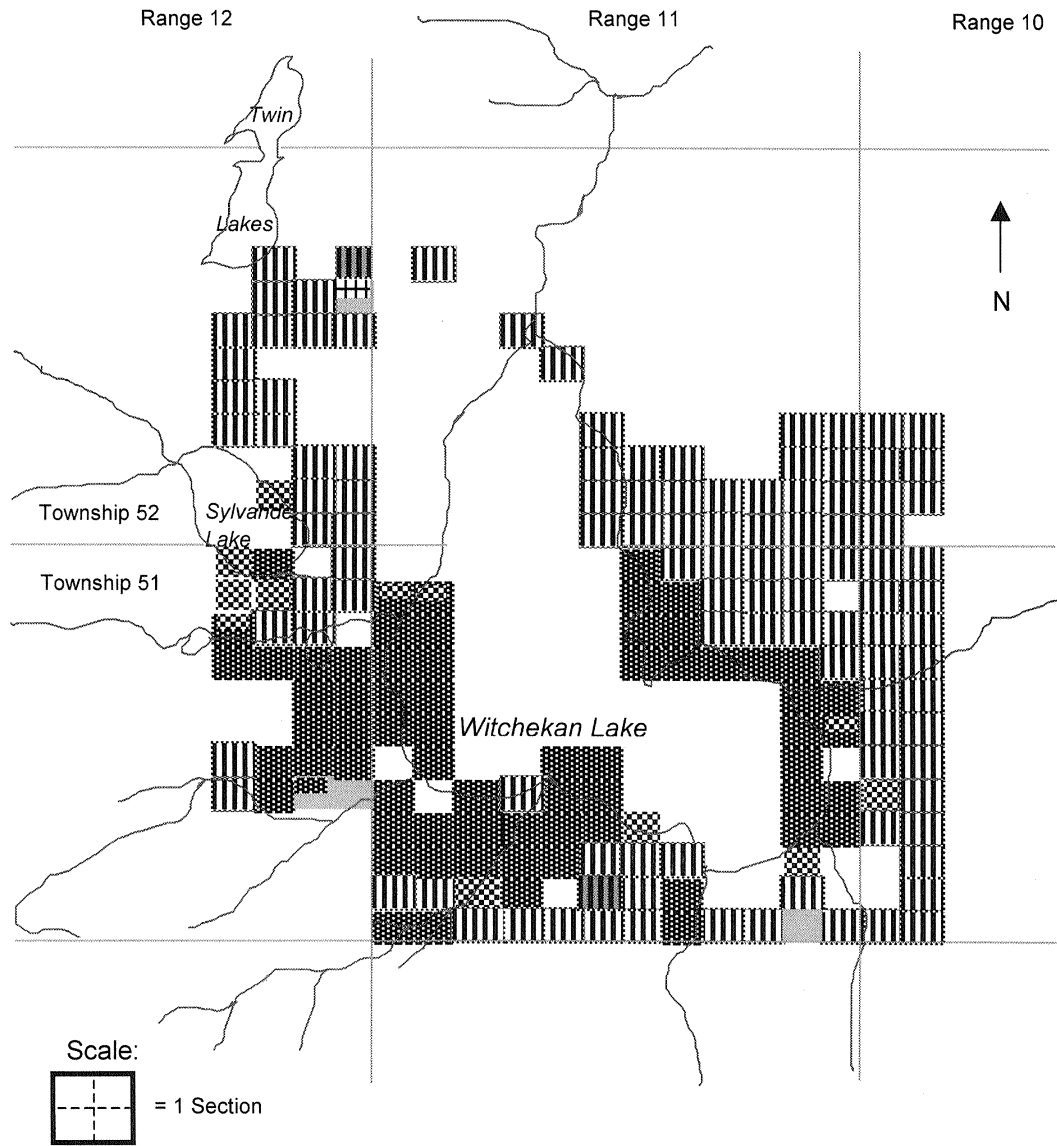








Figure 5.10 Settler Land Use and Occupancy in Witchekan Lake Area, 1930 to 1939

Legend:

- | | |
|---|--|
|  Lease |  Homestead |
|  Grazing |  Patented (this time period) |
|  Hay |  Patented (before this time period) |

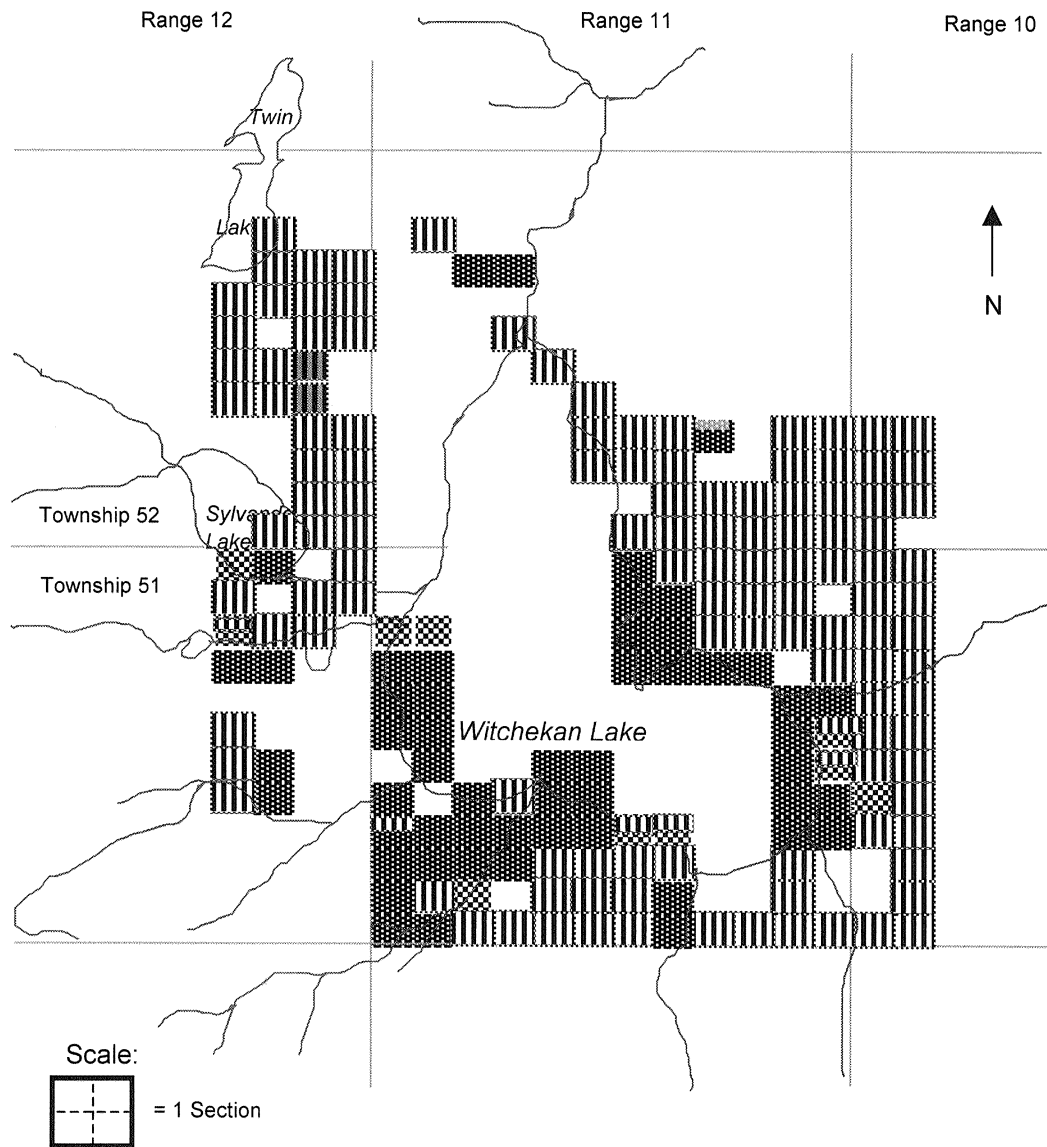







Figure 5.11 Settler Land Use and Occupancy in Witchekan Lake Area, 1940 to 1949

Legend:

- | | | | |
|---|--------------------------|---|------------------------------------|
|  | Lease |  | Patented |
|  | Grazing |  | Patented (before this time period) |
|  | Permit of Unknown Nature | | |

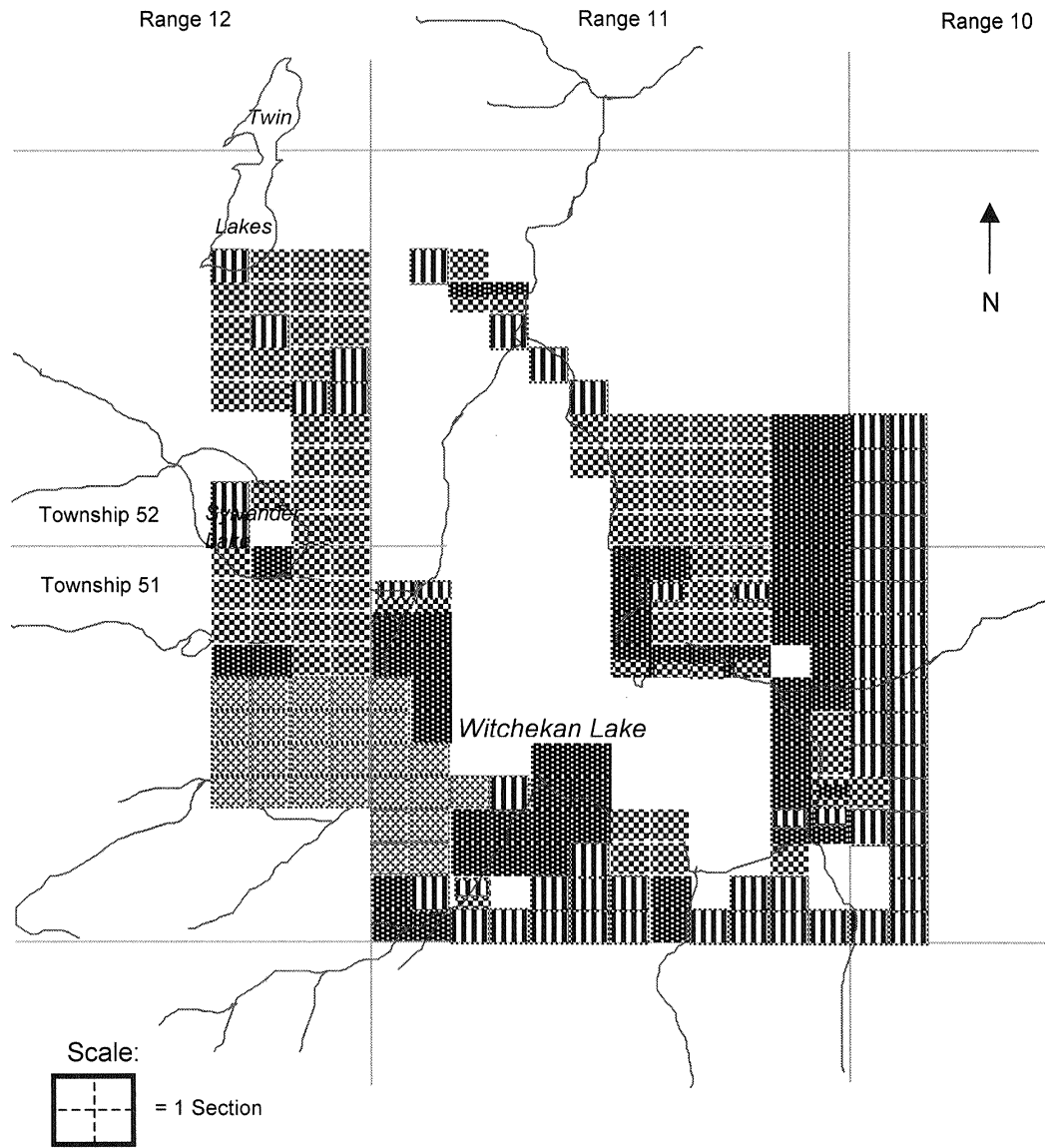






Figure 5.12 Settler Land Use and Occupancy in Witchekan Lake Area, 1950 to 1959

Legend:

- | | | | |
|---|---------|---|------------------------------------|
|  | Lease |  | Patented (before this time period) |
|  | Grazing |  | Bapaume Community Pasture |

town of Spiritwood had a sewage system located on SW 11-51-11, at the south end of Witchekan Lake. There was a slight increase in the acreage for the Bapaume Community Pasture. During the 1980s, lands continued to be leased or purchased under time agreements and twelve land grants were issued. Figure 5.15 illustrates an increase in the acreage of the Bapaume Community Pasture the early 1990s.

The climate and physical geography demanded a mixed farming response in the Witchekan Lake area. As haylands became depleted, land and homestead policy of the Canadian government supported and encouraged farmers to engage in mixed farming in order to become self-sufficient and successful in agriculture.¹⁶² By the end of the 1930s, ranching and mixed farming were firmly established in the Witchekan Lake area, supported by cheap, long-term government leases for grazing and hay.¹⁶³ Fitzgerald's research demonstrated that the success of ranching had the effect of slowing the rate of cultivation in the area until the arrival of Settlers during the early 1930s under the Relief Settlement Plan and the Land Settlement Act,¹⁶⁴ aided by the coming of the railroad to the Spiritwood area in 1929.¹⁶⁵

The rate at which lands were alienated from the Witchekan Lake Band's ORS between 1913 and 1949 is demonstrated in Figures 5.16 and 5.17. Homestead entries were most intense during 1914 on 2560 acres of the lands in the ORS; similar acreages are indicated for the years 1923 and 1924. The total number of acres with homestead entries for this time period totalled 21,770. By the 1930s, homestead activity had tapered off. Fitzgerald noted that between 1931 and 1940, cancellations in northern Saskatchewan exceeded entries, mainly due to poor growing conditions.¹⁶⁶ Research of the homestead files, Township Registers and R.M. of Spiritwood files indicated that this trend did not occur in the Witchekan Lake area until the 1950s when approximately one-half of the lands previously patented came under leases and time-sales. The bulk of the leases during this time period appear to be through the *Veteran's Land Act*, occurring in conjunction with the return of World War II veterans to the area.

In contrast, patented acres did not occur with the same intensity as homesteaded acres between 1911 and 1949. Patented acres did not peak until 1928 and 1929 with most patents issued between

¹⁶² Lambrecht, 118-119.

¹⁶³ Fitzgerald, 258. Ten year grazing leases cost six cents and two cents for School Lands and Forest Reserve Lands, respectively.

¹⁶⁴ *Ibid*, 306. Both schemes were concerned with to relocate southern farmers in northern areas. However, only the latter scheme provided start-up capital for relocating farmers.

¹⁶⁵ *Tapestry of Time*, 73; *Links With the Past: Belbutte-Bapaume* (Spiritwood, Sk.: Belbutte-Bapaume History Committee, 1980), 228. The railroad was built through the town of Spiritwood in 1929. One of the main contractors for the venture was a local rancher, Albert C. Cadieu who later became the local Member of Parliament from 1958 to 1979.

¹⁶⁶ Fitzgerald, 338.

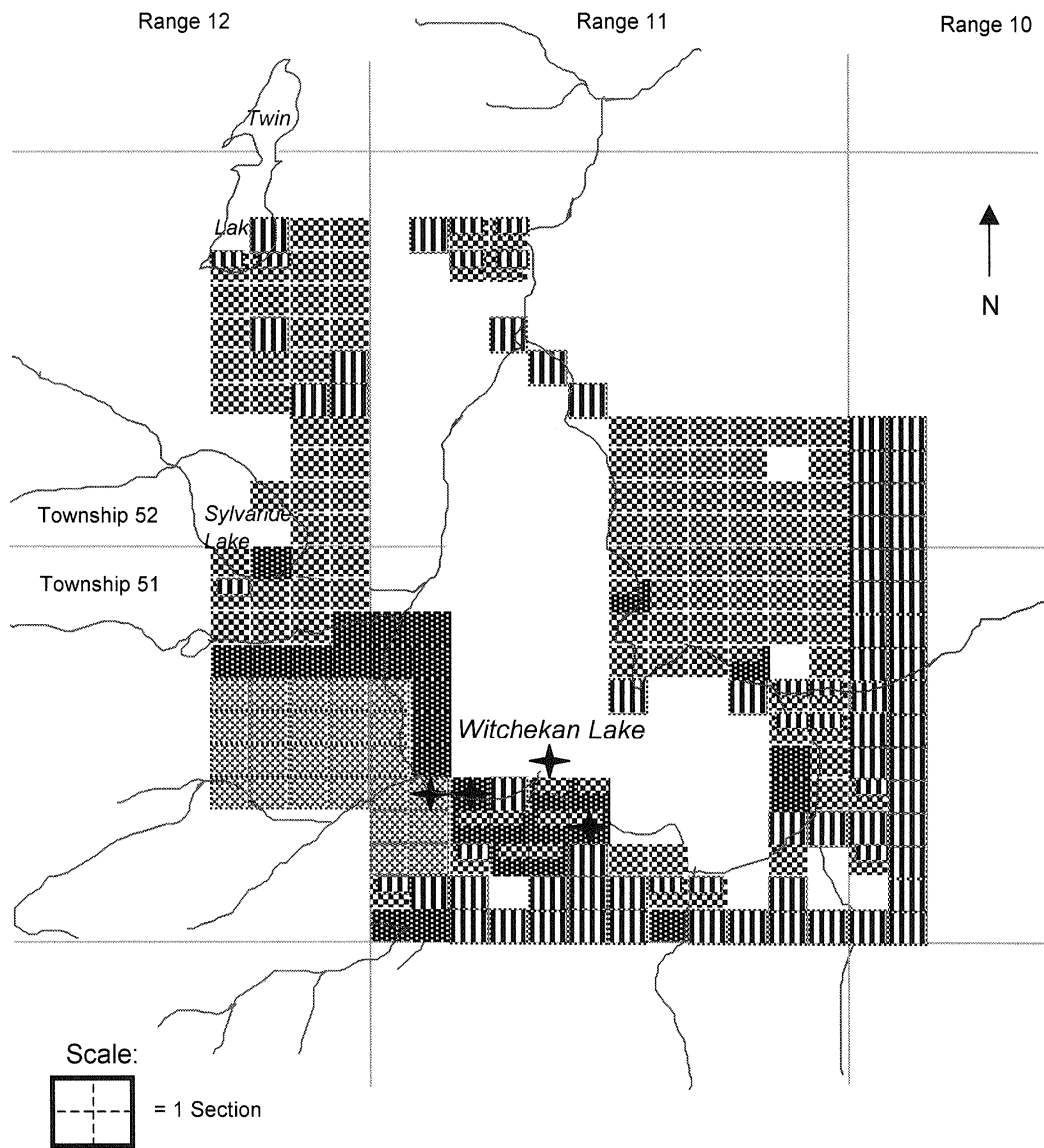







Figure 5.13 Settler Land Use and Occupancy in Witchekan Lake Area, 1960 to 1969

Legend:

- | | | | |
|---|--------------------|---|------------------------------------|
|  | Lease |  | Patented (before this time period) |
|  | Grazing |  | Bapaume Community Pasture |
|  | Irrigation Project | | |

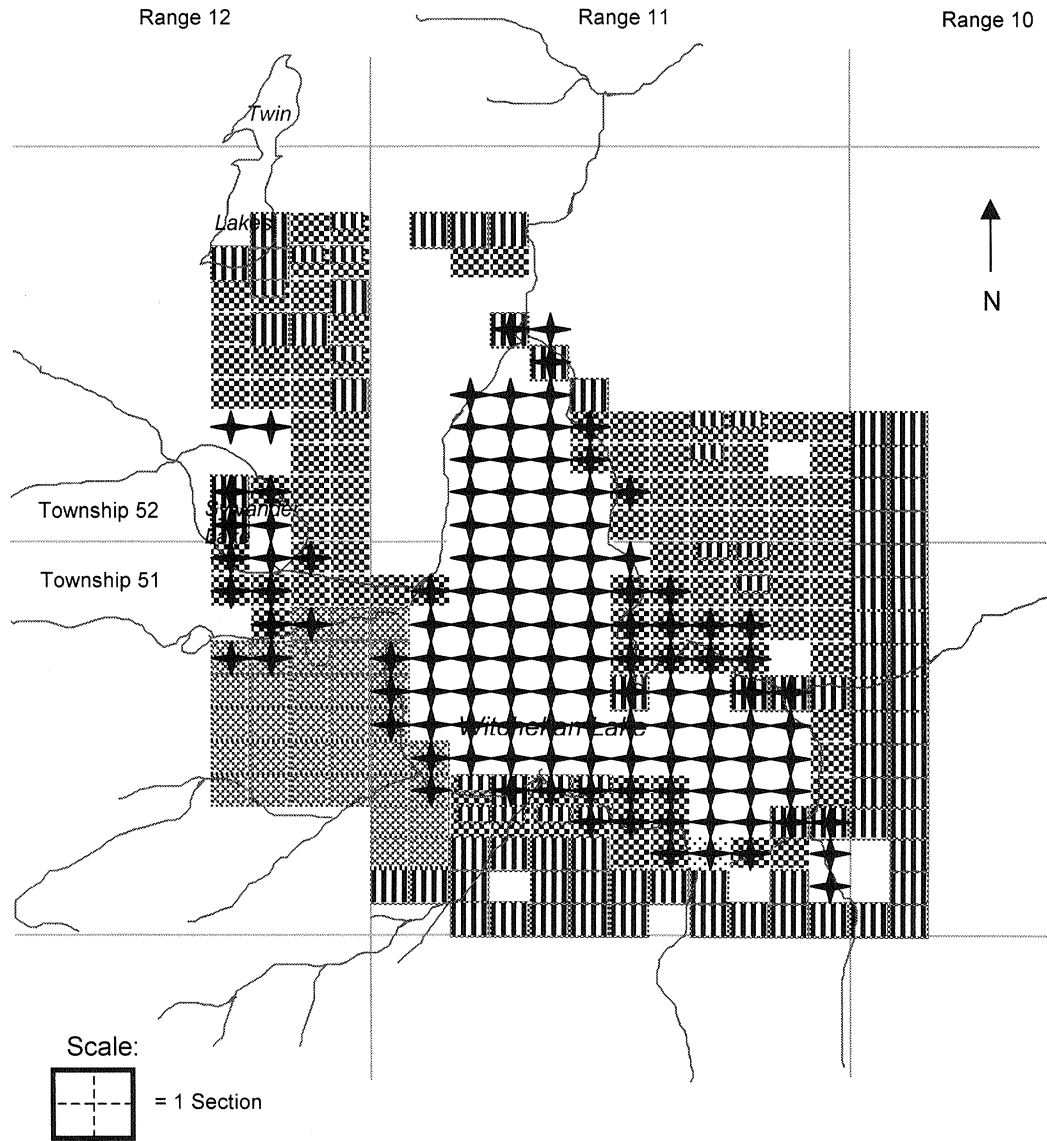








Figure 5.14 Settler Land Use and Occupancy in Witchekan Lake Area, 1970 to 1979

Legend:

- | | | | |
|---|----------------------------------|---|------------------------------------|
|  | Lease |  | Patented (before this time period) |
|  | Grazing |  | Bapaume Community Pasture |
|  | Witchekan Lake Wetland Project | | |
|  | Town of Spiritwood Sewer Project | | |

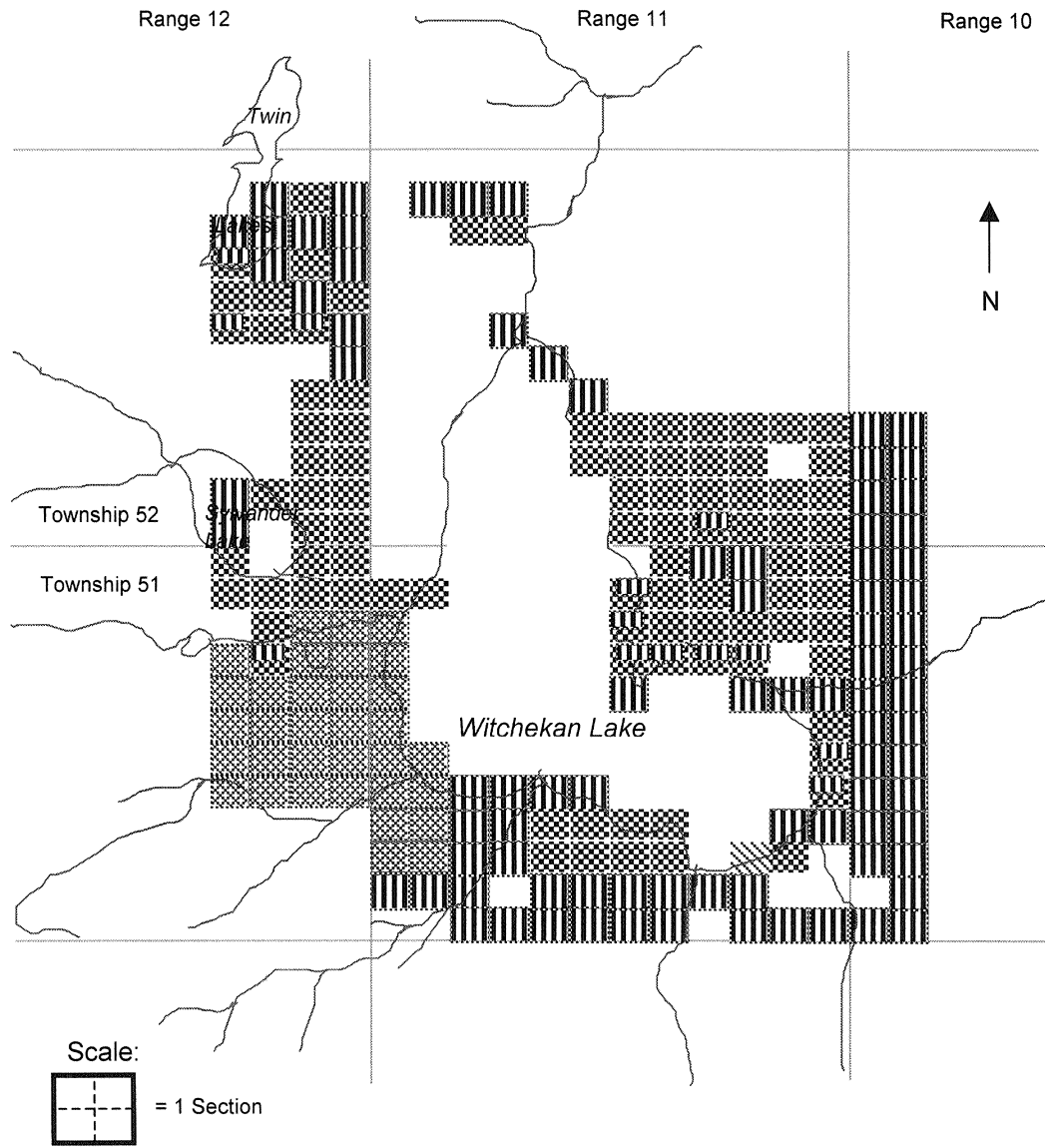


Figure 5.15 Settler Land Use and Occupancy in Witchekan Lake Area, 1980 to 1989

Legend:






- | | |
|--|--|
|  Lease |  Patented (before this time period) |
|  Grazing |  Bapaume Community Pasture |
|  Crown Land | |

TABLE 5.8 ALIENATED ACRES, ORIGINAL RESERVE SURVEY, 1911 TO 1949 by year

YEAR	HOMESTEAD ENTRIES (acres)	PATENTS (acres)
1911		
1912	320	160
1913	320	160
1914	2560	
1915	960	
1916	480	
1917	160	
1918		
1919	1600	160
1920	1440	320
1921	160	960
1922	750	480
1923	2080	480
1924	2080	
1925	960	750
1926	960	480
1927	1120	750
1928	750	1440
1929	960	1440
1930	320	
1931	480	160
1932	320	640
1933		160
1934	160	960
1935		320
1936		320
1937		
1938		
1939	160	
1940		160
1941	750	480
1942	160	
1943	320	
1944	320	960
1945	320	
1946	160	
1947	160	
1948	480	
1949		
TOTAL*	21770	11100

Source: Saskatchewan Archives Board, S-6.17, Department of the Interior, Homestead Files.

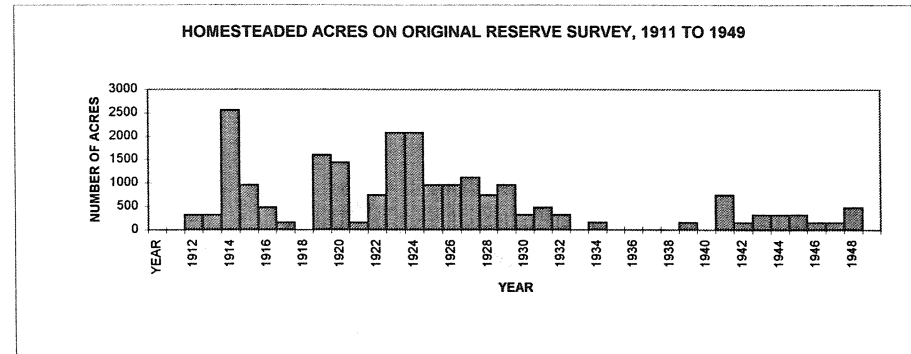


Figure 5.16 The Witchekan Lake Band lost a total of 21,770 acres from the Original Reserve Survey during this time period to homestead entries. Numbers do not include the 11,200 acres set aside for hay reserves and grazing lands.

Source: Saskatchewan Archives Board, S-6.17, Department of the Interior, Homestead Files.

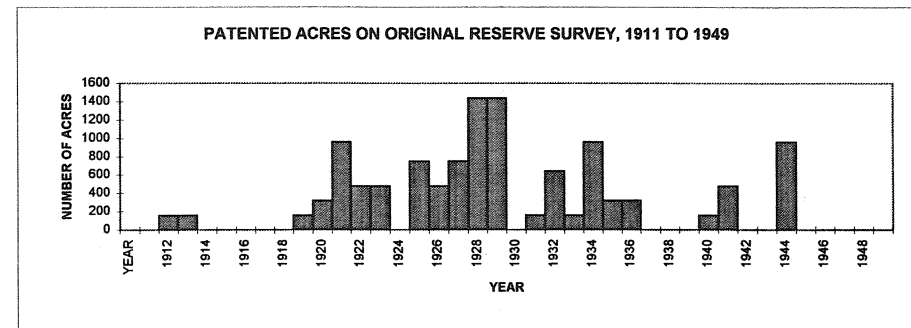


Figure 5.17 Patents on the Original Reserve Survey Lands totaled 11,100 acres for this time period. This total does not include any of the lands reserved for hay and grazing.

Source: Saskatchewan Archives Board, S-6.17, Department of the Interior, Homestead Files.

1921 and 1934. The total patented acres were around 11,100 between the years 1911 and 1949. There were no patents issued between 1913 and 1918 that covers the period between the actual ORS and a few months short of the passing of the Order-in-Council to create the Witchekan Lake Reserve. There were approximately 11,200 acres reserved for hay and grazing, most of which were under lease to ranchers.

Ranching continued to be a mainstay of the Settler community in the Witchekan Lake area, supported by the provincial government with the establishment of cooperative and community pastures. In 1935, the federal government passed the *Prairie Farm Rehabilitation Act* (PFRA), as an aid to the lagging farm economy of the 1930s.¹⁶⁷ The PFRA pasture program acquired lands that were “.droughty, erodable land together with unalienated provincial land transferred free of charge until 1944 and thereafter leased to the Dominion for community grazing purposes.”¹⁶⁸ Later, smaller blocks of land became established as cooperative and association or community pastures; an emphasis was placed on establishing these types of pastures in the “northern wooded area of the province.”¹⁶⁹ The first community pasture appeared in Saskatchewan in 1940.¹⁷⁰ Community pastures tended to be formed out of marginal lands that were considered to be of little value for cultivation; these lands were often Crown lands.

5.6 BAPAUME COMMUNITY PASTURE

Community pastures tended to be formed out of marginal lands that were considered to be of little value for cultivation; these lands were often Crown lands. However, other circumstances led to the creation of the Bapaume Community Pasture in 1958. This pasture was established out of privately owned lands purchased from a large scale ranching operation owned and operated by one-time local Reeve and MLA, Donald McDonald and his brother.¹⁷¹ Since its inception, the pasture has increased in acreage; it is considered by its patrons to be vital to their cattle operations and farm livelihood.¹⁷²

¹⁶⁷ Fitzgerald, 483.

¹⁶⁸ Government of Saskatchewan. Department of Agriculture, *Annual Report*, 1959, L.2.

¹⁶⁹ Ibid.

¹⁷⁰ Fitzgerald, 426.

¹⁷¹ Idylwild Women’s Institute, 253-254. The brothers operated the Oxo Ranch under a provincial grazing lease since 1932; Don MacDonald was also a member of the Saskatchewan Legislative Assembly from 1934 to 1944.

¹⁷² Notes, Joint Meeting with Bapaume Pasture Patrons, Witchekan Lake Band and Saskatchewan Justice Mediators, August 8, 1995. FSIN Files.

The lands within the Bapaume Community Pasture are of historical importance to Witchekan Lake First Nation. The land use and occupancy study in this thesis project showed that the lands around Witchekan Lake are important to Witchekan Lake First Nation for social, political, economic, cultural and spiritual reasons. Part of the pasture is within the boundaries of the ORS of 1913 and the rest forms the bulk of the 1915 Reserve selection for the Sunchild Band. Figure 1.1 shows the study area that consists of the various Reserve selections in the area and Figure 5.10 illustrates the original Bapaume Pasture acreage upon the pasture's formation in 1958. The Witchekan Lake Band selected the pasture under the Saskatchewan Formula in an attempt to settle their claim under TLE. A successful vote by pasture patrons in 1981 approved a resolution to transfer the pasture to the Band.¹⁷³ The results of the vote were not unanimous, but the required favourable fifty percent was attained.

However, the transfer became stalled as the province entered an election campaign. By the time of the provincial election in 1982, the transfer of the pasture to the Band had become a hot political issue in the local community with the local provincial Progressive Conservative candidate campaigning against the transfer; he won his seat and the transfer was not completed. Other locations in the province were also experiencing opposition to the transfer of community pastures to TLE Bands and the newly elected Progressive Conservative provincial government wanted time to study the issue.¹⁷⁴

At their Annual Meeting in 1982, Bapaume Community Pasture patrons were told by Bob Donald, Pasture Program Coordinator, that the "Transfer of the pasture [to the Witchekan Lake Band] would mean that a small group [of patrons] would lose part of their livelihood in settlement of the claim."¹⁷⁵ The issue of loss to some patrons is doubtful as there were not a large number of ranchers amongst the members of the Witchekan Lake Band at this time nor did those Band members with cattle have large herds. As became the case in the 1990s, the success of the Witchekan Lake Band with the pasture likely depended upon all of the patrons remaining. Undoubtedly influenced by Donald's comments about anticipated losses, the thirteen patrons who attended this meeting endorsed a motion which overturned their 1981 decision to transfer the Bapaume Community Pasture to the Witchekan Lake Band.

In the years following 1982, the provincial government continued to tinker with pasture patron

¹⁷³ Minutes, Bapaume Pasture Meeting, March 24, 1981. Witchekan Lake Band Files. This meeting was attended by twenty-four Bapaume Community Pasture patrons, three Band members, provincial and federal government officials.

¹⁷⁴ Pitsula, 18.

¹⁷⁵ Minutes, Bapaume Community Pasture, 1982 Annual Meeting. December 2, 1982. Witchekan Lake Band Files. The minutes indicate this passage as part of a report given by Bob Donald, Western Pasture Program Co-ordinator, Lands Branch, Saskatchewan Agriculture. Donald reported that third

policy and by 1989, managed to extend lifetime membership to patrons rather than an annual renewal of their allocations as had been the practice since the establishment of community pastures. The reason for the change in policy was “to provide patrons with the improved security of a supply of grazing space in their community pastures and also to consider longer range farm development plans.”¹⁷⁶ By 1992, the province stated that its goals and objectives with regards to Crown Lands were “operate provincial community pastures in a manner which assists producers with their grazing needs, provide for rejuvenation of exhausted forage stands and generates a fair rate of revenue for the province.”¹⁷⁷ Increasingly, pasture patrons, through their Advisory Boards, were given more power to make decisions about issues of membership, improvements and allocations.

After the signing of the TLEFA, the Witchekan Lake Band approached the Bapaume Pasture patrons with another proposal for the transfer of the pasture to their jurisdiction under TLE. This time, the Band faced a very different climate than it had encountered in 1981; the pasture patron body was now enlarged to thirty-two, with only eight patrons carried over from 1981.¹⁷⁸ As well, there was considerable open hostility towards Band members as they made their request. The minutes of the Annual Meeting read:

A presentation was given to the patron body by the Witchekan Lake Band on Treaty Land Entitlement as the Band would like to negotiate for the Bapaume Pasture. Much discussion followed along with numerous questions. After the presentation the members left . . . There was considerable discussion on the TLE issue . . . motion [was made] that the community pasture be owned and administered the way it has in the past, that is by the provincial government. Seconded . . . Carried (Unanimously).¹⁷⁹

Only seventeen of the thirty-two patrons attended the meeting; both individuals involved in making the motion were on the Advisory Board. Band members who attended the meeting likened their experience to being “as welcome as a skunk at a garden party.”¹⁸⁰

Following this meeting, a joint committee of six Band members and six pasture patrons was formed to discuss concerns and try to reach amicable resolution. The province was absent from this process that involved intense negotiations and numerous rewordings of a proposal which was put to a mail-in vote on April 21, 1994. All but one patron voted with only four out of the thirty in favour of the proposal; all six of the patrons who participated in drawing up the proposal voted against it. These results fell well short of the required seventy-five percent favourable vote required under the

party interests and other ways of settling Indian land claims were now a concern.

¹⁷⁶ Saskatchewan. Saskatchewan Rural Development. *Annual Report*, 1989-90, 9.

¹⁷⁷ Saskatchewan. Saskatchewan Rural Development. *Annual Report*, 1992-93, 11.

¹⁷⁸ Saskatchewan Agriculture and Food, Northwest Regional Office, Allocation Lists, 1993 and 1994 and Minutes, Bapaume Pasture Patron Meeting, March 24, 1981. Witchekan Lake Band Files. Both of these sources provided lists of pasture patrons for the respective years.

¹⁷⁹ Minutes, Bapaume Pasture Annual Meeting, November 10, 1993. Witchekan Lake Band Files.

¹⁸⁰ Ron Fineday. Interview with Brenda McLeod. October 31, 1994.

terms of the *1992 Framework Agreement*, in order to transfer the pasture to the Band's administration.¹⁸¹ Understandably, Band members were shocked and "felt the whole process was a sham and an act of bad faith."¹⁸²

In the fall, 1993, two Witchekan Lake Band members applied for allocations in the Bapaume Community Pasture but were denied as patrons.¹⁸³ The only explanation given for the refusal was that the pasture was not accepting new allocations for the upcoming 1994 season. The refusal of the Advisory Board to grant allocations to local applicants such as Band members contradicts the original intent of community pastures. The Bapaume Community Pasture is one of the smaller community pastures which, at the time it was established, was judged to have a lower carrying capacity for grazing as well as a poor quality of forage, necessitating improvements by seeding with tame forage to ensure their economic viability.¹⁸⁴ The emphasis in the establishment of community pastures was on economic development for local communities.

This founding principle flies in the face of the composition of patron bodies for pastures in the North-West Region of Saskatchewan during the 1980s and up to 1992. An examination of the pasture patron lists of the Northwest Region in Saskatchewan listed a total of eighteen community pastures.¹⁸⁵ Ten of these pastures were placed under selection by various TLE Bands under the Saskatchewan Formula and all were renewed as selections following the signing of the TLEFA.¹⁸⁶ Some of the region's pastures show significant numbers of patrons from outside the communities in which these pastures are located; of interest are those from southern parts of Saskatchewan and outside rural municipalities.¹⁸⁷

Southern patrons were admitted to northern pastures during the 1980s when southern areas of the province experienced extreme drought. The practice continued after grazing conditions improved in the south; spaces created in the south during the drought became available for other southern patrons, thereby increasing the utilization of community pastures around the province. During 1993 and 1994, the Bapaume Community Pasture had a total of thirty-two and thirty-one patrons, respectively, with four southern patrons. Twenty patrons were non-resident to the R.M. of

¹⁸¹ *1992 Framework Agreement for Saskatchewan Treaty Land Entitlement*, Article 4.08, (b)(i), 39.

¹⁸² Memo, David Knoll, Solicitor for Witchekan Lake Band to Winston McLean and Brad Michael, FSIN, April 245, 1994. Witchekan Lake Band Files.

¹⁸³ Letter, Gary Cortus, Community Pasture Agrologist, Northwest Region, North Battleford to Mike Fineday and Ron Fineday, Witchekan Lake Band, January 27, 1994. Witchekan Lake Band Files.

¹⁸⁴ Saskatchewan. Department of Agriculture, *Annual Report, 1959*, L.22.

¹⁸⁵ Saskatchewan Agriculture and Food, Northwest Region, North Battleford, Pasture Patron Lists.

¹⁸⁶ Cliff Wright, Treaty Commissioner, *Report and Recommendations on Treaty Land Entitlement* (Saskatoon, Sk.: Office of the Treaty Commissioner, 1990), 69-76.

¹⁸⁷ Saskatchewan Agriculture and Food, Community Pastures, Patron Allocation Lists, 1993 and 1994. Saskatchewan Agriculture and Food, Northwest Regional Office Files, North Battleford.

Spiritwood, with the majority from neighbouring R.M.s.¹⁸⁸ The presence of numerous small grazing cooperative pastures and a large P.F.R.A. Pasture in the area calls into question the need to have non-residents in the Bapaume Community Pasture. The practices of accepting non-residents and having southern patrons continuing to occupy allocations in northern pastures raise a few issues.

First of all, both practices prevented current local patrons from expanding their cattle operations and effectively prevents the acceptance of any new local patrons. Secondly, non-resident and southern patrons faced increased transportation costs to bring their cattle to the Bapaume Community Pasture; the economic viability of hauling cattle from southern locations to northern pastures is particularly questionable. As well, the policy used to assess pasture patron applicants is based on a point system; more points are awarded to younger applicants, applicants with a lower assessment of resource base and applicants who are in close proximity to the community pasture. Proximity to the pasture comprises twenty of the one hundred points on the application assessment. A total of fifty points are assigned to resource base and age makes up the remaining thirty points.¹⁸⁹ No points were awarded for patrons over eighty miles from the pasture; a deduction of one-half point per mile was applied to patrons over forty miles away from the pasture. It is doubtful that non-resident and especially, southern applicants would be able to score higher than local applicants.¹⁹⁰

As a matter of policy, the Advisory Board of the Bapaume Community Pasture patrons had considerable input into the running of the affairs of the Bapaume Community Pasture. The Advisory Board considered applications of prospective patrons and advised the patron body of their recommendations for improvements, the number of cattle to be allocated for the pasture annually as well as the allocations per patron. The Advisory Board also made recommendations to the patron body about the proposals made by the Witchekan Lake Band for the transfer of the pasture.

Thus, the absence of reasons for the refusal of pasture allocations to Band members begs for explanation. In giving the patron body and the Advisory Board the benefit of the doubt, anticipation of poor pasture conditions for 1994 may be one possible reason. However, the minutes of the Bapaume Pasture Annual Meeting for 1993 reported a cool wet summer in 1993 that would leave the pasture in good grazing condition for the next season. As well, the total allocation for the pasture was below the listed carrying capacity of the Bapaume Community Pasture with ample room for at least two more patrons at the maximum allocation of fifty head of cattle each. As

¹⁸⁸ Ibid.

¹⁸⁹ Saskatchewan Agriculture and Food, Provincial Community Pastures Livestock Allocation, Management and Fee Schedule Policy, December 1, 1993. Witchekan Lake Band Files.

¹⁹⁰ Ibid.

patrons were averaging twenty-eight to twenty-nine head each, there was room for even more new patrons.¹⁹¹

In light of the absence of expressed concerns about the condition of the pasture and the deficit in allocation, it is reasonable to conclude that other reasons were responsible for the refused applications of the two Witchekan Lake Band members, likely reasons based on hostility and grounded in racial discrimination. A meeting in August 1995 between Band members and patrons, confirmed the presence of these attitudes. Those people attending the meeting witnessed discriminatory and racist behaviour on the part of pasture patrons towards Band members.¹⁹²

Following the negative vote to transfer the Bapaume Community Pasture to their jurisdiction, the Witchekan Lake Band sought the assistance of the provincial government in their acquisition efforts. According to the TLEFA, the next stage was to consult with a mediator to try and resolve the issue. The Band appealed to the local MLA from the new Democratic Party, who in turn, wrote to the Minister of Saskatchewan Agriculture and Food to approve the sale of the pasture to the Band. Saskatchewan Indian and Metis Affairs Secretariat (hereinafter SIMAS) was brought in to assist the Band in November, 1994.¹⁹³ The DIA was also brought in to take a more assertive role in moving the province towards the transfer of the pasture. Both the federal and provincial levels of government are obligated under the TLEFA to assist TLE Bands with the acquisition of shortfall acres. The Bapaume Community Pasture was still under selection by the Witchekan Lake Band as fulfillment of their shortfall acres.

A meeting was convened in August, 1995 in an attempt to get the mediation process under way. Mediators hired by Saskatchewan Justice called Bapaume Pasture patrons, the Chief and representatives from Witchekan Lake First Nation as well as government officials and resource persons to the meeting.¹⁹⁴ The past history of conflict carried over into the meeting. Witchekan Lake First Nation was the target of suspicion, ridicule and exploitation. Comments were made with regard to the Chief's ability to be a leader while sneers were aimed at Band Councilors and representatives as to whether or not Witchekan Lake First Nation could take its place among the

¹⁹¹ Saskatchewan Agriculture and Food, Community Pastures, Patron Allocation Lists, 1993 and 1994. Based on these lists, an average allocation per patron can be calculated. Carrying capacity of this pasture is listed as 1000; total allocations for 1993 and 1994 were 929 and 865, respectively.

¹⁹² Notes, Joint Meeting with Bapaume Pasture Patrons, Witchekan Lake Band and Saskatchewan Justice Mediators, August 8, 1995. I was invited as a resource person to present the historical circumstances of the Witchekan Lake Reserve and pasture lands.

¹⁹³ SIMAS gathered information for Saskatchewan Agriculture and Food about pasture policy, allocation records, lists of patrons and forwarded this information to the Band.

¹⁹⁴ Notes, Joint Meeting with Bapaume Pasture Patrons, Witchekan Lake Band and Saskatchewan Justice Mediators, August 8, 1995.

business world. Some racist comments were even been made about "red cows" being in the same area as the rest of the cows within the Bapaume Community Pasture.¹⁹⁵

While the meeting atmosphere was one of hostility and distrust, some patrons were interested in the pasture as an economic support to their farm. These patrons were clearly willing to consider whatever the Band had to offer by way of economic incentives. Some patrons became remorseful upon learning the historical background of the pasture lands. Others still remained firm in their prejudices and stereotypical notions about the Band while challenging the Band's leadership and abilities to manage the pasture as a viable operation. Band members fielded challenges to their leadership with a united front while assuring patrons that the Band relied on their continued patronage to keep the pasture a viable operation. Band representatives continued to point out the economic incentives they could offer patrons under their management. The Band repeatedly stated that they were willing to enter into a co-management agreement with the province in order to train their members to effectively manage the pasture. It took considerable effort and time to make pasture patrons realize that the purpose of the meeting was to try and settle their interests as third parties. The province, as owner of the pasture land, was willing to sell to the Band and was not seeking the permission of patrons to do so.

The TLEFA requires that TLE lands be sold on the basis of willing seller-willing buyer. This condition prohibits the Band from soliciting landowners for their property. In addition, the sale of Crown lands such as the pasture could not be completed until third party interests were satisfied and seventy-five percent of the patrons consented to the sale.¹⁹⁶ The province owned the Bapaume Community Pasture and was willing to sell it to the Band. All that remained was to garner the required percentage of consent and satisfy the interests of all of the third parties. The TLEFA does not specify exactly how third party interests are to be satisfied. Thus, any creative solution may be proposed.

Pasture patrons are essentially holders of third party interests in that they receive a permit to graze a specified number of their cattle in the pasture for an annual fee. As third parties, they have no vested interest in the land as such and no legal interest in the ownership of the pasture lands. Community pastures are Crown lands with their titles held by the province. Thus, it is the province that has jurisdiction over the sale or lease of these lands. The nature of third party interests is not specified in the TLEFA. However, the appropriate section states that Bands must "fairly

¹⁹⁵ Ibid.

¹⁹⁶ *1992 Framework Agreement*, Articles 4.07 and 4.08, 38-40.

compensate all of the occupants for the value of their interest or, alternatively, to enter into a binding agreement . . . with such Occupants . . . to honour their interests.”¹⁹⁷

Pasture patrons, upon realizing that they were going to continue meeting to satisfy their third party interests until a deal was struck, asked the Band to submit another proposal for their vote. Two patrons asked the Band to “sweeten the pot”¹⁹⁸ when they made their proposal. Other requests included lowered breeding fees, a supply of bulls for a five to ten year period and even a suggestion of a shared leasing of the pasture area with a separately leased and administered area for patrons. Two patrons were bold enough to suggest that the Band could purchase a parcel of land for each patron. Patrons were also concerned that Band members not be allowed to graze their cattle in the pasture for free.

By the end of the meeting, patrons were at a loss as to what position they would take towards the Band. A hastily convened gathering of pasture patrons at the meeting yielded a divided group, leading one patron to remark that the patrons, at that time, were unable to reach agreement amongst themselves. Both the Witchekan Lake Band and patrons agreed to continue to meet after harvest and entertain any Band proposals in the meantime. Both sides agreed to refrain from speaking to the media as public comment could be harmful to any future discussions.

The Band chose to attain the seventy-five percent favorable vote by determining what the patrons wanted in order to satisfy their interests in the pasture. The Band spent the better part of the next two years in meetings with legal counsel and provincial and federal representatives to draft a co-management deal. They also spent a great deal of time meeting with individual pasture patrons, one-on-one, in their homes, in order to come to a satisfactory settlement of third party interests. Distrust on the part of pasture patrons led to more time being spent on finding out exactly what could be done to address their concerns so that civil relations were maintained. The patrons wanted assurances and guarantees that their risks will be covered if the pasture failed to operate successfully. This kind of positioning by some of the pasture patrons caused problems with the acquisition of the Bapaume Community Pasture as shortfall acres for Witchekan Lake First Nation, under TLE.

The acquisition of the Bapaume Community Pasture held considerable resources of the Band hostage as the community and families did without the presence of some Band members as they traveled to endless meetings. The Band spent significant amounts of financial and human resources to accomplish the onerous task of satisfying almost thirty patrons and reaching a consensual deal. It will be some time before the Band actually realizes any gain out of their efforts.

¹⁹⁷ *1992 Framework Agreement*, Article 4.08 (b)(ii), 39.

¹⁹⁸ Notes, Joint Meeting with Bapaume Pasture Patrons, Witchekan Lake Band and Saskatchewan

In addition, the province wanted assurance that it could get its money out of the deal as soon as possible while DIA officials concerned themselves with maintaining their administrative interests. Any plans that Witchekan Lake First Nation had for its own development and advancement were continually being put on hold while all of the legal and procedural steps were executed.¹⁹⁹ Some brilliant strategy moves were utilized by the Band to address outside concerns while trying to gain and hang on to a larger degree of their autonomy. An agreement was finally reached in late 1997 and a mail-in vote attained an eighty percent favourable vote with four patrons still withholding their consent to transfer the pasture.

On May 15, 1998, the entire Bapaume Community Pasture was finally turned into Reserve land and marked the achievement of shortfall acres for Witchekan Lake First Nation under the *1992 Framework Agreement*. In the end, Bapaume Pasture patrons came away from the deal with compensation for their third party interests, representation on the Advisory Board, solid economic futures as pasture patrons for the next twenty-five years and assurances of membership for their descendants.²⁰⁰ The province got their guarantees while government officials, particularly those from DIA, could continue with their administrative existence.

SUMMARY

As a self-defined hunting and trapping Band of Indians, independent of treaty or scrip, the Witchekan Lake Band occupied traditional lands in and around the geographical area of Witchekan Lake as well as a considerable area north, south, east and west of the lake itself. The lake itself served as a seasonal base during winter and in summer. Archival documents do not show the Witchekan Lake Band leaving the surrounding area around Witchekan Lake, except on a seasonal basis. The Band resided on both sides of the river that fed into the north end of Witchekan Lake, before Settlers came to the area. According to elders, settlement forced the Band away from the mouth of the river and confined them to one side of the lake, based on the Reserve allocation.

The size and location of the Witchekan Lake Reserve is largely due to the influence of area

Justice Mediators, August 8, 1995.

¹⁹⁹ Notes, Joint Meeting with the Witchekan Lake Band, Legal Counsels, FSIN representatives, provincial and federal officials including the DIA, January 30, 1996. I attended this meeting as an observer and was privileged to be sitting between DIA officials and FSIN representatives. The DIA held their own meeting with whispered consultations during almost the entire meeting, catching the attention of all who attended. They were very concerned about the form the lands would take as they were responsible for the administration of the lands.

²⁰⁰ Some details of the agreement were kept out of the public eye. All parties to the agreement consented to this condition in the interests of building good working relationships with each other. However, these details were released in local newspapers and by some patrons in surrounding local

Settlers and state officials; the Reserve, as granted in 1919, is a small fraction of the Band's entitlement under the provisions of Treaty Six. Protest by area Settlers, political interference and conflict between the Department of the Interior and the DIA led to the alienation of all but seven of the original thirty-two sections of the Reserve surveyed in 1913 for the Witchekan Lake Band. Together, policy, the presence of eager ranchers and incoming Settlers were contributing factors to the alienation of the much of the Reserve selections in the Witchekan Lake area.

Homestead settlement in the Witchekan Lake area occurred at a much later time than the southern parts of the province and can be correlated with policy and action of the Canadian government. Ranchers moved into the area before survey activity began and appear to have shared hay and grazing areas with the local Indian residents. On some occasions, before the homestead survey, ranchers made payment to the Indians for what they used. After settlement, hay and grazing lands continued to be of value to those Settlers who ranched, but payment was not so readily offered to the state or the Witchekan Lake Band with the removal of hay from lands within the 1913 ORS.

The Settler community struggled to establish itself in a new land without the support of institutions, community, family and friends. Settlers laboured against a climate and geographical location that demanded a mixed farming base of activity; rewards were often meager for the efforts expended. However, the state sought to provide opportunities for Settlers to own land and establish themselves in an agricultural mode. These opportunities, in the form of land and resources, provided Settlers with a degree of participation in the larger Canadian society. The promotion of Settler interests over those of the Witchekan Lake band were supported by the ideologies of manifest destiny and the frontier cultural complex. These ideologies were grounded in the belief that Aboriginal peoples were inferior to other human races, especially in their capacity to effectively exploit lands and resources.

In the Witchekan Lake area, haylands were valuable to the survival and establishment of mixed farming and ranching in the area. The fact that the Witchekan Lake Band had some degree of proprietorship over these lands and resources by right of first occupation was ignored by agents of the Canadian state and the Settler community. In his initial request for a Reserve, the Chief at Witchekan Lake acknowledged the need to share the land and resources. In the face of being pushed out of the area and left with nothing, the Chief made the first move towards a conciliatory solution to the problem of competition over scarce and valuable resources. For his efforts, the Chief received a meager Reserve for his Band, not according to his wishes or the Band's best interests, but likely the best offer that was available.

communities at later dates.

Through protests and bureaucratic bungling, even this Reserve was bandied about for an extended period of Reserve creation while Settlers were permitted access to the haylands for hay and grazing. By the time the Reserve was finally created, some of the haylands were being turned over to cultivation due to sparseness and, sometimes, the depletion of hay. In addition, Settlers were given access to the haylands on the tiny Reserve held by the Witchekan Lake Band. According to oral interviews, one American rancher was able to pay for hay he harvested from the tiny Reserve by purchasing cheap food rations to give to the Band as payment. With the significant reduction to their traditional lands and resources required for self-sufficiency and autonomy, Band members began to participate in wage labour. Wage labour was largely manual, seasonal and paid poorly for the expended efforts, but provided cash to supplement subsistence activities of hunting, trapping, fishing and foraging. For a time, settlers relied heavily on the labour of Band members to support their agricultural endeavours. However, as farm mechanization increased, Band members found fewer opportunities, close to the Reserve, for their labour. Farmers also began to restrict the camping of Band members on their lands, further restricting the Band's access to land and resources for survival.

However, Band members continued to engage in traditional activities of trapping and hunting when and where they could. As settlement increased, lands and resources in the Witchekan Lake area came under pressure. Understandably, conflicts arose within the Settler community as well as between the Settler community and Witchekan Lake First Nation. The Band's resistance to the imposed land tenure of Settlers led to conflicts over the lands and resources. At first, conflict centered around the haylands but soon spread to other lands and resources as they came under demand. In 1946, the Witchekan Lake Band, through its own efforts and in conjunction with the DIA and other state officials, managed to secure NFCA M-61 for its trapping block. Unbeknownst to Band members, a Metis trapper had trapped in this area while it was still part of the Big River Forest Reserve. To further complicate the land use and occupancy of NFCA M-61, the province was not long in bringing a good portion of the lands within the trapping block under agricultural grazing leases. In 1950, the Witchekan Lake Band was somewhat coerced into adhering to Treaty Six while the state introduced welfare payments and seasonal migrant labour in the sugar fields of Alberta to supplement traditional land-based subsistence. Increased state administration, welfare payments and migrant labour represented a significant loss of self-sufficiency and autonomy for the Witchekan Lake Band.

By the 1970s, the northeastern corner of the Band's assigned trapping block was leased as a PFRA pasture; a private lessee was issued a grazing lease located near the northwesterly access point to the trapping block. The province's disregard for the lessee's previous trapping activity lay

beneath the conflict that arose over the Band's access to the trapping block as the lessee blocked the Band's access to the trapping area and harvested the furs himself. The Band was continually harassed and denied access for just over twenty years; the Witchekan Lake Band suffered severely decreased trapping revenue and a depletion of the furs in NFCA M-61 overall. In spite of this repression and hardship, the Witchekan Lake Band members continued to trap where and when they could. In addition, they initiated action to have NFCA M-61 recognized as part of their traditional lands. The Band was successful in negotiating a joint lease with the private lessee for a thirty-three year period in 1992. The lease does not guarantee continued protection of the NFCA M-61 lands for the Band but it does allow them restricted, shared access to valuable, traditional hunting, trapping and fishing lands. As merely a temporary solution to the conflict, it does not resolve the issue of traditional land rights for the Band or trapping rights for the Metis trapper.

Some conflicts, seated in the beginnings of settlement in the area, have persisted over time, affecting the negotiations to settle TLE as well as the implementation of the TLEFA. One contemporary example of the conflict over land and resources is the acquisition of the Bapaume Community Pasture by Witchekan Lake First Nation. Since its establishment in 1955, the Bapaume Community pasture in the Witchekan Lake area has been a source of conflict. An examination of this pasture is an effective example of how conflicting value systems have operated within TLE to impede the negotiations to settle TLE and delay the implementation of the TLEFA. Much of the conflict stems from a difference in forms of land use and occupancy and the accompanying value systems as well as a general lack of understanding of each other. These conflicts can be traced back to the strength of each group's identity and the basis of that identity which arises out of the type and degree of land use and occupancy.

Together, archival sources, map biographies, oral history and interviews allowed for the study, over time, of land use and occupancy of Witchekan Lake First Nation and the Settler community. A practical outcome of this thesis project was the production of a document of benefit to Witchekan Lake First Nation; interviews and resulting map biographies formed the basis of a claims research project undertaken before this thesis. The creation of land use and occupancy maps allows members of Witchekan Lake First Nation and the Settler community to understand the extent to which the Band's self-sufficiency was undermined when traditional lands and resources were lost. Mapping also demonstrates the form and intensity of Settlers land use and occupancy. It is easier to see where conflicts arose and how easily the conflicts could have been avoided.

CHAPTER SIX: CONCLUSION

Witchekan Lake First Nation is located within a geographical territory it regards as its traditional lands. In the past, these lands provided a variety of resources to meet the political, social, economic, cultural and spiritual needs of its society. The presence of the Band in the area of Witchekan Lake is noted in Surveyors' notebooks as early as September, 1911. Records of the HBC place the Band in the area in 1890. The arrival of Settlers brought changes to the life of Witchekan Lake First Nation as the Chief indicated in his letter to the (DIA) in his request for a Reserve. The Chief's letter speaks to changes in the availability of land and resources; the struggle for land and resources becomes more apparent after the Original Reserve Survey in 1913. The Dominion Lands Surveyor arrived at Battleford to contact the Indian Agent about the survey. It is not known if the Indian Agent or the Surveyor made the decision that led to a change in the Original Reserve Survey from forty-four to thirty-two sections, based on the number of residents at Witchekan Lake rather than actual Band membership. Together, the Surveyor and Band members selected the Reserve lands with some adjustments to the Band's selection to exclude quarter sections already under homestead, before the actual survey was done. The survey took only a few days to complete in October, 1913. Mere weeks passed before area Settlers registered a petition with the Minister of the Interior in Ottawa.

The Settler's protest arose out of a differing system of land use and occupancy that was informed by ideologies around the racial inferiority of Band members. These ideologies led Settlers to believe that the Witchekan Lake Band was not capable of exploiting the haylands to their fullest potential; decisions made by the Canadian state supported these beliefs as the state assumed administrative control of the haylands and placed Settler interests above those of the Band. It is clear from the tone of the petition that certain expectations surrounding land use and occupancy were being applied to the Witchekan Lake Band in order to justify access to the haylands. The Chief, the Settlers, the DIA and the state all saw the hay as an exploitable commodity; the difference lay in who wanted to have control over the resource. The Chief planned to sell or lease the haylands to Settlers as a means a means of maintaining self-sufficiency through the communal sharing of benefits for the Band. Times were changing for the

people of the Witchekan Lake Band; changes that required adaptation and accommodation in order to survive.

However, the Band did not embrace agriculture as did other First Nations in the area. The location of the Reserve on some of the best lands for agriculture would set them at odds with the Settlers who moved to the area for the expressed purpose of exploiting the land. There are likely persuasive explanations for why the Indians at Witchekan Lake drew the line at farming. First of all, agriculture was not necessarily a familiar occupation to them. HBC records showed that Band members hunted, trapped and traded furs; fur trade continued to be an important part of the Band's subsistence economy until the 1970s when they were denied access to their assigned trapping block.

Secondly, the accompanying settlement was not compatible with the tenure system that was in place before Settlers arrived.¹ As McNeil suggested, a system of land tenure and management of the resources was in existence before the arrival of Settlers in areas where Aboriginal peoples were already living. The township survey system was imposed on the Band's traditional lands that threatened the Band's sense of political autonomy, lands and resources. In the face of obvious loss of traditional lands with the encroachment of settlement, the Witchekan Lake Band sought to preserve its economic self-sufficiency by controlling access to the vast haylands around Witchekan Lake. Control of these lands also provided for the protection of areas that had social, spiritual and cultural significance to the Band.

Finally, the annual cycle that the Band followed centered around the lake. As hunting was the Band's primary occupation, it required them to be mobile as opposed to sedentary as were Settlers. Archival records and oral history indicated intense use and occupancy of the Witchekan Lake area and identified the lake area as a seasonal camping location for Witchekan Lake First Nation. A winter camp was identified at the north end while mention was made of summer camps at the south end of the lake for haying season. Surveyors also encountered houses and a ploughed garden area close to the river at the north end of the lake, which they identified as belonging to the Band. Clearly Witchekan Lake was a geographical base vital to the survival of the Band.

The haylands around Witchekan Lake were the subject of much controversy between Witchekan Lake First Nation and the surrounding Settler community as this area contained vast haylands, valued by Settlers and the Witchekan Lake Band. The Band clearly indicated to the state that it intended to maintain control of the haylands. If the ORS had been recognized as it was surveyed, the Band would have relinquished control to the DIA but at least would have

¹ Kent McNeil, *Common Law, Aboriginal Title* (Oxford: Clarendon Press, 1989), pp.1-2.

benefited from the sale and/or lease as all proceeds were to be deposited to the Band's Trust Fund. Being denied recognition of the ORS ensured that the Witchekan Lake Band received neither control of proceeds from the sale or lease of the hay or the lands.

The haylands were part of the traditional lands of the Band. Pre-survey ranchers had an established tradition of paying the Band for the use of the haylands. In the absence of treaty or any other formal agreement, the Canadian state unilaterally assumed control of these haylands from the Band and exploited them for its own profit and gain. With blatant disregard for the Aboriginal rights of the Witchekan Lake Band, competition arose between the DIA and the Department of the Interior for administrative control of the haylands. The DIA administered Settler leases for the small Reserve's hay and crop lands while enforcing the repressive policies of its bureaucracy. The Department of the Interior assumed its authority over all of the lands within the ORS except the approximate seven sections that were designated in 1919 as the Witchekan Lake Reserve. The state gained at the expense of the Band's self-sufficiency and economic security. There is no evidence to support the position that the Band was ever compensated for this loss or that the state attempted to provide alternative means to replace the Band's lost income. The steadfast refusal of the Witchekan Lake Band to accept treaty halted any attempts by the state to share profits with the Band or provide any financial security.

Such reprehensible arrogance on the part of state officials, both the DIA and the Department of the Interior, was enabled and abetted by the attitudes and protests of Settlers. In all of the archival documentation, not one voice is raised from Settlers to encourage officials to consider the rights and position of the Witchekan Lake Band. Although a number of Settlers at Witchekan Lake did not sign the 1913 petition against the ORS, many remained silent at the injustices occurring before their very eyes - silence formed consent for those actions.

The creation of a Reserve was important to the Band as a guarantee of a land tract of their own with resources to supplement other traditional activities. The selection of this relatively small portion of land in the midst of the approximate 1.4 million acres of the Band's traditional lands was significant as the lands in the immediate area of Witchekan Lake were the centre of the social, political, economic, cultural and spiritual (SPECS) aspects of the Band's values towards land use and occupancy and a different moral economy.

In the Witchekan Lake area, two different moral economies operated and continue to operate in the Settler community and Witchekan Lake First Nation. The moral economy of Witchekan Lake First Nation is based on use value, where all members contribute to the economy, regardless of their degree of participation in the labour market. The Settler community tended to employ a moral economy based on exchange value where a member's value is allotted according to the type

and degree of participation in the economy. Although Settlers brought individual life experiences to the Witchekan Lake area, the majority of them utilized an economic and political orientation towards land, resources and Aboriginal peoples. The Settler community around Witchekan Lake regarded land as an economic and political base that embodied the means for survival. Survival was attained through a system of exploitation that ensured participation in the power structure of Canadian society. For Settlers, land was important economically and politically, but less so or not at all in social, cultural and spiritual terms, largely due to the lack of historical ties to the land.

The creation of a “Reserve” had a different meaning within the moral economy of Settlers and the state as this term implied certain characteristics about the residents of the Reserve and their identity, placing the members of the Witchekan Lake Band at the margins of social interaction and justifying the alienation of traditional lands and resources from the Band. The loss of land for the Witchekan Lake Band was significant. Band members were confined to a Reserve too small to allow them to be self-sufficient; being denied access to haylands as a resource that would have helped them to remain self-sufficient meant entering the local labour market to meet basic needs. Seasonal labour and poorly paid employment changed the economic status of the band; treaty benefits were not available as the Band had not signed treaty.

For Witchekan Lake First Nation, the absence of treaty afforded them a “hands-off” attitude from the state, once the Band’s lands and resources were successfully and unilaterally alienated by the Department of the Interior. Until the adhesion to Treaty Six in 1950, Witchekan Lake First Nation had somewhat fleeting encounters with the DIA. The absence of a resident Indian Agent, church officials and a school allowed the Band to exist at the margins of society, but nonetheless, with a greater degree of independence than was enjoyed by many of their counterparts. These conditions likely worked in the Band’s favour towards maintaining some degree of traditional life style, community structure and their value system towards land use and occupancy.

In spite of their marginalized position, Band members continued to insist that their Reserve lands had been compromised; even during the 1930s when it was illegal to advance land claims, they continued to make their circumstances known to officials. In addition, the Witchekan Lake Band steadfastly resisted adhesion to treaty in spite of attempts by state officials to draw them in. By the late 1940s, the Band faced restriction for trapping and hunting as the province sought to enforce its authority over these resources. In 1946, the Witchekan Lake Band actively sought and won a designated trapping area to be able to continue subsistence activities in between periods of seasonal wage labour for local farmers. Shortly after the Band’s assignment of M-61 as a trapping zone, officials from the DIA and local RCMP began to put pressure on some Band members to adhere to treaty.

In the face of steadfast resistance, government officials intimated that Band members could lose its Reserve if they failed to adhere to treaty. Band members attended a meeting with these officials to discuss treaty adhesion. With calculated and persistent attack on the Band's traditional leadership, officials convinced some Witchekan Lake Band members to adhere to treaty. Elders indicated that those people who took treaty were not destitute but wanted access to promised agricultural resources, medical benefits, houses as well as schooling for their children. A dependency relationship with the state began for the Band with the adhesion to treaty in 1950 when DIA officials and a school arrived to change basic patterns of economic and social interaction in the community.

DIA officials in cooperation with Canada Employment and Immigration as well as the Alberta government, influenced the wage labour patterns of Band members, beginning in the 1950s with the recruitment of migrant labour for Alberta sugar beet farmers. At the end of trapping season, children left school prematurely to travel with their families to Alberta; there was little choice as everyone was expected to go. Band members had mixed experiences with migrant labour as some continued this pattern for a number of years while others found year-round employment with Witchekan Lake area farmers. In between trapping, migrant labour and local seasonal labour, some Band members began to rely on welfare payments to subsist. Although the use and occupancy of the Band's traditional lands faced some regulations and restrictions with the NRTA as unoccupied Crown lands became settled or designated for specific use, trapping and hunting remained an integral part of the lives of Band members. In between wage labour activities, Band members continued to utilize the areas of M-61 and the immediate Witchekan Lake area to continue traditional activities of hunting, trapping, fishing and foraging.

During the 1970s, the Band faced restricted access to the M-61 trapping block as they became embroiled in a dispute with a lessee who had obtained a grazing permit to part of M-61. The effect on the Band's ability to maintain their subsistence economy was severe. Band members were physically prevented from entering M-61 lands through the only access road. For approximately twenty years, government officials from the province and the DIA tossed about legal questions as to who had rights to the lands and how best to resolve the issue. A joint lease, set to expire in 2024, currently protects access rights for the Band and a group of private lessees as long as both parties strictly abide by the terms of the agreement.

The question that arises is what will happen to M-61 at the end of that agreement? These lands, understood by Band members to be part of their entitlement as Aboriginal people, are essentially outside the administration and protection of the DIA, even though they were assigned on the basis of time immemorial occupancy by the Witchekan Lake Band. Perhaps one way in

which Witchekan Lake First Nation can now ensure that it will not lose M-61 lands is to attempt to purchase the lands under the TLEFA. However, they are faced with settling third party interests once again but having received Shortfall Acres, the province is not committed to assisting with the acquisition of these lands at the same level as for the Bapaume Community Pasture.

In spite of repeated attempts to have their land claim recognized, it was approximately twenty-five years after the Witchekan Lake Band's adhesion to Treaty Six before the state acknowledged a TLE for Witchekan Lake First Nation, based on the creation of the Reserve in 1913. However, with the settlement of the Band's TLE in 1992, the Band's entitlement is only recognized from 1950 when the adhesion to Treaty Six was signed. The time period before 1950 is not covered, including the time period leading up to the 1913 survey as the first surveying of baselines was carried out in 1886. Research leading up to the ORS did not allow Witchekan Lake First Nation to make a claim based on its population before the 1950 date nor does the agreement contain a mechanism to recognize the alienation of lands included in the ORS of 1913.

Events around the creation of the Reserve between 1913 and 1919 and the pre-treaty time period before 1950, clearly demonstrate that Witchekan Lake First Nation was not adequately consulted or compensated before the loss of lands incurred with the Reserve reduction. In addition, these lost lands were traditional lands that encompassed valuable haylands and other resources that were alienated from the Band. The intervening six and one-half years between the ORS and the Order-in-Council allowed time for the alienation of almost eighty percent of the lands in the surveyed Reserve. Control over a significant land base as well as established seasonal dwellings and property were also lost in this time period. In addition, because of administrative errors at the time of the ORS, the Band was entitled to thirty percent more land than was surveyed in 1913. The ability of the Band to carry out the range of activities encompassed within a SPECS framework was restricted as loss of lands displaced these activities.

The Band became marginalized, relative to the surrounding Settler community and the rest of Canadian society. The situation of TLE for Witchekan Lake First Nation originates with conflicts in concepts of land use and occupancy. The Chief of the Witchekan Lake Band requested a Reserve size with future generations in mind. His request was for one square mile for every Band member and recognized the needs of Band members for self-sufficiency within the geography of the Band's traditional lands.

The position of the state, the Surveyor and Settlers towards land use and occupancy was based on the immediate use and occupancy of land according to their own system of land tenure, imposed on the Band and overlaid upon an existing land tenure system of different nature and

appearance. It is important to consider land use and occupancy in the context of TLE not only to ensure settlement of claims by First Nations but also to ensure that future use and occupancy of lands and resources reflects the value system that accompanies their land tenure systems and rights. By rights of first occupancy and in the absence of and adhesion to any treaty, the Witchekan Lake Band held autonomy and administrative control of those haylands. In keeping with past administrative action, before the Canadian state obtained administrative control over the lands and resources, a formal agreement should have been struck with the Witchekan Lake Band. Such an agreement would have had to include the surrender of the haylands by the Band and the awarding of compensation by the state to the Band.

There is also the unanswered question as to whether or not the Aboriginal title of the Band was intact until the Treaty Six adhesion in 1950, thereby denying Surveyors and Settlers the legal right to intrude on or alienate these lands from the Band before 1950. This important, complex legal question remains unresolved in Canada and outside the main task of this thesis. The state has not been clear about the point at which it officially recognizes a Reserve - at the time of survey on the ground or at the time of the passing of the Order-in-Council. For Witchekan Lake First Nation, a clear position on this issue is crucial in determining the status of their Reserve lands before 1950 and the true extent of their TLE, because of their late adhesion to Treaty Six and the creation of their Reserve prior to the adhesion.

Some legal scholars have begun to raise questions around the specific nature of the Crown's rights to lands in its colonies, particularly how these rights pertained to lands occupied by Aboriginal peoples. These scholars look at this issue in the context of the Royal Proclamation and explore the nature of Aboriginal title, advocating for its recognition within British Common Law.² The importance of Aboriginal title is not dismissed here, but it was not possible to give this topic the depth it requires within the focus of this thesis and remains an outstanding issue in this situation.

The legacy of the colonization process and their experiences within colonization affects the land use and occupancy orientation of Witchekan Lake First Nation. Members of the Witchekan Lake Band made a living off of the lands that they inhabited through activities of hunting, trapping, fishing and gathering as well as trading furs until the coming of Settlers to the Witchekan Lake area. Settlement was an incursion into the traditional hunting lands of the

² B. Slattery, "The Hidden Constitution: Aboriginal Rights in Canada" in *The Quest for Justice: Aboriginal Peoples and Aboriginal Rights*, eds. Menno Boldt et al., (Toronto: University of Toronto Press, 1985) and J. Borrows, "Constitutional Law From a First Nation Perspective: Self-Government and the Royal Proclamation," *University of British Columbia Law Review* 28, no.1 (1994) These are two sources for discussion on the topics about the source, nature and definition of Aboriginal title.

Witchekan Lake Band and the Saulteaux Tribe that the Band belonged to and was the start of the Band's struggle to retain access and control over their lands and resources. Settlement also introduced a different conception of land use and occupancy that did not recognize the entitlement of Witchekan Lake Band to the use of lands and resources through hunting, trapping, fishing and gathering.

The treatment of the Saulteaux people as a collective for Reserve allocation while administering to them as separate Bands is an attack on the social and cultural structures of the Saulteaux people. The Canadian state, represented here by the Department of the Interior chose to ignore these structures in their dealings with these peoples which led to a great deal of frustration for state officials and the Band. State officials often resorted to making decisions that ignored the best interests of the Band due to a lack of knowledge and sometimes, ignorant pettiness. Decisions were usually informed by the underlying ideologies of colonials that viewed Aboriginal peoples as racially inferior; resistance to conformity by the Witchekan Lake Band appears to have added to this perception.

The Dominion Land Survey occurred before the ORS in 1913; both surveys represent external political control of the Band and its lands and resources by colonizers. The DIA was thwarted in its attempt to turn the Reserve into an internal colony because of the Band's steadfast refusal to sign Treaty. Repeated delays in officially recognizing the Witchekan Lake Reserve and the unilateral reduction of the size of the Reserve represent attempts to break down the political structures of the Band and the Saulteaux Tribe. The drastically reduced size of the Reserve excluded all but a tiny portion of the haylands the Band counted on for self-sufficiency and retention of political autonomy. Economic dependency became their future as the haylands became the property of the Canadian state who reaped financial benefits from leases and permit sales to incoming Settlers.

However, the lack of treaty did not provide the Witchekan Lake Band with any assurances of autonomy or safeguards for survival as they were forced to turn to seasonal wage labour provided by the very Settlers who displaced them from their traditional lands. Combined with hunting, trapping, fishing and gathering, Band members eked out a living as best they could while Settlers benefited from the fruits of Indian labour in clearing the land for cultivation and assisting with the seeding and harvesting of crops. As lands became less available for Settlers and the province assumed control over the lands and resources, Band members found themselves confined to a designated area for trapping and hunting activities, subject to provincial regulation. Under threat of loss of their tiny Reserve and implied threats to their trapping block, some members of the Witchekan Lake Band signed treaty. Upon signing treaty, a school was introduced into the

community that had the effect of separating some family members from land and resource activities. Soon after, welfare payments were introduced along with migrant labour in Alberta's sugar beet fields; these events served to further separate Band members from their traditional lands and resources.

The loss of access to and control over the haylands plunged the Witchehan Lake Band into poverty, relative to the Settler community around them. The lack of treaty monies and benefits forced Band members to be constantly working to meet basic needs and to survive. Increasingly, the separation from lands and resources and marginalization in the labour market contributed to a greater degree of poverty amongst Band members as less and less time was left to supplement seasonal and poorly paid labour with food and income from the land. Increasing poverty and limited opportunities forced Band members into the realm of social services available to the rest of the status Indian population in Canada.

In terms of Witchehan Lake First Nation's experiences with the colonization, their experience mirrors parts of Stevenson's theoretical model but some effects are less because of the uniqueness of their situation. As part of the fur trade exchange, Band members did not experience any immediate threat to their lands and resources, although the Band was unable to escape the ravages of disease epidemics. The Band escaped the incursion of settlement mainly because of their distance from the southern homestead lands; their north-central location led to delayed demand. However, the timing of Settler arrival led to intense competition for a resource that both Settlers and the Band valued for the purposes of self-sufficiency. Settlers arrived on the Band's traditional lands where a particular type of land use and occupancy was being practiced. The imposition of the Dominion Land Survey system forever changed how the Band would enjoy occupancy of their traditional lands and access their resources.

Due to the perception that the Band was too racially inferior to develop the potential of the resource, they were stripped of control over and access to the resource. In a climate of declining fur trade and heightened development of agriculture, Band members experienced a loss of economic and political autonomy. Marginalized participation in the local economy resulted in poverty and an economic struggle for daily existence. The Band was not under treaty so was not subjected to intense administration from the DIA; missionaries and schools do not appear to have been part of the community at this time. The lack of these two colonizing institutions may have assisted the Band in retaining social, cultural and spiritual autonomy until they adhered to Treaty Six. However, not all members adhered at the same time, providing a place for the retention of social, cultural and spiritual autonomy.

With an increased DIA administration, eventually everyone adhered to treaty and Band

members experienced tutelage and interference in their efforts to remain apart from the effects of colonization. This interference came in the form of forced school attendance for children, the introduction of the welfare scheme and the Band's participation in migrant labour. By this time, Band members experienced the many effects of colonization, leading them to where they are currently. The present situation of Witchekan Lake First Nation is summarized in a letter written by Mike Fineday, the Band's elected Chief at the time:

We know that many non-aboriginal people don't understand us. They don't understand the tragic web of historic events that have placed Indian people in the circumstances we find ourselves today. If they did they would know that:

- at one time we didn't need hand outs from anyone, that we were self-sustaining and had our own economy and intertribal market system
- our old way of life was intruded on and snatched away from us by people less caring and understanding than you; people that were hell bent on exploiting us and the natural resources with no thought to the human element
- by the time our people realized the old way was gone that they were essentially destitute
- the Government of Canada of the day was mostly interested in "getting us out of the way" by taking our livelihood, by isolating us on the Reserves under a set of rules, administered by often mean-minded Indian Agents, that we were robbed of our most important possession—our pride. The pride that comes from being able to make one's own living
- we weren't allowed to leave our own reserve or to sell our produce or livestock without permission
- the Indian Agents perpetuated the myth that we were to be treated as children and spread the story in the community at large
- many people in society then obtained and harboured the negative and racist views
- it was very difficult for us to get employment as many people had these views
- the welfare system was put into place to sustain us, coupled with the systemic barriers to entry in the work world, robbed our people of their inherent work ethic.³

In the course of events that led to the alienation of the traditional lands and resources of Witchekan Lake First Nation, many details point to repeated attempts to take advantage of the Band. In some instances, basic human rights as well as the Band's Aboriginal rights were purposefully ignored or repressed, in spite of Band attempts to assert those rights. Such actions on the part of the state and Settlers offend the very morals and principles held dear by those persons. The protection of rights was a principle that drew many immigrant Settlers to Canada. Violations of this promised protection resulted in a loss of dignity and humanity for the Canadian state. The restoration of this loss begins with making amends for past wrongs.

The settlement of outstanding claims by Aboriginal peoples is necessary to restore not only

³ Letter, Chief Mike Fineday, Witchekan Lake Band to Bapaume Pasture Patrons, March 15, 1994. Witchekan Lake Band Files.

the dignity and loss of humanity suffered by Aboriginal peoples but also the loss of dignity and humanity experienced by the state and Settlers. Legal and political confusion about the most appropriate and advantageous manner to both register and settle the outstanding claim has left Witchekan Lake First Nation in limbo. Such ambiguity, as created in these circumstances has clearly disadvantaged Witchekan Lake First Nation. In the interests of preserving the honour of the Crown, this ambiguity needs to be settled.

Conflict over land use and occupancy between First Nations and Settler communities had its beginnings in the late 1870s; an era of treaty-making that resulted in the alienation of traditional lands from First Nations. The conflict between Witchekan Lake First Nation and Settlers that manifested itself in the negotiations of the TLEFA and the early implementation attempts has its genesis in the early period of homesteading when conflict arose primarily over access to land and resources. Explanation for the existence and persistence of conflict over land use and occupancy between Witchekan Lake First Nation and Settlers must consider the degree of completeness of societal institutions for each group and its contribution to past conflict and how it sustains conflict in the present. The multicultural composition and incompleteness of the societal institutions within Settler society at its arrival to the Witchekan Lake area led to the absence of a dominant ethnic group.

In the present, the Settler community in the Witchekan Lake area remains united by economic interests but the group remains too pluralist to compete effectively for dominance over Witchekan Lake First Nation. In contrast to this is the strong identity of Witchekan Lake First Nation, who, in spite of the same problems that most Aboriginal Reserve communities presently face, have remained secure in their history. The community is focused on a quest to regain control over traditional lands by utilizing the TLEFA in spite of continued conflict with the Settler community. The identity of Witchekan Lake First Nation has remained strong throughout time, largely due to the completeness of their societal institutions at the time Settlers arrived on their traditional lands. As well, conflict between the two communities continues in the present in the implementation of the detailed TLEFA.

The conflict between Witchekan Lake First Nation and Settlers that manifested itself in the negotiations of the TLEFA and the early implementation attempt has its genesis in the early period of homesteading. Conflict arose primarily over shared interests in the land and resources due to differences in how the land and resources were to be managed and accessed. Closely tied to these conflicts were differing interpretations about the nature of Aboriginal title to land. These differences and conflicts impinge on how Witchekan Lake First Nation will manage their acquired lands amidst the continued difference in values towards land use and occupancy.

Although considerable time has passed since the first Settlers arrived in the area, little has changed in the attitudes and behaviours of the Settler community, in general, although some individuals do not assume defensive and racist stances. The slow pace of change is due to the maintenance of the ideologies that Settlers brought with them to Witchekan lake. These ideologies inform their descendants in their social relations with Witchekan Lake First Nation. The overall effect on Witchekan Lake First Nation has been further delays to its plans to gain economic footing, particularly with land management.

The creation of the OTC in 1989 and its 1990 recommendations for negotiating a settlement to outstanding TLE claims in Saskatchewan brought a change in negotiating position of Saskatchewan First Nations. The "political will" existed to have negotiations to reach a settlement; this created better chances for success for the negotiating Bands. A sign of this success is the signed TLEFA between the two levels of government and twenty-five entitled Bands. However, the long-term success of the TLEFA remains to be measured as its implementation has not been without its problems for Witchekan Lake First Nation.

In resuming the acquisition process for the Bapaume Community Pasture, Witchekan Lake has had to deal with an increase in the conditions to be met; the satisfaction of third party interests determine the success or failure of these efforts and were the focus of considerable time and effort on the part of mediators and Band members. The Band must satisfy third party interests in a higher percentage than under the 1976 Formula; legally, unregistered third parties have no property rights as a collective. However, third parties are assigned rights that are protected within the TLEFA.

The settlement of TLE in Saskatchewan culminated in the TLEFA. Previous to the signing of this document, research was conducted to determine each entitlement Band's population as of 1955 and determinations were made as to the number, size and locations of Reserve surveys for each Band. However, little time was given to the detailed histories of the Reserve creation of each of the twenty-six Bands. The research was driven by the needs of negotiators to reach an expedient settlement to TLE, based on the Equity Formula. Overall, the process was designed to take an economic, mechanical and monetary approach to the settlement of TLE.

The appropriateness of this approach is questionable as Bands tended to be treated as homogenous in becoming part of treaty; no distinction was made between signatory Bands to treaties and later adherents. For instance, no attention was paid to time differences between Bands who signed or adhered to treaties. Traditional forms of land use and occupancy differed amongst the Bands that were spread throughout the province of Saskatchewan. Geographical differences between northern and southern Bands are significant to the sizes of reserves that

Bands negotiated for at the time of making treaties. In addition, some Bands emphasized hunting and trapping over agriculture, primarily due to climate and topographical conditions of land areas.

The original treaty-making process led to land entitlements for some Bands as a direct result of inadequate Reserve surveys. Inadequacies were due to a number of reasons including inaccurate and incomplete censuses of Band members, survey errors and administrative errors. For other Bands, such as the Witchehan Lake Band, Reserves were granted before adhesion to treaty. Late adhesion to treaty constitutes a unique circumstance within and an interesting challenge to the interpretation of TLE.

Witchehan Lake First Nation was not only a late adherent to Treaty Six but also received a Reserve before treaty adhesion. However, Bands in this category constituted a minority group, overall, within the twenty-five entitlement Bands, so their circumstances became lost in the desire to settle TLE in Saskatchewan in a timely fashion. The political situation around the negotiations provided a limited time frame for research. In addition, political expediency was the motto of the day with looming provincial and federal elections. More time and resources were needed to do thorough and detailed research that would have revealed unique issues for Bands who received Reserves before adhering to treaty.

Differential experiences in treaty-making and adhesion as well as differential land use and occupancy due to geographical differences amongst the twenty-six Bands led to the underestimation of the extent of some entitlements, in terms of equity. For instance, until the early 1920s, the Witchehan Lake Band was canvassed aggressively to sign Treaty Six. The Reserve was allocated on the basis of the provisions in Treaty Six. In addition, the Band was provided with medical attention on a regular basis between 1928 and 1932 and received sporadic rations. Medical care is a specific treaty benefit under Treaty Six as is the receipt of rations in times of need.

These events were not recognized during the research process as important to determining population figures or determining starting dates of entitlement that resulted in the TLEFA. The agreement does not clearly state the date from which TLE is taken but implies it with the stated date of first survey. Unfortunately, signatory Bands to the TLEFA are no longer able to make claims under TLE and so must seek other means of having outstanding claims addressed.⁴ Researching the historical aspects of Reserve creation in greater detail as well as mapping patterns of land use and occupancy may have prevented these omissions and assisted First Nations in claiming further outstanding inequity.

⁴ Articles 15 and 16 of the TLEFA prevents signatory First Nations from making further treaty land entitlement claims on the federal and Saskatchewan governments.

The TLEFA was negotiated in an atmosphere of political expediency. Both the federal and Saskatchewan governments were facing elections in 1992 and had been under some pressure from FSIN to settle outstanding TLE claims. The OTC spent considerable time and effort in trying to find common ground on which the entitled Bands and both levels of government could negotiate a settlement. However, the timing of upcoming elections left little time for in-depth research that would recognize the differences amongst the various Bands. Instead, the entitled Bands were all treated as a homogenous group with no allowances made for the time into which each Band entered treaty or the differences between land use and occupancy by southern and northern Bands. For northern Bands, the issues around access to Community Pastures were important to their mixed farming economy as was the settlement of third party interests for traplines. In addition, First Nations must now deal with increased demands and liabilities of Third parties whose rights are protected and their satisfaction ensured within the TLEFA.

The signing of treaties began a relationship between the state and First Nations in which the state assumed a fiduciary obligation for the best interests of First Nations based on a relationship of trust, not exploitation, created dependency or benevolence. In signing treaties, First Nations understood the state was agreeing to share the land; consultation with First Nations about future concerns about land and resources were implied. Violation of the true meaning of fiduciary obligation began immediately after the signing of treaties as state policy developed around the implementation of policy to administer the *Indian Act* while the principle of fiduciary obligation set up at treaty negotiations became lost. That principle consisted of acting in the best interests of First Nations as **intended** by treaties and original *Indian Act* legislation. As a continuation of the treaty process, fiduciary obligation was implicit in the negotiations to settle TLE in the 1990s. The political atmosphere of those negotiations that led to some of the omissions in research and the resulting agreement do not uphold that principle.⁵

The fundamental objective of this thesis project has been to demonstrate how differences in land use and occupancy between Settlers and Witchekan Lake First Nation contributed to a TLE for the latter. The study of land use and occupancy by both groups demonstrated conflict over lands and resources in the Witchekan Lake area. A second objective has been to point out how the implementation of the TLEFA is affected by the persistent relationship of conflict between these two groups. The limitations of the agreement, the conditions under which settlement was reached and the time constraints of the research to determine the shortfall and equity acres of each

⁵ A recent determination by the *Indian Claims Commission* in the appeal of the Long Plain First Nation of Manitoba refers to the legitimacy of this First Nations' claim that the failure of Canada to provide the entire land entitlement amounted to a breach of fiduciary treaty. Furthermore, in matters involving Indian title, Canada is also guilty of a breach of fiduciary duty.

entitlement Band all contribute to an atmosphere of unresolved conflicts.

A secondary question is whether or not the TLEFA represents an effective means of returning to self-sufficiency for Witchekan Lake First Nation. The TLEFA provides Witchekan Lake First Nation with a chance to build a land base from which it may develop opportunities for its members or collect revenues from leasing or permits to non-members. A land base has been long advocated as the means to self-determination and autonomy for First Nations.⁶ One way to determine if self-sufficiency is possible is to examine the historical record of land use and occupancy. The nature of land use and occupancy by Witchekan Lake First Nation has been influenced by the interdependence of social, political, economic, cultural and spiritual values in the context of a lengthy period of resistance. Diversity in the use and occupancy of land and resources within the Settler community and Witchekan Lake First Nation has left its mark upon the land. In the past, both groups have been limited in land use and occupancy by geography and climate.

The process to settle outstanding TLE failed to use an holistic approach to evaluating the meaning of land and resources to both groups. Rather, the process and the negotiators concerned themselves with defining issues as economic and political, as is evident in the Equity Formula to settle compensation. Resulting solutions to the problems were then easily settled in political and economic terms and are consistent with the moral economy found within an operational value system of individualism. The folly of such an approach is apparent in the extent to which the implementation of the TLEFA has been carried out. For instance, approximately half of the signatory Bands have achieved Shortfall Acres. Of those Bands, only Witchekan Lake First Nation has acquired the community pasture it selected previous to the agreement; the other nine pastures have not been acquired, in spite of renewed selection after the signing of the TLEFA.⁷

Little has changed since the first Settlers arrived to homestead on the traditional lands of Witchekan Lake First Nation. The Settler community remains highly pluralist, united only by their economic concerns. Although societal institutions have been established by Settlers, integration between both groups has been within local schools; for the most part, the two communities remain socially separate. The willingness of Witchekan Lake First Nation to share the land and resources has been a constant over time, supported by archival documentation and

⁶ Richard H. Bartlett, "Making Land Available for Native Land Claims in Australia: An Example for Canada" in *Manitoba Law Journal* 13 (1983), no. 1, p.110.

⁷ Saskatchewan. Intergovernmental and Aboriginal Affairs, Aboriginal Affairs Division. Susan Shalapata Carani, Personal communication, 16 June, 2000. In addition to the twenty-six signatories to the *1992 Framework Agreement*, two other First Nations had their treaty land entitlements recognized in 1996 and one is in the process of having official recognition. These additions bring the number of entitlement Bands in Saskatchewan to twenty-nine; to date, only thirteen have achieved Shortfall Acres.

again in the recent negotiations for the Bapaume Community Pasture. Witchekan Lake First Nation hosted the public celebrations for the transfer of the pasture in Spiritwood, sharing food, ceremonies and dancing. Few people from the larger community attended the celebrations.

Attitudes of the past will need to change in order for the implementation of the TLEFA to succeed. As limited as the agreement is in its recognition of unquantifiable losses for entitlement Bands, First Nations are no longer waiting to take their place in Canadian society - they are making inroads now. Old stereotypes and colonial attitudes no longer have a place in today's Canadian society. The reality is that the settlement of TLE has placed enough resources in the hands of signatory First Nations to allow them to participate in the economic sector of Canadian society. It remains to be seen what the nature of that participation will be; within the context of mutual cooperation and respect or through battles to gain the same. Changing attitudes requires action on the part of both the Settler community and Witchekan Lake First Nation. In negotiating the transfer of the Bapaume Community Pasture, members of Witchekan Lake First Nation had to learn to utilize skills of negotiation and mediation. These skills will assist them with other issues around their TLE implementation.

The difference in the moral economy of Settlers and Witchekan Lake First Nation is the underlying cause of TLE for Witchekan Lake First Nation. Furthermore, these moral economies consist of opposing value systems that continue to operate and have an effect on the implementation of the TLEFA that was established to resolve outstanding treaty land entitlements. Although the complex story around the creation of a TLE for the Witchekan Lake Band was not gathered and told before the signing of the TLEFA, it may assist in relieving some of the problems encountered in implementing the TLEFA. Furthermore, hearing the story may help the Settler community and Witchekan Lake First Nation to understand the source of their differences that led to conflict. One way to understand those differences could lie in conceptualizing the value systems that were behind the ideologies that informed each type of land use and occupancy. The most effective way to define the orientations of Settlers and Witchekan Lake First Nation is to present a graphic illustration of each group's value system. This subject is offered as consideration for future research while two models are presented to begin that process.

FUTURE RESEARCH

Historic events demonstrate that Witchekan Lake First Nation and Settlers had and continue to have differing and distinct orientations towards land use and occupancy that form the basis of

the conflict that arises in the jockey for space and competition for resources. These models attempt to demonstrate the nature and existence of two separate operational value systems within the communities of Witchehan Lake First Nation and Settlers. Moral economy affects the form and nature of the SPECS units of influence in every operational value system.

The basic construction of any value system can be defined as a system that consists of five units of influence; social, political, economic, cultural and spiritual units of influence or SPECS, operate within any value system. SPECS affects decision-making and social behaviour within groups and societies. Each value system utilizes these units of influence in a different manner.

Operational Value System of Individualism

The operational value system of Individualism in the Settler community has two main components with social, political, economic, cultural and spiritual (hereinafter SPECS) units of influence arranged in a hierarchical form. The first component is the Foundation Value Area that contains the economic and political units of influence. The economic unit of influence is of primary importance as it underpins an “exchange value” orientation to land and resources; the political unit of influence rests on economic unit. The second component is the Upper Value Area, composed of the social, cultural and spiritual units of influence. Within the value system of individualism, the SPECS units of influence are arranged in a hierarchical form where relationships are linear and separated by categories. This value system is tied to a moral economy based on exchange value.

A graphic representation of this structural model is seen below in Figure 6.1. The graphic shape of this hierarchical form is an inverted pyramid; a three-dimensional structure containing the SPECS units of influence. The depth of the structure accommodates two value areas; the Foundation Value Area contains the economic and political units of influence which form the base for the society’s values; the existence of the entire structure rests on exploitation. The Upper Value Area consists of the social, cultural and political value units and rests on the foundation value area and is not necessarily integral to decision-making by the society. Within this structural model, it is possible to make decisions based on the Foundation Value Area and incorporate the influences of the Upper Value Area after the fact or as dilemmas threaten the stability of the Foundation Value Area.

The nature of this community operates to ensure that the structural shape of the value system of Individualism remains constant. A small segment of the society determines the economic unit of influence while a slightly higher percentage of the society determines the political unit of

political unit of influence. These two units of influence form the basis on which the remaining three units of influence rest. The Upper Value Area allows for greater participation of societal members in determining influence and decision-making, but the structure of this model restricts access to the greater portion of a society. All of the excluded societal members are exploited while some members are marginalized and excluded from the social structure. Exploitation and exclusion are necessary attributes for this structure to exist, reflecting a society with differential power and access to resources leading to differential outcomes for life chances.

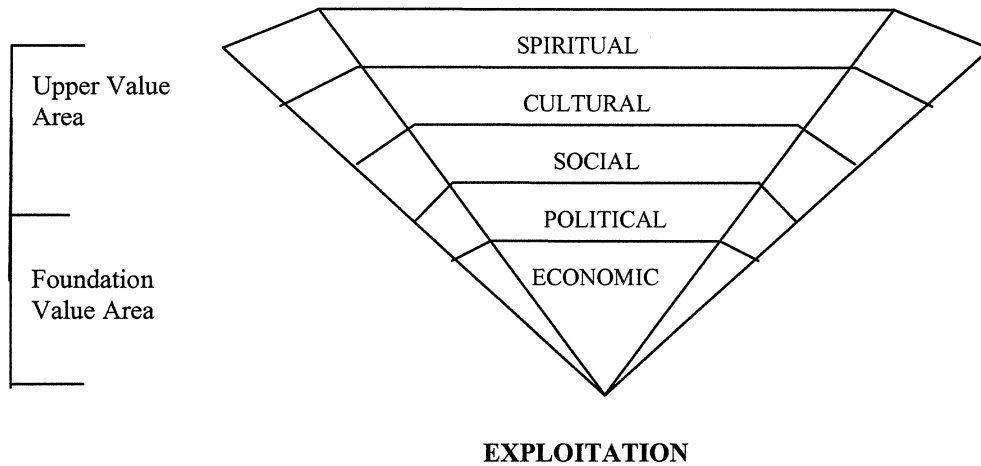


Figure 6.1 Graphic Representation of an Operational Value System of Individualism Relationships are linear and separated.

This structure is maintained by exploitation through class relations and social stratification within and between individuals and groups. In order to exist and survive, the society is based on exploitation of itself - the largest percentage of its people as well as their land and resources. Exploitation is especially apparent with the land and resources of individuals or groups who are excluded from or marginalized to the structure. This exploitation takes place at the level of the Foundation Value Area and requires that the Upper Value Area be given less emphasis or ignored. The effects of exploitation as exerted by the Foundation Value Area ensure that change initiated in the units of influence in the Foundation Value Area causes significant change in the units of influence in the Upper Value Areas. However, change in the Upper Value Area causes little or no change in the Foundation Value Area. A small amount of change effected by the Upper Value Area can be accommodated in the Foundation Value Area but large change is not tolerated.

The rigidity of the structure does not allow for any significant degree of change in size or shape of the structure; thus the system is easily jeopardized. While only a limited number of individuals of the society can participate within the Foundation Value Area, too few or too many at any level leads to significant restructuring and instability. Therefore, the participating individuals have little choice but to give limited accommodation to changes or differences. They must try to maintain the status quo as the risks of being too accommodating would jeopardize their existing exploitation level and position of privilege.

Differential power amongst individuals and groups leads to differential access to the units of influence in the Foundation Value Area of the society resulting in the exclusion of some individuals and groups from participation in the Foundation Value Area. Thus, those who are excluded or marginalized have little or no chance to represent their interests unless they gain participation in the economic and political units of influence. The unequal role attributed to the Foundation Value Area in decision-making and restricted access to this area causes an absence of balance within the entire hierarchical structure. As well, significant changes to the Foundation Value Area results in the instability of the structure. The absence of balance and the instability of the structure leave it vulnerable to collapse.

Quite simply, not all members of society are permitted to have access to the structure that determines the operational value system. Those individuals outside the system are exploited as they are without capital or adequate income to sustain themselves so they rely on employment⁸ Participation within the operational value system of Individualism can be at any one of the value levels or more than one level. However, those with the significant influence in the group's operational value system are found in the economic unit of influence. Few members in this unit are exploited themselves; individuals at the economic level become the exploiters and force individuals in the ascending levels to become exploited. The exploited then must engage in exploitation themselves in order to continue to participate in the operational value structure. Participation levels are maintained by the exclusion of a majority of individuals who have limited or no ability to contribute to or exploit others. These individuals remain secluded and their participation in this operational value system is in the role of the exploited. Exploitation underpins this operational value system of Individualism and is carried out solely for purposes of

⁸ Fitzgerald, 173-174 and 246. According to Fitzgerald, at least one member of every family engaged in trapping although most Settlers were not enthusiastic trappers. Few Settlers earned more than \$300.00 per year at trapping. However, the need for cash was ever-present as farm income by 1926 was not sufficient to support Settlers. The main sources of cash income in the Witchekan Lake area appear to be lumber-related jobs, harvest help and working for local ranchers; individuals outside the system included the majority of Witchekan Lake area Settlers. Without capital or adequate farm income to sustain themselves, Settlers relied on seasonal employment with fellow Settlers who were in a position to hire help.

individual benefit, often disguised as political will, democratic process or in the best interests of the whole society. Exclusivity ensures that competition exists and becomes agitated over resources and benefits; this leads to conflict within the system and between others operating in a different system.

Operational Value System of Holistic Collectivity

An opposite and distinct operational value system towards land use and occupancy takes an holistic approach towards land use and occupancy. This holistic approach reflects an historical pattern of an annual cycle within the community. This pattern has adapted over time, in response to influences created by the change in land tenure but continues to exist presently as an internal regulating mechanism for the community. The operational value system of Holistic Collectivity is a reflection of the importance of land and its resources to the community, demonstrating the community's respect for the land and resources to which it owes its existence. The graphic representation of the orientation of the operational value system of Holistic Collectivity is a sphere, as represented in Figure 6.2.

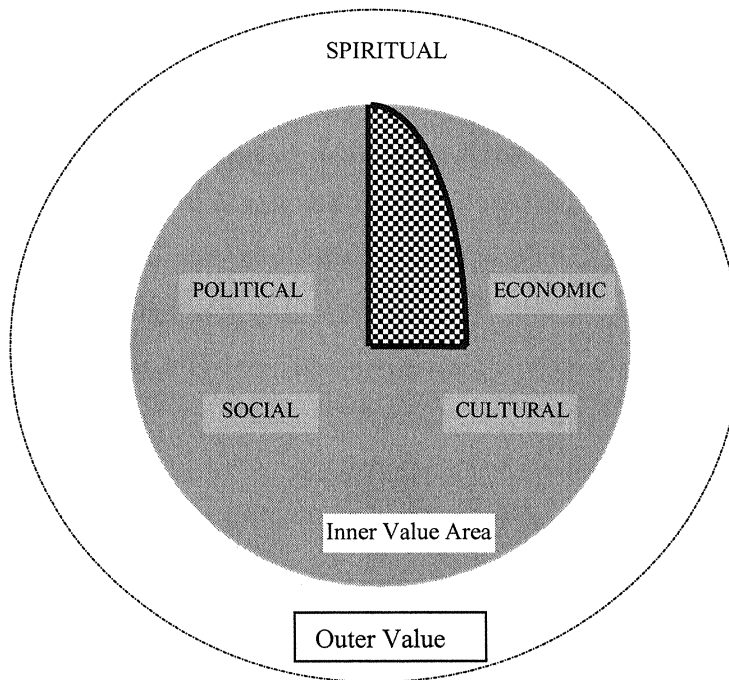


Figure 6.2 Graphic Model of an Operational Value System of Holistic Collectivity. This drawing is intended to represent a three-dimensional sphere composed of a web-like inner structure with layers of relationships.

The depth of the sphere contains the SPECS units of influence, held together by a web-like structure of relationships; these compose the Inner Value Area, the basis of the group's values. This sphere is a constant size and must retain its shape to maintain a balanced system. The Outer Value Area contains the spiritual unit of influence that encases the sphere of the Inner Value Area. The Outer Value Area is attached to the Inner Value Area, structured like a covering, a semi-permeable membrane that acts as a filter to allow ideas and influences to pass in and out of the sphere. At the same time, the membrane holds the sphere together so that the web-like structure of relationships is constantly maintained; it is resilient enough to accommodate change but strong enough to resist being broken.

The depth of the sphere contains the SPECS units of influence, held together by a web-like structure of relationships; these compose the Inner Value Area, the basis of the group's values. This sphere is a constant size and must retain its shape to maintain a balanced system. The Outer Value Area contains the spiritual unit of influence that encases the sphere of the Inner Value Area. The Outer Value Area is attached to the Inner Value Area, structured like a covering, a semi-permeable membrane that acts as a filter to allow ideas and influences to pass in and out of the sphere. At the same time, the membrane holds the sphere together so that the web-like structure of relationships is constantly maintained; it is resilient enough to accommodate change but strong enough to resist being broken.

This structure ensures an holistic and collective orientation to thoughts and actions of the community that ensures that all of the units of influence are part of the decisions, even though the decision may be based predominantly on one of the SPECS units of influence. At the same time, some decisions will employ a combination of SPECS; the shape of the sphere needs to remain constant in order to retain a balanced society. Disruptions in the shape are caused by the influence and overexpansion of one of the units of influence. Decision-making which fails to incorporate all of the units of influence will cause the sphere to change shape, resulting in an unbalanced system and a weakened society.

Exploitation does occur within the operational value system of Holistic Collectivity but not in the same way as the operational value system of Individualism. Individuals who operate in the system of Holistic Collectivity may emphasize one or more of the units of influence, but not to the rigid exclusion of other individuals. Within the system of Holistic collectivity, exploitation of resources is carried out so that it is of benefit to the collective and individuals in the present and several generations into the future. Some individuals may choose to exempt themselves from

participation but for the most part, participation is shared, not based on exclusivity. Hence there is scant competition for resources and minimal conflict within the system.

Although the conditions of competition and conflict arise out of the dynamics of individual interaction, the overall structure of the operational value system of Holistic Collectivity does not encourage either. The overall structure ensures that competition and conflict are mediated in such a manner that the form and nature of the operational value system is maintained. Essentially, what sets the operational value system of Holistic Collectivity apart from that of Individualism is the motivation and intensity of exploitation. Both systems have a sense of future orientation but the value system of Individualism has a somewhat more limited orientation towards the future than the system of Holistic Collectivity.

The difference in range of future orientation has much to do with historical ties to a geographical place. Individuals immigrating to a new area have to establish ties those places which often occur with the first burials in the new place.⁹ As well, a sense of community had to be recreated out of the many different peoples that relocated to new areas. Furthermore the recreation of community occurred in the absence of supportive institutions, family and friends. In contrast, communities with lengthy historical ties to the land have a sense of time and space in a particular place with an accompanying long and enduring history.¹⁰ These differing circumstances around community lead to a differing future orientation towards land use and occupancy. The difference in range of future orientation is also tied to attitudes towards how land is to be used and occupied. The value system of Individualism views land and resources as commodities for exploitation to assist individuals in becoming established and accumulating capital to advance their individual interests. For the value system of Holistic Collectivity, land use and occupancy is directed towards the use and exploitation of resources for self-sufficiency and survival but not purely for the accumulation of capital and the advancement of individual interests.

⁹ One of the first institutions to be recreated in homesteaded areas was that of the spiritual and religious. Land for churches and cemeteries was often donated out of a homestead as the state only provided land grants for schools.

¹⁰ The Witchekan Lake Band became a mixed cultural group during the time of early settlement as they are today. It is evident from documents already cited that Saulteaux people had migrated from the east at least forty years previous. In addition, the presence of Cree people is also noted and as a group had been in the area considerably longer than the Saulteaux. Hence, at least some of the members of the Witchekan Lake Band could claim time immemorial occupation. When M-61 was assigned as a trapping block in the late 1940s to the Band, the basis was on the Band's time immemorial occupation of those lands and not the occupation of the neighbouring Pelican Lake or Big River Bands.

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APPENDICES

APPENDIX I, Respondent Profiles.....	196
APPENDIX II, Consent Form	199
APPENDIX III, Questionnaire.....	200
APPENDIX IV, Character List.....	202
APPENDIX V, Treaty Land Entitlement in Saskatchewan	204
APPENDIX VI. Aboriginal Tenure, Value Systems and Moral Economy	227
APPENDIX VII, Spreadsheet, Settler Raw Data.ID Number.....	233

**APPENDIX I
RESPONDENT PROFILES**

MAP BIOGRAPHIES (1995-1997):

Respondent 1:

Female; Widow in her 60s. She was born at Whitefish in 1935 and moved with her parents at age 7 years to Witchekan Lake. She was present, as a child, when meetings were held about M-61 and the adhesion to Treaty Six. She married a man who later joined the Witchekan Lake Band and raised her family there with him. Her father was instrumental in accessing M-61 trapping zone for the Band. Active in subsistence activities.

Respondent 2:

Female; Widow in her 70s. Born at Pelican Lake in 1912. She was raised at Whitefish; married a man from Witchekan Lake and moved there after her marriage in 1936. Active in subsistence activities.

Respondent 3:

Female; in her 60s(?); daughter of Respondent 2. She was born at Pelican Lake; came to Witchekan Lake as an infant and was raised there. She raised her family at Witchekan Lake with a man from there. Active in subsistence activities.

Respondent 4:

Male; born in 1934 at either Witchekan Lake or Pelican Lake and was raised mainly in Pelican Lake. His wife came from Whitefish. Active in subsistence activities.

Respondent 5:

Male; born in 1939; husband of respondent 3. Born and raised on Witchekan Lake Reserve. Active in subsistence activities. Concerned with problems around M-61 blocked access.

Respondent 6:

Male; Born 1928 at Prince Albert. Raised by his grandfather at Witchekan Lake after age of 6 or 7 years. Stopped trapping at M-61 in late 1960s.

Respondent 7:

Male; born 1938 at Witchekan Lake; mother was from Saulteaux Reserve. Spent his childhood at Witchekan Lake and later lived with his mother at Saulteaux. Father worked for local farmers; worked as migrant labour for sugar beet farms in Alberta. Was present at meeting for Treaty Adhesion as a small child. Active in subsistence activities until recently.

Respondent 8:

Male; born 1929 at Witchekan Lake; father was from Witchekan Lake; mother was from Birch Lake. Recalled when M-61 was first used; was present at meeting for Treaty Adhesion.

Respondent 9:

Male; born 1942 in the Laventure area. Raised in Laventure and Pascal areas. Was not raised on the Reserve because his mother was married to a non-Band member but moved back to Witchekan Lake Reserve in 1977. Spent time with mother's relatives, back and forth, as a child. Now has status with Witchekan Lake Band. Has worked for farmers and DNR. Recalled that he enjoyed school up to Grade Eight; high school was too costly for his parents so he went out to work. Only went once to do sugar beet labour- that was enough. Active in subsistence activities.

Respondent 19:

Female; born in 1928 at Witchekan Lake and lived there all her life, married and raised her family there. Quit trapping in 1994.

Respondent 10:

Male; moved to Witchekan Lake at age 15 years. He was elected chief of the Band at the meeting for Treaty Adhesion and remained as chief for 25 years. He was instrumental in getting other Band members to adhere to treaty. He was also part of the interviews carried out in the 1970s by Harry Nicotine, researcher for FSIN and the Witchekan Lake Band. He was a trapper but is not now.

HARRY NICOTINE INTERVIEWS (1975-76):

Respondent 11:

Male; aged 78 years; deceased. Involved with the setting up of M-61. He could recall the Original Reserve Survey.

Respondent 12:

Male; aged 86 years; deceased. He worked with the survey party at Jackfish Lake Reserve and Witchekan Lake Reserve. He may also have worked on surveys which subdivided the townships in the Witchekan Lake area. He was able to take a group of people from the Band and FSIN around the boundaries of the Original Reserve Survey and located all of the Reserve survey markers except one that had been displaced in a gravel pit used to build the local highway.

Respondent 13:

Male; aged 78 years; deceased. Was child at the time of the Original Reserve Survey.

Respondent 14:

Male; aged 76 years; deceased. He could recall the Original Reserve Survey and the early years of the Reserve and the people there.

Respondent 15:

Female; age unknown; resident of Saulteaux Reserve. Could recall oral history about the signing of Treaty six at Fort Carlton, as told to her by her grandfather; raised by her grandparents.

Respondent 16:

Same person as Respondent 10 above. In these interviews, gave some oral history about the signing of Treaty Six at Fort Carlton.

Respondent 17:

Male; born in 1957; born and raised at Witchekan Lake. Active in subsistence activities. Worked in Alberta sugar beet fields as a child; trapped at M-61 and involved with treaty land entitlement for 15 years or more.

Respondent 18:

Male; in his 30s(?); born and raised at Witchekan Lake. Worked in Alberta sugar beet fields as a child.

**APPENDIX II
CONSENT FORM**

The purpose of this research project is to determine the nature and extent of land use and occupancy within the traditional lands of Witchekan Lake First Nation. This information is being collected for the purposes of developing a land claim for Witchekan lake First Nation and as research as part of a Master's Thesis.

This research is being undertaken by Brenda McLeod, a Graduate Student with the Department of Native Studies at the University of Saskatchewan in Saskatoon. The research is being done for the Chief and Council of Witchekan Lake First Nation, in conjunction with the Federation of Saskatchewan Indian Nations (FSIN). The research will form the basis of a report to be used for the submission of a land claim as well as Brenda McLeod's Master's Thesis. The thesis is academic learning that is used to further her education.

The project is being financed by FSIN, Witchekan Lake First Nation and Brenda McLeod. The research will involve one initial interview and may lead to follow-up interview(s) within a few days or two weeks. The interviews will be done to gather specific information about how lands were used and to create a map biography. A tape recorder may be used, if you consent to this. You may withdraw from the research project at any time.

It is not anticipated that your participation in this research will cause you any harm. The answers you provide will be kept confidential; your anonymity is assured. However, legal counsel and persons involved with the land claim will have access to the research and results. As a participant, a summary of the research results can be made available to you.

Your signature is needed on this form, which indicates that you understand how you are being asked to participate in this research project. As well, it indicates that you agree to the access and use of the information you provide and that you consent to participating in this project.

I _____ have read or have had read to me, this consent form and I agree to participate in the research project as described. I agree to allow the information I provide to be used by Witchekan Lake First Nation and by Brenda McLeod.

Signature _____ Date _____

Witness Name _____

Witness Signature _____ Date _____

Researcher's Signature _____ Date _____

**APPENDIX III
QUESTIONNAIRE**

**WITCHEKAN LAKE FIRST NATION
CLAIMS RESEARCH PROJECT ELDERS QUESTIONNAIRE**

SECTION I: BIOGRAPHICAL INFORMATION

NAME:

D.O.B:

BIRTHPLACE:

NEE:

MOTHER:

FATHER:

SPOUSE:

WHERE RAISED:

DATE OF INTERVIEW:

RESEARCHER: Brenda McLeod

INTERPRETER:

SECTION II: RESIDENCY AND DISPLACEMENT:

1. Do you currently live within Witchekan Lake's traditional lands?
2. Specifically where do you live? Could you show where you live on a map?
3. Have you always lived at this place? How long have you lived here?
4. Where else have you lived? For how long?

SECTION III: DEFINITION OF WITCHEKAN LAKE TRADITIONAL LANDS

1. How would you define the area/boundaries of the traditional lands of Witchekan Lake First Nation?
2. Did Witchekan Lake First Nation ever share this territory with anyone else?
3. Were there any other Bands/groups of Indian peoples living in the area? Where were they located? Which lands did they occupy and use?
4. What were the names of the families or individuals who shared Witchekan Lake First Nation's territory? Who belonged to the Band and shared this territory/?
5. When did your family first begin to share in the use and occupancy of the traditional lands of Witchekan Lake First Nation?

SECTION IV: PRESENT USE AND OCCUPANCY

- 1. Can you tell me about the kinds of activities you participate in that involve Witchekan Lake's traditional lands?**
- 2. Which activities do you participate in? (List each activity and the species taken)**
- 3. Which years did you do this in?**
- 4. Were there any significant changes in the way you did these activities?
(snowmobiles, changes in traps, regulations, etc.)**
- 5. Where did you participate in each of these activities?**
- 5. Could you describe a typical yearly cycle to show the kinds of activities and the length of time you do these activities?**

SECTION V: PAST USE AND OCCUPANCY

- 1. Could you tell me about the kinds of activities you participated in that involved Witchekan Lake's traditional lands?**
- 2. In the past, which activities do you participate in?
(List each activity and the species taken)**
- 3. Which years did you do this in?**
- 4. Were there any significant changes in the way you did these activities?
(snowmobiles, changes in traps, regulations, etc.)**
- 5. Where did you participate in each of these activities?**
- 6. Could you describe a typical yearly cycle to show the kinds of activities and the length of time you do these activities?**

SECTION VI: OTHER SITES

- 1. Are there any other special places in Witchekan Lake's traditional lands that you know of? (burial sites, ceremonial sites or gathering places)**
- 2. Where are these sites located?**
- 3. What are these places used for?**
- 4. Are these sites restricted to men or women or certain members of the Band?**
- 5. Are these used now? Were they used in the past?**

Are there any other comments or information that you would like to tell about at this time?

**APPENDIX IV
LIST OF CHARACTERS**

DEPARTMENT OF THE INTERIOR:

W.W. Cory	Deputy Minister	1905 to 1930
J.A. Cote	Assistant Deputy Minister	
N.O. Cote	Controller, Lands Patent Branch	
Dr. E. Deville	Surveyor General	
E.W. Hubbell	Inspector of Surveys, Prince Albert	
J. Johnston	Lands Patent Branch	
P.G. Keyes	Secretary	
R.C. Laurie	Dominion Land Surveyor, North Battleford	
L. Pereira	Assistant Secretary	
Dr. W.J. Roche	Minister	
M.B. Sheppard	Lands Patent Branch	

DEPARTMENT OF INDIAN AFFAIRS:

S. Bray	Chief Surveyor
W.J. Chisholm	Inspector for North Saskatchewan Inspectorate, Prince Albert; Fired in 1915 for horse trading with Indian at Moosewoods.
W.B. Crombie	Replaced W.J. Chisholm in 1916.
J.P.G. Day	Battleford Indian Agent; fired for campaigning for election of 1911(?)
H.W. Fairchild	Surveyor (1913)
W.M. Graham	Indian Commissioner, Regina
S.A. Milligan	Leask Indian Agent, 1916
J.D. McLean	Assistant Deputy Minister and Secretary
N. J. Mcleod	Superintendent, Duck Lake Agency; believed to be present at Treaty Adhesion at Witchekan Lake, 1950
J.A. Rowland	Battleford Indian Agent; replaced J.G.P. Day; fired for incompetence in 1918
D.C. Scott	Deputy Superintendent General of Indian Affairs (D.S.G.I.A.)
I.J. Steele	Surveyor at Witchekan Lake
S. Stewart	Assistant Secretary
John Weir	Leask Indian Agent; involved in Hay Dues scandal with Witchekan Lake Band in 1921

WITCHEKAN LAKE BAND:

- Ohsawapisk Also known as “Old Brass;” believed to have come on horseback with his family from the East - Saulteaux leader who advocated for Witchekan Lake Reserve in 1912.
- Chief Kawkaykeesick Son of Ohsawapisk; became Chief after the Original Reserve Survey in 1913.
- Chief Tepowewe Became Band Chief after death of Kawkaykeesick during the 1918 Spanish Flu Epidemic

OTHERS:

- E.R. Coldiron American rancher who lived north of the Reserve before the 1913 survey; led the Settler protest to 1913 Original Reserve Survey. In 1914, he received the first haying permit on these lands and later received permits to cut hay on the reduced Reserve sections - paid with food rations.
- M.J. Howell Land Broker, North Battleford; forwarded the 1913 Settler Petition to protest the Original Reserve Survey.
- James McKay Member of Parliament, Prince Albert; received Kawkaykeesick’s letter requesting a Reserve in 1912; intervened on behalf of petitioning Settlers to Minister of Interior and D.C. Scott. Lawyer from Prince Albert firm of McKay and Adam who were involved with scrip speculation; later appointed a judge.

APPENDIX V

TREATY LAND ENTITLEMENT IN SASKATCHEWAN

Treaty land entitlement (TLE) is simply a recognition that a debt of land is owed to a Band that has signed a treaty or an adhesion to a treaty. There are six treaties that cover the land mass of Saskatchewan; only five of these treaties stipulate the conditions for Reserve selection.¹ The land quantum for an entitlement Band arises out of specific terms of a signed treaty that allowed Bands to choose a Reserve composed of a specified number of acres, proportional to the Band's membership. Any shortfall of this land quantum qualifies a Band as having a TLE. The shortfall arises from a shortage between the number of acres the band was entitled to at the time it signed treaty and the number of acres of land it actually received at the time of the survey of its Reserve. Outstanding TLE in Saskatchewan began for some Bands in the mid-1870s with the signing of treaties.

Treaties signed in the mid-1870s specified the number of acres to be allocated per family of five Band members. Upon signing or adhering to treaty, a census of the Band's membership was recorded to determine the size of the Reserve to be surveyed. A Surveyor, in consultation with the Band, set aside Reserve lands, based on Band membership, as determined by the DIA. The first time a Reserve was surveyed for a Band is referred to as the Original Reserve Survey (ORS) or Date of First Survey (DOFS). Sometimes, there were errors in the census used to determine Band membership or in the way in which a survey allocated Reserve land. Bands whose Reserve surveys were affected by these errors received less than the number of acres that they should have received, according to the terms of treaty. Shortfalls at DOFS occurred amongst Bands to varying degrees and led to entitlements that were not settled until 1992.

¹ Brizinski, 161 and 167. Saskatchewan is covered by Treaties Two, Four, Five, Six, Eight and Ten. Treaty Eight contains no provisions for Reserves because Indian peoples in that area did not want to be settled on Reserves. Treaty Two covers a minute area in southeastern Saskatchewan.

From the years that followed the first Reserve surveys, Bands and government officials recognized that shortfalls for entitled lands under treaties existed for some Bands. In order to correct these errors, parcels of land were sometimes added to Reserves.² However, the process of fully satisfying entitlements was not completed by 1930, at which time the *NRTA* passed the administration of Saskatchewan lands and resources to the provincial government. The *NRTA* contained a provision that the province would assume this federal debt and satisfy outstanding claims of First Nations in Saskatchewan out of unoccupied Crown lands.³ Some Bands had outstanding claims that were not recognized at this point while other were prevented from pursuing their claims. Due to a repressive amendment to the *Indian Act* in 1927, land claims could not be effectively pursued until after 1951 when this amendment was repealed.⁴

By 1976, fifteen Bands in Saskatchewan had their claims to TLE recognized. An attempt was made to settle these claims using the Saskatchewan Formula.⁵ This formula was based on each Band's fixed population as of December 31, 1976 and the acres allocated per Band member in the appropriate treaty. Although accepted by entitlement Bands as a valid settlement of their claims, the formula soon fell victim to criticism as problems arose with its implementation. Land selections were limited under the Saskatchewan Formula to unoccupied Crown lands, close to the Reserves of entitlement Bands. The shortage of available lands became apparent when ten of the thirty entitled Bands selected pastures for the settlement of their claims.⁶

Both the federal and provincial governments began to argue over responsibility for the costs of providing lands. The federal government saw the province as wholly responsible as it had promised to settle Indian land claims under the terms of the *NRTA* in 1930.⁷ The province argued that the federal government was responsible as it had signed the treaties and failed in its responsibilities under the terms of those treaties. Federal *PFRA* and provincial community pastures formed the bulk of Crown lands selected by Bands to satisfy their claims. In spite of assurances to settle their third party interests in the pastures, patrons voiced widespread

² Pitsula, 1-2.

³ See Pitsula, 2 and Lambrecht, 8.

⁴ Canada. DIAND. Treaties and Historical Research Centre, Corporate Policy, *Indian Acts and Amendments, 1868-1950*, 169. Section 141 of the *Indian Act* declared that the solicitation, receipt of funds or the promise of payment from any Indian person for the prosecution of Indian land claims, without the permission of the DIA, would result a fine or a fine and up to two months imprisonment.

⁵ Cliff Wright, *Report and Recommendations on Treaty Land Entitlement*, (Saskatoon, Sk.: Office of the Treaty Commissioner, 1990), 10.

⁶ Wright, 10-12.

⁷ Ibid.

objection to the transfer of their pastures to entitlement Bands.⁸ Rural municipalities added their objections, based on the loss of tax base on lands once they became Reserves. In turn, members of the Saskatchewan Wildlife Federation joined the dissenters, adding environmental and concerns over hunting rights to the growing heap of discord.⁹

A change in provincial government in 1982 added to the growing uncertainty of the settlement of TLE in Saskatchewan. While provincial politicians studied the issue of treaty land entitlement, debates arose amongst the province, entitlement Bands and federal officials over the validity of treaties, the status of third party interests and even over the formula itself. The end result was a halt in negotiations. After the launch of a court case by two Bands in 1989,¹⁰ efforts were renewed to try to bring all of the parties to the negotiating table to settle the claims of entitlement Bands. The Office of the Treaty Commissioner (OTC) was established in 1989 as an “independent office...[mandated to direct] the process of resolution of issues and [make]...recommendations to the Minister [of INAC] and the Treaty Indians.”¹¹ In 1990, after consultation with entitlement Bands, federal officials and the province of Saskatchewan, Treaty Commissioner Cliff Wright issued the *Report and Recommendations on Treaty Land Entitlement*. The Commissioner proposed the adoption of the Equity Formula to settle the outstanding debt of land to entitlement Bands.

THE EQUITY FORMULA

The Equity Formula attempted to address the issue of fairness in settling the land quantum of entitlement claims. By the time of Wright’s report, the courts had determined six principles of Treaty interpretation. The Equity Formula was designed to reflect these principles that included fair and liberal interpretation of Treaties, in favour of Indian peoples as well as the interpretation of Treaty texts as they were understood by Indian peoples and supported by their conduct, rather than literal interpretation of the words. In addition, ambiguities in the interpretation of treaties were to be settled in favour of Indian peoples while the honour of the Crown was to be upheld, avoiding all appearances of “sharp dealing.”¹² Finally, the courts had indicated that treaties were made equally with individual Indian persons, not Indian Bands.

⁸ Wright, 12-14.

⁹ Wright, 12-20

¹⁰ Wright, 20. The Starblanket and Canoe Lake Bands filed a Statement of Claim in Federal Tax Court in March, 1989 against Canada and Saskatchewan.

¹¹ Wright, 1.

¹² Wright, 24. These principles have their basis in judgments arising out of case law beginning in 1981.

Bands with recognized entitlements were party to the research and negotiations that determined their outstanding Shortfall Acres. Annuity Paylists provided the basis of calculating each Band's historical population at the DOFS. Establishing the DOFS population was important in determining if a Band had an outstanding TLE. Entitled Acres, which represent the total number of acres a Band was entitled to at the DOFS, were calculated by multiplying the DOFS population by the number of acres allocated to each Band member, according to the appropriate treaty. The number of acres actually received at DOFS was subtracted from the total number of Entitled Acres. The outstanding balance determined a Band's Shortfall Acres. According to the terms of the agreement, each entitlement Band is required to purchase its Shortfall Acres in actual land acreage; these acres must be designated as Reserve lands.¹³

At the heart of the formula is the establishment of Band populations at three crucial times in order to determine the Equity Acres that each Band was entitled to, according to the Equity Formula. These population figures included the historical population, DOFS population, an Adjusted Date of First Survey (ADOFS) population figure and the Current Band population. The ADOFS represents the historical population of a Band at DOFS as well as individuals who married into the Band, moved in or took treaty with the Band up to 1955. This population figure accommodated the historical increase in Band population while 1955 represented the completion of treaty adhesions by Bands in Saskatchewan.¹⁴ The ADOFS was used to determine Shortfall Percentage for entitlement Bands in the TLEFA that was carried through in the calculation of Equity Acres.

Current Band population was another component of the Equity Formula. It consisted of Band population after 1955 and up to March 31, 1991. Current Band population included all of those individuals listed with the DIA as belonging to the Band. Due to the passing of memberships codes with Bill C-31 in 1985, some individuals may be listed with the DIA but may not be Band members.¹⁵ However, treaty rights, one of which is the right to land, are not affected by membership codes; thus, the DIA list was used to determine Current Band population. This population figure provided for the increase in population since the ADOFS population, given the lengthy time period between DOFS and the settlement of TLE. In addition to Shortfall Acres, Equity Acres were awarded to entitlement Bands to make allowance for the shortfall percentage of Band members who received no land allocation at DOFS. Equity

¹³ *1992 Framework Agreement*, Article 11.01.b), 85.

¹⁴ Peggy Martin-McGuire, Personal Communication, 1999.

¹⁵ As of the passing of Bill C-31 in 1985, it was possible for Bands with membership codes to have two lists; one with Band members and another with a list of all of the persons originating with the Band who were registered with the DIA but did not necessarily meet membership criteria as determined by the

Acres were also intended to compensate Bands for lost use and occupancy of lands they were entitled to since the DOFS.¹⁶ Based on the Equity Formula in the TLEFA, Equity Acres were awarded as compensation for these losses, while considering the Band's current population. The determination of Equity Acres required the calculation of a Shortfall Percentage by dividing the number of entitled acres into the number of acres received at DOFS, for each Band and expressing the calculation as a percentage. Equity Acres were then determined by multiplying the Current Band population by the number of acres allotted to each Band member, by the applicable treaty, and multiplying by the Shortfall Percentage.

Studies were carried out to determine the dollar value of an acre of land; multiplying Equity Acres by a set value of \$262.19 per acre converted Equity Acres into an Equity Payment to each Band. This conversion was carried out so that Bands could use the monies to purchase Shortfall Acres, additional lands or use the funds for Band development projects.¹⁷ By the time the negotiations took place to settle TLE in Saskatchewan, there were few Crown lands left for Bands to choose for their Reserves. Equity Payments permitted Bands to purchase desired lands rather than being forced to accept marginal Crown lands unsuited to the plans and needs of entitlement Bands. Lands are purchased on the principle of willing seller-willing buyer in order to quell previous fears of Bands displacing present landowners as a number of complications plagued previous attempts to settle TLE.¹⁸

The situation of Witchehan Lake First Nation as a TLE Band is unique as the survey of Reserve land preceded adherence to Treaty Six in 1950. Usually, Bands signed or adhered to treaty before receiving Reserve lands because that is when a Band's entitlement to a Reserve occurs.¹⁹ The reversal of these events in the case of Witchehan Lake First Nation leads to some complex questions with respect to the appropriate date to use for calculating their entitlement, their status as an entitlement Band before 1950 and the status of their Reserve lands, particularly between the years of 1913 and 1919. The Indian Claims Commission (hereinafter ICC), has adjudicated a small number of TLE claims that were rejected by the Department of Justice. The ICC has made rulings around the issues of DOFS, selection of Reserves, official recognition of Reserves and fiduciary obligation around TLE that will be used here to try to sort out some of the complexity around Witchehan Lake First Nation's situation.

code.

¹⁶ Wright, 45-46. The Equity Formula was designed to reconcile shortfall while considering current population of each Band and ensured that Bands did not receive more acres than they were originally entitled to under the provisions of the treaties.

¹⁷ TLEFA, Schedule 5, 23.

¹⁸ TLEFA, Article 4.05(a), 36.

¹⁹ Indian Claims Commission (hereinafter ICC), "Gamblers First Nation Inquiry: Treaty Land

However, it must be remembered that the ICC is an advisory body only and cannot require Canada to implement its recommendations and decisions. As well, to date, the ICC has not ruled on any TLE case involving a First Nation who received a Reserve before signing or adhering to treaty.

ISSUES IN DETERMINING LAND ENTITLEMENT

One recurring issue in settling TLE was that of accommodating increased Band populations. Particularly where surveys were done to supplement an ORS, it was difficult to try to settle a Band's land entitlement without an accurate historical population at the DOFS; Current Band population figures did not accurately reflect the historical population. In turn, another dilemma arose as to whether new lands should be allocated for the increased population of a Band. The TLEFA attempted to address these issues by establishing three population numbers for each entitlement Band. These numbers included the historical population or DOFS population as determined through Annuity Paylists, an Adjusted Date of First Survey (ADOFS) population figure and the Current Band population, as discussed earlier.

Some problems arise with the tendency of OTC researchers to rely heavily on these documents to determine historical population of entitlement Bands. In addition, there is also the suggestion that some Bands disputed the numbers researchers arrived at for their historical population due to the effects of disease and starvation. Complicating this issue is the inability of Bands to produce documentation as proof of their population numbers; the weight given to oral history, one of the principles upheld in the creation of the Equity formula, may also be questionable. Another issue that was not accounted for in the case of the Witchehan Lake Band was the loss of members the 1918 Spanish Flu epidemic. Given the well-documented effects of disease epidemics on Indian populations during the years of treaty-making, disease epidemics should have been given more consideration in the case of the Witchehan Lake Band.

Annuity Paylists

The establishment of entitlement Band populations at DOFS and ADOFS relied heavily on Annuity Paylists. These lists were consulted for a number of years around the actual year of the DOFS to account for missed individuals and new adherents to treaties. A concern was raised in the 1970s by Kenneth Tyler as to the suitability of Annuity Paylists as a source of information

Entitlement Claim," ICC Report, October, 1998, 64.

about historical Band populations. Tyler stated that “these pay sheets were not designed to keep track of the number of Indians. They were designed to keep track of the amount of money the Agent had doled out.”²⁰ Annuity Paylists recorded only those Band members who accepted treaty annuities in a given year; because some people missed these payments, they were paid their arrears in the next year they appeared to collect them - varied numbers of years could pass between collection times. Although a poor source of census information, perhaps researchers regarded the paylists as the most convenient and easily accessible for the majority of entitlement Bands. In order to assist researchers in determining the Band’s historical population and as a check on the Annuity Paylists, federal government Census Records would have been an appropriate tool to utilize in this research.

The advantage of using decennial Census records to cross-check Annuity Paylists is that individuals were recorded in five year intervals, often in their place of residence. Individuals listed outside of their normal place of residence could have been cross-referenced with Annuity Paylists to determine which Band they belonged to. The downside of using Census Records is that they appear only in the years which end with the number one and an interim census is taken in the years that end with six. In setting the limits for the ADOFS, researchers would have had to choose 1956 rather than 1955, in the interests of consistency. A problem exists with access to Census Records after 1906 as restrictive legislation prevents accessibility to researchers and the public. Researchers at the OTC missed a rare opportunity to have this restriction set aside by demonstrating an effective and necessary use of these records. However, in the unique circumstances of Witchehan Lake First Nation, appropriate justification may be raised for the need to provide access to Census records that are nearly 100 years old. These records represent significant support for the Band’s claim and are likely the only documented proof of the Band’s historical population.

For the Witchehan Lake Band, the use of Annuity Paylists is especially problematic due to their late adherence to Treaty Six. Annuity Paylists do not begin until 1950 for the Band but the first survey of their Reserve occurred in 1913. The 1913 population of the Band is open to some speculation but based on the amount of land the surveyor set out in the ORS, it may have been as high a 160 people or higher as he recommended an additional block of land for forty people in his post-survey report. As the DIA set out the Reserve allocation according to the 1911 Census, this record is extremely important in terms of determining how many people belonged to the Witchehan Lake Band when the 1913 ORS was carried out. This survey was

²⁰ Kenneth Tyler, transcript of “Land Entitlement Meeting”, Federation of Saskatchewan Indians, Indian Rights & Treaties Research and Office of Native Claims, June 27, 1978, 26. I received a copy of

also the only survey of the Reserve; no other survey was ever carried out, not even when the Reserve was subsequently reduced.

Historical population was a key ingredient in the Equity Formula that was used to determine TLE in Saskatchewan. Research carried out by the OTC to determine the extent of Witchekan Lake First Nation's TLE missed the factionalization of the Saulteaux Band of the Battleford District and the relationship between the Jackfish Lake, Pelican Lake and Witchekan Lake Bands, all of whom were signatories to the TLEFA. Factionalization of these Bands was quite evident from the files of the Department of the Interior, available at the NAC and the OTC in Saskatoon. Information about the adhesions of each of these Bands was also available within these files, Pelican Lake in the 1920s and the other two Bands in the 1950s.²¹ The TLEFA granted TLE based on the date of adhesion and the ADOFS to 1955. There is no evidence to suggest that the 1913 population that existed at the time when the Witchekan Lake Band received its Reserve before adhesion to treaty was included in the ADOFS.

Recommendations from the ICC maintain that according to research guidelines for TLE from the Office of Native Claims, legal advice from the Department of Justice suggested that the population base to determine land entitlement for a Band be no later than the date of the first survey of the land.²² The ICC has followed this advice in other TLE rulings, although all of these instances have occurred with Bands in treaty before the receipt of Reserve lands.²³ If this ruling is applied to the situation of the Witchekan Lake Band, then the population at 1913 should be used to determine their entitlement, not 1950. With respect to the issue of the Band being outside treaty, the ICC has not addressed this issue but has also stated that "subject to exceptions being made in unusual circumstances, which would otherwise result in manifest unfairness, the general rule is that the population on the date of first survey shall be used to calculate a band's treaty land entitlement."²⁴ It is possible to argue here that manifest unfairness has resulted in ignoring the 1913 date of first survey of the Witchekan Lake Reserve.

When Bands signed the TLEFA, they signed off on any further claims to treaty land entitlement. The only way signatory entitlement Bands can make any further claim to land entitlement is to increase their historical population up to 1955. Some records of the Witchekan

this transcript from Peggy Martin-McGuire in August, 2000.

²¹ *Statement of Treaty Issues: Treaties As A Bridge to the Future* (Saskatoon.: Office of the Treaty Commissioner, 1998), 115-116.

²² Department of Indian Affairs and Northern Development, "Office of Native Claims Historical Research Guidelines for Treaty Land Entitlement Claims," (May, 1983) in ICC, "Gambler First Nation Inquiry Report," 66.

²³ ICC, "Gambler First Nation Inquiry Report," 68.

²⁴ *Ibid.*

Lake Band's population appear in Indian Agency Records during the late 1940s but they are infrequent and their validity is somewhat questionable.²⁵

The use of oral history is conspicuously absent in the research of historical Band population of the Witchekan Lake Band. In the clear absence of documented support for Band assertions of historical population, oral history was a necessary tool to determine accurate accounts of past members; oral history contains, among other things, the genealogy of individual communities and the nations to which they belong. Oral history is of particular importance in the absence of Annuity Paylists as was the case for the Witchekan Lake Band.²⁶

Another issue that was not accounted for in the case of the Witchekan Lake Band was the loss of members the 1918 Spanish Flu epidemic. The consideration of this particular disease epidemic is important as it played an important role in the reduction of the Reserve size. Given the well-documented effects of disease epidemics on Indian populations during the years of treaty-making, disease epidemics should have been given more consideration in the case of the Witchekan Lake Band.

Effect of Disease Epidemics on Determining Band Population

Reserves were not created and authorized until months, sometimes years after treaties were signed. For the Witchekan Lake Band, the survey of a Reserve in 1913 predated an adherence to Treaty Six; it took another six and one-half years for the state to officially recognize the Reserve that had had been surveyed for the Band, albeit one of a significantly reduced size from the 1913 survey. By the time the Witchekan Lake Reserve was officially recognized in 1919, the Witchekan Lake Band had experienced a number of disease epidemics. Of particular notice was a severe influenza epidemic that significantly reduced their membership and disease epidemics played a significant role in the creation of a reduced Reserve size for the Witchekan Lake Band.

Disease epidemics increase the complexity of the issue of determining Witchekan Lake Band population as the occurrence of disease epidemics significantly depopulated Indian Bands. An influenza epidemic in 1890 swept across the Prairies in which the Duck Lake Agency in

²⁵ These informal census lists are the results of Indian Agents in the Duck Lake Agency and contain omissions as well as errors in recording ages of some Band members.

²⁶ Beth H. Johnson, "Witchekan Lake Membership," prepared for the Federation of Saskatchewan Indian Nations, September, 1990. Witchekan Lake Band Files. This document establishes the Band's historical population at 95; this number remained unchanged in spite of some questions raised by the Band about it being too low.

Saskatchewan had a reported death rate of 99 per 1000.²⁷ Another influenza epidemic that had devastating effects on the Indian population in the Prairies was the 1918 Spanish Flu Epidemic. In the Battleford Agency, the death rate was especially high and continued to remain high until early in 1920 when the local Indian Agent recorded deaths almost four times greater than the rest of Saskatchewan.²⁸ While the epidemic killed significant numbers of Indian peoples, particular segments of Band populations, such as the very young and the elderly were more vulnerable than other population segments, as was the case for the Witchekan Lake Band.

The 1890 influenza epidemic does not appear to have significantly affected the Witchekan Lake Band. The considerable distance from the Witchekan Lake Reserve to the rest of the Duck Lake Agency likely kept the Band relatively safe from the epidemic. With regards to epidemics, one elder noted that “Sickness came twice to our people. The first time many had died. The second time not so many died.”²⁹ This elder stated his age as 86 years in 1976. Thus he would have been born in 1890 and would not have recalled the details about the 1890 epidemic. The first sickness, in his experience, would have been the initial epidemic of 1918. The second sickness the elder is referring to is likely the renewed bouts of influenza that occurred from until 1919 to 1920, as previously discussed.

Historical sources and oral testimony attest to the severity and degree of depopulation of the Witchekan Lake Band. The historical population of the Witchekan Lake Band, due to unique circumstances of the selection of the Witchekan Lake Reserve, was affected by the 1918 Spanish Flu Epidemic. As part of the Battleford Agency at this time, the Witchekan Lake Band was in an area of reported exceptionally high death rates from influenza. The failure to account for the depopulation of the Witchekan Lake Band in 1918 definitely created an undercount of the Band’s historical population. This undercount remained constant within the ADOFS used in the calculation of the Witchekan Lake Band’s Shortfall Acres and Equity Acres in the TLEFA.

The 1918 Spanish Flu epidemic significantly depleted the Band’s population and affected the Band’s historical population and ADOFS population. By 1955, the Witchekan Lake Band was still in a state of recovery from the epidemic but had not yet reached its population size at the time of the 1913 survey.³⁰ Further detailed and careful research would have to be done on behalf of Pelican Lake and Jackfish Lake in order to determine if they have been affected in a similar way with regards to their TLE.

²⁷ Maureen Lux, “Prairie Indians and the 1918 Influenza Epidemic,” *Native Studies Review* 8, no. 1 (1992), 24.

²⁸ *Ibid*, 25.

²⁹ Respondent #12. Interview with Harry Nicotine, November 30, 1975. Witchekan Lake Band Files.

³⁰ See Chapter Five for a discussion of Witchekan Lake Band population in 1946 and Elder testimony

Researchers at the OTC ignored the impact of the 1918 epidemic and other disease epidemics because of time constraints on research. These time constraints existed because of political pressure from the negotiating parties to bring the negotiations to closure while conditions existed for the political will to settle TLE in Saskatchewan. The possible effect of the epidemic on historical populations was considered and dismissed because it did not appear to affect the majority of the Bands with recognized entitlements.³¹

Some epidemics were well documented but less documented cycles of disease are not regarded as having the same degree of devastation. However, Band members may have become depleted to the same extent by cycles of disease that returned on a regular or annual basis. Because of their endemic nature, the degree of devastation from other disease cycles needs to be investigated more fully with regards to determining the historical populations of treaty land entitlement Bands. Hand-in-hand with this problem is the issue of determining the status of Reserve surveys before their confirmation by Order-in-Council.

Status of Reserve Surveys

The question of the status of Reserve lands at the time of survey and the time period until the passing of the Order-in-Council is a significant issue in TLE, particularly for late adherent Bands or Bands with a long period of time between the ORS and the Order-in-Council to confirm the Reserve. The position of the DIA, as a matter of policy, was that Reserves were not formally set aside until the passing of the Order-in-Council.³² The unanswered legal question is whether a Reserve is created at the time of the survey on the ground or when the Order-in-Council is passed. Hence, it is necessary to consider the understandings of the Indian people for whom the Reserve was surveyed. In the context of a society where words and actions govern understandings, formal parliamentary procedure and documentation have little relevance. Understandings were based on the actions and events at the time of interaction; Bands would have understood the actual survey on the ground to be the creation of their Reserves.

Some of the confusion about the status of these lands is due to the lack of consistency between treaties, the *Indian Act* and policy administration by the DIA. Treaties set out the conditions for the survey of a Reserve while the *Indian Act* governs the administration of Reserves after their creation. The status of Reserve lands between their actual survey and

about the size of the Band population after the epidemics in 1918-1920.

³¹ Martin-McGuire, Personal communication, December, 1999.

confirmation by Order-in-Council is not covered either by the treaties or the *Indian Act*. The DIA is left to cover this ambiguous state through the administration of its policy which is guided by the *Indian Act* but is not protected by legislation nor is it accountable for changes or differential treatment to various Indian Bands.

The point at which the land and resources under the survey become Reserve lands is unclear and a point of conflict when the spirit and intent of the survey is considered. Under the provisions of the treaties in Saskatchewan, Bands were to be consulted on the selection of suitable lands to be set apart for their Reserves.³³ However, as noted by Treaty Commissioner Cliff Wright in his 1990 report, after 1893, the Department of the Interior confirmed Reserves through Orders-in-Council.³⁴ As the DIA was ultimately under the authority of the Minister of the Interior, the DIA lost its right as sole authority for the setting apart of Reserves. The subservient position of the DIA to the Department of the Interior translated into losses for Indian Bands as the main objective of the Department of the Interior was the settlement of lands by “actual settlers” and not the best interests of Indian Bands.

The ICC has made some recommendations with regards to the significance of an Order-in-Council in the official recognition of surveyed Reserves. Quoting an official of the Department of Justice, the ICC has taken the position that an Order-in-Council is not necessary once the survey is done as:

the survey and setting out of the reserve having been done with the express consent & approval of the Indians & having since been acquiesced by them, no Order in council is necessary . . . [it] is a more formal record of the proceedings the undersigned recommends, for the avoidance of doubts, that one be passed approving of & confirming the reserve as already set apart.³⁵

The official was responding to a request for a legal opinion regarding trespass on a Reserve and the requirements that led to its proper creation. For the Witchehan Lake Band, this legal opinion is significant as the 1913 ORS was requested by the Band and agreed to by the DIA and Canada. Once the survey was complete and the Band continued to occupy the lands of the Reserve, the Order-in-Council was a mere formality rather than the determining factor of when the Reserve became recognized.

After the completion of the ORS, the Witchehan Lake Band continued to reside on the lands as it had always done, patiently waiting for recognition of the Reserve lands by the DIA

³² Chief Sweetgrass as told to W.J. Christie, 1871. Quoted in *Treaties As a Bridge to the Future*, 23.

³³ Morris, 353.

³⁴ Wright, 42-43. Since the *Indian Act* makes no mention of using Orders-in-Council to confirm Reserves, it is assumed this practice was a matter of policy and not law.

³⁵ Z.A. Lash, Department of Justice to Department of the Interior, August 12, 1876. NAC, RG10,

and Settlers. In response to the Band's repeated inquiries regarding the status of the lands they understood to be their Reserve, they received evasive responses for six and on-half years. The decision to reduce the size of the Reserve took place without their consultation or consent. According to the above legal opinion, these actions were illegal as were the subsequent issuing of hay permits to Settlers by the Department of the Interior. Only the DIA had that authority under the *Indian Act*. Monies that accrued from the sale of permits to Settlers are thereby owed to the Band and a case could be made for compensation for the illegal taking of lands and resources from the Band's Reserve. All of this, of course, hinges on the acceptance that the Witchehan Lake Band, even though not in treaty, had an entitlement to the said Reserve.

Status of Bands and Reserves Granted Prior to Adherence to Treaty

Confusion over the status of surveyed, unconfirmed Reserve lands contributes to a third issue which arises where Reserves were granted to entitlement Bands before their actual adhesion to a treaty. Some Bands received Reserve lands before their adhesion to treaty. The status of both the Bands and surveyed Reserve lands prior to adhesion are somewhat ambiguous. The position of the state is not clear on the status of non-treaty Bands and the Reserve lands received before adhesion which leads to questions of entitlement for non-Treaty Bands.

This event raises questions around the status of entitlement Bands, particularly their entitlement to treaty benefits upon receipt of Reserve lands outside of signing treaty. The question is whether or not a Band that has received a Reserve is considered to have had their Aboriginal title satisfied and thereby qualifies to be regarded as a treaty Band upon receipt of Reserve lands? The lack of clarity of a Band's status leads to ambiguity about the status of surveyed Reserve lands from the time of survey until the passing of the Order-in-Council. This ambiguity leaves the rights of Bands vulnerable to alienation, resulting in a loss of autonomy for Bands as their rights remain in a state of confusion.

Reserves were part of the terms of Treaty Six; the receipt of a Reserve, like annuities, may extinguish Aboriginal land rights.³⁶ If the receipt of Reserve lands constitutes the extinguishment of a Band's land rights, then non-treaty Bands with Reserves before adhesion

Volume 3637, File 6853 as quoted in ICC, "Gambler First Nation Inquiry Report," 63.

³⁶ Brizinski, 238. The Temagami Indians of Bear Island, Ont. accepted annuities after 1883 without signing a treaty. Their Reserve selection was never surveyed or granted and when they tried to advance a land claim in a logging area, the acceptance of annuities was considered by the Supreme Court, in 1991, to have "extinguished" their Aboriginal land rights.

are entitled to **all** of the benefits under treaty. Bands refusing to accept annuities could have these funds held in their trust accounts until the date of adherence. Remaining treaty benefits includes all income from the Reserve lands and the resources; the Department of the Interior is not entitled to such income from lands selected as Reserves until the Order-in-Council confirms the Reserve. As well, under the terms of some of the treaties and the *Indian Act*, no changes could be made to Reserve surveys or Reserve boundaries without the consent of the Bands.³⁷ Lands originally surveyed as Reserves could only be changed with the consent of Bands for whom they were surveyed.

On the other hand, if the receipt of Reserve lands by non-Treaty Bands does not extinguish their land rights, then non-treaty Bands are still in possession of Aboriginal title to their traditional lands. As such, these non-treaty Bands are entitled to revenues from their lands and resources, as autonomous entities or within the guidelines of the *Indian Act*. Compensation is due to these entitlement Bands for the illegal taking of lands and resources by the state. This situation could apply to Witchekan Lake First Nation.

Status of the Witchekan Lake Band, 1913 to 1950

The Chief from the Witchekan Lake Band stated in 1912 that he wanted a Reserve of specific proportions outside the guidelines of Treaty Six while expressly refusing to take treaty. Thus, it is expected that the state would treat the Witchekan Lake Band as a non-treaty Band; administratively, the state appears to have done so. Sporadic entries in the Band's Consolidated Fund Ledgers indicate the receipt of treaty benefits such as hay dues, medical aid and rations.³⁸ These entries complicate the assessment of the state's position towards the Witchekan Lake Band. Were Band members the beneficiaries of the DIA's largesse or were these benefits extended out of administrative duty? Medical expenses, in particular, were paid on a monthly basis between 1928 and 1932 to attending physicians.

Three elders recalled receiving food rations for the hay that was taken from the reduced Reserve after 1919. None of the elders recalled ever receiving money for the lease of the

³⁷ Morris, 333 (Treaty Four), 345 (Treaty Five) and 353 (Treaty Six) set out specific Reserves but make no mention of the conditions of alienating those lands from the signatory Bands. As well, the *Indian Act*, since its inception, has contained conditions for the surrender of Reserve lands which consistently require the consent of the Band.

³⁸ NAC, RG10, Consolidated Funds Ledgers, Volumes 11684, 11685, 11686 and 11687. Some records were too fragile to be accessed for research.

haylands within the 1913 ORS aside from those within the reduced Reserve. The following statements were made by elders:

Occasionally, when the need was apparent the Indian Agent would give us food, flour (Koo Kooswe'in), bacon, but this food did not come from the government. In those days we had much hay on our land and many white people came in and cut this hay. The Indian Agent collected money from these people for cutting hay on our land, with this money food was bought to be given to us.³⁹

Cold Iron...got a permit for the big slough to cut hay he cut lots of hay because he had a big herd of cattle...When he paid we were given flour, half a pork, a big pig. This was for one family, this is how we got paid when he was haying. He gave us food instead, we never received any cash or money from him.⁴⁰

The land was surveyed, white people borrowed the hay land - the people from Witchekan Lake were given 1 lb. of tea, 5 lbs. lard, baking powder, 5 lbs. sugar, one 100 lb. sack flour and a slab of bacon (12" x 24") by the white man. (Mr.) Coldiron was a rich man, he had a lot of cattle. He gave no money for the hay, he paid in food. This was given in the spring...When (Mr.) Coldiron passed away, no rations or money was given to the Witchekan Lake people.⁴¹

Archival files did not record expenditures for rations in lieu of hay dues. However, Band members were paid hay dues in 1920 and 1921.⁴²

The 1921 payment was finally made after considerable conflict between the Band and the Indian Agent. The Chief accused the Agent of trying to force the Band to accept treaty payments against their wishes and provide a list of their members. Support for the Chief's accusation lies in the financial record of the transaction for this occasion. Money was offered to Band members as hay dues but exceeded the amounts that were owing. The Band was owed \$264.00 in hay dues for 1921 but the DIA issued a cheque for \$464.03 for this purpose. If the hay dues are subtracted from the DIA cheque; the remaining money amounts to \$200.03. Allowing \$25.00 for the Chief and \$15.00 each for two Councilors leaves a balance of \$150.03; the remaining thirty members would have each received \$5.00.⁴³

The Chief refused all payment, even the hay dues and promptly wrote to the DIA, declining treaty money and asking that only hay dues be paid to the Band.⁴⁴ When confronted

³⁹ Respondent #14. Interview with Harry Nicotine, November 20, 1975. Witchekan Lake Band Files.

⁴⁰ Respondent #11. Interview with Harry Nicotine. November 24, 1975. Witchekan Lake Band Files.

⁴¹ Respondent #2. Interview with Brenda McLeod and Karen Fineday. September 12, 1996.

According to correspondence found in his Grant file, Mr. Coldiron died on February 16, 1946. Letter, H.E. Clements, DNR (Sk.) to Diefenbaker and Cuelenaere, Prince Albert, April 8, 1946. SAB, AG11.I, Box 1046, Grant File 31194.

⁴² NAC, RG10, Volumes 1714 and 9108. Restricted Files for Witchekan Lake Band.

⁴³ NAC, RG10, Volume 9108. Restricted File for Witchekan Lake Band.

⁴⁴ Letter, Chief Tepowewe to Controller, DIA, Ottawa, March 17, 1920. NAC, RG10, Volume 1619.

by his superiors, the Indian Agent denied discussing treaty with the Band but did admit to trying to procure a Band List. The Agent admitted to DIA officials that he refused to pay any dues to Band members until they gave a list of their members.⁴⁵ Obviously, the Indian Agent did not act alone in attempting to trick the Band into taking treaty payments; the cheque was issued on the authority of his superiors. This action on the part of DIA personnel indicates their knowledge of the Band's rights to the lands and resources through remaining Aboriginal title. Payment of annuities, even outside of treaty would have been considered as adhering to treaty.⁴⁶

The granting of a Reserve to the Witchekan Lake Band was motivated by the Band's **anticipated** adherence to Treaty Six. However, after the Original Reserve Survey and the subsequent refusal of the Band to adhere to Treaty Six, the DIA administered the Band at a distance; scant references are made in official ledgers and records regarding the provision of medical aid and rations. Other benefits such as housing, annuities, agricultural aid and education do not appear to have been extended to members of either Band until adherence to Treaty Six in 1950 and 1954, respectively. However, the Bands had an established Trust Fund with the DIA that collected all of the revenues owed for the lease or sale of lands and resources of Reserve lands as recognized in 1919. The Department of the Interior received the proceeds from permits on the rest of Original Reserve Survey lands from 1914 and on.

Hence, the question arises as to whether or not the Witchekan Lake Band, labeled by the DIA as non-treaty, did in fact receive some treaty benefits such as land, medical and rations. The DIA also appears to have administered leases and the collection of fees for Reserve lands and resources for the Witchekan Lake Band. How is it then that the DIA had the authority to choose which treaty benefits to extend to this non-treaty Band? The Witchekan Lake Band, as a non-treaty Band, retained the autonomous right to administer its traditional lands and resources, including those within the allocated Reserve. Logically, it appears that the DIA considered the Witchekan Lake Band to be a treaty Band in terms of land rights as the DIA refused to acknowledge or grant the Chief's repeated requests to be allowed to have administrative control over the haylands.

The issues of Band depopulation due to disease, the ambiguous status of surveys and the unknown status of Bands with Reserves before adherence to treaties existed before the signing of the TLEFA. Unfortunately, these issues were not resolved in the agreement. As a signatory to the agreement, Witchekan Lake First Nation is left with no compensation or settlement for the

⁴⁵ Letter, J. Weir, Indian Agent, Carlton Agency, Lease to McLean, April 6, 1920.

⁴⁶ Brizinski, 238. The Temagami Nation of Bear Island, Ontario did not formally adhere to treaty but accepted annuities. The Supreme Court of Canada ruled that the acceptance of annuities extinguished Aboriginal rights to land.

years of 1913 to 1950 as the agreement does not accommodate their unique situation. Due to time constraints within the negotiations to settle Saskatchewan TLE, there was little time, resources and support to flesh out the story of the creation of the Witchekan Lake Reserve. However, the TLEFA did manage to address the concerns of outside parties who were represented by Saskatchewan at the negotiation table. As in the treaty negotiations of the 1870s, outside interests intruded on the settlement of land claims of Indian peoples, at the expense of their best interests.

THE TLEFA

In particular, the issue of third party interests on Crown lands plagued past efforts to settle TLE under the Saskatchewan Formula. It is the issue of third party interests that has engaged the public interest in treaty land entitlement more than any other issue. The dissenters to settling TLE under the failed Saskatchewan Formula and into the 1980s included pasture patrons, rural municipalities and the Wildlife Federation.⁴⁷ These parties worked together in the 1980s to prevent the transfer of Crown lands to entitlement Bands. However, each of the dissenting parties had their concerns heard at the negotiations in the 1990s and addressed in the TLEFA.

Third party interests constitute “outside interests” to the TLE process as did the interests of land speculators, the HBC, the railroads, settlers and government officials in the making of the treaties in the 1870s. The representations made on behalf of non-Native trappers and pasture patrons were not effectively placed outside the process of land entitlement negotiations. Third party interests were given a voice in the negotiations and influenced the outcome of negotiations to the jeopardy of satisfying the treaty rights of First Nations.

Debate around how to satisfy these interests were played out between entitlement Bands and Community Pasture patrons in the 1980s and continued after the signing of the TLEFA. As third parties, patrons hold no legal ownership rights for the Crown lands that they lease. However, after 1982, lifetime membership was extended by the province to pasture patrons. Patrons became increasingly agitated over the selection of pastures as entitlement land. The pasture patrons’ concerns were represented at the TLE negotiations by the province and led to an increase in the percentage of favourable patron votes to transfer pastures to entitlement Bands. Under the Saskatchewan Formula, Bands had to secure a favourable vote from fifty percent of a pasture’s patrons. Under the TLEFA, seventy-five percent of patrons must agree to

the transfer of the pasture lands to a Band.⁴⁸ The increase in favourable vote presented a proportionally increased hardship for entitlement Bands in the face of a highly polarized issue.

The provision for satisfying third party interests on Saskatchewan Crown lands had the greatest effect on entitlement Bands who selected pasture lands. This provision raised third party interests on these Crown lands to a legal status not previously enjoyed by lessees. The negotiations around Crown lands, the status of third party interests and the selection and purchase of these lands, as TLE acres, nearly caused a breakdown of negotiations.⁴⁹ The main source of controversy was over the percentage of favourable vote required from patrons before pastures could be transferred to Bands. Presentations made on behalf of pasture patrons by Saskatchewan Agriculture and Food, included a demand for a favourable vote of 100 percent from pasture patrons. Indian leadership was successful at having that percentage reduced to seventy-five percent but still represented a hefty increase from the fifty percent required under the Saskatchewan Formula and the fifty-one percent proposed by FSIN negotiators.

The irony of the situation is that the federal and provincial governments as well as First Nations leadership were all complicit in the process of settling third party interests. The transfer of community pasture lands had long been a contentious issue. In examining the negotiations process in the early 1990s, consideration needs to be given to the role of geography and its influence on economic orientation of the entitlement Bands. The issue of selection of community pastures was more important for northern Bands than it was for southern Bands. Of the ten pastures under selection by entitlement Bands in 1990, only one was selected by a southern Band and two by centrally located Bands.⁵⁰

Entitlement Bands varied in their economic opportunities; no difference is more apparent than the differences between those who rely on urban-related economic activities and those who still rely on subsistence economic activities as part of a mixed economy. FSIN negotiators may not have appreciated this difference and thus may have regarded the increase for a favourable patron vote as a compromise necessary to reach a timely settlement to entitlements overall. Perhaps what should have been proposed was the removal or lessening of the percentage of favourable vote, given that third party interests do not have legal status in terms of land ownership. While it was the intent of First Nations leadership to negotiate a block settlement to facilitate a quick settlement, they lost perspective on the diversity of historical and geographical

⁴⁷ Pitsula as cited in Wright, 16.

⁴⁸ *1992 Framework Agreement*, Article 4.08(b)(i), 38.

⁴⁹ Ron Fineday, TLE Coordinator, Witchehan Lake First Nation. Personal Communication, 25 June 1997.

⁵⁰ Wright, Chart 1, 69-76.

experiences of the First Nations on whose behalf they were negotiating.

The agreement clearly states that third party interests must be satisfied before these lands may be purchased by Bands, but it does not state **how** interests are to be satisfied. A lack of clarity may provide for creative settlement of interests using cash, gifts, alternative leases, etc. but entitlement Bands and their TLE monies and resources are left vulnerable to exploitation. The satisfaction of third party interests is done at the level of individual pasture patrons, who as lessees, pay for the privilege of grazing their cattle on an annual basis. The gains realized from exploiting entitlement Bands go to a selected few individuals who have no legal entitlement to have their interests paid out on any other Crown lands. Essentially, third parties stand to make personal gains out of the transfer of control of community pastures, having merely established their rights to such gains through the payment of annual fees for the privilege of grazing their cattle on Crown lands.

Other parties have also made gains in the TLEFA. School divisions and rural municipalities are able to draw from a tax loss fund for lands converted to Reserves under the agreement.⁵¹ This fund is paid into by Canada and Saskatchewan at a ratio of seventy percent and thirty percent, respectively. In return, entitlement Bands are protected from additional compensation to these institutions. The lands of the *Wildlife Habitat, Heritage Property, Parks, Ecological Reserves, Planning and Development Acts* and paved or divided provincial highways also enjoy protection from selection and purchase under the agreement except under exceptional circumstances.⁵²

Third party interests in the transfer of the Bapaume Community Pasture experienced a continuation of the largesse to which they were accustomed. Patrons have lifetime, transferable rights to continue to graze their cattle in the pasture, a cash settlement in their pockets and tax savings as their grazing/user fees are invested back into the upkeep and improving of the pasture. Where in Canada or the rest of Saskatchewan do people see such direct action taken for tax dollars or user fees?

In addition, monies paid to Bands in their Equity Funds offer business gain for consultants, lawyers, service agencies and financial institutions as entitlement Bands seek to purchase lands and engage in use of their funds under the implementation of the agreement. Countless meetings, research and consultation go into the acquisition of lands, resources and economic development; public and private sectors participate actively in these activities. Agencies and institutions benefit from these transactions and the business of implementation of the

⁵¹ 1992 Framework Agreement, Article 12, 97-99.

⁵² 1992 Framework Agreement, Article 4.07, 38.

agreement. Landowners also stand to benefit from this agreement as land sales to Bands translate into cash for land that was suffering from a depressed market in the decade preceding the TLEFA.

Lands that are purchased as Shortfall acres must be converted into Reserve lands. However, depending upon the terms of each Band Specific Agreement,⁵³ some entitlement Bands may be able to purchase additional lands as fee simple title lands. Bands with fee simple title lands can enter into agreements with financial institutions to borrow monies for economic development and investment. While this arrangement frees Bands from restrictions that accompany Reserve lands, it also leaves their lands vulnerable to alienation, should the Band fail to meet its obligations to the lending institution. In examining the experience in the USA, Walter Rudnicki suggests that fee simple title to Indian lands opens up their alienation from Indian peoples as lands then fall under the jurisdiction of the province.⁵⁴ Bands must continue to meet their obligations as landowners or risk losing fee simple lands under provincial rules and regulations. These lands can then be sold to outside interests.

With regard to the purchase of entitlement lands, Bands have some gains but also face limitations and constrictions within the provisions of the TLEFA. The agreement determined a maximum price per acre for the purchase of entitlement lands.⁵⁵ As well, entitlement monies are paid to Bands in a series of payments, spread over a period of twelve years. These two conditions limit the amount of lands that can be purchased at one time, the rate at which lands can be purchased and may interfere with the type of lands that Bands are able to purchase. Entitlement Bands got a better deal out of the TLEFA than the Saskatchewan Formula in that they could select and purchase lands other than Crown lands. However, Crown lands may be easier to access because the province sets the price.

In the case of the Bapaume Pasture, the province kept the purchase price per acre low in order to compensate for the high costs of satisfying third party interests.⁵⁶ Private land owners are not likely to be so accommodating and may still command a high price for their lands. Land parcels may be a good fit economically and locationally for Bands but high prices or a lack of funds at the time may mean the Band has to pass on these deals and opt for cheaper and poorer

⁵³ After signing the *1992 Framework Agreement*, each Band was required to contact their entire membership to ratify a Band Specific Agreement which stated whether or not all lands purchased by the Band had to be converted into Reserve lands or a combination of reserve lands and fee simple title lands.

⁵⁴ Walter Rudnicki, "The Politics of Aggression: Indian Termination in the 1980s," *Native Studies Review*, 3, no.1, 1987: 84.

⁵⁵ *1992 Framework Agreement*, Article 4.03, 35-36.

⁵⁶ Shirley Albert, FSIN. Personal Communication, 26 March 1996. Assistance was requested by

quality lands that may not be as ideally located or in large enough tracts for more efficient administration and use.

The TLEFA provides no frame of reference for traditional land use and occupancy which was an important component of the treaty negotiations in the 1870s and the subsequent adhesions to treaties. Implementation of the agreement has made no allowance for or of the unquantifiable losses suffered aside from economic losses within traditional land use and occupancy. The agreement has no power to ensure respect for traditional land use and occupancy but is bound to uphold the laws and regulations currently in place for hunting, fishing, trapping and foraging. In spite of regulations restricting these activities, traditional subsistence activities continue but the rights to maintain them are not supported or protected within the agreement.

Finally, the TLEFA also fails to support Band acquisition of traditional lands. For the Witchekan Lake Band, the lake was centrally located within their traditional territory. The Band engaged in a protracted struggle to acquire the lands of the Bapaume Community Pasture, made more difficult under the agreement. For their success, the Band has been rewarded with a five-year co-management agreement with the province before they can assume control over their own newly created Reserve lands. Thus the province, for a short time, is partnered with the Band and the federal government in controlling the destiny of Indian Reserve lands.

As for the rest of the lands within the Band's traditional territory, there are no provisions within the agreement to ensure that the Band will be able to acquire these lands, over time. Of particular value to the Bands are the once vast haylands, the former settlement near the river at the north end of Witchekan Lake and the M-61 trapping block. All of these lands will have to be acquired through the principle of willing seller-willing buyer. A portion of the lands of the M-61 trapping block are under the jurisdiction of a PFRA pasture and the rest are under a provincial shared lease agreement between Witchekan Lake First Nation and a group of private lessees. Acquisition of these lands could become as long an arduous journey as it was to obtain the Bapaume Community Pasture; lands within M-61 are important to Witchekan Lake First Nation holistically as were the pasture lands.

The people of Witchekan Lake First Nation felt they got the best deal they could get under the political administration of the Progressive Conservative governments, provincially and federally. There was a lot of relief at the rejection of the Saskatchewan Formula as the Band benefited better financially and could select lands other than Crown lands under the TLEFA. However, elders have been critical over why the Band must purchase land that was owed to

Witchekan Lake First Nation to meet patron demands of a buyout which pushed up the cost per acre.

them as a treaty entitlement.⁵⁷ Band officials were left to explain the advantages of being able to purchase more productive land than what was available on most Crown lands. As well, economic development is included in the current agreement.

In general, there is a positive feeling within the community as Band members feel they are getting what has always rightfully belonged to them so they can build an economic base. Band members felt that they should at least have gotten what they negotiated for which was not to surrender but to share the land with the newcomers. Instead, Band members felt as though the process of dividing up the land for specific purposes, especially after the *NRTA*, left them at the bottom of the scale where even animals in parks had more rights than Indian peoples did.⁵⁸

SUMMARY

TLE took a mechanical approach to a very complex issue; concerned with satisfying land quotas, the social, political, economic, cultural and spiritual aspects of land use were not considered as a whole. This approach is clearly evident in the failure of the TLEFA to provide clear and supported access to traditional lands. For the people of Witchehan Lake First Nation, the Bapaume Community Pasture represents all of these aspects as a part of their traditional lands. By contrast, third party interests, legally, unregistered interests on Crown lands, enjoy enhanced legal status and protection within an agreement designed to settle the outstanding interests of First Nations, dating back to the Treaties signed in the 1870s. The treatment of third party interests is significant for First Nations trying to acquire community pasture lands.

Negotiating parties of the 1990s focused on the here and now - the removal of the “problem” of TLE the closure of “unfinished business,” the payment of “an outstanding debt” - rather than on the opportunities being created for entitlement Bands. All three of the negotiating parties - the federal government, provincial government and FSIN - faced upcoming elections during the negotiation period. The motivation to settle TLE lay in potential election pressures that each side could exert. Given the many years this outstanding debt remained unresolved, its settlement would be somewhat of a political coup for those seeking re-election. The preoccupation with the creation of a political coup as an outcome of these negotiations was high. Negotiating parties lacked the future oriented visioning of Aboriginal ancestors who negotiated treaties in the late 1800s. The timing of the federal, provincial and FSIN elections left little time for in-depth research that would have pointed to the differences amongst the

⁵⁷ Ron Fineday, TLE Coordinator, Witchehan Lake First Nation. Personal Communication, 25 June 1997.

various entitlement Bands. In particular, the differences in economic orientation and the effects of disease on historical populations are important issues.

There is no evidence to suggest that the TLE researchers and the negotiators took the effects of disease epidemics into account when they determined the population of the Witchekan Lake Band. Other Bands may have had similar experiences, especially where Reserves were granted prior to adherence to treaty. These Bands would face similar difficulties in determining population in the absence of Annuity paylists. The calculations of numbers of deceased individuals could have been accomplished not only through subsequent Annuity Paylists but by researching other records such as Census records. The pursuit of genealogies would have required considerable resources and time - neither of which negotiators or researchers were willing or able to invest. An agreement-in-principle could have been reached with each Band signing and ratifying an individual agreement as their research was completed to mutual satisfaction. However, it is likely that creators of the TLEFA were so accustomed to rejection in the land claims process that they barely considered this option.

All of the entitlement Bands were treated as a homogenous group in the pursuit of a settlement to outstanding entitlements. No consideration was made for the time into which each Band entered into treaty or the differences between land use and occupancy for southern and northern Bands. For northern Bands, the issues around access to community pastures was important to their mixed economy as was the settlement of third party interests for traplines. Satisfaction of third party interests remained a heavier burden on northern Bands than it did on southern Bands.

The balance of power between Witchekan Lake First Nation and the state is not equal. Although the TLEFA provides Witchekan Lake First Nation with more decision-making power in terms of lands and resources, considerable restrictions and state control exist around their acquisition and administration. Thus opportunity has been created for Witchekan Lake First Nation to participate in the Canadian and global economy with no clear paths to self-determination, self-sufficiency and eventual self-government. It remains to be seen whether the provision of the means for land acquisition through the TLEFA will provide meaningful opportunities for Witchekan Lake First Nation to participate in the Canadian economy.

⁵⁸ Ibid.

APPENDIX VI

ABORIGINAL LAND TENURE, VALUES AND MORAL ECONOMY

The circumstances surrounding TLE for Witchekan Lake First Nation are complex and unique, making the search for an applicable theoretical framework a challenge in this thesis project. While no single framework of theoretical explanation exists to make sense of and explain the persistence of conflict over land use and occupancy in the Witchekan Lake area, a combination of perspectives may be applied to the Witchekan Lake situation. First of all, political economy, with the added dimensions of an holistic perspective and moral economy, allows for the analysis of historic events around land use and occupancy in the Witchekan Lake area by both groups of peoples. Second, theories of colonization can be used to measure the effects of the experience of Witchekan Lake First Nation and to discuss how TLE may or may not be a move towards decolonization. As well, the process of colonization in North America was informed by the ideologies of manifest destiny and the frontier cultural complex, both of which viewed Aboriginal peoples as racially inferior to Settlers. In addition, the immigration history of Canada and in particular, its pluralist effect in the Settlers in the Witchekan Lake area plays an important role in the formation of early conflict.

The legacy of Canadian immigration policy is Settler communities that are highly pluralist in nature. Various groups of competing interests came together to build communities and recreate the societal institutions they left behind. The composition of Witchekan Lake First Nation became somewhat pluralist during the early years of the homestead period but only two cultural groups had to try to find common ground. Settlers in the Witchekan Lake area, as a collection of ethnic groups, was and is more or less reflective of Canadian society as a whole; Witchekan Lake First Nation was and is unique unto itself, consisting of Cree and Saulteaux peoples, who share a similar language and culture. Their task was somewhat easier because the two groups were closely related and they were not immigrants to the land they now inhabited. The degree to which each group is pluralist directly affects each one's orientation to land use and occupancy as does the immigration experience.

The focus of this thesis project is primarily on land. Land is important directly and indirectly to Saskatchewan residents; agriculture and natural resource-based industries are the

substance of the Saskatchewan economy. However, there are differences in the ways in which various peoples in Saskatchewan regard land. This assertion is based on research carried out with Witchekan Lake First Nation as well as a land use and occupancy study of the Settler community surrounding the Witchekan Lake Reserve.

The cosmopolitan mix of Settlers in the Witchekan Lake area and the independent and individualistic economic practices of ranching and horticulture led Settlers to see themselves as capable of influencing and shaping land use and occupancy values in the Witchekan Lake area. Thus in the homesteading era, Settlers and ranchers did not view themselves as outside the power structure of Canadian society but rather as a formative and determinate part of it. This perception was supported by the ideologies of manifest destiny and the frontier cultural complex that Settlers brought with them and state officials demonstrated in their unilateral reduction of the ORS and repeated delays to create the Witchekan Lake Reserve. These official actions were responses to the petition that protested the ORS as well as the issue of hay permits before the Reserve boundaries were settled. As well, some Settlers removed hay from the lands without seeking a government permit.

Canadian society has a history of treating land as a commodity that may be easily exchanged for a price that the market holds at the time. Land itself has and continues to be exploited for economic and political gain; the cultural, social and spiritual significance of land are virtually non-existent or totally absent. This value system, with an emphasis on individualism, was accepted without question by the Settler community and for the most part, this orientation is maintained today.

These two systems are relatively incompatible with each other, contributing to the continued resistance on the part of Witchekan Lake First Nation in order to ensure its very survival. These two systems are relatively incompatible with each other. Persistent conflict arises from the application of these differing systems to the same geographical area; resulting models of operational value systems and the theoretical perspectives attempt to explain how the construction of two differing land use and occupancy value systems interacted to produce a TLE for Witchekan Lake First Nation. An examination of the Aboriginal land tenure systems that were in existence when Settlers arrived illustrates the beginnings of the conflict between Witchekan Lake First Nation and Settlers in the Witchekan Lake area.

ABORIGINAL LAND TENURE SYSTEMS

Aboriginal peoples are not homogenous in composition nor do they live in identical geographic surroundings. Diversity within Aboriginal groups is found on global, national and regional levels. Differences in physical geography necessitate adaptations to specific conditions, imprinting on the social, political, economic, cultural and spiritual form of Aboriginal societies. It follows that it is reasonable to expect that the way in which differing Aboriginal groups manage traditional lands and resources will vary even though the underlying approach to land and its resources may be shared or similar.

Bodley noted that before European contact and during the earliest stages of contact, Aboriginal cultures controlled access to land and resources through kinship relationships with well-defined boundaries that were defended against encroachment. "Ownership" was communal with access open to members of the group for whom the territory was defined,¹ while maintaining a balance between resources and population. Thus, land allocations were flexible and adaptive with no comparable European concepts of private ownership or unoccupied/waste land. Land, to Aboriginal peoples, had economic significance but also symbolic and spiritual meaning in terms of burial sites, legends, origins and ceremonial features.² Land was connected not only to their economic institution but also the political, social, cultural and spiritual institutions of Aboriginal societies.

In his 1990 study of three Dene First Nations in the Athabaska region of Saskatchewan, Usher described occupancy as "the group's collective sense of its own territory in relation to that of others . . . known to and used by several generations, as widely understood by the contemporary generation."³ He describes camps and burial grounds as "the tangible evidence of long-term habitation and occupancy. The stories and history of the people are tied to these places."⁴

Usher, Tough and Galois discuss Aboriginal land tenure in Canada as being socially organized tribal territories with communal ownership and access open to the local harvesting group. The social boundaries of these tribal territories were defended rather than the physical parameters.⁵ These authors describe Aboriginal tenure systems as "incorporat[ing] two

¹ John H. Bodley, *Victims of Progress*, 3rd ed. (California: Mayfield Publishing Company, 1990), 77.

² Ibid.

³ Peter J. Usher, *Recent and Current Land Use and Occupancy in the Northwest Territories by Chipweyan-Denesuline Bands (Saskatchewan Athabaska Region), Research Report No. 1.* (Prince Albert, Sask.: Office of the Prince Albert Tribal Council, November, 1990), 3.

⁴ Usher, November, 1990, 7.

⁵ Peter J. Usher, Frank J. Tough and Robert M. Galois, "Reclaiming the Land: Aboriginal Title, Treaty

seemingly contradictory principles: permission must be sought to use another's territory, but no one can be denied sustenance. The key is acceptance of the obligations that go with the right."⁶ The authors noted that the rights to sell the land to outsiders, deplete the resources or appropriate lands for private gain were not included in the bundle of rights that came with use and occupancy. However, the right to include or exclude others and the right to permit use of the land and resources by others were included.⁷

Aboriginal land tenure and management of land and resources rested on an entrusted responsibility for them. Usher described Aboriginal management and production as related functions based on "knowledge, experience and effective use . . . accumulated historical experience . . . oral culture, in the form of stories and myths . . . coded and organised by paradigms for interpreting information and guiding action."⁸ Thus, for the Witchehan Lake Band, land and resources could be shared with others, but not to the exclusion of themselves.

For the Band, land tenure meant not only rights to the land and resources but also responsibility for their well-being, a sense of guardianship. Given this perspective and their long-term relationship with the land and its resources, it should be clear as to why the Witchehan Lake Band resisted being disregarded in the takeover and exploitation of the haylands around Witchehan Lake. Not only were the haylands of economic significance to the Band, but also of social, political, cultural and spiritual importance. The haylands had long been an area to which the Band was drawn to camp, gather socially, harvest and even to bury their dead. Retention of control of the haylands was important politically as loss of control meant a loss of self-sufficiency and autonomy as well as a change in the moral economy that determined the use and occupancy of the Band's lands and resources.

MORAL ECONOMY AND VALUE SYSTEMS

An examination of the land use and occupancy value systems of Settlers and Witchehan Lake First Nation is assisted by the approaches of political and moral economy. Moral economy refers to "the shared assumptions underlying norms of reciprocity in which an economic system is grounded."⁹ Thus, while political economy helps to determine the position

Rights and Land Claims in Canada," *Applied Geography* (1992),12, 111-112.

⁶ Usher, Tough and Galois, 112.

⁷ Ibid.

⁸ Peter J. Usher, "Aboriginal Property Systems in Land and Resources" in *Indigenous Land Rights in Commonwealth Countries: Dispossession, Negotiation and Community Action*, G. Cant et al., eds. (New Zealand: University of Canterbury, 1993), 40.

⁹ Meredith Minkler and Carroll L. Estes, *Critical Perspectives on Aging: The Political and Moral*

of individuals and groups within Canadian society, moral economy can assist in understanding why this positioning occurs and its effects on individuals and groups. Shared assumptions by autonomous individuals and groups lead to justifications used to keep people in their position, be it a position of privilege or marginalization.

Norms of reciprocity define the degree of interdependence between individuals of each group and between groups in a society. These norms determine the degree to which individuals and groups are required to act in the best interests of others. Different types of moral economy may operate within individuals and groups within Canadian society. The type of moral economy shared by individuals or groups determines the type of action taken, as influenced by the value system of those individuals or groups. Value systems may differ and hence, the moral economy of some individuals or groups may justify the takeover of lands and resources of others to fulfill norms and expectations of land use and occupancy while disregarding others who do not share the same norms or expectations.

The Witchekan Lake Band had a different and opposite approach to land value. As a group, the Band regarded land and resources to be of value politically and economically but equally of value, culturally, spiritually and socially. Within this holistic approach, the SPECS units of influence occur at once and with equal importance. At times, the political and economic units appear at the forefront but at the same time, spiritual, cultural and social units are also present, informing and supporting the political and economic influences of land and resources.

SUMMARY

Differing perceptions between two ideal types of moral economy, that of use value and exchange value, illustrate the existence of opposing value systems, much like those operating within and around the people of Witchekan Lake. The Settler community, backed by the Department of the Interior and the DIA tended to favour a moral economy based on exchange value. Such a position left no question as to the rights of Settlers and even the state to the land and resources in the Witchekan Lake area. Since the members of the Witchekan Lake Band were not full participants in the labour market, their rights to the land and resources were discounted. The participation of Band members in the local economy was as subsistence

Economy of Growing Old (Amityville, New York: Baywood Publishing Company, Inc., 1991), xi. Although the authors examine the distribution of resources in populations, particularly the elderly, their analysis contributes to this thesis project in how it is concerned with the distribution of resources, utilizing a moral economy perspective.

trappers, hunters and foragers as well as their employment as seasonal manual labour. The role of Band members as seasonal manual labourers ensured the success and participation of Settlers in the Canadian economy. However, due to the nature of their work, Band members were deemed to have little or no exchange value and quickly became marginalized in their participation in the labour market.

The marginalized position of members of the Witchehan Lake Band permitted the alienation of their lands and resources. Beginning with the 1913 ORS, lands that the Band was entitled to keep under the provisions of Treaty Six were illegally withheld. Along with lands, resources were withheld and taken over by state officials even before the survey of the Witchehan Lake Reserve was finalized. These events, along with an excessively long time period before the Band's claim was recognized, all contributed to a settlement of lands and funds for the Witchehan Lake Band under the TLEFA. In evaluating the fairness of the compensation awarded to Witchehan Lake First Nation, an examination of the processes of negotiation and research as well as the contents of the TLEFA are necessary.

APPENDIX VII
Spreadsheet, Raw Data.ID Number

This appendix contains raw data for analysis of Settler land use and occupancy. It was compiled and produced on computer software, Excel 5.0. For ease of use it has been left in pagination format of that software.

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
	ID NUMBER	QUARTER	SECTION	TOWNSHIP	RANGE	LAST NAME	FIRST NAME	ETHNICITY	BIRTHPLACE	LAST RESIDENCE	AGE	MARITAL STATUS	OCCUPATION	DATE OF ARRIVAL
2	065110-1-1	NW	6	51	10	LAJEUNNESSE								05-Mar-28
3	065110-2-1	NE	6	51	10	LABELLE	John	/USA	Michigan, USA	Leask, Sk.		M	Farmer	22-Oct-19
4	065110-2-2	NE	6	51	10	ARCAND	Alexander		Sask	Marcelin, Sk.	23	M	Farmer	05-Jul-20
5	065110-3-1	SE	6	51	10	CREUGER	Louis	/USA	Cass City, Michigan, USA	Leask, Sk.	723	S	Farmer	22-Oct-19
6	065110-4-2	SW	6	51	10	HINDLE	George Harwood							12-Nov-27
7	065110-4-3	SW	6	51	10	CREUGER	Louis			SE 6-51-10 W3				
8	065110-4-4	SW	6	51	10	HINDLE	George Harwood	British	Kent, ENGLAND	Laventure, Sk.	50	S	Farm Worker	10-Nov-27
9	075110-1-1	NW	7	51	10	THOMAS	Earl Alvin	/USA	Nebraska, USA	Avebury, Sk.	24	S	Farmer	20-Jul-22
10	075110-2-1	NE	7	51	10	ARCAND	Alexandre		Sask	Marcelin, Sk.	25	M	Farmer	05-Jul-20
11	075110-3-1	SE	7	51	10	BALL	Harry Arthur		Mb.	Prince Albert, Sk.		S	Farmer	12-Jun-20
12	075110-3-2	SE	7	51	10	MCKAY	Charles Albert		Winnipeg, Mb.	Witchekan Lake, Sk.	68	M	Farmer	11-Sep-24
13	075110-4-1	SW	7	51	10	TURGEON	Lionel							01-Apr-64
14	185110-1-1	NW	18	51	10	LAVOIE	E. (A.)							11-Nov-26
15	185110-2-1	NE	18	51	10	NEVEN	Antoine		Que.	Marcelin, Sk.	18	S	Farmer	27-Jun-19
16	185110-2-2	NE	18	51	10	LAVOIE	Arthur		Que.	Witchekan Lake, Sk.	19	S	Farm Labourer	20-Apr-21
17	185110-3-1	SE	18	51	10	LABELLE	John	/USA	Michigan, USA	Norbury, Sk.		M	Farmer	11-Jun-20
18	185110-4-1	SW	18	51	10									
19	185110-4-2	SW	18	51	10	LAVOIE	Arthur							01-Jan-49
20	185110-4-3	SW	18	51	10	LAVOIE	Arthur							09-Mar-63
21	195110-1-1	NW	19	51	10									
22	195110-1-2	NW	19	51	10	DOUCETTE	Isidore							20-Jul-28
23	195110-2-1	NE	19	51	10									
24	195110-2-2	NE	19	51	10	PYKE	Arthur J.							25-Mar-22
25	195110-2-3	NE	19	51	10	DOUCETTE	A. A.							03-Nov-26
26	195110-3-1	SE	19	51	10									
27	195110-3-2	SE	19	51	10	SAVAGE	William David	/USA	Minnesota	Marcelin, Sk.	30	S	Farmer	22-Jun-19
28	195110-3-3	SE	19	51	10	LAITRES	Albert		Que.	Debden, Sk.	19	S	Farmer	02-Apr-24
29	195110-3-4	SE	19	51	10	LAITRES	Ernest		Que.	Shell River, Sk.	21	S	Farmer	23-Jan-25
30	195110-4-1	SW	19	51	10									
31	195110-4-2	SW	19	51	10	DOUCETTE	Eugene							21-Oct-25
32	305110-1-1	NW	30	51	10									
33	305110-1-2	NW	30	51	10	MORRIS	Leonard	British	Leicestershire, ENGLAND	Shellbrook, Sk.		S	Farmer	24-Sep-19

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	O	P	Q	R	S	T	U	V
	ID NUMBER	NOTES FROM ARCHIVAL SOURCE	NOTES FROM SECONDARY SOURCES	DATE OF PATENT APPLICATION	DATE PATENT ISSUED	FILE NUMBER	FILE SOURCE	RESIDENCY	HOUSE
1	065110-1-1				15-Jun-34	6265855; Grant #5765	Twp. Reg.		
2	065110-2-1	Formerly from Calgary, Ab.	<i>From April 1889 came to Spornwood 1918 with wife Blanche Michigan 1828 out of 1831 with wife & subsequent divorce. Died 6/1/1878</i>			583499; 4277647	S - 6.17		
3	065110-2-2	SOLDIER GRANT #5759 Continuous residence on NE 75-10-W3 since Oct-20		29-Dec-27	8-Aug-28	4277647	S - 6.17		
4	065110-3-1		<i>Born 05-Aug-96 in Austin Twp. Michigan, USA. French, farmer. Homestead Fall, 1918. Lived with bro. & married sister (Helen & John Labelle). Married 31-Jun-29. 2nd homestead 1930 on SE31-50-10 (relocated here) Purchased NE30-50-10; used Indian labour.</i>	08-Aug-24	24-Aug-25	4277643	S - 6.17	Continuous since 28-Oct-19	20 x 30 Log; built 28-Oct-19
5	065110-4-2				10-May-33	624193; Grant #3645	Twp. Reg.		
6	065110-4-3	6 month GRAZING LEASE for \$120 Grazing Lease cancelled 2-Aug-27					S - 6.17		
7	065110-4-4	Entry made at Colwood, Sk. Applied 26-Jun-28 to have entry protected due to illness (Accident). GRAZING LEASE application on SE 1951-11-W3 - 24-Sep-28		22-Feb-33	10-May-33	3511352	S - 6.17	Continuous since 1-Dec-29	22 x 25 Log & Lumber with Shingled roof; built 1929 to Nov, 1930
8	075110-1-1	Naturalized 29-Mar-28		08-Mar-28	29-Jun-28	599279; 3508254	S - 6.17	Continuous since June, 1924	16 x 22 Log; built June, 1924
9	075110-2-1		<i>Born Nov. 1855 at Carleton, WVI vel 1914 - 18. Married in 1919; daughter Lenora married Charles Binning Homesteaded in 1920</i>	29-Dec-27	15-Aug-28	586740; 4398698; 586221; 4388330	S - 6.17	Continuous	16 x 18 Log; built Oct, 1920
10	075110-3-1	Formerly from Brandon, Mb. ABANDONED					S - 6.17		
11	075110-3-2	U.S. Patent Application made by wife, Catherine, formerly of Duck Lake, Sk. Farming at vicinity residence when absent from homestead		23-May-29	16-Jul-29	608118; 4388330; 3508254;	S - 6.17	1-Jun-24 to 1-Jun-26; also Vicinity residence on NW 5-51-10 W3	21 x 32 Log; built Spring, 1924
12	075110-4-1	SALE KS782			8-Oct-65	Grant #31759	Twp. Reg.		
13	185110-1-1				24-Nov-32	618268; Grant #2942	Twp. Reg.		
14	185110-2-1	ABANDONED				580546; 4207713	S - 6.17		
15	185110-2-2	Resided on Mother's land when absent from homestead. MISFILED on NW 10-52-11		07-Dec-25	26-May-26	590645; 4207713	S - 6.17	1-Nov to 7-Dec-25	9 x 21 Log; built Spring, 1923
16	185110-3-1	Farming with brother-in-law when absent from homestead		04-Feb-25	27-Jul-25	586219; 4388328	S - 6.17	Vicinity residence with brother-in-law Louis Creuger on SE 6-51-10 W3; 11-Jun-20 to 4-Feb-25	
17	185110-4-1	HAY RESERVE - Ranch #18324				623721	Twp. Reg.		
18	185110-4-2	Ag PLL 304					AG 111, Box 1052, Stack 3 AG 111, Box 1052, Stack 3		
19	185110-4-3	Leased Land SALE KS730 of 159.51 acres for \$3060.00		Apr, 1963	11-Mar-64	Grant #31329			
20	195110-1-1	HAY RESERVE - T&G				588026	Twp. Reg.		
21	195110-1-2				20-Oct-33	630634; Grant #4579	Twp. Reg.		
22	195110-2-1	HAY RESERVE - T&G				588026	Twp. Reg.		
23	195110-2-2	ABANDONED				601601	Twp. Reg.		
24	195110-2-3				8-Mar-35	618098; 4757147; Grant #7492	Twp. Reg.		
25	195110-3-1	HAY RESERVE T&G				588026	Twp. Reg.		
26	195110-3-2	ABANDONED				4207711	S - 6.17		
27	195110-3-3	ABANDONED				4207711	S - 6.17		
28	195110-3-4	Working on Father's farm when absent from homestead.		06-Jul-29	11-Oct-29	4207711	S - 6.17	18-Jan to 31-Jul-26; 1927,1928; Continuous since 1-Aug-29	16 x 20 Log; built Summer, 1925
29	195110-4-1	HAY RESERVE T&G				588026	Twp. Reg.		
30	195110-4-2		<i>Born 1892 Little Falls, Minnesota, USA. Duck L. in 1903, married there 1916 Homestead SW20-51-11 in 1926. 1931 sawmill @ Cupasin. 1935 purchased farm 1 mile north of Leoville & re-established sawmill. 1941-49. Part Alberta. B.C. sawmill Died 19 Mar 76</i>		16-Oct-35	612133; Grant #8556	Twp. Reg.		
31	305110-1-1	HAY RESERVE T&G					Twp. Reg.		
32	305110-1-2	Formerly from Que ABANDONED				582874; 4190211	S - 6.17		

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI
1	ID NUMBER	BUILDINGS	ACRES BROKEN	ACRES CROPPED	ACRES MAY	FENCE	CATTLE	HORSES	HOGS	SHEEP	GRAZING	OTHER HOMESTEAD	FILE NUMBER	DATE
2	065110-1-1													
3	065110-2-1											CANCELLED	261593	
4	065110-2-2					15 Acres						NE 7-51-10 W3 homestead		
		40 x 40 Log Stable; 12	1921 - 5				1920 - 11	1920 - 3						
		x 22 Log Granary; 14 ft.	1920 - 5	1922 - 10			1921 - 22	1921 - 3						
		Cribbed Well; 14 x 16	1921 - 5	1921 - 15		2.5 miles	1922 - 30	1922 - 3						
5	065110-3-1	Chicken House	1922 - 5	1924 - 15		- Wire	1923 - 36	1923 - 3						
							1924 - 33	1924 - 3			W & S			
6	065110-4-2													
7	065110-4-3	10 x 12 Log Granary;						1926 - 6						
		20 x 23 Log Stable;	1928 - 1	1929 - 1.5			1929 - 10					W3		
		Root Cellar; Chicken	1929 - 2.5	1930 - 6		1.97 rods	1930 - 10					2) Sw 36-1-29		
		House; Caragana	1930 - 4.5	1931 - 8		Barbed	1928 - 1	1931 - 9				W4 - Filed at		
8	065110-4-4	Hedge	1931 - 10	1932 - 18		Wire	1929 - 1	1932 - 7				MacLeod. Ab.		2) 1913
							1924 - 6/7	1924 - 5				Cancelled		
		20 x 25 Barn; 10 x 12	1925 - 5				1925 - 76	1925 - 6						
9	075110-1-1	Granary	1926 - 30	1927 - 35		All	1926 - 70	1926 - 9						
							1927 - 80	1927 - 19			W & S			
							1924 - 2	1924 - 4						
		28 x 30 Barn; 14 x 18	1923 - 20	1925 - 25			1925 - 2	1925 - 4				NE 6-51-10 W3		
10	075110-2-1	Granary	1924 - 5	1926 - 30		80 acres	1926 - 2	1926 - 4				Solder Grant		
			1925 - 5	1927 - 30			1927 - 2	1927 - 4			W & S	Entry	4277647	
11	075110-3-1													
		Two Log Stables 26 x	1926 - 5				1926 - 8	1926 - 5						
		26 and 16 x 16;	1927 - 5				1927 - 10	1927 - 5				NE 12-45-3 W3		
12	075110-3-2	Log Granary; Well	1925 - 5	1929 - 10		2 miles - Wire	1926 - 12	1928 - 5				Patented and Abandoned		
			1927 - 5	1929 - 10							W & S			
13	075110-4-1													
14	185110-1-1													
15	185110-2-1													
		28 x 30 Log Stable;	1922 - 12	1923 - 12										
16	185110-2-2	Two 12 x 12 Log	1923 - 16	1924 - 28		2 miles - Wire								
		Granaries; Well	1924 - 12	1925 - 40										
			1924 - 8											
			1922 - 10	1921 - 8										
			1923 - 17	1922 - 8										
17	185110-3-1	Log Stable; Frame	1924 -	1923 - 18		1.25 miles - Wire						NE 6-51-10 W3		Entry 24- Oct-19
		Granary	6.75	1924 - 35								Abandoned		
18	185110-4-1													
19	185110-4-2													
20	185110-4-3													
21	195110-1-1													
22	195110-1-2													
23	195110-2-1													
24	195110-2-2													
25	195110-2-3													
26	195110-3-1													
27	195110-3-2													
28	195110-3-3													
		20 x 24 Log Stable;	1926 - 30	1927 - 30										
		16 x 16 Log Granary;	1927 - 15	1928 - 45										
29	195110-3-4	11 ft Cribbed Well	1929 - 15	1929 - 45		All - Wire								
30	195110-4-1													
31	195110-4-2													
32	305110-1-1													
33	305110-1-2													

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
	ID NUMBER	QUARTER	SECTION	TOWNSHIP	RANGE	LAST NAME	FIRST NAME	ETHNICITY	BIRTHPLACE	LAST RESIDENCE	AGE	MARITAL STATUS	OCCUPATION	DATE OF ARRIVAL
34	305110-1-3	NW	30	51	10	NEIL	George Edward		Que.	Harris, sk.	25	S	Farmer	02-Aug-21
35	305110-2-1	NE	30	51	10									
36	305110-2-2	NE	30	51	10	PEASLEY	Charles Glenfell		Ont.	Shellbrook, Sk.		M & FAM	Farmer	08-Sep-19
37	305110-2-3	NE	30	51	10	McCOMAS	Orral		Sask.	Shellbrook, Sk.	20	S	Farmer	21-May-23
38	305110-3-1	SE	30	51	10									
39	305110-3-2	SE	30	51	10	GABOURY	Peter	USA	Massachusetts, USA	Rosthern, Sk.		M & FAM	Farmer	22-Oct-20
40	305110-4-1	SW	30	51	10									
41	305110-4-2	SW	30	51	10	GABOURY	Eddie	USA	Minnesota, USA	Rosthern, Sk.	21	S	Farmer	28-Oct-24
42	315110-1-1	NW	31	51	10	MILLARD	Richard Hambridge			Vancouver, B.C.				07-Jan-09
43	315110-1-2	NW	31	51	10	DENIS	Louis			Vawn, Sk.	58	M & FAM	Farmer	07-May-12
44	315110-2-1	NE	31	51	10	TRUDEL	Louis		Que.			M		22-Oct-08
45	315110-2-2	NE	31	51	10	DENIS	Louis			Vawn, Sk.	58	M & FAM	Farmer	13-Oct-13
46	315110-3-1	SE	31	51	10	TRUDEL	Louis		Que.			M		22-Oct-08
47	315110-3-2	SE	31	51	10	DENIS	Louis			Vawn, Sk.	58	M & FAM	Farmer	13-Oct-13
48	315110-4-1	SW	31	51	10	MILLARD	Richard Hambridge			Vancouver, B.C.				07-Jan-09
49	315110-4-2	SW	31	51	10	DENIS	Louis			Vawn, Sk.	58	M & FAM	Farmer	07-May-12
50	015111-1-1	NW	1	51	11	RENVILLE	Henry Isreal	USA	North Dakota, USA			M & FAM	Farmer	25-Jun-24
51	015111-2-1	NE	1	51	11									28-Oct-78
52	015111-3-1	SE	1	51	11	BRISBOURNE	William							07-Oct-26
53	015111-3-2	SE	1	51	11	LAPPING	Preston M.							13-Feb-28
54	015111-3-3	SE	1	51	11	LAPPING	Robert							23-May-29
55	015111-3-4	SE	1	51	11	HARPER	Alec			Prince Albert, Sk.				15-Dec-31
56	015111-4-1	SW	1	51	11	COTE	Alfred							
57	015111-4-2	SW	1	51	11	LAFLEUR	Charles					M & FAM	Rancher?	19227
58	025111-1-1	NW	2	51	11	MACARTHUR	John A.			Prince Albert, Sk.		S	Rancher	25-Jun-24
59	025111-2-1	NE	2	51	11	MARIN	Louis		Que.	Marcelin, Sk.		M & FAM		25-Jun-24
60	025111-3-1	SE	2	51	11	MANSEAU	Charles		Que.	Harris, Sk.		S		25-Jun-24
61	025111-4-1	SW	2	51	11	COTE	George Ernest		Minnesota, USA	Leask, Sk.		M & FAM		25-Jun-24
62	035111-1-1	NW	3	51	11	ERICKSON	Axel			Padding Lake, Sk.				01-May-25
63	035111-1-2	NW	3	51	11	MANEGRE	Romeo			Battleford, Sk.				13-Feb-26

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

A	O	P	Q	R	S	T	U	V	
1	ID NUMBER	NOTES FROM ARCHIVAL SOURCE	NOTES FROM SECONDARY SOURCES	DATE OF PATENT APPLICATION	DATE PATENT ISSUED	FILE NUMBER	FILE SOURCE	RESIDENCY	HOUSE
34	305110-1-3	Carpenter with B & B Dept of the CNR during absences from homestead		21-Aug-26	22-Nov-26	594064; 4190211	S - 6.17	Residence by Military Service Aug. 1914 to May, 1919	
35	305110-2-1	HAY RESERVE T&G SOLDIER GRANT #4855.					Twp. Reg.		
36	305110-2-2	ABANDONED				4190209	S - 6.17		
37	305110-2-3	Worked for farmers in Shellbrook area during absences		26-Feb-30	14-Apr-30	603281; 4190209	S - 6.17	1-Dec-27 to 1-Dec-28; 25-Apr to 1-Dec-29	14 x 16 Log & Lumber; built 1927
38	305110-3-1	HAY RESERVE T&G					Twp. Reg.		
39	305110-3-2	Naturalized 25 Nov-29	<i>Born in Lewiston, Maine, USA Married & moved to Little Falls, Minnesota - had 11 kids: 1914 to Duck L. Spring 1924 to Laventure with son Edward on SE 29 10</i>	13-Nov-28	26-Aug-30	608447; 4281239	S - 6.17	Continuous since 10-May-25	20 x 24 Log House; built April, 1925
40	305110-4-1	HAY RESERVE T&G					Twp. Reg.		
41	305110-4-2	Naturalized 25-Nov-29	<i>Came with father Peter in 1924 to homestead on SW 29-10 in Laventure dist. Married 22-Oct-29 Son Leo born sep. 1931.</i>	13-Nov-28	27-Aug-30	608524; 4931784	S - 6.17	Vicinity residence with Father (Peter GABOURY) since 27-May-25 on SE 30-51-10 W3	
42	315110-1-1	South African Volunteer SCRIP for 320 Acres issued - Land Cert #4079				1773559	S - 6.17		
43	315110-1-2	Appointed on 19-Jan-09 as SUBSTITUTE GRANTEE - Land Cert. #4218; Naturalized 12-Dec-08		17-Sep-20	12-Oct-21	1773559	S - 6.17	25-May to 31-Dec-14; 1-Jul to 31-Dec-15; 1-Jul to 31-Dec-16; Resided on E1/2 31-51-10 W3 during absences	16 x 20 Log; built May, 1914
44	315110-2-1	South African Volunteer SCRIP for 320 Acres issued - Land Cert #1956; DIED intestate 1-Apr-09				1710203	S - 6.17		
45	315110-2-2	Appointed on 13-Jan-09 as SUBSTITUTE GRANTEE - Land Cert. #2006; Naturalized 12-Dec-08		17-Sep-20	26-Oct-20	1710203	S - 6.17	1-Jan to 30-Jun-15, 16 & 17; 1-Jan to 3-Oct-18; Resided on W1/2 31-51-10 with wife & kids during absence	24 x 30 Log; built 1914
46	315110-3-1	South African Volunteer SCRIP for 320 Acres issued - Land Cert #1956; DIED intestate 1-Apr-09				1710203	S - 6.17		
47	315110-3-2	Appointed on 13-Jan-09 as SUBSTITUTE GRANTEE - Land Cert. #2006; Naturalized 12-Dec-08		17-Sep-20	26-Oct-20	1710203	S - 6.17	1-Jan to 30-Jun-15, 16 & 17; 1-Jan to 3-Oct-18; Resided on W1/2 31-51-10 with wife & kids during absence	24 x 30 Log; built 1914
48	315110-4-1	South African Volunteer SCRIP for 320 Acres issued - Land Cert #4079				1773559	S - 6.17		
49	315110-4-2	Appointed on 19-Jan-09 as SUBSTITUTE GRANTEE - Land Cert. #4218; Naturalized 12-Dec-08		17-Sep-20	12-Oct-21	1773559	S - 6.17	25-May to 31-Dec-14; 1-Jul to 31-Dec-15; 1-Jul to 31-Dec-16; Resided on E1/2 31-51-10 W3 during absences	
50	015111-1-1	WITCHEKAN LAKE RESERVE Project - Ducks Unlimited Water Rights Project Plan 813 AM		20-Jul-27	7-May-29	607174; 4886065	AG11, Box 823		
51	015111-2-1								
52	015111-3-1	ABANDONED	<i>Born 11-Apr-02 at Shrewsbury ENGLAND WW1 vet</i>			617692	Twp. Reg.		
53	015111-3-2	ABANDONED				626183	Twp. Reg.		
54	015111-3-3	ABANDONED				647103	Twp. Reg.		
55	015111-3-4		<i>Born 10 Oct 01 in Shrewsbury, Shropshire, ENGLAND Homestead on SE 35 50 11 in 1919. Purchased threshing machine 1920 and S P combine in 1941</i>	31-Aug-36		Grant #10379	Post 1930		
56	015111-4-1	Entry protested				607173	Post 1930		
57	015111-4-2			11-Sep-35	8-Nov-35	669158; Grant #8766	Post 1930	Joseph RENVILLE in residence since 6-Jul-23	built in 1922
58	025111-1-1	ABANDONED				607174; 4886068	AG11, Box 823		
59	025111-2-1			20-Jul-27	7-May-29	4879547; 607171;	AG11, Box 823		
60	025111-3-1			11-Jan-29	15-Feb-29	5132348; 4873958; 607172;	AG11, Box 823		
61	025111-4-1	Naturalized through Father		10-Mar-28	24-Jul-28	5132348; 4886070	AG11, Box 823		
62	035111-1-1	ABANDONED 23 Nov 25				610171	Twp. Reg. Post 1930		
63	035111-1-2	ABANDONED				613500	Twp. Reg. Post 1930		

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI
1	ID NUMBER	BUILDINGS	ACRES BROKEN	ACRES CROPPED	ACRES PAST	FENCE	CATTLE	HORSES	HOGS	SHEEP	GRAZING	OTHER HOMESTEAD Pretty Valley, SA area - Abandoned in 1920 2) Soldier Grant Entry - SW 6-52 10 W3	FILE NUMBER	DATE
34	305110-1-3		1926 - 30											
35	305110-2-1													
36	305110-2-2						1924 - 8	1924 - 5						
			1924 - 15	1925 - 15			1925 - 10	1925 - 7						
			1925 - 30	1926 - 45			1926 - 15	1926 - 9						
			1927 - 41	1927 - 45			1927 - 20	1927 - 11						
37	305110-2-3	19 x 29 Log Barn; 16 x 16 Log Granary	1928 - 15	1928 - 86			1928 - 20	1928 - 13						
			1929 - 14	1929 - 101		All	1929 - 20	1929 - 13			None			
38	305110-3-1													
			1925 - 15											
		26 x 40 Log Stable;	1926 - 15	1926 - 15			1926 - 15	1926 - 7						
		18 x 18 Log Granary;	1927 - 15	1927 - 30		1.5 miles	1927 - 15	1927 - 7						
39	305110-3-2	18 ft Well	1928 - 20	1929 - 45		- Wire	1928 - 15	1928 - 7			W & S			
40	305110-4-1													
			1925 - 15											
			1926 - 15	1926 - 15										
			1927 - 10	1927 - 30										
41	305110-4-2		1928 - 10	1928 - 40		1.5 miles								
42	315110-1-1													
							Averaged 100 head each							
43	315110-1-2	28 x 40 Log Stable; 75 ft Well	1918 - 14	1919 - 14		All - Wire	year					W3 2) Pre-emption SE 25-37-1 W3 3) Volunteer Bounty E1/2 31- 51-10 W3		
44	315110-2-1													
			1914 - 2											
			1915 - 2											
			1916 - 2											
			1914 - 2	1917 - 2										
			1918 - 17	1918 - 2										
			1919 - 15	1919 - 19										
45	315110-2-2		1920 - 8	1920 - 34		All - Wire	Stock each year					1) NE 24-37-1 W3 2) Pre-emption SE 25- 37-1 W3		
46	315110-3-1													
			1914 - 2											
			1915 - 2											
			1916 - 2											
			1914 - 2	1917 - 2										
			1918 - 17	1918 - 2										
			1919 - 15	1919 - 19										
47	315110-3-2		1920 - 8	1920 - 34		All - Wire	stock each year					1) NE 24-37-1 W3 2) Pre-emption SE 25-37-1 W3		
48	315110-4-1													
49	315110-4-2													
50	015111-1-1													
51	015111-2-1													
52	015111-3-1													
53	015111-3-2													
54	015111-3-3													
55	015111-3-4													
56	015111-4-1													
57	015111-4-2	Warehouse, Two Barns, Corral, Well										Lease SW 1 51 11		
58	025111-1-1													
59	025111-2-1													
60	025111-3-1													
61	025111-4-1													
62	035111-1-1													
63	035111-1-2													

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	ID NUMBER	QUARTER	SECTION	TOWNSHIP	RANGE	LAST NAME	FIRST NAME	ETHNICITY	BIRTHPLACE	LAST RESIDENCE	AGE	MARITAL STATUS	OCCUPATION	DATE OF ARRIVAL
64	035111-1-3	NW	3	51	11	FRENETTE	Rosane							06-Jan-27
65	035111-2-1	NE	3	51	11									
66	035111-2-2	NE	3	51	11	FRENETTE	Rosane							14-May-57
67	035111-2-3	NE	3	51	11	COTE	Robert G.							01-Jun-69
68	035111-3-1	SE	3	51	11									
69	035111-3-2	SE	3	51	11									
70	035111-4-1	SW	3	51	11	SATTERLUND	Hjalmer	Scand/ USA	Minnesota, USA	Paddling Lake, Sk.	27	M & FAM	Farmer	01-May-25
71	035111-4-2	SW	3	51	11	BOILARD	Henri		Que.	Marcelin, Sk.	24	S	Fam Worker	10-Nov-25
72	045111-1-1	NW	4	51	11	FORD	Mons			Paddling Lake, Sk.				11-Aug-23
73	045111-1-2	NW	4	51	11	MORIN	Wilfred			Mariapolis, Mb. Paddling Lake, Sk.				Oct, 1928
74	045111-2-1	NE	4	51	11	ERICKSON	Edwin S.	Scand/ USA	South Dakota, USA		21	S		27-Feb-23
75	045111-2-2	NE	4	51	11	RANGER	Alcide		Ont.	Marcelin, Sk.	20	S		10-Mar-27
76	045111-3-1	SE	4	51	11	NEVEN	Antonio		Que.	Marcelin, Sk.	22	S	Farmer	10-Mar-23
77	045111-4-1	SW	4	51	11	NEVEN	Leon		Sk.	Marcelin, Sk.	18	S	Farmer	01-Mar-23
78	045111-4-2	SW	4	51	11	VANIER	Jean		Val Morin, Que.	Marcelin, Sk.	23	S	Farmer	30-Mar-25
79	055111-1-1	NW	5	51	11									
80	055111-1-2	NW	5	51	11									08-Sep-32
81	055111-1-3	NW	5	51	11	RANGER	Hewe							02-Nov-34
82	055111-2-1	NE	5	51	11									
83	055111-2-2	NE	5	51	11									08-Sep-32
84	055111-3-1	SE	5	51	11	MONSEN	Fred	Norwegian Scand/ USA	Bergen, NORWAY	Paddling Lake, Sk.	19	S	Farmer	15-Mar-23
85	055111-4-1	SW	5	51	11	ERICKSON	Carl A.		South Dakota, USA	Paddling Lake, Sk.	19	S	Farmer	27-Feb-23
86	055111-4-2	SW	5	51	11	RANGER	Napoleon		Que.	Marcelin, Sk.	54	M & FAM	Farmer	10-Mar-26
87	065111-1-1	NW	6	51	11									
88	065111-1-2	NW	6	51	11	MCMASTER	Orland		Ont.	Witchekan Lake, Sk.	24	S	Farmer	28-May-24
89	065111-1-3	NW	6	51	11	JOANETTE	A.M.							09-Oct-25
90	065111-1-4	NW	6	51	11	GABOURY	Robert L. & Leo A.							01-May-68
91	065111-2-1	NE	6	51	11									
92	065111-2-2	NE	6	51	11	GROSSER	Nelson Oscar			Belbutte, Sk. Witchekan Lake, Sk.				21-Mar-23 May 28, 1924
93	065111-2-3	NE	6	51	11	MCMASTER	Orland							
94	065111-2-4	NE	6	51	11	JOANETTE	Albert Napoleon			Spiritwood, Sk.				09-Oct-25
95	065111-3-1	SE	6	51	11									
96	065111-3-2	SE	6	51	11									
97	065111-3-3	SE	6	51	11	LENDVAY	Steve							01-Jan-67
98	065111-4-1	SW	6	51	11									
99	065111-4-2	SW	6	51	11									
100	065111-4-3	SW	6	51	11	GABOURY	Robt L. & Leo O.							01-May-68
101	075111-1-1	NW	7	51	11									
102	075111-2-1	NE	7	51	11									
103	075111-3-1	SE	7	51	11									
104	075111-3-1	SE	7	51	11									
105	075111-4-1	SW	7	51	11									
106	085111-1-1	NW	8	51	11									
107	085111-1-2	NW	8	51	11	CADIEU	Albert C.							01-Jun-69
108	085111-2-1	NE	8	51	11	CADIEU	Albert C.							31-Mar-69
109	085111-3-1	SE	8	51	11	BARRETTE	Jean Marie		Que.	Marcelin, Sk.	23	S	Farmer	07-Oct-26
110	085111-3-2	SE	8	51	11	CADIEU	Albert C.							01-Jan-67
111	085111-4-1	SW	8	51	11									

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	O	P	Q	R	S	T	U	V
1	ID NUMBER	NOTES FROM ARCHIVAL SOURCE	NOTES FROM SECONDARY SOURCES	DATE OF PATENT APPLICATION	DATE PATENT ISSUED	FILE NUMBER	FILE SOURCE	RESIDENCY	HOUSE
64	035111-1-3	HAY RESERVE Ranch #19323			12-Nov-36	613500, G603	Twp. Reg. Post 1930		
65	035111-2-1	Exchanged in lieu of SE 20 47.14 O/C 1.004/57				T&G 625042	Twp. Reg.		
66	035111-2-2				28-May-57	Grant # 29702	Twp. Reg.		
67	035111-2-3	SALE KS2801			18-Sep-69	#33925	Twp. Reg.		
68	035111-3-1	HAY RESERVE Ranch #19326				T&G 626398			
69	035111-3-2	14.7 acres Patented to CNR 6.16 acres Right-of-way and 8.54 for reserve Plan 37440			15-Mar-32	5132348, Grant #1453	Twp. Reg.		
70	035111-4-1	ABANDONED				610170, 5132348, 4948475	S - 6.17		
71	035111-4-2		<i>Homestead on NE16-50-12 came from Marcelin in 1926. Proved up but left sold land to Lamy McGovern in 1932/33.</i>		31-Oct-29	612414, 4948475	S - 6.17		
72	045111-1-1	GRADING LEASE for 10 Cattle and 5 Horses @ \$1.00. Cancelled 28-Feb-24 due to settler's protest at loss of Hay Reserve					Post 1930		
73	045111-1-2	SQUATTER CLAIM withdrawn Hay Reserve 30-Sep-23		10-May-29	13-May-33	602395, 4750990, 613829	Post 1930, Twp. Reg.		?built 1928
74	045111-2-1	ABANDONED (Illness)				613829	Twp. Reg.		Log
75	045111-2-2	Paid \$30 for improvements			10-Apr-29	4750990	S - 6.17		
76	045111-3-1				30-Apr-28	602514, 4757124	Twp. Reg., S - 6.17		
77	045111-4-1	??				602431, 4757126, 609821	Twp. Reg., S - 6.17		
78	045111-4-2	Paid \$320 for improvements			1-Oct-29	4757126	Twp. Reg., S - 6.17		
79	055111-1-1	RESERVED T&G Ranch #11849				610784	Twp. Reg.		
80	055111-1-2	6.15 acres Patented to CNR 6.16 acres Right-of-way Plan 37440			08-Sep-32	5132348, Grant #2331	Twp. Reg.		
81	055111-1-3	Sale SS285			14-Mar-52	Grant #28241	Twp. Reg.		
82	055111-2-1	RESERVED T&G - Ranch #11849				610784	Twp. Reg.		
83	055111-2-2	6.15 acres Patented to CNR Plan 37440			08-Sep-32	5132348, Grant #2331	Twp. Reg.		
84	055111-3-1				26-Feb-28	602571, 4757128	Twp. Reg., S - 6.17		
85	055111-4-1	ABANDONED				602396, 4281342	Twp. Reg., S - 6.17		
86	055111-4-2				31-Oct-29	613830, 4281342	Twp. Reg., S - 6.17		
87	065111-1-1	HAY RESERVE Ranch #22933				T&G 631480			
88	065111-1-2	SOLDIER GRANT #14138: ABANDONED				4757122	S - 6.17		
89	065111-1-3				29-May-34	611853, Grant #5585	Twp. Reg.		
90	065111-1-4	SALE GS2599			25-Nov-68	Grant #33645	Twp. Reg.		
91	065111-2-1	RESERVED T&G				599303	Twp. Reg.		
92	065111-2-2	Formerly of Kerrobert. SK. CANCELLED 6-May-24				602575, 4757136	Twp. Reg., Post 1930		
93	065111-2-3	SOLDIER GRANT: CANCELLED 25-AUG-25				606819	Twp. Reg., Post 1930		
94	065111-2-4	SCHOOL LANDS (in lieu of other lands in Forest Reserve)			29-May-34		Twp. Reg., Post 1930		
95	065111-3-1	ROADWAY Registered for 1.06 acres			00-Mar-24	265021, BW6820	Twp. Reg.		
96	065111-3-2				10-Apr-58	ARD525	Twp. Reg.		
97	065111-3-3	Sale GS1765			26-Mar-72	Grant #34736	Twp. Reg.		
98	065111-4-1	SCHOOL LANDS (in lieu of other lands in Forest Reserve)			00-Mar-24	265021, BW6820	Twp. Reg.		
99	065111-4-2	ROADWAY Registered for .85 acres			10-Apr-58	ARD525	Twp. Reg.		
100	065111-4-3	Sale GS2599			25-Nov-68	Grant #33645	Twp. Reg.		
101	075111-1-1	RESERVED T&G Ranch #18383				624086	Twp. Reg.		
102	075111-2-1	RESERVED T&G Ranch #18383				624086	Twp. Reg.		
103	075111-3-1	RESERVED T&G Ranch #18383				624086	Twp. Reg.		
104	075111-3-1	6.15 acres Patented to CNR Plan 37440			08-Sep-32	5132348, Grant #2331	Twp. Reg.		
105	075111-4-1	RESERVED T&G Ranch #18383				624086	Twp. Reg.		
106	085111-1-1	RESERVED T&G Ranch #18383				624086	Twp. Reg.		
107	085111-1-2	SALE GS2769			13-Dec-74	Grant #35960	Twp. Reg.		
108	085111-2-1	SALE KS2763			13-Jan-75	Grant #36016	Twp. Reg.		
109	085111-3-1	ABANDONED??				5068239	S - 6.17		
110	085111-3-2	SALE GS2631			13-Jan-71	Grant #35306	Twp. Reg.		
111	085111-4-1	RESERVED T&G				628243	Twp. Reg.		

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI
1	ID NUMBER	BUILDINGS	ACRES BROKEN	ACRES CROPPED	ACRES MAY	FENCE	CATTLE	HORSES	HOGS	SHEEP	GRAZING	OTHER HOMESTEAD	FILE NUMBER	DATE
64	035111-1-3													
65	035111-2-1													
66	035111-2-2													
67	035111-2-3													
68	035111-3-1													
69	035111-3-2													
70	035111-4-1													
71	035111-4-2													
72	045111-1-1											1) Homestead NE 22-49-8 W3 2) Lease of 80 acres 22-49-8 W3		
73	045111-1-2	Stable				5 mile						Second homestead		
74	045111-2-1	Barn		1923 - 3		10						SW 3-49-8 W3	4541487	May, 1920
75	045111-2-2													
76	045111-3-1											NE 31-50-11 W3	4218740	24-Nov-20
77	045111-4-1													
78	045111-4-2													
79	055111-1-1													
80	055111-1-2													
81	055111-1-3													
82	055111-2-1													
83	055111-2-2													
84	055111-3-1													
85	055111-4-1		1926 - 20											
86	055111-4-2													
87	065111-1-1													
88	065111-1-2											NE 6-51-11 W3 NW 32-51-8 W3	N/A 4205609	
89	065111-1-3													
90	065111-1-4													
91	065111-2-1													
92	065111-2-2													
93	065111-2-3													
94	065111-2-4													
95	065111-3-1													
96	065111-3-2													
97	065111-3-3													
98	065111-4-1													
99	065111-4-2													
100	065111-4-3													
101	075111-1-1													
102	075111-2-1													
103	075111-3-1													
104	075111-3-1													
105	075111-4-1													
106	085111-1-1													
107	085111-1-2													
108	085111-2-1													
109	085111-3-1													
110	085111-3-2													
111	085111-4-1													

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	
1	ID NUMBER	QUARTER	SECTION	TOWNSHIP	RANGE	LAST NAME	FIRST NAME	ETHNICITY	BIRTHPLACE	LAST RESIDENCE	AGE	MARITAL STATUS	OCCUPATION	DATE OF ARRIVAL	
112	085111-4-2	SW	8	51	11	CADIEU	Albert C.							01-Jan-67	
113	095111-1-1	NW	9	51	11	CADIEU	Albert C.							01-Jan-69	
114	095111-1-1	NW	9	51	11										
115	095111-2-1	NE	9	51	11										
116	095111-2-2	NE	9	51	11									03-Mar-63	
117	095111-2-3	NE	9	51	11									22-Apr-71	
118	095111-2-4	NE	9	51	11	CADIEU	Albert C.							01-Jan-69	
119	095111-3-1	SE	9	51	11	SARRAZIN	Mathias Georges	French		Marcelin, Sk.	23	S	Farmer	04-Oct-26	
120	095111-4-1	SW	9	51	11										
121	095111-4-2	SW	9	51	11	CADIEU	Albert C.							01-Jan-67	
122	105111-1-1	NW	10	51	11										
123	105111-1-2	NW	10	51	11	COTE	Alfred							13-Apr-28	
124	105111-1-3	NW	10	51	11	DURIEUX	Oscar E.							05-Nov-43	
125	105111-2-1	NE	10	51	11	BOYER	Paul		Soulanges County, Que.		?MB or NW	49	M	Rancher/ Labourer	SUMMER, 1909
126	105111-2-2	NE	10	51	11	DURIEUX	Oscar E.							10-Jan-44	
127	105111-3-1	SE	10	51	11	BOUFFORD	Antonio			Blaine Lake, sk.				19-Oct-26	
128	105111-3-2	SE	10	51	11	BOURGEOIS	Albert Joseph							22-Oct-27	
129	105111-4-1	SW	10	51	11	COTE	Alfred		Marcelin, Sk.	Marcelin, Sk.	20	S	Farmer	05-Oct-26	
130	115111-1-1	NW	11	51	11										
131	115111-1-2	NW	11	51	11									06-Jan-72	
132	115111-1-3	NW	11	51	11									24-Oct-78	
133	115111-2-1	NE	11	51	11										
134	115111-2-2	NE	11	51	11									24-Oct-78	
135	115111-3-1	SE	11	51	11										
136	115111-3-2	SE	11	51	11									24-Oct-78	
137	115111-4-1	SW	11	51	11										
138	115111-4-2	SW	11	51	11										
139	115111-4-3	SW	11	51	11									24-Oct-78	
140	125111-1-1	NW	12	51	11										
141	125111-1-2	NW	12	51	11									06-Jan-72	
142	125111-1-3	NW	12	51	11									16-May-77	
143	125111-1-4	NW	12	51	11									24-Oct-78	
144	125111-2-1	NE	12	51	11										
145	125111-2-2	NE	12	51	11									16-May-77	
146	125111-2-3	NE	12	51	11									24-Oct-78	
147	125111-3-1	SE	12	51	11										
148	125111-3-2	SE	12	51	11	MARKOWSKI	Mike Joseph							12-Dec-28	
149	125111-3-3	SE	12	51	11	DENIS	Jean Baptiste							25-Sep-29	
150	125111-3-4	SE	12	51	11									24-Oct-78	
151	125111-4-1	SW	12	51	11										
152	125111-4-2	SW	12	51	11	COTE	Paul							05-Oct-26	
153	125111-4-3	SW	12	51	11	POITRAS	Leon E.							17-Jan-29	
154	125111-4-4	SW	12	51	11	PAQUETTE	Joseph Raoul							24-Jun-31	
155	135111-1-1	NW	13	51	11										
156	135111-1-2	NW	13	51	11										

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	O	P	Q	R	S	T	U	V
1	ID NUMBER	NOTES FROM ARCHIVAL SOURCE	NOTES FROM SECONDARY SOURCES	DATE OF PATENT APPLICATION	DATE PATENT ISSUED	FILE NUMBER Grant	FILE SOURCE	RESIDENCY	HOUSE
112	085111-4-2	SALE GS2031			13-Jan-71	#35306	Twp. Reg.		
113	095111-1-1	Sale			31-Dec-74	#35960	Twp. Reg.		
114	095111-1-1	RESERVED T&G Ranch #18383					Twp. Reg.		
115	095111-2-1	RESERVED T&G Ranch #18383					Twp. Reg.		
116	095111-2-2	Plan filed re: Water Rights: Irrigation Project					Twp. Reg.		
117	095111-2-3	Cemetary Registered Plan filed Witchekan Lake Wetland Project					Twp. Reg.		
118	095111-2-4	Sale			13-Dec-74	#35960	Twp. Reg.		
119	095111-3-1	RESERVED T&G Ranch #18383			7-Nov-29	4982833	S - 6.17		
120	095111-4-1	RESERVED T&G Ranch #18383					Twp. Reg.		
121	095111-4-2	SALE					Twp. Reg.		
122	105111-1-1	RESERVED T&G Ranch #19201			13-Jan-71	#35306	Twp. Reg.		
123	105111-1-2	TIME SALE #12157				625752	Twp. Reg.		
124	105111-1-3	ASSIGNMENT #2468					Twp. Reg.		
125	105111-2-1	SURVEYOR DECLARATION OCT 9, 1911			20-Jan-44	#22281	Twp. Reg.		
126	105111-2-2	TS #837				2552623	S - 6.17		
127	105111-3-1	ABANDONED 8-Jun-27; #312303			8-Feb-44	#22375; 617863; 5068249	Twp. Reg.; Twp. Reg.; Post 1930		
128	105111-3-2					623954; Grant #5080	Twp. Reg.; Post 1930		
129	105111-4-1				8-Mar-34	617682; 4992355	Twp. Reg.; S - 6.17		
130	115111-1-1	WATER					Twp. Reg.		
131	115111-1-2	ROADWAY Reg'd #72-B-00159 ARD 2545 Plan #AS2115 for 10.5 acres ABANDONED					Twp. Reg.		
132	115111-1-3	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
133	115111-2-1	WATER					Twp. Reg.		
134	115111-2-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
135	115111-3-1	??WATER					Twp. Reg.		
136	115111-3-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
137	115111-4-1	??WATER					Twp. Reg.		
138	115111-4-2	Plan filed Spinwood Sewage System for 10.1 acres, Reg'd 68-B-6548 Plan 552AM July #68					Twp. Reg.		
139	115111-4-3	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
140	125111-1-1	RESERVED T&G Ranch #22237				627452	Twp. Reg.		
141	125111-1-2	ROADWAY Reg # A S 2115 Plan 656 for 4.78 acres ABANDONED ROADWAY Reg #72-B-00159 ARD2645 for 10.5 acres ABANDONED					Twp. Reg.		
142	125111-1-3	ROADWAY Reg #2401 No Plan Rec'd					Twp. Reg.		
143	125111-1-4	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
144	125111-2-1	RESERVED T&G - Ranch #22237				627452	Twp. Reg.		
145	125111-2-2	RAILROAD RESERVE #2401 Plan not rec'd					Twp. Reg.		
146	125111-2-3	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
147	125111-3-1	RESERVED T&G Ranch #22237				627452; 644263	Twp. Reg.		
148	125111-3-2	CANCELLED #320944				5294506	Twp. Reg.		
149	125111-3-3					651076	Twp. Reg.		
150	125111-3-4	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
151	125111-4-1	RESERVED T&G Ranch #22237				627452	Twp. Reg.		
152	125111-4-2	CANCELLED #320235				633927; 4411967	Twp. Reg.		
153	125111-4-3	CANCELLED 28 May 31				644899	Twp. Reg.		
154	125111-4-4	Settlement			17-Oct-35; 28-Nov-35		Post 1930		
155	135111-1-1	WATER					Twp. Reg.		
156	135111-1-2	RESERVED T&G Ranch #21331				627452	Twp. Reg.		

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI
1	ID NUMBER	BUILDINGS	ACRES BROKEN	ACRES GRAZED	ACRES HAY	FENCE	CATTLE	HORSES	HOGS	SHEEP	GRAZING	OTHER HOMESTEAD	FILE NUMBER	DATE
112	095111-4-2													
113	095111-1-1													
114	095111-1-1													
115	095111-2-1													
116	095111-2-2													
117	095111-2-3													
118	095111-2-4													
119	095111-3-1													
120	095111-4-1													
121	095111-4-2													
122	105111-1-1													
123	105111-1-2													
124	105111-1-3													
125	105111-2-1													
126	105111-2-2													
127	105111-3-1													
128	105111-3-2													
129	105111-4-1													
130	115111-1-1													
131	115111-1-2													
132	115111-1-3													
133	115111-2-1													
134	115111-2-2													
135	115111-3-1													
136	115111-3-2													
137	115111-4-1													
138	115111-4-2													
139	115111-4-3													
140	125111-1-1													
141	125111-1-2													
142	125111-1-3													
143	125111-1-4													
144	125111-2-1													
145	125111-2-2													
146	125111-2-3													
147	125111-3-1													
148	125111-3-2													
149	125111-3-3													
150	125111-3-4													
151	125111-4-1													
152	125111-4-2													
153	125111-4-3													
154	125111-4-4													
155	135111-1-1													
156	135111-1-2													

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
I	ID NUMBER	QUARTER	SECTION	TOWNSHIP	RANGE	LAST NAME	FIRST NAME	ETHNICITY	BIRTHPLACE	LAST RESIDENCE	AGE	MARITAL STATUS	OCCUPATION	DATE OF ARRIVAL
157	135111-1-3	NW	13	51	11									24-Oct-78
158	135111-2-1	NE	13	51	11									
159	135111-2-2	NE	13	51	11	THOMAS	Earl Alvin							22-May-29
160	135111-3-1	SE	13	51	11									
161	135111-3-2	SE	13	51	11									
162	135111-3-3	SE	13	51	11	THOMAS	Earl Alvin							22-May-29
163	135111-4-1	SW	13	51	11									
164	135111-4-2	SW	13	51	11									
165	135111-4-3	SW	13	51	11									06-Jan-72
166	135111-4-4	SW	13	51	11									24-Oct-78
167	145111-1-1	NW	14	51	11									
168	145111-1-2	NW	14	51	11									24-Oct-78
169	145111-2-1	NE	14	51	11									
170	145111-2-2	NE	14	51	11									24-Oct-78
171	145111-3-1	SE	14	51	11									
172	145111-3-2	SE	14	51	11									24-Oct-78
173	145111-4-1	SW	14	51	11									
174	145111-4-2	SW	14	51	11									24-Oct-78
175	151151-1-1	NW	15	51	11									
176	151151-1-2	NW	15	51	11									24-Oct-78
177	155111-2-1	NE	15	51	11									
178	155111-2-2	NE	15	51	11									24-Oct-78
179	155111-3-1	SE	15	51	11									
180	155111-3-2	SE	15	51	11									24-Oct-78
181	155111-4-1	SW	15	51	11									
182	155111-4-2	SW	15	51	11									24-Oct-78
183	165111-1-1	NW	16	51	11									
184	165111-1-2	NW	16	51	11									17-Apr-63
185	165111-1-3	NW	16	51	11									30-May-69
186	165111-1-4	NW	16	51	11									22-Apr-71
187	165111-1-5	NW	16	51	11									24-Oct-78
188	165111-2-1	NE	16	51	11									
189	165111-2-2	NE	16	51	11									
190	165111-2-3	NE	16	51	11									24-Oct-78
191	165111-3-1	SE	16	51	11									
192	165111-3-2	SE	16	51	11									17-Apr-63
193	165111-3-3	SE	16	51	11									30-May-69
194	165111-3-4	SE	16	51	11	CADIEU	Albert C.							01-Jan-67
195	165111-3-5	SE	16	51	11									24-Oct-78
196	165111-4-1	SW	16	51	11									

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	O	P	Q	R	S	T	U	V
1	ID NUMBER	NOTES FROM ARCHIVAL SOURCE	NOTES FROM SECONDARY SOURCES	DATE OF PATENT APPLICATION	DATE PATENT ISSUED	FILE NUMBER	FILE SOURCE	RESIDENCY	HOUSE
	157	135111-1-3	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM RESERVED T&G Ranch #21331				Twp. Reg.		
	158	135111-2-1				627452 Grant	Twp. Reg.		
	159	135111-2-2	SALE SS#1101 RESERVED T&G Ranch #21331		6-Jan-44	#22198	Twp. Reg.		
	160	135111-3-1	ROADWAY for 4.49 acres Plan H 656			627452	Twp. Reg.		
	161	135111-3-2					Twp. Reg.		
	162	135111-3-3	SALE SS#1101 RESERVED T&G Ranch #21331		6-Jan-44	#22198	Twp. Reg.		
	163	135111-4-1				627452	Twp. Reg.		
	164	135111-4-2	WATER				Twp. Reg.		
	165	135111-4-3	ROADWAY Reg. #A S 2115 ARD 467 Plan H 656 for 1.21 acres Reg. #BW-5397 ABANDONED ROADWAY Reg. #72 B 0155 ARD 2445 for 3.36 acres (A=3.19 acres & B=19 acres)				Twp. Reg.		
	166	135111-4-4	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM				Twp. Reg.		
	167	145111-1-1	WATER				Twp. Reg.		
	168	145111-1-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM				Twp. Reg.		
	169	145111-2-1	WATER				Twp. Reg.		
	170	145111-2-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM				Twp. Reg.		
	171	145111-3-1	WATER				Twp. Reg.		
	172	145111-3-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM				Twp. Reg.		
	173	145111-4-1	WATER				Twp. Reg.		
	174	145111-4-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM				Twp. Reg.		
	175	151151-1-1	WATER				Twp. Reg.		
	176	151151-1-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM				Twp. Reg.		
	177	155111-2-1	WATER				Twp. Reg.		
	178	155111-2-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM				Twp. Reg.		
	179	155111-3-1	WATER				Twp. Reg.		
	180	155111-3-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM				Twp. Reg.		
	181	155111-4-1	WATER				Twp. Reg.		
	182	155111-4-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM RESERVED T&G Ranch #18884				Twp. Reg.		
	183	165111-1-1	Project Irrigation Scheme - water rights Plan			624067	Twp. Reg.		
	184	165111-1-2	New Plan filed to replace Irrigation Scheme				Twp. Reg.		
	185	165111-1-3	Cert. under Water rights Act Reg'd #71-B-03231				Twp. Reg.		
	186	165111-1-4					Twp. Reg.		
	187	165111-1-5	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM RESERVED T&G Ranch #20617				Twp. Reg.		
	188	165111-2-1					Twp. Reg.		
	189	165111-2-2	WATER				Twp. Reg.		
	190	165111-2-3	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM RESERVED T&G Ranch #20617				Twp. Reg.		
	191	165111-3-1	Project Irrigation Scheme - water rights Plan			628917	Twp. Reg.		
	192	165111-3-2	New Plan filed to replace Irrigation Scheme				Twp. Reg.		
	193	165111-3-3					Twp. Reg.		
	194	165111-3-4	GS #2769				Twp. Reg.		
	195	165111-3-5	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM RESERVED T&G Ranch #18884				Twp. Reg.		
	196	165111-4-1				624067	Twp. Reg.		

Born in NWT, raised & educated in Shellbrook area. Took homestead on SE3-32-10 in 1924, had construction business, (road & railroad). Ranched Married Isabella Nesbitt in 1932 (father was rancher in Milked area). MP for Muskow Lake riding 1958-72. 74

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI
1	ID NUMBER	BUILDINGS	ACRES BROKEN	ACRES CROPPED	ACRES HAY	FENCE	CATTLE	HORSES	HOGS	SHEEP	GRAZING	OTHER HOMESTEAD	FILE NUMBER	DATE
157	135111-1-3													
158	135111-2-1													
159	135111-2-2													
160	135111-3-1													
161	135111-3-2													
162	135111-3-3													
163	135111-4-1													
164	135111-4-2													
165	135111-4-3													
166	135111-4-4													
167	145111-1-1													
168	145111-1-2													
169	145111-2-1													
170	145111-2-2													
171	145111-3-1													
172	145111-3-2													
173	145111-4-1													
174	145111-4-2													
175	151151-1-1													
176	151151-1-2													
177	155111-2-1													
178	155111-2-2													
179	155111-3-1													
180	155111-3-2													
181	155111-4-1													
182	155111-4-2													
183	165111-1-1													
184	165111-1-2													
185	165111-1-3													
186	165111-1-4													
187	165111-1-5													
188	165111-2-1													
189	165111-2-2													
190	165111-2-3													
191	165111-3-1													
192	165111-3-2													
193	165111-3-3													
194	165111-3-4													
195	165111-3-5													
196	185111-4-1													

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	ID NUMBER	QUARTER	SECTION	TOWNSHIP	RANGE	LAST NAME	FIRST NAME	ETHNICITY	BIRTHPLACE	LAST RESIDENCE	AGE	MARITAL STATUS	OCCUPATION	DATE OF ARRIVAL
197	165111-4-2	SW	16	51	11	CADIEU	Albert C.							01-Jan-67
198	165111-4-4	SW	16	51	11									24-Oct-78
199	175111-2-1	NE	17	51	11									
200	175111-2-2	NE	17	51	11									24-Oct-78
201	175111-3-1	SE	17	51	11									
202	175111-3-2	SE	17	51	11	DURIEUX	Oscar E.	Belgian	BELGIUM	Witchekan Lake, Sk.	20	S	Farmer	04-Jun-20
203	175111-4-1	SW	17	51	11									
204	175111-4-2	SW	17	51	11	CADIEU	Albert C.							01-Jan-67
205	175111-4-3	SW	17	51	11									30-May-69
206	175111-4-4	SW	17	51	11									24-Oct-78
207	175177-1-1	NW	17	51	11									
208	175177-1-2	NW	17	51	11									24-Oct-78
209	185111-1-1	NW	18	51	11									
210	185111-1-2	NW	18	51	11	MASTERS	Alex							16-Jan-12
211	185111-2-1	NE	18	51	11									
212	185111-3-1	SE	18	51	11									
213	185111-3-2	SE	18	51	11	WORSLEY	Edward		Ab.	Cater, Sk.	18	S	Farmer	27-Apr-20
214	185111-4-1	SW	18	51	11									
215	195111-1-1	NW	19	51	11									
216	195111-1-2	NW	19	51	11									24-Oct-78
217	195111-2-1	NE	19	51	11									
218	195111-2-2	NE	19	51	11									
219	195111-2-3	NE	19	51	11									24-Oct-78
220	195111-3-1	SE	19	51	11									
221	195111-3-2	SE	19	51	11									
222	195111-3-3	SE	19	51	11									24-Oct-78
223	195111-4-1	SW	19	51	11									
224	195111-4-2	SW	19	51	11									24-Oct-78
225	205111-1-1	NW	20	51	11									
226	205111-1-2	NW	20	51	11									24-Oct-78
227	205111-2-1	NE	20	51	11									
228	205111-2-2	NE	20	51	11									24-Oct-78
229	205111-3-1	SE	20	51	11									
230	205111-3-2	SE	20	51	11									24-Oct-78
231	205111-4-1	SW	20	51	11									
232	205111-4-2	SW	20	51	11									24-Oct-78
233	215111-1-1	NW	21	51	11									
234	215111-1-2	NW	21	51	11									24-Oct-78
235	215111-2-1	NE	21	51	11									
236	215111-2-2	NE	21	51	11									24-Oct-78
237	215111-3-1	SE	21	51	11									
238	215111-3-2	SE	21	51	11									24-Oct-78
239	215111-4-1	SW	21	51	11									
240	215111-4-2	SW	21	51	11									24-Oct-78

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	O	P	Q	R	S	T	U	V
1	ID NUMBER	NOTES FROM ARCHIVAL SOURCE	NOTES FROM SECONDARY SOURCES	DATE OF PATENT APPLICATION	DATE PATENT ISSUED	FILE NUMBER Grant	FILE SOURCE	RESIDENCY	HOUSE
197	165111-4-2	GS #2769			13-Dec-74	#35960	Twp. Reg.		
198	165111-4-4	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan #13 AM					Twp. Reg.		
199	175111-2-1	WATER					Twp. Reg.		
200	175111-2-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan #13 AM					Twp. Reg.		
201	175111-3-1	??HAY RESERVE				585988	Twp. Reg.		
202	175111-3-2				6-Sep-28	4291866	S - 6.17		
203	175111-4-1	WATER					Twp. Reg.		
204	175111-4-2	GS #2769			17-Dec-74	Grant #35960	Twp. Reg.		
205	175111-4-3	Water Rights Project Inception Scheme Cert on Plan #452360					Twp. Reg.		
206	175111-4-4	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan #13 AM					Twp. Reg.		
207	175177-1-1	WATER					Twp. Reg.		
208	175177-1-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan #13 AM					Twp. Reg.		
209	185111-1-1	RESERVED T&G Ranch #10198				6_3384	Twp. Reg.		
210	185111-1-2				16-Jan-12		Twp. Reg.		
211	185111-2-1	RESERVED T&G Ranch #10198				6_3384	Twp. Reg.		
212	185111-3-1	RESERVED T&G Ranch #10198				6_3384	Twp. Reg.		
213	185111-3-2	CANCELLED #270039				585428; 4239861	Twp. Reg.; S - 6.17		
214	185111-4-1	RESERVED T&G Ranch #10198				6_3384	Twp. Reg.		
215	195111-1-1	RESERVED T&G Ranch #19416 (#1458)				588758	Twp. Reg.		
216	195111-1-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan #13 AM					Twp. Reg.		
217	195111-2-1	HAY RESERVE - T&G				588026	Twp. Reg.		
218	195111-2-2	WATER					Twp. Reg.		
219	195111-2-3	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan #13 AM					Twp. Reg.		
220	195111-3-1	HAY RESERVE - T&G				588026	Twp. Reg.		
221	195111-3-2	WATER					Twp. Reg.		
222	195111-3-3	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan #13 AM					Twp. Reg.		
223	195111-4-1	RESERVED T&G Ranch #19416 (#1458)				588758	Twp. Reg.		
224	195111-4-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan #13 AM					Twp. Reg.		
225	205111-1-1	WATER					Twp. Reg.		
226	205111-1-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan #13 AM					Twp. Reg.		
227	205111-2-1	WATER					Twp. Reg.		
228	205111-2-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan #13 AM					Twp. Reg.		
229	205111-3-1	WATER					Twp. Reg.		
230	205111-3-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan #13 AM					Twp. Reg.		
231	205111-4-1	WATER					Twp. Reg.		
232	205111-4-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan #13 AM					Twp. Reg.		
233	215111-1-1	WATER					Twp. Reg.		
234	215111-1-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan #13 AM					Twp. Reg.		
235	215111-2-1	WATER					Twp. Reg.		
236	215111-2-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan #13 AM					Twp. Reg.		
237	215111-3-1	WATER					Twp. Reg.		
238	215111-3-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan #13 AM					Twp. Reg.		
239	215111-4-1	WATER					Twp. Reg.		
240	215111-4-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan #13 AM					Twp. Reg.		

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI
1	ID NUMBER	BUILDINGS	ACRES BROKEN	ACRES CHIPPED	ACRES HAY	FENCE	CATTLE	HORSES	HOGS	SHEEP	GRAZING	OTHER HOMESTEAD	FILE NUMBER	DATE
197	165111-4-2													
198	165111-4-4													
199	175111-2-1													
200	175111-2-2													
201	175111-3-1													
202	175111-3-2													
203	175111-4-1													
204	175111-4-2													
205	175111-4-3													
206	175111-4-4													
207	175177-1-1													
208	175177-1-2													
209	185111-1-1													
210	185111-1-2													
211	185111-2-1													
212	185111-3-1													
213	185111-3-2													
214	185111-4-1													
215	195111-1-1													
216	195111-1-2													
217	195111-2-1													
218	195111-2-2													
219	195111-2-3													
220	195111-3-1													
221	195111-3-2													
222	195111-3-3													
223	195111-4-1													
224	195111-4-2													
225	205111-1-1													
226	205111-1-2													
227	205111-2-1													
228	205111-2-2													
229	205111-3-1													
230	205111-3-2													
231	205111-4-1													
232	205111-4-2													
233	215111-1-1													
234	215111-1-2													
235	215111-2-1													
236	215111-2-2													
237	215111-3-1													
238	215111-3-2													
239	215111-4-1													
240	215111-4-2													

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	ID NUMBER	QUARTER	SECTION	TOWNSHIP	RANGE	LAST NAME	FIRST NAME	ETHNICITY	BIRTHPLACE	LAST RESIDENCE, AGE	MARITAL STATUS	OCCUPATION	DATE OF ARRIVAL	
241	225111-1-1	NW	22	51	11									
242	225111-1-2	NW	22	51	11									
243	225111-1-3	NW	22	51	11								24-Oct-78	
244	225111-2-1	NE	22	51	11									
245	225111-2-2	NE	22	51	11								24-Oct-78	
246	225111-3-1	SE	22	51	11									
247	225111-3-2	SE	22	51	11								24-Oct-78	
248	225111-4-1	SW	22	51	11									
249	235111-1-1	NW	23	51	11									
250	235111-1-2	NW	23	51	11								24-Oct-78	
251	235111-2-1	NE	23	51	11									
252	235111-2-2	NE	23	51	11								24-Oct-78	
253	235111-3-1	SE	23	51	11									
254	235111-3-2	SE	23	51	11								24-Oct-78	
255	235111-4-1	SW	23	51	11									
256	235111-4-2	SW	23	51	11								24-Oct-78	
257	245111-1-1	NW	24	51	11									
258	245111-1-2	NW	24	51	11	BOUTIN	Joseph Aime			Spiritwood, Sk.			25-Jul-67, 1-Feb-69	
259	245111-2-1	NE	24	51	11									
260	245111-2-2	NE	24	51	11									
261	245111-2-3	NE	24	51	11	SCHAAN	Frank						09-Apr-67	
262	245111-3-1	SE	24	51	11									
263	245111-3-2	SE	24	51	11								27-Sep-26	
264	245111-3-3	SE	24	51	11	HAMOLINE	Celestin			Spiritwood, Sk.			04-Sep-31	
265	245111-3-4	SE	24	51	11	THOMAS	Earl Alvin						22-May-39	
266	245111-4-1	SW	24	51	11									
267	245111-4-2	SW	24	51	11	BOUTIN	Joseph Aime						01-Feb-69	
268	255111-1-1	NW	25	51	11									
269	255111-1-2	NW	25	51	11	SUTEAU	Laurent, Sr.	French	WESTERN FRANCE	Wichekan Lake, Sk.	58	M	Farmer	09-Jan-20
270	255111-2-1	NE	25	51	11									
271	255111-2-2	NE	25	51	11	SUTEAU	Laurent Louis, Jr.	French	FRANCE		29	S	Farmer	14-Feb-20
272	255111-3-1	SE	25	51	11									
273	255111-3-2	SE	25	51	11	MATET	Henri	French	Avignon, FRANCE	Rosthern, Sk.	25	S	Farm Hand	01-Aug-14
274	255111-3-3	SE	25	51	11								06-Jan-72	
275	255111-4-1	SW	25	51	11									
276	265111-1-1	NW	26	51	11	DAGENAIS	Joseph Antoine			Laventure, Sk.			14-Jul-27	
277	265111-2-1	NE	26	51	11	TAYLOR	Roy Donald						16-May-19	
278	265111-2-2	NE	26	51	11	BOUTIN	Joseph Aime			Boutin, Sk.			19-Apr-27	
279	265111-3-1	SE	26	51	11									
280	265111-3-2	SE	26	51	11	OULLETTE	Rosaire						01-Nov-66	
281	265111-4-1	SW	26	51	11									
282	265111-4-2	SW	26	51	11								24-Oct-78	
283	275111-1-1	NW	27	51	11									
284	275111-1-2	NW	27	51	11									

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	O	P	Q	R	S	T	U	V
1	ID NUMBER	NOTES FROM ARCHIVAL SOURCE	NOTES FROM SECONDARY SOURCES	DATE OF PATENT APPLICATION	DATE PATENT ISSUED	FILE NUMBER	FILE SOURCE	RESIDENCY	HOUSE
241	225111-1-1	RESERVED T&G Ranch #18713				626249	Twp. Reg.		
242	225111-1-2	WATER					Twp. Reg.		
243	225111-1-3	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
244	225111-2-1	WATER					Twp. Reg.		
245	225111-2-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
246	225111-3-1	WATER					Twp. Reg.		
247	225111-3-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
248	225111-4-1	WATER					Twp. Reg.		
249	235111-1-1	WATER					Twp. Reg.		
250	235111-1-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
251	235111-2-1	WATER					Twp. Reg.		
252	235111-2-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
253	235111-3-1	WATER					Twp. Reg.		
254	235111-3-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
255	235111-4-1	WATER					Twp. Reg.		
256	235111-4-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
257	245111-1-1	HAY RESERVE				588026	Twp. Reg.		
258	245111-1-2	GS #2947 S2480 00 paid in full for 150.4 acres including SW & PL NW		03-Jan-69	13-Aug-69	Grant #33907	Twp. Reg., AG 111, Box 1174, Stack 25		
259	245111-2-1	HAY RESERVE - T&G				629698	Twp. Reg.		
260	245111-2-2	ROADWAY AFD 467 Reg #BWS927 for 1.04 acres					Twp. Reg.		
261	245111-2-3	SALE KS#2504			9-Jun-67	Grant #32735	Twp. Reg.		
262	245111-3-1	RESERVED T&G Ranch #21331				629223	Twp. Reg., AG 111, Box 108, Stack 6		
263	245111-3-2	Posted for Entry					Twp. Reg., AG 111, Box 108, Stack 6		
264	245111-3-3	GRAZING PERMIT #6028: expired Apr 30, 1932					Twp. Reg., AG 111, Box 108, Stack 6		
265	245111-3-4	SALE SS#1101 - E1/2 13 included in Grant for 477.51 acres			6-Jan-44	22198	Twp. Reg., AG 111, Box 108, Stack 6		
266	245111-4-1	RESERVED T&G Ranch #21331				629223	Twp. Reg.		
267	245111-4-2	SALE GS2947			13-Aug-69	Grant #33907	Twp. Reg.		
268	255111-1-1	HAY RESERVE T&G				588	Twp. Reg.		
269	255111-1-2				23-Dec-25	584339, 4310418	S - 6.17		
270	255111-2-1	HAY RESERVE T&G				588	Twp. Reg.		
271	255111-2-2	RESERVED T&G - Ranch #___63			1-Oct-25	4326303, 625788, 3221396	S - 6.17, S - 6.17, Twp. Reg.		
272	255111-3-1								
273	255111-3-2	W&A SULLIVER used for protection of home - road TIME SALE #1361 - Purchase in lieu of residence - dates. French citizens not required to be naturalized or made a British subject		14-Oct-27	12-Nov-27	522336, 3221396	S - 6.17, Twp. Reg.		
274	255111-3-3	Roadway Reg #72 B 00159 for 8.52 acres					Twp. Reg.		
275	255111-4-1	RESERVED T&G Ranch #20915				629742	Twp. Reg.		
276	265111-1-1	HAY PERMIT to Ralph BUTLER for 10 tons of hay		31-Aug-34	17-Sep-34	622098	Twp. Reg., Post 1930		
277	265111-2-1					579511, 620392, Grant #G1490	Twp. Reg., Post 1930		
278	265111-2-2	RESERVED T&G Ranch #18323		19-Feb-31	31-Mar-32		Twp. Reg., Post 1930		
279	265111-3-1					624528	Twp. Reg.		
280	265111-3-2	SALE KS#2351			12-Feb-87	Grant #38475	Twp. Reg.		
281	265111-4-1	RESERVED T&G Ranch #20915				629742	Twp. Reg.		
282	265111-4-2	W&A SULLIVER used for protection of home - road TIME SALE #1361 - Purchase in lieu of residence - dates. French citizens not required to be naturalized or made a British subject					Twp. Reg.		
283	275111-1-1	RESERVED T&G Ranch #11202				604596	Twp. Reg.		
284	275111-1-2	RESERVED T&G Ranch #18713				626249	Twp. Reg.		

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI
1	ID NUMBER	BUILDINGS	ACRES BROKEN	ACRES CROPPED	ACRES HAY	FENCE	CATTLE	HORSES	HOGS	SHEEP	GRAZING	OTHER HOMESTEAD	FILE NUMBER	DATE
241	225111-1-1													
242	225111-1-2													
243	225111-1-3													
244	225111-2-1													
245	225111-2-2													
246	225111-3-1													
247	225111-3-2													
248	225111-4-1													
249	235111-1-1													
250	235111-1-2													
251	235111-2-1													
252	235111-2-2													
253	235111-3-1													
254	235111-3-2													
255	235111-4-1													
256	235111-4-2													
257	245111-1-1													
258	245111-1-2													
259	245111-2-1													
260	245111-2-2													
261	245111-2-3													
262	245111-3-1													
263	245111-3-2													
264	245111-3-3													
265	245111-3-4													
266	245111-4-1													
267	245111-4-2													
268	255111-1-1													
269	255111-1-2													
270	255111-2-1													
271	255111-2-2													
272	255111-3-1													
273	255111-3-2													
274	255111-3-3													
275	255111-4-1													
276	265111-1-1													
277	265111-2-1													
278	265111-2-2													
279	265111-3-1													
280	265111-3-2													
281	265111-4-1													
282	265111-4-2													
283	275111-1-1													
284	275111-1-2													

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	ID NUMBER	QUARTER	SECTION	TOWNSHIP	RANGE	LAST NAME	FIRST NAME	ETHNICITY	BIRTHPLACE	LAST RESIDENCE	AGE	MARITAL STATUS	OCCUPATION	DATE OF ARRIVAL
285	275111-1-3	NW	27	51	11									
286	275111-1-4	NW	27	51	11									24-Oct-78
287	275111-2-1	NE	27	51	11									
288	275111-2-2	NE	27	51	11	OULLETTE	Rosaire							01-Nov-66
289	275111-2-3	NE	27	51	11									24-Oct-78
290	275111-3-1	SE	27	51	11									
291	275111-3-2	SE	27	51	11									
292	275111-3-3	SE	27	51	11									24-Oct-78
293	275111-4-1	SW	27	51	11									
294	275111-4-2	SW	27	51	11									
295	275111-4-3	SW	27	51	11									24-Oct-78
296	285111-1-1	NW	28	51	11									
297	285111-1-2	NW	28	51	11									24-Oct-78
298	285111-2-1	NE	28	51	11									
299	285111-2-2	NE	28	51	11									24-Oct-78
300	285111-3-1	SE	28	51	11									
301	285111-3-2	SE	28	51	11									24-Oct-78
302	285111-4-1	SW	28	51	11									
303	285111-4-2	SW	28	51	11									24-Oct-78
304	295111-1-1	NW	29	51	11									
305	295111-1-2	NW	29	51	11									24-Oct-78
306	295111-2-1	NE	29	51	11									
307	295111-2-2	NE	29	51	11									24-Oct-78
308	295111-3-1	SE	29	51	11									
309	295111-3-2	SE	29	51	11									24-Oct-78
310	295111-4-1	SW	29	51	11									
311	295111-4-2	SW	29	51	11									24-Oct-78
312	305111-1-1	NW	30	51	11									
313	305111-2-1	NE	30	51	11									
314	305111-2-2	NE	30	51	11									24-Oct-78
315	305111-3-1	SE	30	51	11	NORTH	E.							17-May-15
316	305111-3-2	SE	30	51	11									
317	305111-3-3	SE	30	51	11									24-Oct-78
318	305111-4-1	SW	30	51	11									
319	305111-4-2	SW	30	51	11									
320	305111-4-3	SW	30	51	11									24-Oct-78
321	315111-1-1	NW	31	51	11									
322	315111-2-1	NE	31	51	11									
323	315111-3-1	SE	31	51	11									
324	315111-3-2	SE	31	51	11	TAYLOR	Roy Donald			Idylwild/ Bapaume, Sk.				08-Oct-24
325	315111-3-3	SE	31	51	11									24-Oct-78
326	315111-4-1	SW	31	51	11									

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	O	P	Q	R	S	T	U	V
1	ID NUMBER	NOTES FROM ARCHIVAL SOURCE	NOTES FROM SECONDARY SOURCES	DATE OF PATENT APPLICATION	DATE PATENT ISSUED	FILE NUMBER	FILE SOURCE	RESIDENCY	HOUSE
285	275111-1-3	WATER					Twp. Reg.		
		Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM							
286	275111-1-4	RESERVED T&G					Twp. Reg.		
287	275111-2-1	Ranch #18713				626249 Grant	Twp. Reg.		
288	275111-2-2	SALE KS #2351			12-Feb-87	#38475	Twp. Reg.		
		Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM							
289	275111-2-3	RESERVED T&G - Ranch #11202					Twp. Reg.		
290	275111-3-1	RESERVED T&G - Ranch #18713				604596	Twp. Reg.		
291	275111-3-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM				626249	Twp. Reg.		
292	275111-3-3	RESERVED T&G Ranch #11202					Twp. Reg.		
293	275111-4-1	RESERVED T&G Ranch #18713				604596	Twp. Reg.		
294	275111-4-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM				626249	Twp. Reg.		
295	275111-4-3	WATER					Twp. Reg.		
296	285111-1-1	WATER					Twp. Reg.		
		Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM							
297	285111-1-2	WATER					Twp. Reg.		
298	285111-2-1	WATER					Twp. Reg.		
		Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM							
299	285111-2-2	WATER					Twp. Reg.		
300	285111-3-1	WATER					Twp. Reg.		
		Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM							
301	285111-3-2	WATER					Twp. Reg.		
302	285111-4-1	WATER					Twp. Reg.		
		Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM							
303	285111-4-2	WATER					Twp. Reg.		
304	295111-1-1	WATER					Twp. Reg.		
		Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM							
305	295111-1-2	WATER					Twp. Reg.		
306	295111-2-1	WATER					Twp. Reg.		
		Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM							
307	295111-2-2	WATER					Twp. Reg.		
308	295111-3-1	WATER					Twp. Reg.		
		Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM							
309	295111-3-2	WATER					Twp. Reg.		
310	295111-4-1	WATER					Twp. Reg.		
		Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM							
311	295111-4-2	RESERVED T&G Ranch #11116				604726	Twp. Reg.		
312	305111-1-1	WATER					Twp. Reg.		
313	305111-2-1	WATER					Twp. Reg.		
		Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM							
314	305111-2-2	WATER					Twp. Reg.		
315	305111-3-1	WATER				489637	Twp. Reg.		
316	305111-3-2	WATER				621881	Twp. Reg.		
		Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM							
317	305111-3-3	RESERVED T&G Ranch #17106					Twp. Reg.		
318	305111-4-1	WATER				621881	Twp. Reg.		
319	305111-4-2	WATER					Twp. Reg.		
		Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM							
320	305111-4-3	WATER					Twp. Reg.		
		Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM							
321	315111-1-1	RESERVED T&G Ranch #13817				1215019	Twp. Reg.		
322	315111-2-1	RESERVED T&G Ranch #13817				1215019	Twp. Reg.		
323	315111-3-1	WATER				616753	Twp. Reg.		
		Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM							
324	315111-3-2	RESERVED T&G Ranch #13817		23-Oct-35	22-Oct-41	Grant #19097	Twp. Reg. Post 1930		
		Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM							
325	315111-3-3	RESERVED T&G Ranch #13817				61675	Twp. Reg.		
326	315111-4-1	WATER					Twp. Reg.		

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI
1	ID NUMBER	BUILDINGS	ACRES BROKEN	ACRES CROPPED	ACRES HAY	FENCE	CATTLE	HORSES	HOGS	SHEEP	GRAZING	OTHER HOMESTEAD	FILE NUMBER	DATE
285	275111-1-3													
286	275111-1-4													
287	275111-2-1													
288	275111-2-2													
289	275111-2-3													
290	275111-3-1													
291	275111-3-2													
292	275111-3-3													
293	275111-4-1													
294	275111-4-2													
295	275111-4-3													
296	285111-1-1													
297	285111-1-2													
298	285111-2-1													
299	285111-2-2													
300	285111-3-1													
301	285111-3-2													
302	285111-4-1													
303	285111-4-2													
304	295111-1-1													
305	295111-1-2													
306	295111-2-1													
307	295111-2-2													
308	295111-3-1													
309	295111-3-2													
310	295111-4-1													
311	295111-4-2													
312	305111-1-1													
313	305111-2-1													
314	305111-2-2													
315	305111-3-1													
316	305111-3-2													
317	305111-3-3													
318	305111-4-1													
319	305111-4-2													
320	305111-4-3													
321	315111-1-1													
322	315111-2-1													
323	315111-3-1													
324	315111-3-2													
325	315111-3-3													
326	315111-4-1													

Private Land Data
 DW 10/11/10
 1/20/11

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	ID NUMBER	QUARTER	SECTION	TOWNSHIP	RANGE	LAST NAME	FIRST NAME	ETHNICITY	BIRTHPLACE	LAST RESIDENCE	AGE	MARITAL STATUS	OCCUPATION	DATE OF ARRIVAL
327	315111-4-2	SW	31	51	11									
328	315111-4-3	SW	31	51	11	TAYLOR	Roy Donald							
329	325111-1-1	NW	32	51	11									
330	325111-2-1	NE	32	51	11									
331	325111-3-1	SE	32	51	11									
332	325111-4-1	SW	32	51	11									
333	335111-1-1	NW	33	51	11									
334	335111-1-2	NW	33	51	11									24-Oct-78
335	335111-2-1	NE	33	51	11									
336	335111-2-2	NE	33	51	11									24-Oct-78
337	335111-3-1	SE	33	51	11									
338	335111-3-2	SE	33	51	11									24-Oct-78
339	335111-4-1	SW	33	51	11									
340	335111-4-2	SW	33	51	11									24-Oct-78
341	345111-1-1	NW	34	51	11									
342	345111-1-2	NW	34	51	11									24-Oct-78
343	345111-2-1	NE	34	51	11	ATKINSON	Wiltred	British	Lincolnshire, ENGLAND	Witchekan Lake, Sk.	26	S	Farm Hand	13-Oct-14
344	345111-3-1	SE	34	51	11									
345	345111-3-2	SE	34	51	11	OULLETTE	Rosaire							01-Nov-66
346	345111-4-1	SW	34	51	11									
347	345111-4-2	SW	34	51	11									24-Oct-78
348	355111-1-1	NW	35	51	11									
349	355111-1-2	NW	35	51	11	HALTERMAN	Everett Perry		Ohio, USA	Witchekan Lake, Sk.	22	S	Farm Hand	13-Oct-14
350	355111-2-1	NE	35	51	11									
351	355111-2-2	NE	35	51	11	NESBITT	Richard			Shay, Sk.				17-Nov-23
352	355111-2-3	NE	35	51	11	CHARRETTE	Arthur			Witchekan Lake, Sk.				07-Aug-26
353	355111-2-4	NE	35	51	11	AUSSANG	Elmer			Laventure, Sk.				15-Jan-27
354	355111-3-1	SE	35	51	11									
355	355111-3-2	SE	35	51	11	BOUDREAU	Antoine							26-Jun-19
356	355111-3-3	SE	35	51	11	NESBITT	John Francis			Shay, Sk.				19-Nov-23
357	355111-4-1	SW	35	51	11									
358	355111-4-2	SW	35	51	11	NESBITT	James			Shay, Sk.				10-Jan-24
359	365111-1-1	NW	36	51	11	MARION	Robert	French	FRANCE	Duck Lake, Sk.	20	S	Farmer	10-Jun-14
360	365111-1-2	NW	36	51	11									01-Jan-78
361	365111-2-1	NE	36	51	11	MARION	Andre Joseph	French	FRANCE (?)					10-Jun-14
362	365111-2-2	NE	36	51	11	BOUDREAU	George		Que.	Shell River, Sk.	18	S	Farmer	04-Jul-19
363	365111-2-3	NE	36	51	11	MARION	Andre Joseph							
364	365111-2-4	NE	36	51	11									01-Jan-78
365	365111-2-5	NE	36	51	11									01-Apr-83
366	365111-3-1	SE	36	51	11	BOUDREAU	Antoine		Que.	Shell River, Sk.	19	S	Farmer	25-Jun-19
367	365111-3-2	SE	36	51	11									03-Feb-30
368	365111-4-1	SW	36	51	11	MARION	George Marcel	French	FRANCE	Duck Lake, Sk.	31	M & FAM	Farmer	15-Jun-20
369	135112-1-1	NW	13	51	12									
370	135112-2-1	NE	13	51	12									

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	O	P	Q	R	S	T	U	V
	ID NUMBER	NOTES FROM ARCHIVAL SOURCE	NOTES FROM SECONDARY SOURCES	DATE OF PATENT APPLICATION	DATE PATENT ISSUED	FILE NUMBER	FILE SOURCE	RESIDENCY	HOUSE
327	315111-4-2	RESERVED T&G Ranch #11557				609948	Twp. Reg. Grant		
328	315111-4-3	SALE PL #9874			11-Apr-44	#22688	Twp. Reg.		
329	325111-1-1	WATER RESERVED at some point in time					Twp. Reg.		
330	325111-2-1	WATER RESERVED at some point in time					Twp. Reg.		
331	325111-3-1	WATER RESERVED at some point in time					Twp. Reg.		
332	325111-4-1	WATER RESERVED at some point in time					Twp. Reg.		
333	335111-1-1	WATER RESERVED at some point in time Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
334	335111-1-2	WATER RESERVED at some point in time					Twp. Reg.		
335	335111-2-1	WATER RESERVED at some point in time					Twp. Reg.		
336	335111-2-2	WATER RESERVED at some point in time Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
337	335111-3-1	WATER RESERVED at some point in time					Twp. Reg.		
338	335111-3-2	WATER RESERVED at some point in time Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
339	335111-4-1	WATER RESERVED at some point in time					Twp. Reg.		
340	335111-4-2	RESERVED T&G Ranch #16864				618520	Twp. Reg.		
341	345111-1-1	RESERVED T&G Ranch #16864				618520	Twp. Reg.		
342	345111-1-2	RESERVED T&G Ranch #16864				618520	Twp. Reg.		
343	345111-2-1	RESERVED T&G Ranch #11202	Twp. Reg. listed this individual as WILKINSON, Wilbur #530336 Born in Savily Co. ENGLAND. Came from Nova Scotia to WI. Sold out in 1925 and returned to Oregon USA		20-Jul-20	3250238	S - 6.17		
344	345111-3-1	RESERVED T&G Ranch #11202				604596	Twp. Reg. Grant		
345	345111-3-2	SALE KS #2351			12-Feb-87	#38475	Twp. Reg.		
346	345111-4-1	RESERVED T&G Ranch #11202				604596	Twp. Reg.		
347	345111-4-2	RESERVED at some point in time Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
348	355111-1-1	RESERVED at some point in time					Twp. Reg.		
349	355111-1-2	RESERVED at some point in time Sold out in early 1930s and returned to USA.			14-Apr-21	530337; 3250236	Twp. Reg.; S - 6.17		
350	355111-2-1	CANCELLED #303743				605180; 4782017	Twp. Reg.; Post 1930		
351	355111-2-2	ABANDONED #305520				616888; 4782017	Twp. Reg.; Post 1930		
352	355111-2-3	ABANDONED #305520				619214; Grant #4979	Twp. Reg.; Post 1930		
353	355111-2-4	RESERVED at some point in time		19-Dec-32	20-Feb-34	619214; Grant #4979	Twp. Reg.; Post 1930		
354	355111-3-1	RESERVED at some point in time					Twp. Reg.		
355	355111-3-2	RESERVED at some point in time				580408	Twp. Reg.		
356	355111-3-3	RESERVED at some point in time		10-Jul-31	1-Sep-31	605179; Grant #369	Twp. Reg.; Post 1930		
357	355111-4-1	RESERVED at some point in time					Twp. Reg.		
358	355111-4-2	RESERVED at some point in time		10-Feb-31	23-Apr-32	605660; Grant #1762	Twp. Reg.; Post 1930		
359	365111-1-1	ESTATE STAMPEE COST 7860575				MARCEL 520310; 3194655	Twp. Reg.; Post 1930		
360	365111-1-2	Acquisition Fee #95864 for 1937					Twp. Reg.		
361	365111-2-1	ESTATE CANCELLED #24937				520311; 3194657	Twp. Reg.; S - 6.17		
362	365111-2-2	CANCELLED #258903				580566; 319457	Twp. Reg.; S - 6.17		
363	365111-2-3	ESTATE CANCELLED #258903				MARCEL 520311; 3 Oct 21 3194657	Twp. Reg.; S - 6.17		
364	365111-2-4	ESTATE CANCELLED #258903					Twp. Reg.		
365	365111-2-5	ESTATE CANCELLED #258903					Twp. Reg.		
366	365111-3-1	ESTATE CANCELLED #258903				580408; 4207744	Twp. Reg.; S - 6.17		
367	365111-3-2	ESTATE CANCELLED #258903					Twp. Reg.		
368	365111-4-1	ESTATE CANCELLED #258903				JEANNE MARION 586128; 18-Jan-27 4383433	Twp. Reg.; S - 6.17		
369	135112-1-1	RESERVED T&G Ranch #19416 (#7458)				588758	Twp. Reg.		
370	135112-2-1	RESERVED T&G Ranch #19416 (#7458)				588758	Twp. Reg.		

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI
1	ID NUMBER	BUILDINGS	ACRES BROKEN	ACRES CROPPED	ACRES HAY	FENCE	CATTLE	HORSES	HOGS	SHEEP	GRAZING	OTHER HOMESTEAD	FILE NUMBER	DATE
327	315111-4-2													
328	315111-4-3													
329	325111-1-1													
330	325111-2-1													
331	325111-3-1													
332	325111-4-1													
333	335111-1-1													
334	335111-1-2													
335	335111-2-1													
336	335111-2-2													
337	335111-3-1													
338	335111-3-2													
339	335111-4-1													
340	335111-4-2													
341	345111-1-1													
342	345111-1-2													
343	345111-2-1													
344	345111-3-1													
345	345111-3-2													
346	345111-4-1													
347	345111-4-2													
348	355111-1-1													
349	355111-1-2													
350	355111-2-1													
351	355111-2-2													
352	355111-2-3													
353	355111-2-4													
354	355111-3-1													
355	355111-3-2													
356	355111-3-3													
357	355111-4-1													
358	355111-4-2													
359	365111-1-1													
360	365111-1-2													
361	365111-2-1													
362	365111-2-2													
363	365111-2-3													
364	365111-2-4													
365	365111-2-5													
366	365111-3-1													
367	365111-3-2													
368	365111-4-1													
369	135112-1-1													
370	135112-2-1													

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
	ID NUMBER	QUARTER	SECTION	TOWNSHIP	RANGE	LAST NAME	FIRST NAME	ETHNICITY	BIRTHPLACE	LAST RESIDENCE	AGE	MARITAL STATUS	OCCUPATION	DATE OF ARRIVAL
371	135112-3-1	SE	13	51	12	MacDONALD	William and Donald			Bapaume, Sk.				19-Sep-32
372	135112-3-2	SE	13	51	12									02-Jul-57
373	135112-4-1	SW	13	51	12									
374	145112-1-1	NW	14	51	12	ANDERSON	Jesse George	USA	North Dakota, USA	Belbutte, Sk.	20	S	Student	23-Sep-14
375	145112-1-1	NW	14	51	12									02-Jul-57
376	145112-2-1	NE	14	51	12									
377	145112-3-1	SE	14	51	12									
378	145112-4-1	SW	14	51	12	KENNEDY	William John	USA	Ont.	Belbutte, Sk.	20	M & FAM	Farmer	26-Oct-14
379	145112-4-2	SW	14	51	12									02-Jul-57
380	235112-1-1	NW	23	51	12									
381	235112-1-2	NW	23	51	12									22-Aug-80
382	235112-2-1	NE	23	51	12									
383	235112-2-2	NE	23	51	12	KAHL PASCAL	David, Jr.							27-Jul-15
384	235112-2-3	NE	23	51	12	(??PASCOE)	Joseph							30-May-16
385	235112-2-4	NE	23	51	12									
386	235112-3-1	SE	23	51	12									
387	235112-3-2	SE	23	51	12	KAHL PASCAL	David							27-Jul-15
388	235112-3-3	SE	23	51	12	(??PASCOE)	Robert James							30-May-16
389	235112-4-1	SW	23	51	12									
390	235112-4-2	SW	23	51	12	MODE	James D. (Jim)							29-May-29
391	235112-4-3	SW	23	51	12									25-Jun-58
392	235112-4-4	SW	23	51	12									26-Aug-80
393	245112-1-1	NW	24	51	12									
394	245112-2-1	NE	24	51	12									
395	245112-3-1	SE	24	51	12									
396	245112-4-1	SW	24	51	12									
397	255112-4-1	SW	25	51	12									
398	255112-4-2	SW	25	51	12									
399	255212-1-1	NW	25	51	12									
400	255212-1-2	NW	25	51	12	EMERSON	Charles Sidney		St. John, N.B.	Belbutte, Sk.	39	M	Farmer	18-Jul-19
401	255212-1-3	NW	25	51	12									27-Dec-73
402	255212-1-4	NW	25	51	12									24-Oct-78
403	255212-2-1	NE	25	51	12									

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	O	P	Q	R	S	T	U	V
1	ID NUMBER	NOTES FROM ARCHIVAL SOURCE	NOTES FROM SECONDARY SOURCES	DATE OF PATENT APPLICATION	DATE PATENT ISSUED	FILE NUMBER	FILE SOURCE	RESIDENCY	HOUSE
371	135112-3-1	21 year GRAZING LEASE under Ranch #714. Exchanged Patent SE 25 23 3 W3 for SE 13-51 12 W3	Case from Tugaska. Were honesty or dealer. 1908 - Purchased 1 acre place cattle buyers and horse traders. Ranch employed drivers. Don. MCA (Mason-Lake) 1934-44. 1957 - Ranch sold. Became Bequette County Pasture	18-May-35	19-Aug-35	8101	Post 1930		
372	135112-3-2	RESERVED T&G Ranch #19416 (#7458)					Twp. Reg.		
373	135112-4-1	RESERVED T&G Ranch #19416 (#7458)				588758	Twp. Reg.		
374	145112-1-1	Repatented through Stephen William John Kennedy 29-Jan-21. At Winnipeg attending school during absences from home/lead		25-Mar-20	31-Mar-21	529704; 3246062	Twp. Reg.; S - 6.17	Nov. 1914 to Sep. 1915: Continuous since Apr. 1916	22 x 24 Logs & Lumber; built Nov. 1914
375	145112-1-1	RESERVED T&G Ranch #19416 (#7458)					Twp. Reg.		
376	145112-2-1	RESERVED T&G Ranch #19416 (#7458)				588758	Twp. Reg.		
377	145112-3-1	RESERVED T&G Ranch #19416 (#7458)				588758	Twp. Reg.		
378	145112-4-1	May have paid \$20 for improvements		25-Mar-20	5-May-20	5322006; 3265377	Twp. Reg.; S - 6.17	In vicinity on NW 14-51-12	
379	145112-4-2	RESERVED T&G Ranch #19416 (#7458)					Twp. Reg.		
380	235112-1-1	RESERVED T&G Ranch #19416 (#7458)				588758	Twp. Reg.		
381	235112-1-2	ROADWAY Reg #68-B-06257-ARD-765 for 1.03 acres					Twp. Reg.		
382	235112-2-1	ERASED PENCIL NOTE - "Applied for by DIA 30_16 File #3568365(?)". RESERVED T&G Ranch #19416 (#7458)				594100	Twp. Reg.		
383	235112-2-2	CANCELLED #242104				543467	Twp. Reg.		
384	235112-2-3	CANCELLED #236543				557390	Twp. Reg.		
385	235112-2-4	ROADWAY File 4818325. Plan 33793 Reg #AF1352 for 4.74 acres withdrawn from Ranch					Twp. Reg.		
386	235112-3-1	ERASED PENCIL NOTE - "Applied for by DIA 30_16 File #3568365(?)". RESERVED T&G Ranch #19416 (#7458)					Twp. Reg.		
387	235112-3-2	CANCELLED #242769				543466	Twp. Reg.		
388	235112-3-3	CANCELLED #250442				557389	Twp. Reg.		
389	235112-4-1	ERASED PENCIL NOTE - "Applied for by DIA 30_16 File #3568365(?)". RESERVED T&G Ranch #19416 (#7458)					Twp. Reg.		
390	235112-4-2	SOLDIER GRANT #17058	Home lead on NE 9-51-12. a butcher, patented in 1906		6-Feb-33	Grant #3260	Twp. Reg.		
391	235112-4-3	ROADWAY Plan AF1352					Twp. Reg.		
392	235112-4-4	ROADWAY Plan AF1352					Twp. Reg.		
393	245112-1-1	ERASED PENCIL NOTE - "Applied for by DIA 30_16 File #3568365(?)". RESERVED T&G Ranch #19416 (#7458)					Twp. Reg.		
394	245112-2-1	ERASED PENCIL NOTE - "Applied for by DIA 30_16 File #3568365(?)". RESERVED T&G Ranch #19416 (#7458)					Twp. Reg.		
395	245112-3-1	ERASED PENCIL NOTE - "Applied for by DIA 30_16 File #3568365(?)". RESERVED T&G Ranch #19416 (#7458)					Twp. Reg.		
396	245112-4-1	ERASED PENCIL NOTE - "Applied for by DIA 30_16 File #3568365(?)". RESERVED T&G Ranch #19416 (#7458)					Twp. Reg.		
397	255112-4-1	RESERVED T&G Ranch #17106 (#11286)				608360; 4382711	Twp. Reg.		
398	255112-4-2	RESERVED T&G Ranch #17106 (#11286)					Twp. Reg.		
399	255212-1-1	RESERVED T&G Ranch #17106 (#11286)				621881; 608306	Twp. Reg.		
400	255212-1-2	Formerly from Saskatchewan. 54		07-Feb-25	8-May-25	580918; 4088151	Twp. Reg.; S - 6.17	Contiguous since 20-Jul-19	24 x 34 Log with 18 x 24 kitchen; partly built before entry
401	255212-1-3	RESERVED T&G Ranch #17106 (#11286)					Twp. Reg.		
402	255212-1-4	RESERVED T&G Ranch #17106 (#11286)					Twp. Reg.		
403	255212-2-1	RESERVED T&G Ranch #17106 (#11286)				621881; 608306	Twp. Reg.		

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI
1	ID NUMBER	BUILDINGS	ACRE S BROKEN	ACRE S GROPPED	ACRES TRAY	FENCE	CATTLE	HORSES	HOGS	SHEEP	GRAZING	OTHER HOMESTEAD	FILE NUMBER	DATE
371	135112-3-1													
372	135112-3-2													
373	135112-4-1													
374	145112-1-1	28 x 36 Log Stable; Well				All						W & S		
375	145112-1-1													
376	145112-2-1													
377	145112-3-1													
378	145112-4-1			1916 - 3 1917 - 3 1918 - 3 1919 - 3		160 acres - wire		1916 - 40 1917 - 60 1918 - 100 1919 - 200 1920 - 100	1916 - 14 1917 - 14 1918 - 14 1919 - 17 1920 - 15			NE 22-38-13 W3. Abandoned	Aug, 1913	
379	145112-4-2													
380	235112-1-1													
381	235112-1-2													
382	235112-2-1													
383	235112-2-2													
384	235112-2-3													
385	235112-2-4													
386	235112-3-1													
387	235112-3-2													
388	235112-3-3													
389	235112-4-1													
390	235112-4-2													
391	235112-4-3													
392	235112-4-4													
393	245112-1-1													
394	245112-2-1													
395	245112-3-1													
396	245112-4-1													
397	255112-4-1													
398	255112-4-2													
399	255212-1-1													
400	255212-1-2	21 x 40 & 22 x 24 Log Barns. 21 x 24 Garage; Well				1922 - 10		2 miles - wire					W	
401	255212-1-3													
402	255212-1-4													
403	255212-2-1													

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	
1	ID NUMBER	QUARTER	SECTION	TOWNSHIP	RANGE	LAST NAME	FIRST NAME	ETHNICITY	BIRTHPLACE	LAST RESIDENCE	AGE	MARITAL STATUS	OCCUPATION	DATE OF ARRIVAL	
	404	255212-2-2	NE	25	51	12									
	405	255212-3-1	SE	25	51	12									
	406	265112-1-1	NW	26	51	12								01-Mar-25	
	407	265112-1-2	NW	26	51	12	HARE	Charles George		Idylwild, Sk.				13-Oct-25	
	408	265112-1-3	NW	26	51	12								27-Jun-28	
	409	265112-1-4	NW	26	51	12								10-Jul-29	
	410	265112-1-5	NW	26	51	12	HARE	Charles George		Idylwild, Sk.				07-Feb-35	
	411	265112-2-1	NE	26	51	12	TAYLOR	Roy Donald	USA	Texas, USA	Belbutte, Sk.	20	S	Farmer	15-May-19
	412	265112-2-2	NE	26	51	12	HARE	Charles George	British	Nottingham, ENGLAND	Belbutte, Sk.		M & FAM	Farmer	21-Jun-20
	413	265112-2-3	NE	26	51	12									24-Oct-78
	414	265112-3-1	SE	26	51	12									
	415	265112-3-2	SE	26	51	12									
	416	265112-3-3	SE	26	51	12									24-Oct-78
	417	265112-4-1	SW	26	51	12									
	418	265112-4-2	SW	26	51	12									24-Oct-78
	419	355112-1-1	NW	35	51	12									
	420	355112-1-2	NW	35	51	12									
	421	355112-1-3	NW	35	51	12	KLUGE	Julius		Bapaume, Sk.					
	422	355112-1-4	NW	35	51	12									24-Oct-78
	423	355112-2-1	NE	35	51	12									
	424	355112-2-2	NE	35	51	12									
	425	355112-2-3	NE	35	51	12									
	426	355112-2-4	NE	35	51	12									24-Oct-78
	427	355112-3-1	SE	35	51	12									
	428	355112-3-2	SE	35	51	12									
	429	355112-3-3	SE	35	51	12	TAYLOR	John Gaston		Idylwild, Sk.					16-Jul-25
	430	355112-3-4	SE	35	51	12									24-Oct-78
	431	355112-4-1	SW	35	51	12									
	432	355112-4-2	SW	35	51	12									
	433	355112-4-3	SW	35	51	12	HARE	C. S.		Idylwild, Sk.					14-Oct-26
	434	355112-4-6	SW	35	51	12									16-Jul-27
	435	355112-4-7	SW	35	51	12	HARE	C.S.		Idylwild, Sk.					18-Jun-28
	436	355112-4-8	SW	35	51	12	HARE	C.S.		Idylwild, Sk.					06-Jan-38
	437	365112-1-1	NW	36	51	12									
	438	365112-1-2	NW	36	51	12									
	439	365112-1-3	NW	36	51	12	FERRON	Thomas	Placeville, Que.	Witchekan Lake, Sk.	22		Farmer		18-Nov-19
	440	365112-1-4	NW	36	51	12	LAVIGNE	Honore	Sask.	Vawn, Sk.	18	S	Farmer		02-Oct-24
	441	365112-1-5	NW	36	51	12									
	442	365112-1-6	NW	36	51	12									24-Oct-78
	443	365112-2-1	NE	36	51	12									
	444	365112-2-2	NE	36	51	12									
	445	365112-2-3	NE	36	51	12	FERRON	Amdee	Placeville, Que.	Edam, Sk.	21	S	Farmer		30-Oct-19

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	O	P	Q	R	S	T	U	V
1	ID NUMBER	NOTES FROM ARCHIVAL SOURCE	NOTES FROM SECONDARY SOURCES	DATE OF PATENT APPLICATION	DATE PATENT ISSUED	FILE NUMBER	FILE SOURCE	RESIDENCY	HOUSE
404	255212-2-2	ROADWAY File #481825, Plan 33793 for 4 acres withdrawn from Ranch					Twp Reg.		
405	255212-3-1	RESERVED T&G Ranch #17106				621881	Twp Reg.		
406	265112-1-1	RESERVED T&G @ \$3.20 per year					Twp Reg.		
407	265112-1-2	10 year LEASE under Ranch #13446 @ \$3.20/yr for 168 acres			27-Apr-42		Twp Reg.		
408	265112-1-3	GRAZING for Ranches 11723 and 13446					Twp Reg.		
409	265112-1-4	GRAZING for Ranches 11723, 13446 and 20158					Twp Reg.		
410	265112-1-5	SOLD for \$160 @ \$20 per year (1936 - 42)				Grant #19905	Twp Reg. Post 1930		
411	265112-2-1	ABANDONED #261594	Born 01-Dec-1898 at Snyder, Texas. Rancher. Married Zoe Wood @ North Battleford. Sk on 03-Apr-22. Went on cattle drives from the MacDonald Ranch to North Battleford			579501; 4186679	Twp Reg.; S - 6.17		
412	265112-2-2		Married to Sarah Whitt in 1912 (also British). Came to Medstead in 1919 ran livery P.O. Moved to E1/2 21-52 12 in 1936 (old Bob Power place)	24-Jul-25	29-Sep-25	586331; 4186679	Twp Reg.; S - 6.17	Continuous since 7-Oct-20	16 x 28 Log. built 7-Oct-20
413	265112-2-3	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp Reg.		
414	265112-3-1	RESERVED T&G Ranch #11723				608808	Twp Reg.		
415	265112-3-2	ROADWAY Reg #AF135; File #481825, Plan 33793 for 4.21 acres withdrawn from Ranch					Twp Reg.		
416	265112-3-3	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp Reg.		
417	265112-4-1	RESERVED T&G Ranch #17106				621881	Twp Reg.		
418	265112-4-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp Reg.		
419	355112-1-1	RESERVED T&G				624088	Twp Reg.		
420	355112-1-2	Applied for by DIA.					Twp Reg.		
421	355112-1-3	SALE - 67.2 acre parcel, C.G. HARE, assessed stock returns for Ranch #13300 & 17953 on 14-Jul-27 as Notary Public		07-Jan-36	30-Mar-38	Grant #13711	Twp Reg.		
422	355112-1-4	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp Reg.		
423	355112-2-1	WATER					Twp Reg.		
424	355112-2-2	RESERVED T&G				624088	Twp Reg.		
425	355112-2-3	Applied for by DIA					Twp Reg.		
426	355112-2-4	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp Reg.		
427	355112-3-1	RESERVED T&G				624088	Twp Reg.		
428	355112-3-2	Applied for by DIA					Twp Reg.		
429	355112-3-3	10 year LEASE under Ranch #13320 @ \$4.34/yr for 217 acres. SALE - 149.5 acre		30-Sep-35	21-Jan-36	Grant #9338	Twp Reg. Post 1930		
430	355112-3-4	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp Reg.		
431	355112-4-1	RESERVED T&G				624088	Twp Reg.		
432	355112-4-2	Applied for by DIA					Twp Reg.		
433	355112-4-3	Grazing Lease - HAY TOO THIN					Twp Reg.		
434	355112-4-6	HAY RESERVE for Settlers				624088	Twp Reg.		
435	355112-4-7	10 year LEASE under Ranch #20158 @ \$14.00/yr for 159 acres					Twp Reg. Post 1930		
436	355112-4-8	10 year LEASE under Ranch #20158 @ \$14.00/yr for 159 acres			20-Feb-43	Grant #20884	Twp Reg. Post 1930		
437	365112-1-1	RESERVED T&G				624088	Twp Reg.		
438	365112-1-2	Applied for by DIA					Twp Reg.		
439	365112-1-3	SOLDIER GRANT #6267 ABANDONED #285400 Paid \$35 for improvements.				42879799; 608265	S - 6.17; Twp Reg.		
440	365112-1-4	CANCELLED #305146				42879799	S - 6.17		
441	365112-1-5	ROADWAY Reg #AF135; File #481825, Plan 33793 for 4.21 acres withdrawn from Ranch					Twp Reg.		
442	365112-1-6	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp Reg.		
443	365112-2-1	Applied for by DIA				624088	Twp Reg. S - 6.17		
444	365112-2-2	RESERVED T&G					Twp Reg.		
445	365112-2-3	ABANDONED #259069				583464; 4276690	Twp Reg. S - 6.17		

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI
1	ID NUMBER	BUILDINGS	ACRES BROKEN	ACRES CHIPPED	ACRES HAY	FENCE	CATTLE	HORSES	HOGS	SHEEP	GRAZING	OTHER HOMESTEAD	FILE NUMBER	DATE
404	255212-2-2													
405	255212-3-1													
406	265112-1-1													
407	265112-1-2													
408	265112-1-3													
409	265112-1-4													
410	265112-1-5													
411	265112-2-1							1922 - 15	1922 - 3					
								1923 - 16	1923 - 3					
412	265112-2-2	Log Stable, Log Granary, 18 ft. Well	1923 - 5 1924 - 10 1925 - 10				60 acres	1924 - 18	1924 - 5			W & S		
							wire	1925 - 27	1925 - 9					
413	265112-2-3													
414	265112-3-1													
415	265112-3-2													
416	265112-3-3													
417	265112-4-1													
418	265112-4-2													
419	355112-1-1													
420	355112-1-2													
421	355112-1-3													
422	355112-1-4													
423	355112-2-1													
424	355112-2-2													
425	355112-2-3													
426	355112-2-4													
427	355112-3-1													
428	355112-3-2													
429	355112-3-3													
430	355112-3-4													
431	355112-4-1													
432	355112-4-2													
433	355112-4-3													
434	355112-4-6													
435	355112-4-7													
436	355112-4-8													
437	365112-1-1													
438	365112-1-2													
439	365112-1-3													
440	365112-1-4													
441	365112-1-5													
442	365112-1-6													
443	365112-2-1													
444	365112-2-2													
445	365112-2-3													

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	ID NUMBER	QUARTER	SECTION	TOWNSHIP	RANGE	LAST NAME	FIRST NAME	ETHNICITY	BIRTHPLACE	LAST RESIDENCE	AGE	MARITAL STATUS	OCCUPATION	DATE OF ARRIVAL
446	365112-2-4	NE	36	51	12	KELLUM	William (Billie)	/USA	Kansas, USA	Galahad, Ab	28	M	Farmer	03-Mar-20
447	365112-3-1	SE	36	51	12									
448	365112-3-2	SE	36	51	12									
449	365112-3-3	SE	36	51	12	TAYLOR	John Gaston							16-Feb-16
450	365112-3-4	SE	36	51	12	RAE	Thomas Watt		Ont.	Saskatoon, Sk	32	M & FAM	Riding Master	24-Sep-19
451	365112-3-5	SE	36	51	12	KELLUM	Jason	/USA	Indiana	Belbutte, Sk.	72	M & FAM	Farmer	11-Nov-20
452	365112-4-1	SW	36	51	12									
453	365112-4-2	SW	36	51	12									
454	365112-4-3	SW	36	51	12	DELISLE	Armand		Que.	North Battleford, Sk.	22	S	Farmer	06-Mar-11
455	365112-4-4	SW	36	51	12	TAYLOR	John Gaston	/USA	North Carolina, USA	Witchekan Lake, Sk.		M & FAM	Farmer	16-Feb-16
456	065210-1-1	NW	6	52	10	CARDINAL	Emile		Que.	Windsor Lake, Sk.		S	Farmer	26-May-15
457	065210-2-1	NE	6	52	10	DENIS	Mrs. Justa	Fr.	Nord, FRANCE	Vonda, Sk.	19	W & FAM	Farmer	29-Dec-14
458	065210-3-1	SE	6	52	10	DENIS	Clotaire							13-Oct-13
459	065210-4-1	SW	6	52	10	SUTEAU	Laurent	French	Ardennnes, FRANCE	Witchekan Lake, Sk.	35	S	Labourer	06-Nov-17
460	065210-4-2	SW	6	52	10	NEIL	George Edward		Que.	Witchekan Lake, Sk.		S	Farmer	17-Feb-20
461	065210-4-3	SW	6	52	10	AUSSANG	Lloyd Felix	/USA	Wisconsin, USA	Marcelin, Sk.	26	S	Farmer	28-May-24
462	075210-1-1	NW	7	52	10	PELOQUIN	Emile		Que.	Boutin, Sk.	20	S	Farmer	25-Feb-19
463	075210-1-2	NW	7	52	10	KUTCHA	Wladimir	Rumanian	Buckovenia, RUMANIA	Witchekan Lake, Sk.	20	S	Farmer	06-Sep-21
464	075210-2-1	NE	7	52	10	BRIN	Francois, Jr.		P.E.I.	Moon Hills,??		S	Farmer	29-Oct-17
465	075210-3-1	SE	7	52	10	CARDINAL	Raoul J.H.		P.E.I.	Witchekan Lake, Sk.		S	Farmer	08-Dec-16
466	075210-3-2	SE	7	52	10	GAUTHIER	Emile		Que.	Marcelin, Sk.	33	S	Farmer	09-Dec-19
467	075210-3-3	SE	7	52	10	CLANCY	James Havelock		Nova Scotia	Witchekan Lake, Sk.	25	S	Farmer	08-Sep-21
468	075210-3-4	SE	7	52	10	COOKSON	Albert		Que.	Witchekan Lake, Sk.	18	S	Farm Labourer	10-Aug-25
469	075210-4-1	SW	7	52	10	CARDINAL	Stanislas		Que.	Windsor Lake, Sk.		M	Farmer	26-May-15
470	015211-1-1	NW	1	52	11	TREMBLAY	Mrs. Leonide S	/USA	New Hampshire, USA	Boutin, Sk.		M W & FAM	Farmer	09-Jul-19
471	015211-1-2	NW	1	52	11	GRAITSON	Jules	Belgian	BELGIUM	Witchekan Lake, Sk.		??W & FAM	Farmer	15-Dec-20
472	015211-2-1	NE	1	52	11	POULAIN	Joseph		Que.	Witchekan Lake, Sk.	20	S	Farmer	15-Dec-20
473	015211-3-1	SE	1	52	11	TILSON	Henry	Insh	Caven, IRELAND	Regina, Sk.	26	S	Teamster	30-Mar-14
474	015211-4-1	SW	1	52	11									
475	015211-4-2	SW	1	52	11	LARIVIERE	Gilles	/USA	Massachusetts, USA	Debden, Sk.	18	S	Farmer	19-Jun-14

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	O	P	Q	R	S	T	U	V
1	ID NUMBER	NOTES FROM ARCHIVAL SOURCE	NOTES FROM SECONDARY SOURCES	DATE OF PATENT APPLICATION	DATE PATENT ISSUED	FILE NUMBER	FILE SOURCE	RESIDENCY	HOUSE
		Naturalized 16 Jul-27. Harvest worker in the vicinity during absence from homestead	Came from Woodland, Idaho, USA. Arrived in area with Charlie & Nettie Kellum family & Ernest Wood family. Parents, Jason & Clara arrived in 1921 to homestead	27-Jan-26	28-Sep-27	584779; 4276690 FILE 44818325, PLAN 33793	Twp. Reg. S - 6.17	1-Jun to 1-Sep-20 1-Nov-20 to 1-Sep-21 17-Nov-21 to 1-Sep-23 1-Nov-23 to 1-Sep-24 1-Nov-24 to 1-Sep-25 1-Oct-25 to 27-Jan-27	17 x 24 Log. built May, 1920
446	365112-2-4								
447	365112-3-1	Applied for by DIA				624088	Twp. Reg.		
448	365112-3-2	RESERVED T&G					Twp. Reg.		
449	365112-3-3	Filed for son Roy Donald Taylor would be 18 years 1-Dec-16				3571600 582831, 3571600	S - 6.17 Twp. Reg. S - 6.17		
450	365112-3-4	ABANDONED #255136							
451	365112-3-5	Formerly a blacksmith. DIED at homestead 24-Oct-22. Patent application by wife Clara Kellum (Kansas). Title issued to Jason Kellum		19-Oct-26	4-Dec-26	588915; 3571600	Twp. Reg. S - 6.17	Clara on homestead May 2 to Oct 15, 1921 Apr 11 to Nov 26, 1922 rest of time spent in Idaho with daughter and 2 years in Kansas as nurse	24 x 24 Log House; built Apr & May, 1921
452	365112-4-1	Applied for by DIA				624088	Twp. Reg.		
453	365112-4-2	RESERVED T&G					Twp. Reg.		
454	365112-4-3	ABANDONED 11-Oct-11 #206129				411279; 2360828; 2125132	Twp. Reg. S - 6.17		
455	365112-4-4	Also listed as from Montana. Naturalized 25-Jul-21	Chester, Montana. Sep. 1915 with wife Mattie, 5 kids (all born USA) & 12 cattle- 1st winter in Jack MacArthur's old store & some Indian shacks. Daughter Flora married Twain Sullivan Jan. 1916. Mentions Slim Coldron.	23-Nov-20	19-Sep-21	553881; 2571600; 2125132	Twp. Reg. S - 6.17	Continuous since May, 1916	20 x 30 logs and lumber with 14 x 20 addition; built 1916
456	065210-1-1		Born in Ste. Adèle, Que. Father was Adèle's hotel manager @ Ste. Adèle who took out homestead but died before title. Bro. Raoul (Ralph) and sister Simone (married Jules Graitson) in area.	10-Jul-20	25-Oct-21	541431; 3402049	S - 6.17	Continuous since 1-Jun-15	20 x 20 Log. built 1915
457	065210-2-1	Residence on SE 6-52-10 W3 & W1/2 32-51-10 W3		20-Jan-22	31-Aug-22	533628; 3300281	S - 6.17	11-Jan to 30-Mar-16 on SE 6-52-10 W3 1-Apr to 30-Jun-16 on W1/2 32-52-10, 1-Apr 17 to 25-Nov-18	
458	065210-3-1	SOLDIER GRANT #4827			22-Nov-17		Twp. Reg.		
459	065210-4-1	ABANDONED		01-Jan-04		571647; 3982487	S - 6.17		
460	065210-4-2	SOLDIER GRANT #7235; Formerly from Osbow, Sk. ABANDONED				3982487	Twp. Reg. S 6.17		
461	065210-4-3	Came to Canada in 1904 at the age of 14 yrs.: Harvesting in Blaine Lake district during absences from homestead		13-Nov-28	31-Jan-29	606816; 3982487	S - 6.17	15-Apr to 15-Aug-25, 15 - Sep-25 to 30-Apr-26; Continuous since 31-Aug-26	18 x 20 Log. built 15-Apr-25
462	075210-1-1	ABANDONED				4151020	S - 6.17		
463	075210-1-2	Naturalized 25-Nov-26; Farming for F. HANKE during absences from homestead		07-May-26	21-Jan-27	4151020	S - 6.17	Vocally Residence on NE 5-52-10 W3 6-Sep-21 to 1-Apr-22 1-Nov-22 to 1-Jun-23 1-Nov-23 to 1-Apr-25 Continuous since 1-Jun-25	18 x 20 Log. built Winter, 1921
464	075210-2-1	Farm Worker at Shell River during absences from homestead		22-Jun-27	19-Nov-27	3982485	S - 6.17	1-Nov-23 to 9-Apr-25; Continuous since 15-Nov-25	19 x 44 Log. built Spring, 1923
465	075210-3-1	ABANDONED	Homestead in Laventure 1923. Mailman, poolroom, barber, auctioneer, mechanic, played violin and helped establish school. Left in 1941 for Peace River and later Montreal.			564528; 3821703 584065;	S - 6.17		
466	075210-3-2	ABANDONED				3821703 594782;	S - 6.17		
467	075210-3-3	ABANDONED				3821703	S - 6.17		
468	075210-3-4	Residence on Father's land SE 23-52-11 W3 (James A. COOKSON)		11-Sep-29	26-Nov-29	611369; 3821703	S - 6.17		
469	075210-4-1	DIED 25 May 20. Patent Application made by Alderic CARDINAL (son) estate administrator		12-Jul-20	29-Dec-20	541430; 3402047 580900, 4218742	S - 6.17 Twp. Reg. S - 6.17	Continuous since Aug. 1915 to 25-May-20	20 x 24 Log. built July, 1915
470	015211-1-1	ABANDONED #261029							
471	015211-1-2	Naturalized in 1904		15-Jun-26	23-Dec-26	589469; 4218742	Twp. Reg. S - 6.17	Continuous since 15-Sep-22	19 x 47 Log. built 1-Aug-22
472	015211-2-1	Farmed at Blaine Lake during absences from homestead		15-Jun-26	27-Sep-26	589470; 4361007	Twp. Reg. S - 6.17	Dec. 23 to 27 Apr. 23 18-Aug-23 to 18 Mar. 24 12-Jun-24 to 12-Aug-24 Continuous since 1-Mar-25	15 x 20 Log. built Apr. 1921
473	015211-3-1	Homestead Exclusion. Not to W221 S1/2 NE 38, Jul-15. Died to whom 10-Sep-19 ESTATE				WILLIAM TILSON 3139216	Twp. Reg. S - 6.17		
474	015211-4-1	HAY RESERVE				588026 580102,	Twp. Reg. S - 6.17		
475	015211-4-2	ABANDONED #284622				4201173	S - 6.17		

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	ID NUMBER	QUARTER	SECTION	TOWNSHIP	RANGE	LAST NAME	FIRST NAME	ETHNICITY	BIRTHPLACE	LAST RESIDENCE	AGE	MARITAL STATUS	OCCUPATION	DATE OF ARRIVAL
476	015211-4-3	SW	1	52	11	CASAVANT	Joseph		Que.	Marcelin, Sk.	23	M & FAM	Farmer	21-Jul-24
477	025211-1-1	NW	2	52	11	KOWISH	Joseph	Russian	Novmas Koskoho, RUSSIA	North Battleford, Sk.	22	S	Farmer	09-Jul-14
478	025211-1-2	NW	2	52	11	MARCHILDON	Joseph							22-Nov-16
479	025211-1-3	NW	2	52	11	MARCHILDON	Ralph Joseph		Que.	Big River, Sk. Tramping Lake, Sk.	18	S	Farmer	30-Apr-17
480	025211-2-1	NE	2	52	11	GIBLIN	Patrick	Irish	IRELAND		23	S	Farmer	19-Nov-15
481	025211-2-2	NE	2	52	11	MARCHILDON	Rudolph (Rud)		Prouville, Que.	Big River, Sk.	19	S	Lath Sawyer	28-Jun-16
482	025211-3-1	SE	2	52	11									
483	025211-3-2	SE	2	52	11	LARIVIERE	Joseph Arthur	USA	Worcester, Massachusetts, USA	Debden, Sk.	47	M & FAM	Farmer	19-Jun-19
484	025211-3-3	SE	2	52	11	CADIEUX	Charles Edward		Que.	Marcelin, Sk.	25	S	Farmer	06-Sep-22
485	025211-4-1	SW	2	52	11	BOWMAN	Lester	USA	Wisconsin, USA	Witchekan Lake, Sk.	25	S	Farmer	13-Oct-14
486	025211-4-2	SW	2	52	11	COTE	George Ernest	USA	4-Jun-02 Duluth Minnesota, USA	Leask, Sk.	22	M & FAM-wife & 1child		25-Jun-24
487	035211-1-1	NW	3	52	11	CONNELL	Frank O.			Prince Albert, Sk.				20-Nov-15
488	035211-1-2	NW	3	52	11	FEE	Cyrus J.			Witchekan Lake, Sk.				18-Nov-24
489	035211-1-3	NW	3	52	11	BUTLER	Ralph Ernest		Halifax County, Nova Scotia	Laventure, Sk.				10-Oct-29
490	035211-2-1	NE	3	52	11	LAVOIE	Alex Gordon		St. Fidel, Que.	Rosetown, Sk.	46	M & FAM	Farmer	10-Jun-14
491	035211-3-1	SE	3	52	11	BUTLER	McQuinn		Nova Scotia	Witchekan Lake, Sk.	23	S	Farmer	13-Oct-14
492	035211-4-1	SW	3	52	11	FEE	Cyrus J.	USA	Indiana, USA	Witchekan Lake, Sk.	42	M & FAM	Farmer	29-Oct-15
493	045211-1-1	NW	4	52	11									
494	045211-1-2	NW	4	52	11									24-Oct-78
495	045211-2-1	NE	4	52	11									
496	045211-2-2	NE	4	52	11									24-Oct-78
497	045211-3-1	SE	4	52	11									
498	045211-3-2	SE	4	52	11									24-Oct-78
499	045211-4-1	SW	4	52	11									
500	045211-4-2	SW	4	52	11									24-Oct-78
501	055211-1-1	NW	5	52	11									
502	055211-1-2	NW	5	52	11									24-Oct-78
503	055211-2-1	NE	5	52	11									
504	055211-2-2	NE	5	52	11									24-Oct-78
505	055211-3-1	SE	5	52	11									
506	055211-3-2	SE	5	52	11									24-Oct-78
507	055211-4-1	SW	5	52	11									
508	055211-4-1	SW	6	52	11									

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	O	P	Q	R	S	T	U	V
1	ID NUMBER	NOTES FROM ARCHIVAL SOURCE	NOTES FROM SECONDARY SOURCES	DATE OF PATENT APPLICATION	DATE PATENT ISSUED	FILE NUMBER	FILE SOURCE	RESIDENCY	HOUSE
			<i>Father Pierre came from La Minerve, Que. in 1912 had sawmill, homestead near Marcein. Came to Laverdure to open the first store.</i>						
476	015211-4-3		<i>Sister, Doreice (married Raoul Cardinal)</i>	16-May-28	14-Aug-28	607495; 4201173	Twp. Reg.; S - 6.17	Continuous since 1-Nov-24	19 x 20 Log; built 1-Nov-24
477	025211-1-1	ABANDONED #24894. Notation in Twp. Reg. "will be made available to applicant after April 28 1917".				527808; 3205238	Twp. Reg.; S - 6.17		
478	025211-1-2	RESERVED for Ralph MARCHILDON (Son). 18 yrs. old 5-Mar-17				3205238; 567007;	S - 6.17; Twp. Reg.;		
479	025211-1-3		Born 1900 at Prouville, Que.	12-Nov-21	14-Dec-21	3205238; 550678;	S - 6.17; Twp. Reg.;		
480	025211-2-1	ABANDONED #242761				3548519	S - 6.17		
481	025211-2-2	ENTRY by Joseph MARCHILDON (Father), WWI SOLDIER	Born 19-Aug-1897 @ Prouville, Que. 1904 - to Aurora, Minn. & later Duluth and in French 1917 - to Big R. WWI not overseas. Rec'd bro. Art homestead when widow retd to USA. Married @ Dinkelm Jax 1926. Spring, 1930 - moved to SE21-52-11	02-Nov-21	14-Dec-21	558857; 3548519	Twp. Reg.; S - 6.17		
482	025211-3-1	HAY RESERVE				588026	Twp. Reg.		
483	025211-3-2	ABANDONED #229904				580099; 4201175	Twp. Reg.; S - 6.17		
484	025211-3-3	Worked at Cordwood Camp at Debden in absences from homestead		10-Dec-26	21-Jan-27	600140; 4201175	Twp. Reg.; S - 6.17	22-Apr to 1-Dec-24; Continuous since 1-Mar-25	12 x 16 Log, built May, 1923
485	025211-4-1	Neaturalized 15-Dec-22. Supplementary Statements to Patent Application on 15-Mar-23 and 12-May-23 worked for farmers in Saskatoon area and in B.C. Lumber camp during absences from homestead		26-Jul-22	11-Jul-23	530335; 3250240	Twp. Reg.; S - 6.17	19-Oct-14 to 6-Aug-15; 20-Dec-14 to 1-Apr-16; 20-Aug-20 to 4-May-21; Continuous since 24-May-22	12 x 16 Log; built Oct, 1914
486	025211-4-2	Father (Paul COTE from Melan County, Que.) never was a USA citizen. Cote family moved to Duck Lake in July, 1903 from Duluth and on to Marcein in 1904	Born 1902 to homestead 1905 with wife & 2 kids. Had bro. Henry Spence built on part of homestead, moved closer to W.L. (1/2 mi north) 1934. To B.C. 1938, back to farm 1939-41. Sold to son Robert 1958, sold to Bert Cadew 1969. Died 1977.		24-Jul-28	4886070; 550677; 3548521	S - 6.17; Twp. Reg.; Post 1930		
487	035211-1-1	CANCELLED #293687 13-Sep-24					Post 1930		
488	035211-1-2	GRAZING LEASE					Post 1930		
489	035211-1-3	SECOND HOMESTEAD		14-Nov-34	26-Nov-34	656334; Grant #6911	Twp. Reg.; Post 1930		
490	035211-2-1				8-Jan-20	520303	Twp. Reg.; S - 6.17		
491	035211-3-1		Died in 1903 at 92 yrs.	23-Mar-20	10-May-20	530334; 3250242	Twp. Reg.; S - 6.17		
492	035211-4-1		Scottish descent, arrived with family in 1913 - first white family. Goldings were the next but left after 3 yrs. Other neighbours were bachelors - Dick Shano, Joe McKillop, Albert Gehring, Wilfred Johnson, Gordon Butler, Evert Holmson, Lester Bowman	09-Jun-20	9-May-21	549438; 3427532	Twp. Reg.; S - 6.17		
493	045211-1-1	WATER					Twp. Reg.		
494	045211-1-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
495	045211-2-1	WATER					Twp. Reg.		
496	045211-2-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
497	045211-3-1	WATER					Twp. Reg.		
498	045211-3-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
499	045211-4-1	WATER					Twp. Reg.		
500	045211-4-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
501	055211-1-1	RESERVE #117 Notation on 30 Sep 18 & 9 Apr 19. FX #76 and 3 Mar 20				1215019	Twp. Reg.		
502	055211-1-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
503	055211-2-1	WATER					Twp. Reg.		
504	055211-2-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
505	055211-3-1	RESERVE #117 Notation on 30 Sep 18 & 9 Apr 19. FX #76 and 3 Mar 20				1215019	Twp. Reg.		
506	055211-3-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
507	055211-4-1	RESERVE #117 Notation on 30 Sep 18 & 9 Apr 19. FX #76 and 3 Mar 20				1215019	Twp. Reg.		
508	055211-4-1	RESERVE #117 Notation on 30 Sep 18 and 3 Mar 20				1215019	Twp. Reg.		

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI
1	ID NUMBER	BUILDINGS	ACRES BROKEN	ACRES CHOPPED	ACRES FAY	FENCE	CATTLE	HORSES	HOGS	SHEEP	GRAZING	OTHER HOMESTEAD	FILE NUMBER	DATE
476	015211-4-3	Log Stable; Log granary; Ice House; 28 ft. Well	1925 - 8 1926 - 8 1927 - 9	1926 - 8 1927 - 16 1928 - 25		All - 1 Wire		1925 - 7 1926 - 9 1927 - 9	1925 - 5 1926 - 5 1927 - 5 1928 - 5		W & S	NE 1/4 7 W3 Abandoned	4415743	27-Jul-22
477	025211-1-1													
478	025211-1-2													
479	025211-1-3													
480	025211-2-1													
481	025211-2-2													
482	025211-3-1													
483	025211-3-2													
484	025211-3-3	18 x 20 Log Stable Granary, 36 ft Cribbed Wall	1924 - 26 1925 - 4 - 5	1926 - 1924 - 6 26 1926 - 30		All - 2 wires					Some stock each year W & S			
485	025211-4-1	Unfinished Log Stable	1915 - 5 1916 - 5 1917 to 1920 - 20 1921 - 5	1916 - 5 1921 - 15 1922 - 15		15 acres Wire		1919 - 3 1920 - 3 Died						
486	025211-4-2											SE 21-50-11 W3	4218732	
487	035211-1-1													
488	035211-1-2											Homestead SW 3-52-11		
489	035211-1-3													
490	035211-2-1													
491	035211-3-1													
492	035211-4-1													
493	045211-1-1													
494	045211-1-2													
495	045211-2-1													
496	045211-2-2													
497	045211-3-1													
498	045211-3-2													
499	045211-4-1													
500	045211-4-2													
501	055211-1-1													
502	055211-1-2													
503	055211-2-1													
504	055211-2-2													
505	055211-3-1													
506	055211-3-2													
507	055211-4-1													
508	055211-4-1													

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	ID NUMBER	QUARTER	SECTION	TOWNSHIP	RANGE	LAST NAME	FIRST NAME	ETHNICITY	BIRTHPLACE	LAST RESIDENCE	AGE	MARITAL STATUS	OCCUPATION	DATE OF ARRIVAL
509	055211-4-2	SW	5	52	11									24-Oct-78
510	065211-1-1	NW	6	52	11									
511	065211-2-1	NE	6	52	11									
512	065211-3-1	SE	6	52	11									
513	075211-1-1	NW	7	52	11									
514	075211-2-1	NE	7	52	11									
515	075211-3-1	SE	7	52	11									
516	075211-4-1	SW	7	52	11									
517	085211-1-1	NW	8	52	11									
518	085211-1-2	NW	8	52	11									24-Oct-78
519	085211-2-1	NE	8	52	11									24-Oct-78
520	085211-2-2	NE	8	52	11									24-Oct-78
521	085211-3-1	SE	8	52	11									
522	085211-4-1	SW	8	52	11									
523	095211-1-1	NW	9	52	11	BARIGAN	M. Julien							12-Jun-30
524	095211-1-2	NW	9	52	11									24-Oct-78
525	095211-2-1	NE	9	52	11	LAPPING	John		Minnesota, USA	Shellbrook, Sk.	25	M	Farmer	02-Apr-14
526	095211-2-2	NE	9	52	11	BARIGAN	M. Julien							14-Mar-24
527	095211-2-3	NE	9	52	11									24-Oct-78
528	095211-3-1	SE	9	52	11									
529	095211-3-2	SE	9	52	11	BOWIE	Robert							28-Jul-24
530	095211-4-1	SW	9	52	11									
531	095211-4-2	SW	9	52	11									24-Oct-78
532	105211-1-1	NW	10	52	11	BUTLER	Ralph Ernest		Halifax County, Nova Scotia	Witchekan Lake, Sk.	27	S	Farmer	10-Aug-21
533	105211-2-1	NE	10	52	11	RYSSSEN	Gustave	French	NORD FRANCE	St. Denis, Sk.	29	M & F	Farm hand	19-Nov-13
534	105211-2-2	NE	10	52	11	SWANSON	Thomas	Scot	Lonarkshire, SCOTLAND	Witchekan Lake, Sk.	46	S	Farm hand	28-Sep-14
535	105211-2-3	NE	10	52	11	BUTLER	Ralph Ernest		Halifax County, Nova Scotia	Witchekan Lake, Sk.	25	S	Farmer	16-Sep-19
536	105211-3-1	SE	10	52	11	LAVOIE	Napoleon		Que.	Witchekan Lake, Sk.	19	S	Farmer	30-Mar-15
537	105211-4-1	SW	10	52	11	LORETTE	Frank	/USA	Minnesota, USA	Witchekan Lake, Sk.	21	S	Carpenter	08-Dec-15
538	105211-4-2	SW	10	52	11	BOWIE	Robert Edmund Martin		Ont.	Speers, Sk.		M & F	Farmer	10-Apr-22
539	115211-1-1	NW	11	52	11	HEISLER	John							05-Dec-58
540	115211-2-1	NE	11	52	11		La Corporation Episcopale Catholique Romaine de Prince Albert							09-Jul-41
541	115211-2-2	NE	11	52	11		Regent S.D #5161							21-Aug-41
542	115211-2-3	NE	11	52	11									13-Sep-43
543	115211-2-4	NE	11	52	11	LAVENTURE	Emile							30-Apr-42
544	115211-2-5	NE	11	52	11	LAVENTURE	Emile							30-Apr-47
545	115211-2-6	NE	11	52	11	GORHAM	Max L.							01-Apr-48
546	115211-2-7	NE	11	52	11	GORHAM	Maximilian Louis (Butch) & Evelyn							12-Nov-65

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	O	P	Q	R	S	T	U	V
1	ID NUMBER	NOTES FROM ARCHIVAL SOURCE	NOTES FROM SECONDARY SOURCES	DATE OF PATENT APPLICATION	DATE PATENT ISSUED	FILE NUMBER	FILE SOURCE	RESIDENCY	HOUSE
509	065211-4-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
510	065211-1-1	INDIAN RESERVE #117 Notation - O/C 30-Sep-18 and 3-Mar-20				1215019	Twp. Reg.		
511	065211-2-1	INDIAN RESERVE #117 Notation - O/C 30-Sep-18 and 3-Mar-20				1215019	Twp. Reg.		
512	065211-3-1	INDIAN RESERVE #117 Notation - O/C 30-Sep-18 and 3-Mar-20				1215019	Twp. Reg.		
513	075211-1-1	INDIAN RESERVE #117 Notation - O/C 30-Sep-18 and 3-Mar-20				1215019	Twp. Reg.		
514	075211-2-1	INDIAN RESERVE #117 Notation - O/C 30-Sep-18 and 3-Mar-20				1215019	Twp. Reg.		
515	075211-3-1	INDIAN RESERVE #117 Notation - O/C 30-Sep-18 and 3-Mar-20				1215019	Twp. Reg.		
516	075211-4-1	INDIAN RESERVE #117 Notation - O/C 30-Sep-18 and 3-Mar-20				1215019	Twp. Reg.		
517	085211-1-1	INDIAN RESERVE #117 Notation - O/C 9-Apr-19 PC #790					Twp. Reg.		
518	085211-1-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
519	085211-2-1	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
520	085211-2-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
521	085211-3-1						Twp. Reg.		
522	085211-4-1	INDIAN RESERVE #117 Notation - O/C 9-Apr-19 PC #790					Twp. Reg.		
523	095211-1-1	TIME SALE #12583				5068293	Twp. Reg.		
524	095211-1-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
525	095211-2-1	CANCELLED #289560				512798; 3143910	S - 6.17		
526	095211-2-2		French		25-May-28	606159; 3143910	S - 6.17; Twp. Reg.		
527	095211-2-3	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
528	095211-3-1	HAY RESERVE					Twp. Reg.; S - 6.17		
529	095211-3-2	TIME SALE #12026 125 acres @ \$1/acre 28-Jul-27	English; married with a family	01-Jan-27	21-Jan-28	4905541	Twp. Reg.; S - 6.17		
530	095211-4-1	WATER					Twp. Reg.		
531	095211-4-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan 813 AM					Twp. Reg.		
532	105211-1-1	SOLDIER GRANT #11837	<i>Came to Laventure 1915; homesteaded @ 21 Yrs. old; Single. Married in 1933. Died Sep. 1992 @ 68 yrs.</i>	27-Jul-25	3-Feb-26	4417968	Twp. Reg.; S - 6.17	Residence on NE 10-52-11	
533	105211-2-1	ABANDONED #220609			20-Nov-13	508214; 3087059	Twp. Reg.; S - 6.17		
534	105211-2-2	ABANDONED #234546				529709; 3087059	Twp. Reg.; S - 6.17		
535	105211-2-3	PROXY ENTRY by Gordon BUTLER (Brother) WWI SOLDIER				582770; 3087059	Twp. Reg.; S - 6.17		
536	105211-3-1			28-Nov-19	26-Aug-21	536281; 3109464 551688	Twp. Reg.; S - 6.17 Twp. Reg.	In vicinity on NE 3-52-11	
537	105211-4-1	ABANDONED #271654				3564952	S - 6.17		
538	105211-4-2			28-Jul-25	1-Oct-25	597597; 3564952	Twp. Reg.; S - 6.17	Continuous since 1-Oct-22	18 x 24 Log; built Aug 1, 1922
539	115211-1-1	SALE VS #566			27-May-74	#35769	Twp. Reg. AG 111.		
540	115211-2-1	SCHOOL LANDS - SALE for 12.15 acres			26-Aug-41	Grant #18864	Box 1208; Stack 25 AG 111.		
541	115211-2-2	S L SALE FOR 3 acres			26-Aug-41	Grant #18863	Box 1208; Stack 25		
542	115211-2-3	For 1/2 W/4 - #16-417; for 1/2 NW/4 - Box 1208 #18864 and 2 1/4 acres - same unpatented area					Twp. Reg. AG 111. Box 1208; Stack 25 AG 111.		
543	115211-2-4	LEASE					Box 1208; Stack 25 AG 111.		
544	115211-2-5	SLPL #PA1188 For 133.38 Acres					Box 1208; Stack 25 AG 111.		
545	115211-2-6	VETERAN LEASE 1446 for 133.38 Acres.					Box 1208; Stack 25		
546	115211-2-7	VETERAN SALE #1403 for 132.29 acres on DIED 9 Sep 66 Assigned to Evelyn GORHAM	<i>Born in Minneapolis, Minnesota, USA To SA 1907. Homestead 16 5/2 10 in 1929. Married 1929. WWII vet Fall 1944. back to abandoned homestead, sec 11 1/2 section through VLA 1949. moved house 1949. Died Fall, 1966. Sold to Rescue Outlet.</i>		20-Jan-70	Grant #34582 for total 289.68 acres	AG 111. Box 1208; Stack 25		

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI
1	ID NUMBER	BUILDINGS	ACRES BROKEN	ACRES CROPPED	ACRES HAY	FENCE	CATTLE	HORSES	HOGS	SHEEP	GRAZING	OTHER HOMESTEAD	FILE NUMBER	DATE
509	055211-4-2													
510	065211-1-1													
511	065211-2-1													
512	065211-3-1													
513	075211-1-1													
514	075211-2-1													
515	075211-3-1													
516	075211-4-1													
517	085211-1-1													
518	085211-1-2													
519	085211-2-1													
520	085211-2-2													
521	085211-3-1													
522	085211-4-1													
523	095211-1-1													
524	095211-1-2													
525	095211-2-1													
526	095211-2-2													
527	095211-2-3													
528	095211-3-1													
529	095211-3-2													
530	095211-4-1													
531	095211-4-2													
532	105211-1-1		1922 - 58 1923 - 73	1923 - 8 1924 - 11 1925 - 11		5 miles Wire		1922 - 3 1923 - 2 1924 - 2 1925 - 2	1922 - 2 1923 - 2 1924 - 3 1925 - 4			1) NE 10-52-11 W3; 2) SE 3-53-12 W3	2) 3087059	2) Granted 29-Oct-28
533	105211-2-1													
534	105211-2-2													
535	105211-2-3											Second Homestead SE 3-52-12-W3		29-Oct-28
536	105211-3-1	None	1918 - 13 1919 - 6	1919 - 13		160 Acres - Pole		1922 - 1/ 1923 - 7	1922 - 6 1923 - 22 1924 - 23 1925 - 5					
537	105211-4-1		1922 - 5 1923 - 7	1923 - 5		1.5 miles Barbed Wire		1923 - 22 1924 - 23 1925 - 25	1923 - 5 1924 - 7 1925 - 5					
538	105211-4-2	Log Stable; Log Granary	1924 - 3 1925 - 4	1924 - 12 1925 - 15							W & S	NE 33-61-26 W4 Abandoned	2844096	Oct, 1914
539	115211-1-1													
540	115211-2-1													
541	115211-2-2													
542	115211-2-3													
543	115211-2-4													
544	115211-2-5													
545	115211-2-6													
546	115211-2-7													

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	ID NUMBER	QUARTER	SECTION	TOWNSHIP	RANGE	LAST NAME	FIRST NAME	ETHNICITY	BIRTHPLACE	LAST RESIDENCE	AGE	MARITAL STATUS	OCCUPATION	DATE OF ARRIVAL
547	115211-2-8	NE	11	52	11									05-Jun-69
548	115211-2-9	NE	11	52	11									10-Dec-71
549	115211-3-1	SE	11	52	11	La Corporation Episcopale Catholique Romaine de Prince Albert								06-Jun-44
550	115211-3-2	SE	11	52	11	GORHAM	Maximilian Louis							
551	115211-4-1	SW	11	52	11		Edmund Martin							13-Sep-41
552	115211-4-2	SW	11	52	11	HEISLER	John		Derbyshire, ENGLAND				Farm Labourer	05-Dec-58
553	125211-1-1	NW	12	52	11	NEEDHAM	John W.	British	ENGLAND	Witchekan Lake, Sk.	29	S M & FAM	Farmer	25-Apr-14
554	125211-2-1	NE	12	52	11	PERRAULT	Demase		Que.	Witchekan Lake, Sk.	30	S M & FAM	Farmer	07-Dec-15
555	125211-2-2	NE	12	52	11	RENAULT	Henri	French Austrian/ Ukranian	Nancy, FRANCE	Carlton, Sk.	44	M & FAM	Farmer	11-Jan-23
556	125211-3-1	SE	12	52	11	KOBRYNSKY	John		GALACIA	Meecham, Sk.	40	S	Farmer	15-Jun-20
557	125211-3-2	SE	12	52	11	BARRETTE	Jean Marie		Que.	Marcelin, Sk.	19	S	Farmer	21-Sep-22
558	125211-3-3	SE	12	52	11	OULLETTE	Rosario		Que.	Marcelin, Sk.	25	S	Farmer	16-Oct-24
559	125211-4-1	SW	12	52	11	BLAIR	Martin Henry	USA	Wisconsin, USA	Big River, Sk.	19	S	Farmer	20-Jun-19
560	125211-4-2	SW	12	52	11	CARDINAL	Raoul J. H.		Que.	Windsor Lake, Sk.	22	S	Farmer	04-Jan-23
561	125211-4-3	SW	12	52	11	La Corporation Episcopale Catholique Romaine de Prince Albert								
562	165211-1-1	NW	16	52	11	MARCHILDON	Joseph			Laventure, Sk.				11-Dec-16
563	165211-1-2	NW	16	52	11	MARCHILDON	Joseph			Laventure, Sk.				07-Dec-28
564	165211-2-1	NE	16	52	11	MARCHILDON	Joseph Isidore		Sherbrooke, QUE.	Big River, Sk.	44	M & FAM	Farmer	07-Jul-13
565	165211-3-1	SE	16	52	11									
566	165211-3-2	SE	16	52	11	CONROY	William		Fortunno, ICELAND	Saskatoon, Sk.	28	S	Farmer	01-Apr-14
567	165211-3-3	SE	16	52	11	LABELLE	Romeo		Que.	Witchekan Lake, Sk.	23	S	Farmer	20-Jul-22
568	165211-4-1	SW	16	52	11									
569	165211-4-2	SW	16	52	11	LABELLE	Romeo		Que.	Witchekan Lake, Sk.	23	S	Farmer	31-Oct-27
570	175211-1-1	NW	17	52	11									
571	175211-2-1	NE	17	52	11									
572	175211-2-2	NE	17	52	11									24-Oct-78
573	175211-3-1	SE	17	52	11									
574	175211-3-2	SE	17	52	11									24-Oct-78
575	175211-4-1	SW	17	52	11									
576	175211-4-2	SW	17	52	11									24-Oct-78
577	185211-1-1	NW	18	52	11									
578	185211-2-1	NE	18	52	11									
579	185211-3-1	SE	18	52	11									

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	O	P	Q	R	S	T	U	V
1	ID NUMBER	NOTES FROM ARCHIVAL SOURCE	NOTES FROM SECONDARY SOURCES	DATE OF PATENT APPLICATION	DATE PATENT ISSUED	FILE NUMBER	FILE SOURCE	RESIDENCY	HOUSE
547	115211-2-8	ROADWAY Reg #95B 04495 ARD#2154 Parcel "A" for 1.59 acres ABANDONED #18664					Twp. Reg.		
548	115211-2-9	ROADWAY Reg #95B 04495 ARD#2633 Parcel "A" for 1.59 acres				Grant #18963; 18864;	Twp. Reg. SAB, AG, 11, Box 190, Stack 5.		
549	115211-3-1	SCHOOL LANDS - SALE for 8.23 acres VETERAN SALE#1403 for 157.39 acres on DIED 9 Sep-66 ASSIGNED to Evelyn GORHAM		13-Jun-44		22984 Grant #34582	Twp. Reg. for total AG 11J, Box 1208, Stack 25		
550	115211-3-2	ROADWAY Reg. BA4077 Plan H 1270 for 4 acres		20-Jan-72		289.68 acres	Twp. Reg.		
551	115211-4-1					Grant	Twp. Reg.		
552	115211-4-2	SALE VS #566		27-May-74		#357691 519266;	Twp. Reg. Twp. Reg.;		
553	125211-1-1	WWI SOLDIER		27-May-21		3175743	S - 6.17 Twp. Reg.;		
554	125211-2-1	ABANDONED #280369				5.5146E+12	S - 6.17		
555	125211-2-2			12-Aug-27	31-Oct-27	602077; 3564946 586323;	Twp. Reg. S - 6.17 Twp. Reg. S - 6.17	Continuous since 10-Jun-24	24 x 26 Log; built Jan, 1924
556	125211-3-1	ABANDONED #279905				4390687	S - 6.17		
557	125211-3-2	ABANDONED #294308				600376; 4390687	Twp. Reg. S - 6.17		
558	125211-3-3	Entry cancelled 10-Jun-25 until improvements paid for		07-Sep-28	31-Oct-28	608408; 4390687	Twp. Reg. S - 6.17 Twp. Reg. S - 6.17	Continuous since 10-Jun-25	12 x 32 Frame; built Aug, 1925
559	125211-4-1	ABANDONED #273807				580097; 4201177	S - 6.17		
560	125211-4-2			15-Jun-26	27-May-27	602025; 4201177	Twp. Reg. S - 6.17 Special Grant #9568	Continuous since July, 1923	16 x 16 Log; built July, 1923
561	125211-4-3			27-May-27		for 2 acres	Twp. Reg. S - 6.17		
562	165211-1-1	TIME SALE #10349 for 10 acres @ \$3/acre withdrawn 27-Nov-28 (#319601)		01-Nov-17		3746063	Twp. Reg. Post 1930		
563	165211-1-2	Reapplied for Dominion TIME SALE #12320 @ \$3/acre for 10 acres		13-Mar-29; Final Payment 29-Dec-39	26-Jan-40	Grant #16605	Twp. Reg. Post 1930		
564	165211-2-1		Born 1869 - Prouville, Que.: 1904- moved to Iron Range, Minn. USA. W.L., postmaster, J.P., Vital Statistics Registrar, International Harvester Co. Agent. A community & church worker, also with W.L. School Dedicated Liberal (acted as Deputy R.O.)			498990; 2971561	Twp. Reg. S - 6.17		
565	165211-3-1	RESERVED T&G Ranch #21688				628668; 4525724	Twp. Reg.		
566	165211-3-2	ABANDONED #289915				512777; 3143914	Twp. Reg. S - 6.17		
567	165211-3-3				30-Nov-25	580174; 3143914	Twp. Reg. S - 6.17		
568	165211-4-1	RESERVED T&G Ranch #21688				628668	Twp. Reg.		
569	165211-4-2	Request to purchase for access to the lake Homestead Inspector recommended 7 acres be sold @ \$7 per acre. Labelle later applied for release and withdrawn from sale and referred to T&G Lands Branch of Dept of the Interior WITCHEKAN RESERVE #117 - Nonation C/O: 30-Sep-19 and 3-Apr-19 PC #790				4525724	S - 6.17		
570	175211-1-1					1215019	Twp. Reg.		
571	175211-2-1	WITCHEKAN RESERVE #117 16644 OF 1215 ACRES OF STATE OF MINN. ACRES 1215, 1266, 1267, 1216 West of Lake 15.8 acres Nonation C/O: 30-Sep-19 and 3-Apr-19 PC #790				1215019	Twp. Reg.		
572	175211-2-2	Witchekan Lake Withdrawal Request C/O: 30-Sep-19 and 3-Apr-19 PC #790					Twp. Reg.		
573	175211-3-1	All in the Lake					Twp. Reg.		
574	175211-3-2	Witchekan Lake Withdrawal Request C/O: 30-Sep-19 and 3-Apr-19 PC #790					Twp. Reg.		
575	175211-4-1	Witchekan Lake Withdrawal Request C/O: 30-Sep-19 and 3-Apr-19 PC #790				1215019	Twp. Reg.		
576	175211-4-2	Witchekan Lake Withdrawal Request C/O: 30-Sep-19 and 3-Apr-19 PC #790					Twp. Reg.		
577	185211-1-1	Witchekan Lake Withdrawal Request C/O: 30-Sep-19 and 3-Apr-19 PC #790				1215019	Twp. Reg.		
578	185211-2-1	Witchekan Lake Withdrawal Request C/O: 30-Sep-19 and 3-Apr-19 PC #790				1215019	Twp. Reg.		
579	185211-3-1	Witchekan Lake Withdrawal Request C/O: 30-Sep-19 and 3-Apr-19 PC #790				1215019	Twp. Reg.		

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI
1	ID NUMBER	BUILDINGS	ACRES BROKEN	ACRES CROPPED	ACRES HAY	FENCE	CATTLE	HORSES	HOGS	SHEEP	GRAZING	OTHER HOMESTEAD	FILE NUMBER	DATE
547	115211-2-8													
548	115211-2-9													
549	115211-3-1													
550	115211-3-2													
551	115211-4-1													
552	115211-4-2													
553	125211-1-1											SW 27-52-11 W3		April, 1913
554	125211-2-1		1923 - 10	1925 - 10		1.25 miles	1924 - 1	1924 - 5						
		Log Barn; 2 Log	1924 - 12	1924 - 22		2 Wire &	1925 - 2	1925 - 5						
555	125211-2-2	Granaries; Chicken House; Pig Pen; Well	1925 - 12	1926 - 34		25 miles	1925 - 3	1926 - 6				W & S		
			1926 - 10	1927 - 44		Rail	1927 - 4	1927 - 6						
556	125211-3-1													
557	125211-3-2		Entry - 5	1925 - 5										
			1925 - 30	1926 - 35		All	Average	2 - All						
			1926 - 4	1927 - 39		Barbed	of 6 per	Dead						
558	125211-3-3	15 x 22 Stable; Well	1927 - 26	1928 - 65		Wire	year				W & S			
559	125211-4-1		1923 - 5					1923 - 1	1923 - 3					
		Log Stable; Log	1924 - 7	1924 - 5				1924 - 1	1924 - 3					
560	125211-4-2	Granary; 2 Out Buildings; 83 ft. Well	1925 - 13	1925 - 12		All - 2		1925 - 1	1925 - 4			7-52-10-W3; Abandoned	3821703	Spring, 1919
			1926 - 10	1926 - 25		wires		1926 - 2	1926 - 2					
561	125211-4-3													
562	165211-1-1													
563	165211-1-2											Patent NE 16-52-11		
564	165211-2-1													
565	165211-3-1													
566	165211-3-2													
567	165211-3-3													
568	165211-4-1													
569	165211-4-2													
570	175211-1-1													
571	175211-2-1													
572	175211-2-2													
573	175211-3-1													
574	175211-3-2													
575	175211-4-1													
576	175211-4-2													
577	185211-1-1													
578	185211-2-1													
579	185211-3-1													

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	ID NUMBER	QUARTER	SECTION	TOWNSHIP	RANGE	LAST NAME	FIRST NAME	ETHNICITY	BIRTHPLACE	LAST RESIDENCE	AGE	MARITAL STATUS	OCCUPATION	DATE OF ARRIVAL
580	185211-4-1	SW	18	52	11									
581	195211-1-1	NW	19	52	11									
582	195211-2-1	NE	19	52	11									
583	195211-3-1	SE	19	52	11									
584	195211-4-1	SW	19	52	11									
585	205211-1-1	NW	20	52	11									
586	205211-2-1	NE	20	52	11	TUCKER	Leslie	British	Kent, ENGLAND	Willis, Sk.	21	S	Farmer	04-Jun-12
587	205211-2-2	NE	20	52	11	LAVIGNE	Raoul		Que.	Vawn, Sk.	19	S	Farmer's Son	19-Jun-15
588	205211-2-3	NE	20	52	11									
589	205211-2-4	NE	20	52	11	SOBUS	Jacob		Illinois, USA	Dana, Sk.	36	S	Farmer	13-Jan-19
590	205211-2-5	NE	20	52	11	LAVIGNE	Raoul		Que.	Vawn, Sk.				17-Dec-19
591	205211-3-1	SE	20	52	11									
592	205211-3-2	SE	20	52	11									24-Oct-78
593	205211-4-1	SW	20	52	11									
594	215211-4-1	SW	21	52	11	BATTERS	Francis James	British	Norfolkshire, ENGLAND	North Battleford, Sk.	24	M & FAM	Municipal Employee	11-Apr-14
595	295211-3-1	SE	29	52	11									
596	295211-3-2	SE	29	52	11	COLDIRON	Ervin R.							30-Apr-41
597	295211-3-3	SE	29	52	11	COLDIRON	Ervin R.							31-Dec-45
598	295211-3-4	SE	29	52	11	HOEPPNER	Henry B.							31-Mar-48
599	295211-3-4	SE	29	52	11	PEARSON	W.A.							01-Apr-48
600	295211-3-5	SE	29	52	11	PEARSON	W.A.							12-Jul-65
601	295211-4-1	SW	29	52	11	COLDIRON	Ervin R.							30-Apr-41
602	295211-4-2	SW	29	52	11	COLDIRON	Ervin R.							31-Dec-45
603	295211-4-3	SW	29	52	11	HOLM	Lawrence R.							01-Apr-46
604	295211-4-4	SW	29	52	11	HOLM	Lawrence R.							24-Jul-56
605	305211-1-1	NW	30	52	11									
606	305211-2-1	NE	30	52	11	HENRY	Gordon			Battleford, Sk.	25	S	Farmer	03-Jul-14
607	305211-3-1	SE	30	52	11									
608	305211-4-1	SW	30	52	11									
609	015212-1-1	NW	1	52	12	WOOD	Ernest Jefferson	/USA	Iowa, USA Tippecanoe County, Lafayette, Indiana, USA	Galahad, Ab.	43	M & FAM	Farmer	03-Mar-20
610	015212-2-1	NE	1	52	12	PATTISON	Milton	/USA		Toho, Sk.	64	M	Farmer	26-Jul-19
611	015212-2-2	NE	1	52	12	WOOD	Willie Ashbury	/USA	Woodland, Idaho, USA		41	M & FAM	Farmer	27-Oct-20
612	015212-2-3	NE	1	52	12	WOOD	Lauren O.	/USA	Idaho, USA	Belbutte, Sk. Witchekan Lake, Sk.	29	S	Farmer	03-Nov-21
613	015212-3-1	SE	1	52	12	ADAMS	George Roland	/USA	Kansas, USA		33	M & FAM	Farmer	04-Nov-15
614	015212-3-2	SE	1	52	12	EASTON	Erie Yarrow		Ont	Belbutte, Sk.	24	S	Rancher	09-Apr-19
615	015212-3-3	SE	1	52	12	KELLUM	Charles	/USA	Kansas, USA	Galahad, Ab.		M & FAM	Farmer	28-Jun-20
616	015212-4-1	SW	1	52	12	LAVIGNE	Baromme		Que.	Vawn, Sk.	65	S	Farmer	30-Dec-19
617	025212-1-1	NW	2	52	12									24-Oct-78

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	O	P	Q	R	S	T	U	V
1	ID NUMBER	NOTES FROM ARCHIVAL SOURCE	NOTES FROM SECONDARY SOURCES	DATE OF PATENT APPLICATION	DATE PATENT ISSUED	FILE NUMBER	FILE SOURCE	RESIDENCY	HOUSE
580	185211-4-1	INDIAN RESERVE #117 Notation O/C 9-Apr-19 PC #790				1215019	Twp. Reg.		
581	195211-1-1	INDIAN RESERVE #117 Notation O/C 9-Apr-19 PC #790				1215019	Twp. Reg.		
582	195211-2-1	INDIAN RESERVE #117 Notation O/C 9-Apr-19 PC #790				1215019	Twp. Reg.		
583	195211-3-1	INDIAN RESERVE #117 Notation O/C 9-Apr-19 PC #790				1215019	Twp. Reg.		
584	195211-4-1	INDIAN RESERVE #117 Notation O/C 9-Apr-19 PC #790				1215019	Twp. Reg.		
585	205211-1-1	INDIAN RESERVE #117 Notation O/C 9-Apr-19 PC #790				1215019	Twp. Reg.		
586	205211-2-1	ABANDONED 2-Dec-16 #23845 CANCELLED (#193443) 25-Mar-13				459664; 2696842	Twp. Reg.; S - 6.17		
587	205211-2-2	ABANDONED 2-Dec-16 #23845 CANCELLED 7-Jan-19 #213824	Raised at Jackfish. SK			544792; 2696842	Twp. Reg.; S - 6.17		
588	205211-2-3	Prox Notation - Reserve for DIA O/C 30-Sep-18					Twp. Reg.		
589	205211-2-4	CANCELLED 16-Sep-19 #276335				577808; 2696842	Twp. Reg.; S - 6.17		
590	205211-2-5	PROXY ENTRY by GEORGE LAVIGNE (BROTHER)		28-Jul-25	1-Oct-25	584134; 2696842	Twp. Reg.; S - 6.17		
591	205211-3-1	INDIAN RESERVE #117 Notation O/C 9-Apr-19 PC #790				1215019	Twp. Reg.		
592	205211-3-2	Witchekan Lake Wetland Project - Ducks Unlimited Water Rights Project Plan B13 AM					Twp. Reg.		
593	205211-4-1	INDIAN RESERVE #117 Notation O/C 9-Apr-19 PC #790				1215019	Twp. Reg.		
594	215211-4-1	Homestead Protection Med 28-Jul-15 for WW SOLDIER Twp Reg Notation - HAY PERMIT (50 tons) for E.R. COLDRON 1914			3-Jan-22	513080; 3144191	Twp. Reg.; S - 6.17		
595	295211-3-1	ROADWAY Reg. #A.A. #4126 for 4.05 acres					Twp. Reg.		
596	295211-3-2	SCHOOL LAND. PASTURE LEASE SLRP PA141	An American rancher who was born in Ludlow, Mississippi, USA				AG 111, Box 1511		
597	295211-3-3	SCHOOL LAND. CULTIVATION & GRAZING LEASE					AG 111, Box 1511		
598	295211-3-4	GRAZE PERMIT #4156					AG 111, Box 1511		
599	295211-3-4	VETERAN LEASE #1536					AG 111, Box 1511		
600	295211-3-5	VETERAN SALE #1354			19-Aug-65	Grant #31698	Twp. Reg.; AG 111, Box 1511		
601	295211-4-1	SCHOOL LAND. PASTURE LEASE PA141					AG 111, Box 1046		
602	295211-4-2	CULTIVATION & GRAZING LEASE PA984 A					AG 111, Box 1046		
603	295211-4-3	VETERAN LEASE #628					AG 111, Box 1046		
604	295211-4-4	VETERAN SALE #38			31-Oct-63	Grant #31194	Twp. Reg.; AG 111, Box 1046		
605	305211-1-1	INDIAN RESERVE #117 Notation O/C 9-Apr-19 PC #790					Twp. Reg.		
606	305211-2-1	WW SOLDIER		25-Jul-22	2-Oct-22	521067; 3201820	Twp. Reg.; S - 6.17		
607	305211-3-1	INDIAN RESERVE #117 Notation O/C 9-Apr-19 PC #790					Twp. Reg.		
608	305211-4-1	INDIAN RESERVE #117 Notation O/C 9-Apr-19 PC #790					Twp. Reg.		
609	015212-1-1	Naturalized 22 Feb-26	Came from Woodland, Idaho, USA to Ad. Brother in law, Charlie & Belle Kellum. Came with wife & 6 kids. Died in 1938	07-Feb-25	20-Jul-27	4204958	S - 6.17	Continuous since 1-Apr-20	20 x 24 Log; built Spring, 1920
610	015212-2-1	Formerly of Scott, SK ABANDONED				4204956	S - 6.17		
611	015212-2-2	Entered by Brother Ernest Johnson - 2014 (E) - 14/14/14 (E) - 14/14/14 (E)				4204956	S - 6.17		
612	015212-2-3	Formerly of Camiah, Idaho Naturalized 25 Sep-27	WW Vet. Married Gladys, Married in North Butteford in 1929. Worked on MacDonald and Emerson (near Crow L) Ranches.	26-May-28	28-Sep-28	4204956	S - 6.17	Resided with brother in law - F.E. HUNTER SE 1/4, T2W1 4 Dec 27 to 16 Jun 22 1922 to 13 May 23 26 Jun 23 to 8 Jun 26	
613	015212-3-1	Formerly from Montana ABANDONED				3537191	S - 6.17		
614	015212-3-2	Formerly from 24 E. 2nd, Montana "To the farm" - only subject to. Homebound to purchase - 26/11/22 - 26/11/22				3537191	S - 6.17		
615	015212-3-3	Paid \$10 for entry fee - no improvements mentioned Naturalized 23 Feb-26	Wife's Will from Idaho - 1928 (probate) and 1929 (probate) - 30/11/22 (probate) - 30/11/22 (probate) - 30/11/22 (probate) - 30/11/22 (probate)	10-Oct-24	29-Jul-26	3537191	S - 6.17	Continuous since Sep. 1920	16 x 20 Log; built before entry
616	015212-4-1	Water rights project Ducks Unlimited Plan B13 AM	Great uncle to Ralph Lavigne; buried at Jackfish, SK	06-Oct-23	5-Nov-23	4204960	S - 6.17	Continuous since June, 1920	16 x 20 Log & Lumber; built June, 1920
617	025212-1-1	Witchekan Lake							

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI
1	ID NUMBER	BUILDINGS	ACRES BROKEN	ACRES CROPPED	ACRES HAY	FENCE	CATTLE	HORSES	HOGS	SHEEP	GRAZING	OTHER HOMESTEAD	FILE NUMBER	DATE
580	185211-4-1													
581	195211-1-1													
582	195211-2-1													
583	195211-3-1													
584	195211-4-1													
585	205211-1-1													
586	205211-2-1													
587	205211-2-2													
588	205211-2-3													
589	205211-2-4											NW 34-37-27 W2		15-Jul-10
590	205211-2-5											Second Homestead SW 10-53-12 W3		22-Oct-28
591	205211-3-1													
592	205211-3-2													
593	205211-4-1													
594	215211-4-1											NE 10-53-11 W3		
595	295211-3-1													
596	295211-3-2													
597	295211-3-3													
598	295211-3-4													
599	295211-3-4													
600	295211-3-5													
601	295211-4-1													
602	295211-4-2													
603	295211-4-3													
604	295211-4-4													
605	305211-1-1													
606	305211-2-1											NE 34-46-19 W3		14-Jan-11
607	305211-3-1													
608	305211-4-1	21 x 26 Log Barn; 22 x 32 Log Barn; 10 x 20 Log Granary; Well; Pigpen; Chicken House	1920 - 1.5 1921 - 9.5 1922 - 9 1923 - 7 1924 - 4	1920 - 1.5 1921 - 11 1922 - 20 1923 - 27 1924 - 31		2.5 miles Wire			Average 35 head	Average 5 head				
609	015212-1-1											W		
610	015212-2-1													
611	015212-2-2				1924 - 12							1924 - 4		
612	015212-2-3	26 ft Well	1924 - 12 1925 - 7 1926 - 25	1925 - 19 1926 - 19 1927 - 44		All - 2 Wire			1924 - 5 1925 - 9 1926 - 9 1926 - 22			W & S		
613	015212-3-1													
614	015212-3-2				1921 - 11				1921 - 2					
615	015212-3-3	20 x 27 Log Stable; 12 x 20 Log Granary; Log Hen house; Well	1921 - 11 1922 - 20 1923 - 8	1922 - 31 1923 - 39 1924 - 39		2 miles wire			1922 - 2 1923 - 8 1924 - 9				W & S	
616	015212-4-1	20 x 24 Log Stable; 24 x 40 Frame Cattle Shed;	1920 - 1	1921 - 1 1922 - 1 1923 - 1		160 Acres. Wire			1920 - 11 1921 - 16 1922 - 17 1923 - 15			1920 - 1 1921 - 1 1922 - 2 1923 - 2	W & S	
617	025212-1-1													

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	ID NUMBER	QUARTER	SECTION	TOWNSHIP	RANGE	LAST NAME	FIRST NAME	ETHNICITY	BIRTHPLACE	LAST RESIDENCE	AGE	MARITAL STATUS	OCCUPATION	DATE OF ARRIVAL
618	025212-2-1	NE	2	52	12	WOOD	Ernest J.							15-Sep-16
619	025212-2-2	NE	2	52	12									24-Oct-78
620	025212-3-1	SE	2	52	12									24-Oct-78
621	025212-4-1	SW	2	52	12									24-Oct-78
622	125212-1-1	NW	12	52	12	PARKER	Samuel Smith	USA	Idaho, USA	Belbutte, Sk.	23	M	Farmer	28-Jun-20
623	125212-2-1	NE	12	52	12	WOOD	Orville C.			Belbutte, Sk.				23-Jul-19
624	125212-2-2	NE	12	52	12									25-Apr-21
625	125212-2-3	NE	12	52	12	MARCHILDON	Albert Eduard (Joseph)							01-Apr-25
626	125212-3-1	SE	12	52	12	HOOD	Lester Hiborn		Ont.	Scott, Sk.	18	S	Farmer	26-Jul-19
627	125212-3-2	SE	12	52	12	WHITTY	Micheal Dennis		Ont.	Lloydminster	40	S	Farmer	28-Jun-21
628	125212-4-1	SW	12	52	12	McPHERSON	William Hamilton		Guelph, Ont.	Rokeby, Sk.	30	M & FAM	Farmer	25-Aug-19
629	125212-4-2	SW	12	52	12	TAYLOR	Roy Donald	USA	Texas, USA	Belbutte, Sk.	21	S	Rancher	13-Sep-20
630	135212-1-1	NW	13	52	12	SULLIVAN	Twain Quincy			Belbutte, Sk.				21-Jun-23
631	135212-2-1	NE	13	52	12	PARKER	Hughbert Maroni							01-Jan-70
632	135212-2-1	NE	13	52	12									
633	135212-3-1	SE	13	52	12									
634	135212-3-2	SE	13	52	12	PARKER	Amasa Wyman			Belbutte, Sk.				14-Dec-21
635	135212-4-1	SW	13	52	12	PARKER	Amasa Wyman							16-Nov-33
636	135212-4-2	SW	13	52	12									
637	145212-1-1	NW	14	52	12	McDONALD	Alexander		Ont.	Belbutte, Sk. North Battleford, Sk.	32	S	Farmer	17-Aug-20
638	145212-2-1	NE	14	52	12	CHURNI(?)	Glen Wilkius	USA	Kansas, USA		27	S	Farmer	10-Mar-20
639	145212-2-2	NE	14	52	12	DEACHMAN	Thomas		Ont.	Belbutte, Sk.	29	M	Salesman	03-Feb-21
640	145212-3-1	SE	14	52	12	DILLON	John Francis	Irish	Limerick, IRELAND	Witchekan Lake, Sk.	64	M	Farmer	03-Mar-20
641	145212-4-1	SW	14	52	12	TALLMAN	Lorne Etwood		Ont.	Belbutte, Sk.	32	S	Farmer	17-Aug-20
642	145212-4-2	SW	14	52	12	SWOPE	Leo	USA	Idaho, USA	Belbutte, Sk.	19	S	Farmer	23-Oct-22
643	145212-4-3	SW	14	52	12	CLARK	Hartley		Ont.		23	S	Farmer	09-Apr-24
644	235212-1-2	NW	23	52	12	LEARMOUTH	Andrew Sydney			Denholm, Sk.				30-Dec-25
645	235212-2-2	NE	23	52	12	BLACK	Robert James			Douglas, Mb. North Battleford, Sk.				29-Dec-22
646	235212-2-3	NE	23	52	12	COOLEY	William John							02-Dec-25
647	235212-2-4	NE	23	52	12	UTLEG	Oliver Edward			Rockhaven, Sk.				27-Aug-27
648	235212-4-1	SW	23	52	12	KELLUM	Shildes Mills	USA	Idaho, USA	Belbutte, Sk.	21	S	Farmer	07-Sep-20
649	235212-4-2	SW	23	52	12	PARKER	Wyman Miner		Alberta	Galahad, Ab.	26	M & FAM	Farmer	16-Dec-21
650	245212-1-1	NW	24	52	12	McGOWAN	Arthur Nodwell		Grand Valley, Ont.	Asquith, Sk.	23	S	Farmer	24-Jul-19
651	245212-2-1	NE	24	52	12									

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	O	P	Q	R	S	T	U	V
1	ID NUMBER	NOTES FROM ARCHIVAL SOURCE	NOTES FROM SECONDARY SOURCES	DATE OF PATENT APPLICATION	DATE PATENT ISSUED	FILE NUMBER Grant	FILE SOURCE	RESIDENCY	HOUSE
618	025212-2-1	LSD Sale 48.3 acres Water Rights Project - Ducks Unlimited Plan 813 AM - Wichekan Lake			12-Jun-42	#20019	Twp. Reg.		
619	025212-2-2	Water Rights Project - Ducks Unlimited Plan 813 AM - Wichekan Lake							
620	025212-3-1	Water Rights Project - Ducks Unlimited Plan 813 AM - Wichekan Lake							
621	025212-4-1	Water Rights Project - Ducks Unlimited Plan 813 AM - Wichekan Lake							
622	125212-1-1	Naturalization through Father - Canadian resident since 1898, formerly from Galahad, Ab.	Born 3-Jun-1897 at Parker, Idaho, USA. Came to Belbutte from Galahad, Ab. Came to W.L. with wife Violet, parents (James Wymann & Onelle Wood). Mentioned there had been a fire in the W.L. area. Father had an Ab. homestead & could not file.	10-Oct-24	2-Dec-25	4204928	S - 6.17	Continuous since 15-Sep-20	20 x 26 Log; built Sep, 1920
623	125212-2-1	ABANDONED 23-Feb-25					Post 1930		
624	125212-2-2	HAY PERMITS to S S PARKER - 15 Tons Mrs G W PHILLIPS - 40 Tons O WOOD - 18 Tons							
625	125212-2-3			26-Aug-30	6-May-32	1821	Post 1930		
626	125212-3-1	ABANDONED				4204954	S - 6.17		
627	125212-3-2			09-Sep-25	3-Mar-26	4204954	S - 6.17	Continuous since 20-Oct-22	18 x 22 Log; built 15-Oct-22
628	125212-4-1	ABANDONED				4204908	S - 6.17		
629	125212-4-2	Naturalized 25-Jul-21	Came from Texas via Montana to W.L. area.	10-Oct-24	21-Feb-25	4204908	S - 6.17	Residence in vicinity since 13-Sep-20 on SW 36-51-12	16 x 26 Log; built Summer, 1925
630	135212-1-1		Born 05-Apr-1896 at Troy, Idaho, USA. Car salesman for D.W. Calvert (N. B'ford) - sold first grain separator in area to Lauren Wood & Charlie Kallum. Came with wife Flora Taylor & family from Hardin, Montana.		16-Sep-40	17613 Grant	Post 1930		
631	135212-2-1	Sale T592(G)			1-Apr-74	#35690	Twp. Reg.		
632	135212-2-1	RESERVED T&G Ranch #10864				633907	Twp. Reg.		
633	135212-3-1	HAY RESERVE					Post 1930		
634	135212-3-2	GRAZING LEASE for W1/2 for \$6.50 under Ranch #10864	Came to W.L. from Galahad, Ab. Married with family. Homestead on SE22-52-12 & NE19-52-12 in June, 1920.						
635	135212-4-1	DIED 13-May-35; Application for title by S.S. PARKER (Son)	Came to W.L. from Galahad, Ab. Married with family. Homestead on SE22-52-12 & NE19-52-12 in June, 1920.	18-Jan-40	20-Feb-40	16685	Post 1930		
636	135212-4-2	HAY RESERVE					Post 1930		
637	145212-1-1	Farming in the vicinity when absent from homestead	Came from Oriska, Ont. with brother Jack.	06-Aug-24	15-Nov-24	4204936	S - 6.17	1-Sep to 31-Oct-20 1-Jun to 31-Dec-21, 1-Mar to 30-Sep-23 Jun & Jul, 1924	16 x 24 Log; built Aug, 1920
638	145212-2-1	ABANDONED				4204934	S - 6.17		
639	145212-2-2	Formerly from Regina, Sk.; travelling Slesman for Canadian Oil Co. and in Regina during absences		09-Sep-25	11-Nov-25	4204934	S - 6.17	3-Feb to 8-May-21 1-Oct to 15-Apr-22 4-Oct-22 to 31-May-23 1-Oct-23 to 15-Mar-24	18 x 22 Log; built Feb, 1921
640	145212-3-1	USA citizen (Wisconsin); Patent application by son John DILLON of Wokeley, Sk.		25-Jul-25	7-Oct-25	4204938	S - 6.17	Continuous from Spring, 1920 until death	17 x 21 Log; built Spring, 1920
641	145212-4-1	ABANDONED				4204940	S - 6.17		
642	145212-4-2	ABANDONED	Married Dirkje Stolze from Belbutte in 1927. Her family came from the Netherlands in 1913, she worked at Emerson Ranch.			4204940	S - 6.17		
643	145212-4-3	GPR employee at Moose Jaw during absences from homestead		25-Jun-28	20-Aug-29	4204940	S - 6.17	1-May to 30-Jun-24 1-Sep to 30-Jun-25 15-Jan to 30-Jun-25 Continuous since Jan 27	18 x 24 Log; built May, 1924
644	235212-1-2			12-Mar-31	5-Oct-31	449	Post 1930		
645	235212-2-2	ABANDONED					Post 1930		
646	235212-2-3	ABANDONED					Post 1930		
647	235212-2-4	Application for Patent filed by... Patent application by... Aug 27 denied		26-Sep-31	21-Mar-33	1524	Post 1930		
648	235212-4-1	ABANDONED				4204948	S - 6.17		
649	235212-4-2		Born 23 Nov 1894. Married to Clara (born Gt Holland, N.D. USA) in Edmonton on 04 Apr 17. Mentioned fire had been in W.L. area.	26-May-28	8-Aug-28	4204948	S - 6.17	Continuous since 13-Jan-23	18 x 26 Log; built 5-Jan-23
650	245212-1-1		Born to the north west of Belbutte in 1912. Father had NE, SE, SW, NW sections of 1/4. Mother had NE, SE, SW, NW sections of 1/4. In 1913 Married in D.C. moved to W.L. area. In the community, lived at another Wichekan.	22-Jul-24	22-Dec-24	3057486	S - 6.17	Residence in the vicinity on NE 32-52-11 since June, 1921	
651	245212-2-1	HAY RESERVE					Post 1930		

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	ID NUMBER	QUARTER	SECTION	TOWNSHIP	RANGE	LAST NAME	FIRST NAME	ETHNICITY	BIRTHPLACE	LAST RESIDENCE	AGE	MARITAL STATUS	OCCUPATION	DATE OF ARRIVAL
652	245212-2-2	NE	24	52	12	BEATTY	John Stewart							13-Oct-26
653	245212-2-3	NE	24	52	12	WRIGHT	James							05-Feb-29
654	245212-2-4	NE	24	52	12	WILKIE	Thomas Ernest							16-Jul-31
655	245212-2-5	NE	24	52	12	DANYLUK	John							13-Oct-32
656	245212-2-6	NE	24	52	12	BEATTY	John Stewart		Ont.	Idylwild, Sk.	23	S	Farmer	11-Oct-26
657	245212-2-7	NE	24	52	12	WRIGHT	James	British	Warrickshire, ENGLAND	Witchekan Lake, Sk.	63	S	Farmer	27-Dec-28
658	245212-3-2	SE	24	52	12	PARKER	Wyman Miner			Galahad, Ab.				31-Mar-21
659	245212-3-3	SE	24	52	12	McGOWAN	Arthur Nedwell							20-Aug-28
660	245212-4-1	SW	24	52	12									
661	245212-4-2	SW	24	52	12	PARKER	Wyman Miner							22-Jul-31
662	255212-1-1	NW	25	52	12	ROWNEY	William	Australian	New South Wales, AUSTRALIA	Saskatoon, Sk.	29	S	Farmer	30-Mar-20
663	255212-1-2	NW	25	52	12	McMASTER	Orlando			Witchekan Lake, Sk.				
664	255212-1-3	NW	25	52	12	WEIDENDORF	Norman		Ont.	Highgate, Sk.	23	S	Farmer	04-Oct-22
665	255212-1-4	NW	25	52	12	DIEHL	George Albert		Sask.		26	S	Farmer	04-Jun-24
666	255212-2-1	NE	25	52	12	ROWNEY	John	Irish	County Down, IRELAND		27	S	Farmer	20-Mar-20
667	255212-3-1	SE	25	52	12	BATTERS	Francis James			Witchekan Lake, Sk.				09-Jun-21
668	255212-3-2	SE	25	52	12	BLACK	Robert James							11-Dec-24
669	255212-4-1	SW	25	52	12	McGOWAN	George Wilfred Hubert		Grand Valley, Ont.	Asquith, Sk.	19	S	Farmer	18-Jul-19
670	265212-2-1	NE	26	52	12					Witchekan Lake, Sk.				
671	265212-2-2	NE	26	52	12	McDONALD	John Jack			Witchekan Lake, Sk.				13-Mar-29
672	265212-3-1	SE	26	52	12	ARGENT	Carl Cartwright		Ont.	Witchekan Lake, Sk.	22	S	Farmer	24-Aug-20
673	265212-3-2	SE	26	52	12	MUDRAK	Alexander	Ukrainian	Southern BUCKOVENIA	Big River, Sk.	36	S	Farmer	23-Nov-22

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	O	P	Q	R	S	T	U	V
	ID NUMBER	NOTES FROM ARCHIVAL SOURCE	NOTES FROM SECONDARY SOURCES	DATE OF PATENT APPLICATION	DATE PATENT ISSUED	FILE NUMBER	FILE SOURCE	RESIDENCY	HOUSE
652	245212-2-2	Subject to HAY RESERVE to A. C. LEARMOUTH - cancelled 14 Dec 28 as BEATTY in jail for 2 years					Post 1930		
653	245212-2-3	SECOND HOMESTEAD ABANDONED 18 Aug 30 Father in law to A.N. MCGOWAN					Post 1930		
654	245212-2-4	CANCELLED 23-Sep-32					Post 1930		
655	245212-2-5	\$228.00 paid for 156 acres		15-Feb-40	13-Aug-40	17440	Post 1930		
656	245212-2-6	ABANDONED University of Regina, Sask. Next of Kin Mrs. Winnifred B. McGowan - Witchekan Lake Sask.				4204950	S - 6.17		
657	245212-2-7					4204950	S - 6.17		
658	245212-3-2	ABANDONED Homestead proved with cattle/stock & fencing					Post 1930		
659	245212-3-3			05-Jun-34	18-Jul-36	10154	Post 1930		
660	245212-4-1	HAY RESERVE					Post 1930		
661	245212-4-2	ADJOINING HOMESTEAD		15-Jul-37	14-Aug-37	12491	Post 1930		
662	255212-1-1	ABANDONED SOLDIER GRANT.				4102407	S - 6.17		
663	255212-1-2	ABANDONED				4102407	S - 6.17		
664	255212-1-3	ABANDONED				4102407	S - 6.17		
665	255212-1-4	Lack of funds, so worked @ Marcein as farm labourer for 5 months in 1925 - wages not paid, poor wages Winter of 1925-26		23-Aug-30	30-Sep-30	4102407	S - 6.17	Since 4-Jun-26	18 x 20 Log; built summer, 1924 or June, 1925
666	255212-2-1	SOLDIER GRANT, resided in vicinity on NE 36-52-12 W3 and farming @ North Battleford when absent	Born 03-Oct-1893. Married to Irene Blanch Hannam 19-Mar-43.	23-May-28	2-Oct-28	4204922	S - 6.17	Residence on NE 36-52-12 1-Apr to 1-Sep-23 15-Nov-23 to 18-Aug-24 - Continuous since 15-Aug-26	20 x 20 Log; Built 15-Feb-27
667	255212-3-1	SOLDIER GRANT. ABANDONED 11-Jun-21, CANCELLED 1-Dec-24					Post 1930		
668	255212-3-2	Brother-in-law to G.W.H. MCGOWAN	Came from Brandon, Mb.	16-Aug-29	29-Aug-39	15653	Post 1930		
669	255212-4-1	Freighting @ Big River during absences from homestead	Came from Dufferin County, Ont. as harvester in 1914. Sold homestead in 1946 - purchased Hare place (Crowe L.) - Idylwild P.O. Born in Ont.; moved to Asquith with parents.	23-May-28	7-Aug-28	4204918	S - 6.17	1-Apr to 31-Nov-25, 10-Mar to 15-Dec-26, 1-Jan to 23-May-28	19 x 31 Log; built July 25, 1923
670	265212-2-1	HAY RESERVE for Settlers					S - 6.17		
671	265212-2-2	SECOND HOMESTEAD		01-Feb-35	22-Jun-36	10089	Post 1930		
672	265212-3-1					4204914	S - 6.17		
673	265212-3-2	Applied for Naturalization 22 Nov-22; Naturalized 10 Dec-27	Born in 1888. SECOND HOMESTEAD on SW27-52-12	25-Aug-28	11-Sep-28	4204914	S - 6.17	15-Feb to 10-Sep-25, 15-Feb to 10-Dec-26, 15-Feb to 5-Oct-27	18 x 18 Log; built Summer, 1923

WITCHEKAN LAKE RESERVE SELECTIONS SETTLER.RAW DATA.ID NUMBER

	A	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH	AI
1	ID NUMBER	BUILDINGS	ACRES BROKEN	ACRES CROPPED	ACRES HAY	FENCE	CATTLE	HORSES	HOGS	SHEEP	GRAZING	OTHER HOMESTEAD	FILE NUMBER	DATE
652	245212-2-2													
653	245212-2-3													
654	245212-2-4													
655	245212-2-5													
656	245212-2-6													
657	245212-2-7											1) NW 4-35-17 W3 2) SW 24-33-12 W3	1) Faint 2) Abandoned 20-Aug-26	
658	245212-3-2													
659	245212-3-3													
660	245212-4-1													
661	245212-4-2													
662	255212-1-1													
663	255212-1-2													
664	255212-1-3													
665	255212-1-4	18 x 18 Log Stable; 14 x 16 Log Granary; 10 x 11 Building	1924 - 5 1926 - 10 1927 - 11 1928 - 10 1929 - 14 1930 - 17	1924 - 5 1925 - 5 1926 - 5 1927 - 10 1928 - 21 1929 - 31 1930 - 45		2.5 miles Wire		1924 - 4 1925 - 4 1926 - 4 1928 - 4 1929 - 3 1930 - 4	1928 - 5 1929 - 5 1930 - 4			W & S		
666	255212-2-1	Log Stable; Log Granary; 18 ft. Well	1925 - 22 1926 - 20	1927 - 42 1928 - 42		All - 2 Wires		1926 - 5 1927 - 7 1928 - 6			S	NE 36-52-12 W3	Acquired 4 Nov-14	
667	255212-3-1													
668	255212-3-2													
669	255212-4-1	Log Stable; Lumber Granary; Storehouse; 14 ft. Well	1925 - 11 1927 - 5	1925 - 8 1926 - 11 1927 - 11 1928 - 16		All - 3 Wire		1925 - 44 1926 - 36 1927 - 40 1928 - 28	1925 - 12 1926 - 12 1927 - 15 1928 - 13	1925 - 1 1926 - 6		W & S		
670	265212-2-1													
671	265212-2-2													
672	265212-3-1													
673	265212-3-2	20 x 36 Log Stable; 18 x 18 Granary; 9 x 14 Granary; 10 ft Cribbed Well	1924 - 5 1925 - 15 1926 - 15 1927 - 3	1924 - 5 1925 - 22 1926 - 30 1927 - 45		All - 3 strand Wire		Horses each year						