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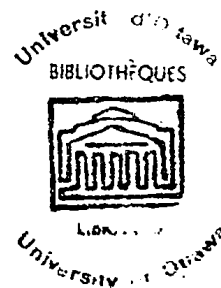
"CIVILIZING" THE INDIAN: GOVERNMENT
ADMINISTRATION OF INDIANS,
1876-1896

by Marion Joan Boswell

[V. 1]

Thesis presented to the School of Graduate Studies
in partial fulfillment of the requirements for the
degree of Doctor of Philosophy in History

UNIVERSITY OF OTTAWA
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CURRICULUM STUDIORUM

Marion Joan Boswell (nee-Young) was born September 19, 1938 in Toronto, Ontario. She received her Bachelor of Arts degree in Economics and History from the University of New Brunswick, Fredericton, New Brunswick, in 1959. She completed her Master of Arts degree in Canadian Studies at Carleton University, Ottawa, Ontario, in 1966.

CHAPTER I

INTRODUCTION

The administration of some of Canada's reserve Indians from 1876 to 1896 is the subject of this thesis. In 1867 the British North America Act had given the federal government responsibility for Canada's Indians. By 1876 many Indians were living on reserves; the government had committed itself to the paternalistic policy of protecting them from exploitation, of teaching them new skills so that they could master their changing environment and of providing for those tribesmen unable to look after themselves. The Indian Act of 1876 set up the formal legal framework for the government's paternalistic policy and established the basis for the future management of Indians.

The Indian Act of 1876 introduced one of the most significant twenty year periods in the history of Indian affairs in Canada. For prairie Indians it was a time of hunger, turmoil and crisis; for government it was a period demanding large scale intervention and the formation of new programs. Since government action in these years laid the foundation for all future Indian policy this twenty year period deserves careful study.

This thesis, therefore, deals with those facets of Indian administration which directly affected the Indians:

the legislation; Departmental organization; and specified programs for education, economic activity, health and welfare. It does not discuss Indians per se; it discusses their administration by non-Indians.¹ Such peripheral subjects as Departmental officials' use of patronage, Dominion-provincial disputes over Indians and their reserves, the sale of Indian land and timber were considered outside its scope. Nor have the Indians of British Columbia been included; their situation was so different that they, too, were considered outside the scope of this study. This thesis deals with government management of the Indians from the Atlantic to the Rocky Mountains.

The chief primary sources were the Annual Reports of the Department of Indian Affairs, the Departmental files Public Archives Canada, Research Group 10 (P.A.C., R.G. 10), the Canadian House of Commons Debates (1876-1896) and the Statutes of Canada (1876-1896). For particular aspects, the papers of Sir John A. Macdonald and Edgar Dewdney, Public Archives Canada, Manuscript Group 26 and 27 (P.A.C., M.G. 26, M.G. 27) were valuable.

Among secondary sources anthropologists were the most prolific but they describe the Indians as they are; only incidentally do they look at the tribe's history or at government management of Indians. Other contemporary

¹Non-Indians is used throughout this thesis to mean all those who were not Indians. To the writer "white" seemed to be both pejorative and anthropologically incorrect.

writers also described the Indians; they too were not interested in the government's work with the Indians.

Alexander Morris in his Treaties with the Indians of Manitoba and the North West (1880) does set forth the government's relationship with the Indians; but his presentation of the circumstances of negotiations and the texts of the treaties stops short of discussing the effects of these treaties on the lives of the Indians. Contemporary writers, generally, portrayed the Indians' way of life but not the government's administration as it affected that way of life.

Of course many historians also have written about the Indians as variables in Canadian history; however, only a few have dealt with the government's post-Confederation administration of the Indians. Among those few some write primarily about the Indians, some deal with events in which the Indians and their administration by the government play a large role, and others portray men who were important in the administration of Indian affairs. Palmer Patterson is one of the few to have written exclusively about the Indians. In The Canadian Indian: A History Since 1500 (1972) he provides a panoramic overview of four centuries. J. E. Chamberlain also devotes himself to Indians in The Harrowing of Eden: White Attitudes towards North American Natives (1975). In this book he examines the Indian in the context of non-Indian society; in so doing he does discuss reserve life but since his period is long and administration is not his concern he gives administration only passing attention.

George F. G. Stanley belongs in the second category; his The Birth of Western Canada (1936) is a study of the development of the post-Confederation west which provides a great deal of valuable information about the Indians and their administration. Among the portrait painters Donald Creighton, in volume two of his study of Sir John A. Macdonald John A. Macdonald: the Old Chieftan (1955), draws a detailed picture of the man responsible for important Indian policies; however, he draws the man but provides no picture of the Department which he headed.

Although the historians in their treatment of a number of subjects give many details about the administration of the Indians, two contemporary civil servants, one American and one Canadian, describe the actual organization and operation of the administration of Indian Affairs as it had evolved and as it was when they knew it. Frederick Abbott, the American, wrote The Administration of Indian Affairs in 1909. Duncan Campbell Scott, a Canadian who was Deputy Superintendent General of the Department, contributed "The Administration of Indian Affairs 1867-1912" which appeared in volume VII of Canada and Its Provinces edited by Shortt, and Doughty in 1913. Both were written many years ago. New information and the perspective of time enable a contemporary writer to add to the observations made by these two men.

There is, however, a recent study of Indian policy "The Development of Federal Indian Policy in Canada

1840-1890" a 1975 Ph.D. thesis written by J. D. Leighton. Leighton's study concentrates largely on the period before 1876. As in his work, this thesis examines the governments' objectives but, in addition, it provides a much more detailed study of the general implementation of policies.

The material for this thesis is divided into three sections. The first section, chapters II and III, describes the British and Canadian policy of pacifying the Indians and placing them on reserves. The second, chapters IV, V and VI, discusses legislation applying to reserve Indians and the organization and staff of the Indian Department. The third, chapters VII, VIII and IX, describes the implementation of policies as they applied to three major areas of Indian life: education, economic activity and social life. The Conclusion, chapter X, assesses the overall effect of government policy which is characterized as having been racist and paternalistic.

CHAPTER II

PACIFICATION

From the beginning of colonization in North America both British and French governments based their Indian policy on the premise that Indians were dangerous. The Indians' physical appearance, unfamiliar culture, mysterious, unpredictable wanderings and numerical superiority made non-Indians apprehensive.¹ Later experience justified the non-Indians' initial fear; Indians did disrupt trade, did destroy settlements, did kill settlers and traders. Hence, in the British and French North American colonies, one of a government's tasks was to decide whether to win the Indians' friendship or to destroy them. If a government chose to win their friendship, economic development could proceed without interference; and, in war time it could claim its Indian friends as military allies. So, from the first, some governments set out to make peace with and to control the Indians.

¹By 1876 the 91,910 Indians lived in the various provinces and territories of Canada: P.E.I., 302; Nova Scotia, 1,849; New Brunswick, 1,561; Quebec, 10,809; Ontario, 15,305; Manitoba and the North West Territories, 25,394; Rupert's Land, 5,170; and British Columbia 31,520. Only about 24,010 lived on reserves. Canada, Sessional Papers (No. 9) 1876, p. 87; Canada, Sessional Papers (No. 11), 1877, p. 7.

Even as early as 1670 King Charles II of England proclaimed that in the interest of peace and justice the Indians of North America should be treated fairly and protected from exploitation:

As most of our colonies do border upon the Indians, and peace is not to be expected without due observance and preservation of justice to them, you are . . . to command all the Governors that they at no time give any just provocation to any of the said Indians that are at peace with us.²

The King also issued orders that all Indians who placed themselves under British protection should be well treated by the various Governors:

The Governors do by all ways seek fairly to oblige them and that they do employ some persons to learn the languages of them, and that they do not only carefully protect and defend them from adversaries but that they more especially take care that none of our own subjects nor any of their servants, do any way harm them.³

In some British colonies the colonists, because of their fear of the Indians, obeyed the King's directives; but in other British and European colonies the population persecuted and exterminated North American natives.

When the French and English continental wars extended to North America, each nation sought Indian allies to terrorize its enemies and increase its chances of

²Canada, Legislative Assembly Journals, Session 1844-5. Appendix to Vol. 4, Appendix EEE, unpagged.

³Ibid.

victory. The usefulness of these Indian allies varied greatly since all Indian tribes were not by nature adept fighters. The wrong choice could prejudice the outcome of battles for years to come.⁴ But regardless of their level of military skills, North American Indian allies fought enthusiastically; they used unorthodox and terrifying guerilla tactics. Acts of heroism and magnanimity were balanced by those of "bloody revenge and savage cruelty."⁵ The peacetime suspicion of the destructive potential of the Indian was confirmed by wartime evidence of the Indians' ferocity; no one in North America underestimated their potential as violent, relentless and deadly warriors.

As the French-English wars continued, the English took over some French lands; English officials then came to terms with those Indians who had been French allies. Realizing that the fortunes of war might return the land to the French, the English worked to ensure at least the Indians' future neutrality. After Nova Scotia became a British possession in 1713 the British concluded treaties with the Indians. The latter, part of the vanquished,

⁴In 1609 when Champlain allied himself with the Montagnais and Algonkins against the Iroquois he chose the weaker side. The resulting continuing Iroquois superiority and hostility towards the French threatened the Jesuit proselytizers, fur traders and French military forces. The Jesuit Relations, the ongoing reports of the trials and tribulations of the Jesuits in North America, provided France with a continuing saga of the confrontations between the Jesuits and the Iroquois. See, R. Thwaites, ed., The Jesuit Relations.

⁵Report 1844, Appendix EEE, unpagged.

agreed to acknowledge British sovereignty, accept British settlement, make restitution for plunder, accept responsibility for the actions of all members of their group and hand over law-breakers for punishment.⁶ In a later treaty 1752-1753, the signing Indians also agreed to recruit other tribesmen to support the British; in this way, the Indians of the area moved from neutral acceptance to positive support of the British.⁷

In 1749 when a colonial official took matters into his own hands and rejected the established British policy of negotiation and conciliation he was firmly reprimanded. Governor Cornwallis of Nova Scotia, in response to Indian attacks on and harassment of the forts at Canso and Chebucto, decided to wipe out the attackers. He refused to declare war because "to do so would be to own them a free people, Whereas they ought to be looked on as Rebels . . . as so many Banditte, Ruffians and treated accordingly."⁸ He initiated a program to "annoy, distress and destroy the Indians everywhere," and promised "a premium . . . of Ten Guineas for every Indian killed or taken Prisoner."⁹ Although the Lords

⁶ R. O. MacFarlane, "British Indian Policy in Nova Scotia to 1760," *Canadian Historical Review* XIX (1938), p. 154; Elizabeth A. Hutton, "The Micmac Indians of Nova Scotia to 1834" (M.A. dissertation, Dalhousie University, 1961), pp. 136-37.

⁷ Hutton, "Micmac," pp. 136-37.

⁸ MacFarlane, "British Indian Policy," p. 161, Quote from Public Archives of Nova Scotia, Papers A 35, pp. 79-81, 122-23.

⁹ Ibid.

of Trade in England, the directors of colonial policy, agreed that Indian harassment was annoying and upsetting, they affirmed the Indians' usefulness as military allies and reiterated their long established policy of maintaining peace as their first priority:

Too great Endeavours cannot be made to gain over the Good Will and fix to us the preference of the Indians . . . it is true some expense may and will be necessary on this account but a little Money so laid out will be the means of avoiding many heavier Charges necessarily arising from an Indian war.¹⁰

Cornwallis was compelled to conform and peace was re-established in Nova Scotia.

At the close of the French-English wars the terms under which the Indian allies of the French living in what later became the provinces of Prince Edward Island, Nova Scotia, New Brunswick and Quebec became subjects of the English were generous and conciliatory. In 1759 the Fortieth Article of the Capitulation of Montreal announced that, "the Savages or Indian Allies of His Most Christian Majesty shall be maintained in the land they inhabit . . . they shall not be molested on any presense whatsoever for having carried arms and served His Most Christian Majesty,"¹¹ and, in 1763, the Proclamation Act acknowledged the Indians' occupation of their land in the British colonies:

¹⁰ Ibid., p. 163.

¹¹ Report 1844, unpagued.

It is just and reasonable and essential, to our interest and the security of our Colonies, that the . . . Tribes of Indians . . . should not be molested or disturbed in the possession of such part of our Dominions and territories, as not having been ceded to us, are reserved to them.¹²

The Proclamation Act went a step further and closed the western frontier, the western side of the Appalachian watershed, to non-Indian settlement; the ferocity and magnitude of Pontiac's uprising early in 1763 had underlined the widespread Indian resentment over non-Indian encroachment in the west.¹³ The Act noted that "great frauds and abuses have been committed in the purchasing [of the] land of the Indians to the great prejudice of our interests, and to the great dissatisfaction of the said Indians," and decreed that only the government would negotiate for and sell Indian land.¹⁴

The British, convinced that avoiding Indian hostility depended partly on protecting them from unscrupulous traders, had established truck houses in New England and Nova Scotia as early as 1694.¹⁵ Truck houses were trading posts built

¹²Report 1844, unpagged; For a more detailed discussion of the Proclamation Act see Peter A. Cumming and Neil H. Micklenberg, eds., Native Rights in Canada, 2nd ed. (Toronto: General Publishing, 1972), pp. 23-29.

¹³Pontiac led an alliance of several tribes and took over almost all the military forts on the western frontier between May and October 1763. For details see: Howard H. Peckham, Pontiac and the Indian Uprising (Princeton: Princeton University Press, 1947).

¹⁴Report 1844, unpagged.

¹⁵Ibid.

and operated by the government; these houses established fair prices for goods and furs and did not sell liquor. Begun in Massachusetts, truck houses first appeared in Nova Scotia in 1760 when one Benjamin Garrish was appointed, "Agent or Commisary on behalf of the Publick for carrying on a Commerce, with the Indians."¹⁶ Unfortunately, the truck houses failed to protect the Indians from exploitation. Still convinced of the need to protect Indians from non-Indian unscrupulousness, the British government included new regulatory trade provisions in the Proclamation Act of 1763. One of these allowed non-Indians to trade with the Indians, "provided that every person who may incline to trade . . . do take out a license for carrying on such trade."¹⁷ To obtain a license the trader gave as security a bond, which he forfeited if he refused to conform to the regulations. Another of these regulations stipulated that no liquor was to be used in barter; and another, that firearms useful only for hunting, not for warfare, were to be given to the Indians.¹⁸ With such laws the British hoped to avoid the kind of economic exploitation which might anger the Indians. Thus the British, at least after 1763, followed a policy of conciliation and pacification to avert the potentially disruptive anger of dissatisfied Indians.

¹⁶Hutton, "Micmac," p. 161.

¹⁷Report 1844, unpagd.

¹⁸Ibid.

The use of Indians as military allies in North America continued after the Conquest. Those Indians who fought on the British side during the American Revolution received land grants in the remaining British colonies as a reward for their service.¹⁹ In 1812 when British American tension again resulted in war, the British renewed their agreements with Indian allies and even though an improvement in weapons after 1814 decreased non-Indian reliance on Indian guerilla fighters, the British, and, later, the Canadian governments, continued to respect the Indians' military potential. As settlement moved westward in the second half of the nineteenth century militant Indians in the United States and Canada demonstrated that even when pitted against professional soldiers Indians remained a dangerous force.²⁰ Governments wisely continued the policy of keeping the Indians as allies knowing it was safer to have Indians with them than against them.

In fact, the increasing volume of non-Indian settlement in the west of Canada and in the Hudson's Bay Company territories between 1850 and 1877 disturbed the Indians. The Canadian government, anxious to avoid war, negotiated treaties with the Indians. In what is today Ontario, the

¹⁹ The Indians of the Iroquois Confederacy were divided by the American Revolution; some fought on each side.

²⁰ American history abounds with examples of skirmishes with the Indians in which cavalry was bested; the most famous was General Custer's fight at the Little Big Horn in Dakota in which all the soldiers were killed by Sitting Bull and the Teton Sioux.

impetus for meeting the various bands in 1850 was the discovery of minerals around Lakes Huron and Superior.²¹ In 1862 it was the movement of non-Indian settlers to Manitoulin Island, long an Indian reserve, which provided the impetus.²² Further west in the Red River Valley, the Indians had accepted the early colonizers, the Selkirk settlers, and signed a treaty with them in 1817; but by the late sixties the influx of greater numbers of non-Indian settlers into Manitoba led the Indians to ask for new negotiations and a new treaty to protect their land from the encroaching settlers. The government forestalled trouble by anticipating settlement and negotiating before settlers arrived.

As a result, between 1870 and 1877 government agents, the Commissioners, negotiated treaties with most of the Indians in what is today Manitoba, Saskatchewan and Alberta. They offered guaranteed protected reserves and a variety of material goods in return for the surrender of Indian claims to large tracts of land. The reasons that the Indians were willing to accept the terms varied according to local circumstances. Those living in the woodlands of western Ontario and eastern and northern Manitoba had seen the arrival of so many non-Indians that they wanted areas set aside for their

²¹In 1850 the Robinson Huron, Robinson Superior Treaties involved 2,662 Indians living around the two lakes. The Indians received annuities, reserves, liberty to fish and hunt on unceded Crown lands.

²²Alexander Morris, The Treaties of Canada with the Indians of Manitoba and the North West Territories (Toronto: Belfours, Clark, 1880), pp. 16-21, 22-24.

own use; they wanted compensation for land they were giving up and they wanted material assistance. Those living on the western plains faced two crises: starvation resulting from the disappearance of the mainstay of their economy, the buffalo; destruction of the Indian way of life by American whiskey traders and other villains and desperados. These adventurers had moved into the power vacuum created by the departure of the Hudson's Bay Company; they were using the absence of police and military forces to create havoc among the native population. Realistically, the Indian leaders were prepared to accept life on the reserve in exchange for food and protection which they hoped the Canadian government would feel committed to provide once it had signed treaties with the Indians.

But because of the uneasy economic and political climate in the west it took six years to negotiate mutually acceptable terms. The process began in 1871 with the negotiating and signing of Treaties 1 and 2 with the Indians of southern Manitoba. These treaties granted per capita annual payments, land allotments of one hundred and sixty acres to each family of five, and specified goods and livestock.²³ In the same year government Commissioners began talks with the Indians in the Lake of the Woods region of Ontario and Manitoba. This area was strategically important because the Dawson route, the overland trail from the head

²³ Ibid.

of the Great Lakes to Winnipeg crossed it. The Dawson route was to be the future path of the Canadian Pacific Railway. The Indians had been harassing Dawson route travellers for years; if western settlement was to proceed the government had to come to terms with these Lake of the Woods Indians in order to make the Dawson route safe. But these Indians refused the terms of Treaties 1 and 2; they wanted larger grants. The government finally agreed to be more generous and the Indians signed Treaty 3 in 1873. Alexander Morris, Lieutenant Governor of Manitoba and principal negotiator of many of the treaties, wrote that Treaty 3 "was . . . of great importance, as it not only tranquillized the large Indian population affected by it, but eventually shaped the terms of all treaties, four, five, six and seven."²⁴ Treaty 3 Indians received annual payments of five dollars, farm implements, livestock, special presents for chiefs and six hundred and forty acres for a family of five.²⁵

Further west, Canada had to strengthen its tenuous hold on the former Hudson's Bay Company territory before negotiating with the Indians. In 1871 Captain William Francis Butler, formerly of the British army, was sent by the Lieutenant Governor of Manitoba to visit the Hudson's Bay Forts on the Saskatchewan river, to give the Indians who were suffering the ravages of a severe smallpox epidemic any possible help, and, generally, to assess the situation.

²⁴Ibid., p. 45.

²⁵Ibid., p. 39.

His report, the Great Lone Land, an account of his one hundred and nineteen day journey in the winter of 1870-1871, became a classic. In it he wrote that conditions of anarchy prevailed:

The region of the Saskatchewan is without law, order, or security for life or property; robbery and murder for years have gone unpunished; Indian massacres are unchecked even in the close vicinity of the Hudson's Bay Company posts and all civil and legal institutions are entirely unknown.²⁶

He also maintained that the Cree who formerly "looked upon the white man as their friend" were changing, and, barring positive action by the government, their attitude would soon, "deepen into . . . enmity."²⁷ Butler feared that the deteriorating situation, the disappearing buffalo, the evil whiskey sellers, unscrupulous traders and lawless renegades praying on the Indians would result in serious trouble:

All precautions should be taken to prevent the outbreak of an Indian war . . . I would urge the advisability of sending a Commissioner to meet the tribes of the Saskatchewan . . . the real Indian question exists many hundred miles west of Manitoba in a region where the red man wields a power and influence of his own.²⁸

²⁶William Francis Butler, The Great Lone Land (London: Sampson, Low, Marston, Low and Searle, 1892), p. 367.

²⁷*Ibid.*, p. 358. In 1871 the Cree Chiefs sent the following message to the government: "Our country is getting ruined of fur bearing animals . . . We want you to pity us . . . Make provision for us against years of starvation. We have had great starvation the past winter, and the smallpox took away many. . . . We want you to stop the Americans from coming to raid on our land, and giving firewater, ammunition and arms to our enemies the Blackfeet." Morris, Treaties, p. 71.

²⁸Butler, Great Lone Land, p. 384.

The greatest problem was the absence of a police force to enforce the government's laws. In 1873 parliament authorized the creation of the North West Mounted Police, a para-military organization. The first mounted police went west in the summer of 1874; by 1875 they had established order and driven the American desperados and whiskey traders south of the border.²⁹

Although Butler had warned in 1871 of the possible danger and the Indians themselves had sent messages asking for negotiations, it was 1875 before the west had settled down sufficiently to permit Commissioners to begin negotiations, first in what is today southern Manitoba and Saskatchewan and then farther west. In 1875 the Commissioners discussed and concluded Treaty 4 with the Assiniboines and Plains Cree and Treaty 5 with the Saulteaux and Swampy Cree. When the Commissioners went farther west to the Cree Indians of the North Saskatchewan and Battle River area, they faced sharp hostility; the Cree felt they had been ignored for too long. However, the negotiators persevered and in 1876 persuaded the Cree to sign Treaty 6.³⁰ This was an important treaty, partly because it was accepted by a large number of the militant Cree, but chiefly because it contained additional clauses which had not appeared in the first five

²⁹George F. G. Stanley, The Birth of Western Canada, 2nd rev. ed. (Toronto: University of Toronto Press, 1966), pp. 202-3.

³⁰Morris, Treaties, p. 179.

treaties. One of these clauses promised government aid and rations in times of "pestilence," or "general famine."³¹ The Minister of the Interior wrote, in the 1876 Annual Report, that he regretted the Commissioners' promises which he correctly anticipated would "cause the Indians to rely upon the Government instead of upon their own exertions for sustenance."³² Although several chiefs, notably Big Bear and Poundmaker, rejected the terms, nevertheless a treaty of peace had been made with the majority of the Cree of the Saskatchewan.

In the following year, 1877, the Blackfoot of southern Alberta agreed to Treaty 7 containing the same provisions as those of Treaty 6. Many people expressed amazement that the fiercely independent Blackfoot would sign any treaty; but the Blackfoot, suffering from the depredations of the unscrupulous whiskey traders, anxious about the decreasing size of the buffalo herds and witnessing the persecution and near annihilation of the American Blackfoot and Nez Perce, were prepared to heed the advice of Crowfoot, one of their chiefs, who perceived that only by signing might they survive.³³ And so by 1877 most western Indians living in areas likely to be coveted by settlers had been

³¹Toronto Globe, October 30, 1877, "The Blackfoot Treaty."

³²Canada, Department of Indian Affairs, Annual Report (Ottawa, 1876), p. xi. D. Mills.

³³Morris, Treaties, p. 249.

shifted to reserves and the peaceful surveying and occupation of western Canada by non-Indians could proceed without violence.

Yet the danger of Indian eruptions continued. During 1876 while the peaceful negotiations with the Cree and Blackfoot were under way, a band of Teton Sioux led by Sitting Bull, wiped out General George Custer and his troop of American cavalry at the Battle of the Little Big Horn; Sitting Bull fled to Canada for sanctuary. His presence placed a strain on Canadian-American relations; the Americans wanted him back but the Canadians felt morally obliged to permit him to stay.³⁴ But Sitting Bull was such a militant, dangerous Indian that he frightened westerners; they feared he might organize discontented Canadian and American Indians into a formidable Indian force. Moreover, many Canadian plains Indians, hard pressed to survive because of the greatly depleted buffalo herds resented the additional competition for this scarce animal from the large band of American Sioux. For three years Sitting Bull and his followers

³⁴Public Archives of Canada (P.A.C.), Confidential Papers relating to Sioux Indians, Interview between Commissioner MacLeod of the N.W.M.P. and Sitting Bull and other Sioux at Fort Walsh, October 17, 1877 during which the Commissioner agreed that they could remain but instructed them "As long as you behave yourselves the Queen's government will not drive you out. . . . After the buffalo are all destroyed you will have to seek some other method of living, as all that you can expect from the Queen's government is protection from your enemies, and that only as long as you behave yourselves."

remained in Canada. Their departure in 1879 was a relief. Their presence in Canada had been a constant cause of concern and a reminder of the possibility of violence from the Indians.³⁵

Yet even with the treaties signed and Sitting Bull gone, tranquility failed to materialize on the prairies. The abrupt but necessary transition of the Indians from nomadic buffalo hunters to sedentary farmers dependent on Canadian government assistance made the Indians bitter and resentful. They turned their anger on the government whose inept management and injudicious political decisions made matters worse. Finally after more than five years of hunger and discouragement a few Indians decided to act; in 1885 they joined Louis Riel in his second rebellion.

Although Treaties 6 and 7 included clauses to protect the Indians from famine, the government had not anticipated that the complete disappearance of the buffalo would occur so quickly and that most prairie Indians would become completely dependent on government assistance. In 1879 conditions had deteriorated so alarmingly that the Blackfoot were described as "very destitute and many on the verge of starvation."³⁶ Edgar Dewdney, the newly appointed Commissioner

³⁵ P.A.C. Manuscript Group (M.G.) 26, 26A1 (a), vol. 140, February 28, 1879. Memorandum from Sir. J. A. Macdonald to the Privy Council.

³⁶ P.A.C., M.G. 26, 26A1 (a), vol. 210, July 22, 1879. Letter from E. Dewdney, Fort MacLeod to Col. Dennis, N.W.M.P., pp. 1-2.

of Indian Affairs, wrote that the Indians had sold their horses, pawned their rifles and were eating dogs, gophers and mice.³⁷ He advised the government to give rations immediately to the Blackfoot; he pointed out that Crowfoot, their most important chief, and the man responsible for the Blackfoot adherence to the treaty needed support; otherwise the young braves would "commit some depradations, and kill the White man's cattle."³⁸ Indeed, during the previous winter many cattle had been killed and "stockmen are so afraid of the Indians killing their cattle, that many are anxious to sell and leave the country."³⁹ Although the Cree and Blackfoot had both signed treaties within a year of each other the plight of the Blackfoot was worse because they had refused to try farming; they had persisted in searching for the vanished buffalo; they would return to the reserves or to the police forts when they had exhausted all their supplies and were forced to accept government rations as the only defence against starvation.

Actually, all prairie Indians who had formerly hunted buffalo now depended to some degree on government rations; consequently the Department's allotment for food for the Indians spiralled; the cost of provisioning the Blackfoot alone rose from \$66,448 in 1879 to \$240,000 in

³⁷ Ibid.

³⁸ Ibid., p. 13.

³⁹ Ibid.

1880.⁴⁰ Even with the best of intentions, instruction and help, superior seed and fine weather it is not likely that the Indians' reserves would have been able to provide enough food for the tribesmen. In fact, lack of will, poor instruction, poor weather, blights and pests, prevented any significant production. Until it was able to change some of these conditions, the government had to accept responsibility for provisioning.⁴¹

Knowing that the public would not accept this cost forever the government tried to use the Indians' dependence on rations to push them into agriculture. One of the first steps was to persuade them to remain on their reserves and plant crops. Yet thousands of Indians in the last years of the seventies and the first of the eighties set off every summer to hunt the elusive buffalo. Every fall they returned empty-handed. In 1881, 1882 and 1883 the Department decreed that only those Indians who had signed the treaties and who lived on reserves would receive annuities and rations. It also announced that police forts would no longer give food; but the utter destitution of the Indians returning from the hunt forced the government to provide at least limited rations at the forts.⁴²

⁴⁰ P.A.C., M.G. A1 (a), vol. 91, August 28, 1883. Acting Deputy Superintendent General R. Sinclair to J. A. Macdonald.

⁴¹ The growth of agricultural production will be discussed in a later chapter.

⁴² Stanley, Birth, pp. 230, 237.

This annual return of Indians to the forts created other problems. In their desperate search for the buffalo, Cree from the north and east, Blackfoot from the south and Assiniboines from the east disregarded the orders to stay on their reserves and moved to the American border and below in search of the herds. They congregated in the Cypress Hills on the Alberta, Saskatchewan, United States border around the North West Mounted Police fort of Fort Walsh. Each year when the buffalo did not come, thousands of angry, hungry Indians came to the fort demanding rations. Their presence in the area was a threat to peace and security. On July 27, 1881, the agent at the fort wrote, "the Indians here are unmanageable unless they are allowed to do as they like."⁴³ He said that either the fort should be abandoned or hundreds more police should be sent. Four days later the agent wrote again of the trouble he was having with the hungry, aggressive Indians:

I did think once I had a good deal of "sand" in me as they say in this country. I made decided stands against the Indians and I maintained them, but the occurrences of the past few days have opened my eyes to the fact that here the Indians are managing us . . . I was told that by not feeding and paying Northern Indians I almost occasioned an outbreak. Yesterday I had a most stormy (on their part) interview with Luckyman's band; they demand beef - they demand their rations in bulk; the next thing they will ask is to have their provisions cooked . . . personally I do not care two straws for the

⁴³ P.A.C., M.G. 26 A1 (a), vol. 210, July 27, 1881.
T. P. Wadsworth, Fort Walsh.

Indians or their threats but I am told if I remain too firm I will cause or bring on trouble.⁴⁴

The government increased the number of police and reaffirmed its policy that Indians not on their reserves were not to be fed or were to receive reduced rations, so reduced that they would barely sustain life. In the next two years those having reserves agreed to go to them and even Big Bear, the most recalcitrant of those who had not signed the treaties added his signature to Treaty 6.⁴⁵ However, in the summer of 1882, in response to a rumour that the buffalo had returned, many Indians again left their reserves and headed south where, unfortunately, they found no buffalo, and returned to Fort Walsh utterly destitute.

Finally, during the winter of 1882-1883,⁴⁶ the buffalo hunters seemed to accept the fact that the government had replaced the buffalo as their source of food and went back to their reserves. The Department closed Fort Walsh and stuck to its decision that Indians would be paid their annuities and supplied with rations only on their own reserves. By late 1883, the thousands of starving buffalo hunters, the Blackfoot horse thieves and cattle killers and the hard core holdouts who initially had resisted signing the

⁴⁴P.A.C., M.G. 26 A1 (a), vol. 210, July 31, 1881. T. P. Wadsworth to A. T. Galt, Fort Walsh.

⁴⁵W. B. Fraser, "Big Bear, Indian Patriot," Historical Essays on the Prairie Provinces, ed. D. Swanson (Toronto: McClelland & Stewart, Carleton Library Series no. 53, 1970), p. 81.

⁴⁶Stanley, Birth, p. 234.

treaties had all come to terms with reality, they were dependent on government rations and had to live peacefully on their reserves to receive those rations.

But old values persisted among some of the plains Indians. One of these values was that a man's worth was determined by his daring as a horse thief. And so, many an Indian, no longer owning large horse herds, took to horse stealing, not only to get horses but also to prove himself a man. By August 1884 the non-Indian farmers and cattle ranchers were desperate:

The settlers there (Moose Mountain) are in a very bad way working all day at harvest, and then sleeping with their horses in the stables, and unless some adequate steps are taken at once . . . the whole country south of the C.P.R. will be demoralized; and settlers will have to leave.⁴⁷

Thus, even when living on the reserves the Indians threatened the property and security of their non-Indian neighbours.

The government tried various plans to encourage Indians on the reserves to farm; it was constantly aware, of course, that too much pressure could result in violence. The primary incentive was rations: more for those Indians who worked; none for those who did not work. Edgar Dewdney, Indian Commissioner, reported that this method was not very effective:

⁴⁷P.A.C., M.G. 26 A1 (a), vol. 212, August 20, 1884. Letter from Birtle, Saskatchewan.

Even where it [more food] is given to the hard workers the lazy ones must suffer and consequently beg from their more energetic friends.⁴⁸

He maintained that sheer force was the only way to get the Indians to work:

The only effectual course with the great proportion to adopt is one of sheer compulsion, by the presence of a few police on each Reserve . . . and . . . force the Indians to a regular daily life of labour . . . [to] be treated . . . as a servant and punished accordingly.⁴⁹

Since there were not enough police to enforce this program the agents continued to hold out promises of extra rations as an incentive. The slowness of the Indians' conversion to farming infuriated many officials whose jobs and reputations depended on their success in reducing the Indians' reliance on rations.⁵⁰ The Indians, in turn, found farming distasteful, many of the crops unpalatable, and the government's threat to apply force and withhold rations enraging. The whole situation was exceedingly volatile.

In 1883 and 1884 Lawrence Vankoughnet, Deputy Superintendent General in Ottawa, in keeping with an austerity program undertaken by the government in a period of economic depression, decreed that rations and staff would be

⁴⁸ P.A.C., M.G. 27 A1 (a), vol. 211, October 6, 1883. E. Dewdney, Regina, to J. A. Macdonald.

⁴⁹ Ibid.

⁵⁰ The agents' reports in the Annual Reports provide a good picture of the problems of agents and farm instructors.

reduced.⁵¹ As a result the Indians suffered severe hardships during 1883 and 1884. The men on the scene, from Commissioner Dewdney down, sent a continuous stream of warnings that unless the Indians were fed they would rise up in revolt.⁵²

The Indians did make several attempts to get satisfaction without violence. Big Bear, one of the strongest chiefs, decided to play on non-Indian fear of the Indians to force concessions from the government.⁵³ He wished to create the threat of war without actually starting one; he used his reputation and leadership to persuade several hundred Indians to collect and act in a threatening manner without actively breaking the peace. In the spring of 1884 Big Bear led about five hundred of his followers to Battleford; here, just outside the town, they set up camp. Despite North West Mounted Police orders to move, they remained. They did nothing overtly aggressive but their very numbers and the uncertainty of their intentions intimidated local non-Indian residents and government officials.⁵⁴

In June Big Bear's band and other Cree from the area congregated on Poundmaker's reserve near Battleford,

⁵¹P.A.C., M.G. 26 A1 (a), vol. 212, September 10, 1884. H. Rae to E. Dewdney; Stanley, Birth, p. 269.

⁵²See the Macdonald Papers, P.A.C., M.G. 26 A1 (a) for the year 1884 for numerous examples of these warnings, particularly from E. Dewdney.

⁵³Fraser, "Big Bear," p. 83.

⁵⁴Ibid.

ostensibly for ceremonial dances, but really to plan future collective strategy.⁵⁵ The meeting ended abruptly. An overly enthusiastic warrior assaulted a Department employee, the reserve farm instructor. A disturbance followed. The North West Mounted Police arrived, arrested without bloodshed the offender and dispersed the Indians to their various reserves.

In late July and early August the chiefs of a number of North West bands met at Duck Lake. The leaders spoke to the bands of their grievances and the need for collective action.⁵⁶ A few days later, the Indians asked the agent for food. Understanding their dissatisfaction he promised rations if they would move the meeting to Fort Carlton and present their grievances to the officials; he promised that these officials would send written copies of the grievances to Ottawa. The band agreed. Big Bear and the others planned an even larger meeting for the spring of 1885 to consider the government's reply which they anticipated would have reached Fort Carleton by that time.⁵⁷ However the second Riel rebellion began in March 1885. Big Bear's passive resistance movement ended.

Lack of food was the primary cause of the Indians' involvement in the Rebellion of 1885. Indian participation

⁵⁵Ibid., p. 85; Stanley, Birth, p. 285.

⁵⁶Stanley, Birth, p. 288.

⁵⁷Fraser, "Big Bear," pp. 71-88.

was sporadic and uncoordinated. The rebellion began on March 30, 1885; several hundred plains Cree pillaged the Hudson's Bay Company store at Battleford.⁵⁸ The Crees were joined by the Stoney Indians, the most bitter and implacable foes of the non-Indians; together the groups laid siege to the town of Battleford.⁵⁹ Another force of Big Bear's plains and woods Cree allies took over Fort Pitt in mid-April.⁶⁰ News of these initial successes spread rapidly and inspired Indians in widely separated locations to raid isolated forts and settlements.⁶¹

By early April there were three rebel forces in the North West: Riel, Dumont and the Métis; Big Bear with the woods and plains Cree; and, Poundmaker with plains Cree and Stonies. But each group operated independently and the slowness of the Indians' collective decision-making process dashed all chances of amalgamating the three groups into a fighting force of more than a thousand.⁶² A coalition would have been powerful but by the time the other two Indian groups had agreed to join him and to move towards a rendezvous, Riel and his forces had been defeated and had surrendered at Batoche. Following Riel's capture Poundmaker also

⁵⁸ Stanley, Birth, p. 332.

⁵⁹ Ibid., p. 336.

⁶⁰ Ibid.

⁶¹ The Indians allowed the non-Indian inhabitants to flee down the Saskatchewan River on a barge.

⁶² Fraser, "Big Bear," p. 87.

surrendered but Big Bear and his followers fought on at Cut Knife Hill on the Red Deer River, and again at Loon Lake before their forces split. Big Bear gave himself up on July 2, 1885.⁶³ The Rebellion of 1885 was over.

During the rebellion, the government had moved quickly to pacify the Blackfoot and other western tribes by providing extra rations; at the same time, to prevent the local uprisings from spreading, troops moved through the Qu'Appelle Valley and through Blackfoot country to show the government's strength.⁶⁴

At the end of the rebellion, the government acted decisively. Many a western chief received a medal and a trip to Ottawa as a reward for his loyalty.⁶⁵ Those who had participated in the outbreak were punished: Riel, several Métis and eight Indians were hanged; Big Bear and Poundmaker were imprisoned. The government disciplined those bands that had taken part in the rebellion.⁶⁶ It removed the tribesmen's rifles and horses, withheld their annuities for a prescribed period, restricted travel and limited the sales of ammunition.⁶⁷ It continued the ban on ceremonial dancing for all western Indians, first imposed in 1884; the

⁶³ Stanley, Birth, p. 378.

⁶⁴ Ibid., pp. 353-4, 361-2.

⁶⁵ P.A.C., M.G. 26 A1 (a), vol. 213, January 26, 1886. E. Dewdney to J. A. Macdonald.

⁶⁶ Stanley, Birth, pp. 378-9.

⁶⁷ Ibid.

Department not only abhorred the dances as pagan rites, but also feared the explosiveness of large gatherings.⁶⁸ For all but a few of the Indians and Métis rebels who had escaped to the States, the government declared an amnesty a year later; ten years later it concluded arrangements with the American government to permit the last of the refugees from 1885 to return to Canada.⁶⁹

The Rebellion of 1885 was over but it had jolted Canadian complacency. Although only a relatively few of the twenty thousand western Indians had taken up arms against the government, their discontent was shared by many more. The Indians remained restless and unhappy; the threat of renewed violence in the spring of 1886 again unsettled the country; it caused Edgar Dewdney to welcome the news that General Middleton planned to sweep through the west with twelve hundred troops later in the spring. Dewdney wanted the soldiers to come because, "so many rumours of an anticipated Indian rising had been circulated . . . making our settlers nervous."⁷⁰ At the same time he knew that the Indians needed to be forewarned of the proposed arrival of the troops; without advance warning they would, "think that the soldiers had come to arrest all who transgressed last

⁶⁸The ban was imposed in 1884 as a result of complaints from missionaries and Departmental officials. It is discussed again in chapters V and VIII.

⁶⁹Stanley, Birth, p. 379.

⁷⁰P.A.C., M.G. 26 A1 (a), vol. 213, January 26, 1886. E. Dewdney to J. A. Macdonald.

year," and would, "all bunch together" thus frightening the settlers even more.⁷¹ He said nothing could happen until later in the spring when the grass had grown; by this he meant that the Indians could not move about the country until there was fodder for their horses and that at present the leaderless Indians were unlikely to fight.⁷² However, he advised that "should they be found moving from their reserves in numbers we must be prepared to follow them and send them back."⁷³ Dewdney had learned the lessons of the rebellion well and had no intention of letting the Indians mass and plan another revolt. General Middleton made his trip in the spring; the west remained peaceful in 1886.

Dewdney's approach to administration, revealed in his correspondence with John A. Macdonald and in his actions as Indian Commissioner and Superintendent General, was based on a thorough knowledge and understanding of the Indians and an acceptance of the established British policy of conciliation and appeasement. He believed too, that paternal firmness was necessary; the rebellion had reinforced his conviction that the Indians needed to know that force existed and would be used to quell insurrections. He also believed in tempering his justice with mercy; this was particularly

⁷¹Ibid.

⁷²In the west in the early spring prairie fires which burned the grass effectively banned travel for those on horseback until sufficient grass had grown to provide forage for their horses.

⁷³Ibid.

evident in his treatment of Poundmaker after the rebellion. The Cree chief, who elicited editorial and popular admiration at his trial, was an intelligent and admirable man whose abilities had long been acknowledged by Departmental officials. He was the adopted son of Crowfoot, one of the most important Blackfoot chiefs.⁷⁴ The Blackfoot's allegiance and neutrality, maintained throughout the spring of 1885, were threatened by Poundmaker's trial and his three year penitentiary sentence; the punishment outraged the Blackfoot. To pacify them and the Cree Dewdney intervened with the Stoney Mountain prison warden persuading him not to cut Poundmaker's long hair, not to force him to wear prison garb, but to permit him to retain his blanket.⁷⁵ Dewdney also made a personal visit to Crowfoot to assure him that his adopted son, Poundmaker, was being well treated. Dewdney did this because he knew that Poundmaker was important to Crowfoot, that Crowfoot was an important and influential leader of the Blackfoot, that Crowfoot's good opinion of the government was vital to the maintenance of western peace. Dewdney's whole approach to administration was typical of the empathetic, conciliatory and pragmatic action of many British

⁷⁴The Cree and the Blackfoot were traditional enemies; the link between them at this time was the relationship between Poundmaker and Crowfoot.

⁷⁵P.A.C., M.G. 27 IC 4, vol. 1, August 19, 1885. E. Dewdney to Bedson. Later in this thesis some attention will be paid to the determination with which the government tried to get the Indians to cut their hair and wear non-Indian clothes. To permit a defeated chief to keep his hair long and to wear his customary clothing was a concession.

and Canadian Departmental officials who saw that the surest road to peace was through appeasement, not through the application of force.

The Rebellion of 1885 was the last violent manifestation of the Indians' discontent. However, the governments' policies continued to be based on a recognition of the potential for violence and on the need to maintain peaceful relations between the races. From the earliest days, the need to maintain peace was important to both French and British governments. Following Indian wars governments made treaties with the Indians and appointed agents to care for their needs and to assure their future loyalty. The Canadian government's use of the militia to quell the 1885 insurrection was the first post-Confederation occasion on which it had had to take up arms against the Indians. After 1885 no Indian could doubt that the government, although preferring pacification, could and would use force to prevent the tribesmen from roaming the plains.

Promoting the settlement of new land continued to be of paramount importance. The government, knowing the Indians' potential to frighten non-Indians and retard settlement, pacified the bands but also made sure that all but a tiny minority of the best educated and most "civilized" remained on the reserves. The government's answer to the threat of Indian trouble would be both pacification and policies designed to make the reserve system work.

CHAPTER III

THE RESERVES

The Indian reserve, land set aside for the occupation and use of the Indian but owned by non-Indians, has been the basic fact underlying government Indian policy since reserves first came into being during the French régime.¹ By 1876 the Canadian government owned and controlled most reserve land; and, as the proprietors, dictated the terms of management and established a bureaucracy to enforce their regulations. The Indians' isolation and segregation on these reserves allowed successive governments who wished to change the Indians to develop discriminatory, manipulative programs whose application would have been impossible had the Indians been scattered throughout the population. Furthermore, government interference notwithstanding, the existence of reserves gave the Indians, whose life styles differed dramatically from most non-Indians, a refuge where government assistance permitted them to remain outside the mainstream

¹The religious orders were given seigneuries specifically for Indian settlement. These reserves were sanctuaries for Christian Indian refugees where the clergy directed their spiritual life and protected them from evil influences. The religious orders held title for the tribesmen except at Sillery.

of Canadian life.² Once non-Indians, for whatever reason, set land aside for Indian use they tended to manage both the land and its occupants.

That the Crown, whether French or English, itself owned all public land in North America was the most important fact about the reserves. The French and English both respected the Indians' emotional and occupational claims to land but neither "ever divested [itself] . . . of the ownership of public lands to rest it in the Indians."³ The French government gave the religious orders seigneuries to hold for the Indians. The English, granting the Indians' occupation but no legal claim to ownership, reserved certain areas for the Indians' exclusive use.

The British evolved this reserve granting procedure over a long period. The treaty format gradually became the accepted method of gaining the peaceful surrender of Indians' claims to large tracts of land; in return the Indians received long term occupation rights to smaller tracts; they also received financial compensation for the loss of their greater territory.

²Other minority groups whose basic values deviated from the Canadian norm have chosen geographical isolation as a means of perpetuating and protecting their values. Examples would be the Hutterites and Mennonites.

³John George Bourinot, A Manual of the Constitutional History of Canada from the earliest Period to the Year 1901 (Toronto: Copp Clark Co., 1901), p. 121.

For two centuries the concept of reserves had been put into practice by private persons, by institutions and by governments. In the seventeenth century Roman Catholic missionaries in Quebec established the first reserves as sanctuaries for converted Christian Indians; these new Christians would be safe both from the persecution of their non-Christian tribesmen and from the temptations of the brandy trade.⁴ The largest of these reserves was the Seigneury of St. Louis, more commonly known as Caughnawaga, where refugee Iroquois converts received land in 1680.⁵ After the Conquest, the British Government continued to accept these lands as Indian reserves.⁶

Elsewhere in eastern Canada the Protestant religious groups who arrived after 1760 also created reserves for their Indian followers. In 1792 the Moravian missionaries, forced to leave the state of Delaware, migrated to Canada, bringing with them many Delaware Indian converts. The group received fifty one thousand and sixty acres on the banks of the Thames River in Upper Canada.⁷ In 1837 the government of Upper

⁴George F. G. Stanley, "Indians and the Brandy Trade in New France," Révue d'histoire de l'Amerique Française (March 1953), pp. 489-505.

⁵Canada, Schedule of Indian Reserves in the Dominion of Canada (Ottawa: F. A. Acland, 1928), pp. 10-13.

⁶Ibid.

⁷F. Bruemmer, "Delawares of Moravian Town," Canadian Geographic Journal (March 1964), pp. 94-97; L. R. Gray, "Moravian Missionaries, Their Indians and the Canadian Government," Canadian Historical Association Report (1955), pp. 96-104; Elna Edith Gray, Wilderness Christians: The Moravian

Canada agreed to the request of a Protestant missionary society, the New England Company, to establish a Christian Indian community near Peterborough.⁸ Similarly, in mid-century, the English humanitarian Anti-Slavery and Aborigines Protection Society began a reserve for several hundred Indians on Prince Edward Island.⁹ The clergymen of these groups lived among the Indians to educate them in the ways of Christianity. The government had given the land to the missionaries, not to the Indians, and, after 1867, as the various religious groups withdrew from their missions, the areas remained as Indian reserves but the ownership reverted to the federal government which, by section ninety-one of the British North America Act, was responsible for the Indians and held title to all reserve land.¹⁰

Although Charles II admonished colonial officials to further peace by treating the Indians justly and appointing agents to "carefully protect and defend them from adversaries,"¹¹ he said nothing about land. Indeed, in the pre-revolutionary

Mission to the Delaware Indians (Toronto: Macmillan Canada, 1956); Wilfrid Jury, "Old Fairfield on the Thames," Canadian Historical Review XXV (1944), pp. 509-14.

⁸ Canada, Schedule, p. 16.

⁹ Ibid., p. 7.

¹⁰ J. Talman, ed., "The British North America Act 1867," Basic Documents in Canadian History (Toronto: D. Van Nostrand Books (Canada) Ltd., 1959), p. 107.

¹¹ The details of the directive issued by King Charles II, found in the Royal Commission Report, 1844-1845, were discussed in greater detail in the preceding chapter.

colonies Indians were seldom given reserves, were tolerated only if they were useful and were driven from the land by one means or another if their presence impeded settlement.¹²

Of course on the frontier where economic rivalry and a series of French-English wars made Indian alliances important, the English treated the Indians well. So, too, when the wars ended the Indian allies of the French were dealt with kindly in an effort to secure their future neutrality, if not loyalty. In Quebec the fortieth article of the Capitulation of Montreal said:

The Savages or Indian Allies of His Most Christian Majesty shall be maintained in the lands they inhabit, if they choose to reside there; they shall not be molested on any pretense whatsoever . . .¹³

The Indians had been guaranteed the right of occupation and the British government had taken the first of many steps on a path leading to the creation of reserves for almost all of Canada's Indians.

The British government took a second step in the fall of 1763 when it enacted a proclamation which not only outlined the future treatment of the defeated French colonies but also set aside land for exclusive Indian use.¹⁴ This

¹²Peter Farb, Man's Rise to Civilization as shown by the Indians of North America from Primeval Times to the Coming of the Industrial State (New York: E.-P. Dutton & Co. Inc., 1968).

¹³Report 1844, Appendix EEE, unpagued.

¹⁴J. Talman, ed., "The Royal Proclamation, October 7, 1763," Basic Documents in Canadian History (Toronto: D. Van Nostrand Books (Canada) Ltd., 1959), pp. 34-36.

action resulted from a disquieting Indian uprising earlier in the year. In the spring of 1763 resentment against increasing encroachment of non-Indians induced some of the Indians on the western frontier, led by Pontiac, to attack and occupy British forts in the north west. After quelling this insurrection the British decided that they would avoid similar incidents in the future; in the Proclamation Act they closed the west and areas not controlled by east and west Florida, Quebec or the Hudson's Bay Company to non-Indians.¹⁵

Although the Proclamation Act halted colonial expansion southwards and northwards as well as westwards, it was the closing of the western frontier which enraged many Americans and eventually became one of the causes of the War of Independence in which Britain lost the west and south while retaining Nova Scotia, Quebec, and the lands north of the Great Lakes and east of Hudson's Bay Company territory.

¹⁵ Ibid., p. 35. "It is just and reasonable, and essential to our interest, and the security of our Colonies, that the several Nations or Tribes of Indians, with whom We are connected, and who live under our Protection, should not be molested or disturbed in the Possession, of such Parts of our Dominions and Territories as not having been ceded to or purchased by Us, are reserved to them . . . as their Hunting Grounds. . . . We do further . . . reserve . . . for the use of the said Indians, all the Lands and Territories not included within the Limits of Our said Three new Governments, or within the Limits of the Territory granted to the Hudson's Bay Company, as also all the Lands and Territories lying to the Westward of the Sources of the Rivers which fall into the Sea from the West and North West. . . ." Many writers referred to the Proclamation Act as the "magna carta" of Canadian Indians. See, A. Harper, "Canada's Administration: The Treaty System," American Indigena (April 1945), pp. 119-32.

Still, the Indians' rights of occupation in post-1783 British North America had been guaranteed by the 1763 Proclamation Act.

In 1775 the British made it clear that they would not sanction non-Indians taking Indian land and instituted a procedure for its orderly acquisition. Governor Carleton received a directive which said:

No purchases of Lands belonging to the Indians, whether in the Name and for the use of the Crown, or in the Name and for the Use of proprietaries of Colonies be made but at some General Meeting, at which the Principal Chiefs of each Tribe, claiming property in such lands are present . . .¹⁶

The government was moving towards the complete takeover of all land transactions with the Indians.

Thus by 1775 acknowledgement of Indian rights of occupation as well as British insistence on government negotiation and compensation for the surrender of Indian land had been established. The third step, the systematic setting aside of specific smaller areas as reserves, was taken after the revolutionary war.

Why did compensation for land relinquished and the creation of reserves become generally acceptable after, rather than before, the American Revolution? The American victory and the subsequent British loss of half a continent

¹⁶Leo A. Johnson, "The Settlement of the Western District," Aspects of Nineteenth Century Ontario, eds. F. H. Armstrong, H. A. Stevenson and J. D. Wilson (Toronto: University of Toronto Press, 1971), p. 21.

probably acted as the greatest catalyst in the evolution of British treatment of the Indians. Britain's continuing retention of British North America rested on military strength which in turn depended in part on the reliability and commitment of Indian allies. Furthermore, the rapid and peaceful resettlement of the Loyalists hinged on the availability of surrendered Indian lands and on the Indians' acceptance of non-Indian settlement. To facilitate the achievement of both their military and colonization goals, the British not only continued on their earlier course of negotiating for surrenders but also began setting aside limited areas exclusively for Indian use. Before 1776, in British North America, a precedent had been set when the British, to placate France's Indian allies, guaranteed the sanctity of existing Quebec reserves. In 1784, the British granted the Iroquois Loyalists two large reserves as a reward for military service, reserves which differed from land grants made to other Loyalists in that the Indians occupied but did not control the land. The granting of this type of reserve reinforced the British acceptance of the idea of physical separation and opened the door for the creation of other reserves in Upper Canada. In the same year reserve land was set aside in the newly created colony of New Brunswick. Settling the Indians as a group on land which they occupied but could not sell gained popularity for several reasons: it released large tracts for non-Indian settlement; it isolated the Indians on widely separated

reserves where their activities could be monitored; it limited Indian contacts with non-Indians; it allowed the Indians to pursue peacefully their own way of life.

Nevertheless, the question of whether the Indians should be isolated or whether they should be assimilated continued to be a concern of non-Indians, as it had been since the earliest days of the French régime. Co-existence or assimilation were the alternatives to segregation on reserves.¹⁷ There had always been a minority who opposed the separation of the Indians, but, from the beginning, the majority of government and church officials said that assimilation would fail because the Indians, susceptible to the corruption of non-Indians, needed a sanctuary where they could slowly make the transition from their traditional ways to those of "civilized" society.¹⁸ Various religious communities, anxious to convert the Indians to Christianity, viewed isolation as a prerequisite for the success of their proselytizing campaigns. The corollary of these fine sentiments, not as frequently enunciated, was non-Indian unwillingness to live side-by-side with Indians. The

¹⁷ This topic will be discussed again in later chapters.

¹⁸ Report 1844, Appendix EEE, unpagged. Lord Sydenham, in 1841, following the union of the Canadas, said that the government should only interfere if the Indians could follow their accustomed pursuits, and if they, "become settlers, they should be compelled to fall into the ranks of the rest of her Majesty's subjects, exercising the same independent control over their own property and their own actions, and subject to the same general law."

Indians' appearance, way of life, language and frightening reputation combined to create a favourable climate for the creation of reserves for the segregation of the Indian.

In 1784 the British established the first post-revolutionary reserves in New Brunswick and Ontario. In that year, anticipating a flood of Loyalist settlers, they made New Brunswick, previously a sparsely settled part of Nova Scotia, a separate colony. At the same time sixty two thousand acres in several locations in central and northern New Brunswick were set aside for reserves.¹⁹ In Ontario the British, needing homes for thousands of Loyalists, negotiated with indigenous Indians, the Mississaugas, living along Lake Ontario and in southwestern Ontario, for the release of their claims to their territory.²⁰ The negotiators originally promised the Mississaugas annual payments but made no provisions for reserves; however, by 1843 these Indians, or individuals acting for them, had used some of the annuity money to purchase six reserves, a total of seven thousand seven hundred and eighteen acres, in central and eastern Ontario.²¹ As well, reserves were set aside for incoming Indian Loyalists; one group of New York Iroquois received a large grant of six hundred and ninety-four

¹⁹W. S. Macnutt, New Brunswick. A History 1784-1867 (Toronto: Macmillan Canada, 1963), p. 41.

²⁰Johnson, "Settlement."

²¹Canada, Schedule, pp. 16-17.

thousand acres on the Grand River in southwestern Ontario; another, ninety-two thousand seven hundred acres on the Bay of Quinte, in eastern Ontario.²²

Although these two reserves were a reward for loyal military service, the Indians were not permitted to sell or lease their land as non-Indian Loyalists were allowed to do. In fact, the patent or title to the Six Nations Reserve on the Grand River carefully stipulated that the land, "was given to and for the sole use and on behalf of them and their heirs."²³ Led by Chief Joseph Brant, the Six Nations Indians fought vigorously and tenaciously with the Governor of Upper Canada, John Graves Simcoe, to have this restriction removed, arguing that they should be treated like other Loyalists. Simcoe refused, "not only because any such action was a violation of the orders governing the matter but also for fear they would promptly be taken in by unscrupulous land jobbers."²⁴ He believed that it was imperative that the strategically important reserves should not be allowed to fall into the hands of disloyal non-Indians whose activities might threaten the security of British North America.²⁵ The Six Nations' failure to win the right to dispose of their

²²Ibid.

²³C. M. Johnston, ed., The Valley of the Six Nations (Toronto: University of Toronto Press, 1964), p. 73.

²⁴Ibid., p. xiv.

²⁵One wonders what the government did to non-Indians who sold their land to such persons?

property set an important precedent for future reserve policy.

The Loyalist Indians were not the only American Indian immigrants Canada accepted and to whom the government gave reserves. In the late thirties and early forties, diverse groups came to escape the forced resettlement and relocation programs begun in the United States by President Jackson's 1830 Removal Act.²⁶

Another group who finally settled in Canada were the nomadic Indians who for decades roamed between the United States and Canada making at least one yearly trip north to receive annual payments which the British government made to its former military allies. In 1837 the British announced that in the future these payments would go only to Indians living in British North America. Consequently some Chippewas and Pottawatomies migrated to Canada where they settled on Walpole Island in what is today southwestern Ontario and on Manitoulin Island in Georgian Bay.²⁷

During this same period, government reserves for resident Canadian Indians attracted American Indians who asked to live on or adjacent to existing Canadian reserves.

²⁶ The hardship, suffering and death occasioned by the long forced marches of American Indians, particularly the March of Tears of the Cherokees, and the rearguard action fought by the Seminoles in the Florida swamps have been extensively described in the histories of the American Indians.

²⁷ Report 1844, Appendix EEE, unpagged; Canada, Schedule, pp. 15-17.

Occasionally the settlement of such bands caused problems. In 1831 in southwestern Ontario, the whole of Walpole Island had been set aside as a Chippewa reserve.²⁸ In 1841 a group of American Pottawatomie Indians from Michigan and Wisconsin who petitioned to live on Walpole Island received permission.²⁹ By 1844, the Commissioners investigating the state of Indian affairs in the Canadas reported that the Pottawatomies had not made a successful transition from hunters to settlers and were a burden on the Chippewas:

The Pottawatomies especially are skilfull hunters, and have long depended on the chase. They are wild, turbulent, mendicant, and dishonest . . . their roving habits render them averse to settling; they prefer remaining poor, ragged, and filthy . . . they are a burthen on their brethren . . . and their arrival . . . is in every respect to be regretted.³⁰

A second example of American Indians settling near Canadian Indians occurred in 1840 when a band of New York State Oneida Indians, fearing either their eventual corruption by neighbouring non-Indian New York communities or the application of the Removal Act and their forced resettlement, came to Canada to buy a reserve.³¹ Once purchased, the reserve was managed by the Indian Department; the Oneidas were treated as indigenous Indians. Their land was adjacent to a Chippewa reserve. Unhappily the Chippewas and Oneidas, who belonged

²⁸ Ibid.

²⁹ Ibid.

³⁰ Report 1844, Section II, part 5, unpagged.

³¹ Canada, Schedule, p. 17.

to two different and traditionally hostile linguistic groups, found it difficult to overcome their long-standing animosity and live side-by-side.³²

Some Indian immigrants settled on Manitoulin Island and on the neighbouring Saugeen Peninsula, a large area which, in 1836, had been set aside not only to serve as an Indian reserve but also to provide a location for the introduction of a positive program to "civilize" the Indians, a program which later withered away for lack of money and direction.³³

In 1862 other American Indian immigrants were given refuge in Hudson's Bay Company territory.³⁴ A number of Dakota Sioux, participants in the Minnesota Massacre--an Indian attack on non-Indians which spread fear and anger on the American plains--fled to Hudson's Bay Company domain where they were permitted to remain. In the seventies, when the government created reserves for Canadian plains Indians, they set aside land for these Sioux.³⁵ In 1876, Sitting Bull and a band of Sioux also were permitted to live in Canada; however, most of these later returned to the United States.

³²The hostility was still present in 1964 when the author was teaching on the Oneida reserve.

³³Report 1844, unpagued. More will be said about this program later.

³⁴Gontram Laviolette, The Sioux Indians of Canada (Regina: Marian Press, 1944), pp. 129-31.

³⁵Canada, Schedule, pp. 24-26, 29-30. In 1896 their reserves totalled more than 45,000 acres.

Immigrant Indians made up only a small part of the Indian population; for the most part the government concerned itself with negotiating with indigenous Indians for the surrender of the rights to land which more and more non-Indian settlers were anxious to obtain. Once the idea of granting reserves had gained acceptance, to some extent the officials' expectations of a band's future economic occupation governed the nature of the land allotted for reserves. In 1807 in Nova Scotia, where indigent Indians had become a drain on the public treasury, many small reserves of less than a thousand acres each were set aside and a three year program of financial assistance was offered to Indians making the transition from hunting to farming.³⁶ Unfortunately the government's anticipation that the Indians, given a little land and help, would be transformed into self-sufficient farmers proved too sanguine.³⁷

In Upper Canada there had always been many individuals who thought that Indians, with proper instruction, would become non-Indians in all but the colour of their skin. An early exponent of this view, Sir John Colborne, Lieutenant Governor from 1828-1836, established reserves on Walpole Island in the St. Clair River, on the shores of Lake Simcoe,

³⁶Hutton, "Micmac," pp. 136-38. The government allowed £30 for the first, £20 for the second and £10 for the third year of the transitional phase.

³⁷Much of the land provided for these early reserves was very poor and neither the Indians nor anyone else could farm it.

and on land adjacent to the Thames River.³⁸ He believed that only when the government collected large numbers of Indians in one location could it provide instruction and tools to teach them the ways of "civilization."³⁹ In 1836 Sir Francis Bond Head, Colborne's successor, set aside Manitoulin Island, the largest freshwater island in the world, and the nearby Saugeen Peninsula, as reserves where the government could bring together many diverse Indians and employ skilled artisans, craftsmen and teachers to show them the ways of civilization.⁴⁰ Both these experiments--for want of money, commitment and leadership--failed. But these reserves did facilitate the continuing attempt to "civilize" the Indians.⁴¹

The government often followed a band's advice on the location of a reserve. Sometimes a band's choice made administration awkward; the St. Regis Iroquois choice resulted in the reserve being administered in three jurisdictions: Ontario, Quebec and New York State. This created innumerable difficulties.⁴² Sometimes a band chose part of

³⁸Canada, Schedule, p. 17.

³⁹Duncan Campbell Scott, "The Administration of Indian Affairs 1840-1867," Canada and Its Provinces, vol. 5, eds. A. Shortt and A. G. Doughty (Toronto: Edinburgh University Press, 1913), pp. 333-35.

⁴⁰Report 1844, Appendix EEE, Section II, unpagged.

⁴¹Canada, Schedule, p. 15. Later governments decided that this was far too much land to devote to reserves and sold many acres. However in 1896, 11 reserves of approximately 143,570 acres still remained.

⁴²Ibid., pp. 12, 18.

its original hunting territory for its reserve. But good hunting land does not always make good farm land. Some of these Indians could not produce food on such land. Governments, in accepting a band's choice had, perhaps, not really been kind to the Indians.

Occasionally the government moved reserves. In 1876 a land dispute between the Protestant Indians and the Roman Catholic clergy on the Oka Reserve located on the land of the Sulpician seminary at the Lake of Two Mountains in Quebec resulted in government intervention. The sectarian overtones of the quarrel, coming at a time when the Ultramontaine-Liberal conflict was at its height, particularly embarrassed the Mackenzie government. Hoping to please both sides, it offered the Indians a new reserve at Gibson, in the Muskoka region of Ontario.⁴³ Although most Oka Indians refused to move, the government, for several decades, optimistically continued an annual allocation of money to assist the removal of Oka Indians to Gibson.⁴⁴ In 1905 Sir Wilfrid Laurier noted in the House of Commons that most Oka Indians had remained at Oka where they would continue to live and that the government had paid the Sulpicians \$16,000 to

⁴³Toronto Globe, March 30, 1876; June 23, July 31, November 13, November 19, 1877; April 24, May 9, August 3, 1878; P.A.C., Record Group (R.G.) 10, vol. 1078, January 22, 1879; Canada, Annual Report 1880, pp. 27-28; William Scott, Report Relating to the Affairs of the Oka Indians (Ottawa: Maclean Roger and Co., 1883).

⁴⁴Canada, House of Commons, Debates, June 14, 1897, p. 4073; October 12, 1903, pp. 1379-81. There are other examples as the item was included in the estimates every year for many years.

compensate them for their loss of land.⁴⁵ The problem was solved.

Often land negotiations took place haphazardly over a long period. The government might overlook or ignore bits and pieces of land for which the Indians later claimed ownership or compensation. In one case the Chippewas had surrendered title to a great deal of Ontario land but they occupied several islands in Huron, Simcoe and Couchiching Lakes. Neither they nor any government had ever discussed or negotiated the status of these islands.⁴⁶ The governments' acceptance of the Indians' residency was tacit acknowledgement of Indian ownership. In this case the area was not great. But in eastern Ontario where earlier random negotiations had resulted in later Mississauga claims to compensation for land taken without negotiation, a much larger acreage was involved. In 1888 John A. Macdonald told the House of Commons that although the Mississaugas were pressing their claims, the government would stand fast and refuse to recognize them. He argued that the Canadian government should not be responsible for the debts and oversights of the government of Upper Canada.⁴⁷ Despite the prime minister's denial of responsibility, the Mississaugas took their case to court; there it remained for twenty years. Finally the court decided

⁴⁵ Ibid., January 27, 1905, p. 2356.

⁴⁶ Canada, Schedule, p. 15.

⁴⁷ Canada, Debates, May 19, 1888, pp. 1616-17. J. A. Macdonald.

in the Indians' favour and awarded them monetary compensation for the lost land.⁴⁸ A later government had to pay for the oversight of an earlier one.

The years between 1850 and 1880 were the most important in terms of creating reserves; in these three decades the Indians relinquished their claim to some land in the northern and unsettled regions of Quebec, in northern and western Ontario, in Manitoba, on the plains and in the western foothills; in return they received promises of annual payments and the setting aside of hundreds of sites to be reserved exclusively for their use. Before 1850 government negotiators primarily concentrated on acquiring the Indians' release to claims in the limited areas of eastern Canada suitable for agricultural development. Reserves had been created on a piece-meal basis to meet the exigencies of the moment in particular and limited localities. In 1850 the process of treaty-making changed. The government decided to make single treaties to include all Indians living in a large geographic area.⁴⁹ Once the government had decided on the terms it would offer the Indians of a region, it sent word to those Indians that on given dates and in specified locations Commissioners would meet with them to discuss a treaty. The Commissioners then travelled to those

⁴⁸ P.A.C., M.G. 26 G1 (a), vol. 587, July 9, 1909.

⁴⁹ Cumming and Micklenberg, eds., Native Rights, pp. 115-16.

locations, presented their terms, negotiated changes and signed the treaty. This appeared to be a satisfactory process for both sides.

The post-1850 approach foresaw long term development and change. There was neither an immediate demand for most of the land nor any anticipation that the nomadic Indians would give up hunting; however, recognizing the inevitability of the future encroachment of exploration, mining and settlement and hoping that the Indians would eventually adopt a sedentary life, governments established new reserves.

In 1850 in Quebec the government of Lower Canada enacted legislation to provide for the creation of nine new reserves, almost half the eventual provincial total; these had an area of nearly two hundred and twelve thousand acres.⁵⁰ The reserves were established in localities unpopulated by non-Indians: along the north shore of the St. Lawrence River; around Lac St. Jean; and beside the upper reaches of the Gatineau and Ottawa Rivers.

In Ontario the 1850 Robinson Huron and Robinson Superior Treaties opened a large territory around Lakes Huron and Superior for development.⁵¹ The impetus for beginning negotiations came with the discovery of minerals and the realization that the previously undesirable region might soon attract miners, lumbermen and settlers. The

⁵⁰Canada, Schedule, pp. 11-13. These were set aside according to Statutes 14 and 15 Victoria, chapter 106.

⁵¹Morris, Treaties, p. 16. See chapter II.

government negotiated the two treaties with a great many bands of Indians spread over a large geographic area. In all they created more than twenty reserves, with a total of more than six hundred and seventy-five thousand nine hundred and ninety-nine acres.⁵²

These 1850 treaties in Ontario set reserve granting precedents which were applied between 1871 and 1877 when the Indians of the newly acquired Hudson's Bay Company territory signed seven treaties with the government of Canada.⁵³ The government's primary motivation was, of course, pacification and the removal of the Indians from the path of settlement. By the terms of Treaties 1 and 2 each family of five received one hundred and sixty acres.⁵⁴ In Treaties 3 through 7, the amount was increased to three hundred and sixty acres for a family of five.⁵⁵

In the period 1850 to 1896, particularly between 1850 and 1877, the governments of Upper and Lower Canada and of the Dominion of Canada, set aside approximately two hundred and fourteen reserves comprising more than four and one half million acres, or seven thousand square miles:

⁵²Ibid. A prescribed number of acres per family, annuities and the right to hunt and fish on unconceded domain were part of the package.

⁵³Ibid., pp. 37-43. Between 1877 and 1911 three treaties, 8, 9 and 10 were signed by the Indians of northern Manitoba, northern Ontario and northern Saskatchewan and Alberta. Tribesmen living in parts of the North West Territories and the Yukon never signed treaties and their lands remain unsurrendered.

⁵⁴Morris, Treaties, pp. 37-43.

⁵⁵Ibid.

TABLE 1

RESERVES ESTABLISHED BETWEEN 1850 AND 1896

	No. of Reserves	Approximate No. of Acres
Nova Scotia	7	877
New Brunswick	4	338
Prince Edward Island	-	-
Quebec	15	222,837
Ontario	61 ^a	1,047,260 ^a
Manitoba	44 ^a	493,915 ^a
North West	83 ^a	2,797,000 ^a
Total	214 ^a	4,562,727 ^a

SOURCE: Canada, Schedule, pp. 4-37.

NOTES:

^aThese figures are estimates; all the reserves had not been surveyed by 1896. A number of reserves spanned two provinces and have been counted as individual reserves in both.

By 1877 most of Canada's Indians had given up their claim to all of their traditional territory in return for the security of smaller reserves on which the government guaranteed them permanent occupancy. The reserve had become a central fact of the Indians' lives.

In fact, most of Canada's Indians had no options; they had to live on the reserves. In western Canada Indians were forbidden to homestead, to establish themselves on non-reserve farms as other settlers and immigrants could do.

No Indian or non-treaty Indian, resident in the Province of Manitoba, the North-west Territories or the District of Keewatin shall be held capable of having acquired or acquiring a homestead . . .⁵⁶

This clause reflected government endorsement of Indian segregation. There was no way for Indians, from either eastern or western Canada, to acquire farms in western Canada unless they were situated on reserves. Another Indian act clause denied western Indians the right to become enfranchised, that is to become citizens. These two restrictions tied western Indians to the reserves unless they chose to move to the cities or towns; few found this alternative attractive before 1896. Thus the government made the reserves an inescapable way of life for the Indians.

Although by 1896 the majority of Canadian Indians lived on reserves, the reserves varied considerably in size and number in each province as table 2 shows. The difference in size and number reflected first the Indians' way of life and second the date and conditions of the reserves' creation. Before analyzing the statistics, a look at the anthropologists' classification of Indians may make further discussion more meaningful since the Indians were not homogeneous and their differences have some bearing on the size and location of reserves.

⁵⁶Canada, Statutes, 43 Victoria, chapter 28 (1880), section 81, pp. 225-26.

TABLE 2

RESERVES 1896^a

	N.S. ^b	P.E.I.	N.B.	Que.	Ont.	Man.	N.W.
No. Indians Living on Reserves ^c	2,108	308	1,590	7,451	17,367	9,502	14,281
No. of Reserves	34	2	25	20	90 ^d	45 ^d	83 ^d
Smallest	2	204	250	.44	18	640	2,236
Largest	2,800	1,320	8,077	63,100	105,300	75,096	349,857
Total Area ^e	21,864	1,524	39,716	201,460	1,001,350	405,047	2,827,261
Average	643	762	1,589	10,073	11,126	9,001	34,063
Acres/ Capita	10	5	25	27	58	143	198

SOURCES: Canada, Schedule, pp. 4-37; Canada, Annual Report 1896, pp. 420-25.

NOTES: ^aStatistics for B.C. are not included. This is an estimated table because while the schedule is annotated and the details of land sold or granted are numerous, there are a number of gaps which make it impossible to give absolute figures.

^bTwo reserves had not been surveyed in 1896 so their number is counted but not their acreage thus the total size and average size and the number of acres per capita should be larger.

^cThese figures differed from census data as these are the Indians living on reserves not the nomadic ones or ones working and living elsewhere.

^dA number of reserves were counted in the statistics for more than one province, that is they might be partly in Ontario and Manitoba, so the absolute number would be smaller than the number given here.

^eA number of reserves had not been surveyed and some land had been sold but no data recorded so it was impossible to see if it had occurred between 1896 and 1913.

Anthropologists divide people into linguistic groups: that is, they classify all tribes whose various languages have developed from the same base as members of the same linguistic group.⁵⁷ In Canada, east of the Rocky Mountains, most Indians belonged to one of four categories: Algonkian, Iroquoian, Siouan or Athapaskan. In general, the tribes belonging to a particular group followed the same life style and lived within the same geographic region; however, notable exceptions occurred when wars or famines forced tribes to migrate great distances in search of peace or food.

The largest of these groups of Indians were the migratory Algonkians who lived in small bands and depended on hunting for their livelihood. Algonkians lived in many areas of Canada: Micmac and Malecite in the Maritimes; Micmac, Abenaki, Algonkin, Montagnais, Naskapi, Cree and Ottawa in Quebec; Cree, Ottawa, Ojibwa and Algonkin in Ontario; woodland and plains Cree across the west and Blackfoot in southwestern Alberta. The plains Cree and Blackfoot differed from the eastern Algonkians because they were part of a distinct entity, the plains tribes, which included tribes from several linguistic groups who had originally lived on the periphery of the prairies but had moved onto the plains to form a new aggregate--the plains

⁵⁷ An example of this in western Europe would be the Romance languages--Spanish, Italian, French--all of which belong to the same linguistic group.

Indians--whose economy and culture centred on the buffalo. The Algonkians, by many names, lived in every province.

In contrast, the Iroquoian tribes, a relatively sedentary agricultural people, lived only in Quebec and Ontario. They comprised members of the League of the Iroquois, Mohawks, Senecas, Onondagas, Oneidas, Tuscaroras and Cayugas--and the original inhabitants of Ontario, the Huron, Neutral and Tobacco nations. The impact of the Iroquoian Indians on non-Indian society was much greater than their numbers would warrant; they had a well developed social organization and their few settlements were large, located in populated areas and highly visible.

The Siouan linguistic group was made up of the Assiniboines of the south central plains, of Dakota Sioux immigrants and of the Stonies of the Alberta foothills. These Indians all belonged to the plains Indian culture.

In the west and north of the plains the Athapaskans occupied the territory between the Hudson's Bay and the mouth of the Yukon River. The Sarcees of the Alberta foothills and the Beavers, adherents to Treaty 8 in northern Alberta, belonged to the Athapaskan group. Few of these Indians were included in the treaties signed before 1896.

When a band belonging to a particular linguistic group chose a reserve, their way of life determined the reserve's location just as it had already determined the size of the band. In the east small groups of migratory Algonkians moved about in territory where game was plentiful.

For their reserves they chose land where the game was or had been abundant; they settled in their customary small family groups. In contrast the Iroquois, who had lived traditionally in large groups on agricultural land, wanted large reserves of arable land to accommodate their bands. On the prairies the Indians of all linguistic groups were part of the buffalo based plains Indians. They gathered in large numbers for the buffalo hunts; then wintered in small bands on the wooded edges of the plains where the presence of game and wood helped them survive the winter. They designated these areas as their reserve sites. The exception, the Indians of southwestern Alberta, customarily lived throughout the year in much bigger bands; their reserves were correspondingly larger.

The date and conditions of the creation of each reserve had an even greater influence than the Indians' way of life on the size of each reserve. An examination of the statistics of each province reveals the influence of these two factors and suggests the relative size and importance of the reserves in each area of the country.

In Nova Scotia reserves were first created in 1807; by 1819 the legislature had decreed that the maximum size would be one thousand acres.⁵⁸ Although later legislation removed this restriction, only two reserves ever exceeded one thousand acres. In this province, twenty-six reserves were

⁵⁸Hutton, "Micmac," p. 205.

established before Confederation, seven were created and one was enlarged between 1867 and 1896.⁵⁹ In 1896 Nova Scotia's two thousand one hundred and eight Indians lived on thirty-four reserves with a total acreage of twenty-one thousand eight hundred and sixty-four acres or an average allotment of ten acres per person and an average reserve size of six hundred and forty-three acres.⁶⁰ The smallness of Nova Scotia's reserves reflected both parsimonious government policy and the Indians' tradition of living in very small groups.

Only three hundred and eight Indians lived on Prince Edward Island's two reserves where the total area of one thousand five hundred and twenty-four acres provided an average allotment of five acres per capita.⁶¹ This was a meagre allotment per capita but individual philanthropists had set aside the land for the Indians from their own grants; the size of the two reserves reflected the generosity of these philanthropists and their ideas of the Indians' future needs. Both reserves, begun before 1867, remained intact after Confederation.

New Brunswick's first reserves had been created in 1784 by the British government. They granted large areas for the Indians.⁶² But some of these original lands were

⁵⁹Canada, Schedule, pp. 4-7.

⁶⁰Ibid.; Canada, Annual Report 1896, p. 422.

⁶¹Canada, Schedule, pp. 4-7.

⁶²Letter from W. S. Macnutt, author of New Brunswick: A History 1784-1867 (Toronto, 1963), Spring 1970, Fred., N.B.

appropriated by non-Indians who had no claim to the lands. Later New Brunswick governments took no action to evict the squatters and, therefore, before Confederation, the New Brunswick Indians had lost some of their arable sites. Nevertheless, by 1896 one thousand five hundred and ninety Indians lived on twenty-five reserves comprising approximately thirty-nine thousand seven hundred and sixteen acres; this averaged twenty-five acres per person, a larger amount than other Maritime Indians received.⁶³ Although reserves existed in eleven of New Brunswick's fourteen counties, most Indians lived on larger reserves in the northern counties of Northumberland, Victoria and Gloucester.⁶⁴

After Confederation Nova Scotia's reserves increased in area, Prince Edward Island's remained the same and New Brunswick's decreased:

TABLE 3

CHANGES IN MARITIME RESERVES 1867-1896

	Nova Scotia	P.E.I.	New Brunswick
Number of Reserves 1896	34	2	25
Area - 1867	20,987	1,524	57,351
Area - 1896	21,864	1,524	39,716
Change	Increase--877	None	Decrease--7,635

SOURCE: Canada, Schedule, pp. 4-10.

⁶³Canada, Schedule, pp. 7-10; Canada, Annual Report 1896, p. 422.

⁶⁴Canada, Schedule, pp. 7-10.

Quebec's reserves fell into two categories: those in established areas, created long before Confederation; and those in the more remote and unsettled districts established between 1850 and 1896.⁶⁵ Many in the first category were Iroquois; consequently they were on good agricultural land and had large populations. Those in the second category were Algonkian; they were not on good farm land and had smaller populations of Indians who were still nomadic. The presentation of Quebec's statistics in the Schedule of Reserves, 1913, makes it impossible to determine how much reserve land was sold between 1867 and 1896; however between 1850 and 1896 approximately forty-four thousand acres were sold.⁶⁶ By 1896 the province's seven thousand four hundred and fifty-one reserve Indians occupied only twenty reserves with a total acreage of two hundred and one thousand, four hundred and sixty acres; twenty-seven acres per person.⁶⁷

Reserves in Ontario were by far the most generous. Governments had begun establishing reserves as soon as the Loyalists began arriving in 1784; they continued creating reserves throughout the nineteenth century. By 1896, seven thousand, four hundred and fifty-one reserve Indians lived on ninety reserves with a total acreage of one million, one thousand three hundred and fifty acres or a ratio of fifty-eight

⁶⁵Canada, Schedule, pp. 10-13.

⁶⁶Ibid.

⁶⁷Ibid.; Canada, Annual Report 1896, p. 420.

acres per capita.⁶⁸ The following table shows the number of reserves set aside in particular periods:

TABLE 4

ONTARIO RESERVES 1784-1896

Before 1850, Government, Church or Private Grants	25
1850 Robinson Huron, Robinson Superior Treaty	20
Government Reserves, 1850-1867	1
Government Reserves, 1867-1896	11
Treaty 3, 1873	30
Treaty 5, 1874	1
Never Ceded	2
Total	90

SOURCE: Canada, Schedule, pp. 13-24.

The reserves established before 1850 were in south and central Ontario, on Manitoulin Island and in the Saugeen Peninsula. The Robinson Huron and Robinson Superior Treaty brought Indians living around those two lakes into treaty and provided them with reserves. Between 1850 and 1867 the government cleared up the status of a number of islands in Lake Huron and made them reserves.⁶⁹ Between 1867 and 1896 the Canadian government set aside reserves for the Indians of western Ontario who had not been included in the 1850 negotiations and established a reserve at Golden Lake in eastern Ontario.⁷⁰ The resident Indians never surrendered

⁶⁸ Canada, Schedule, pp. 13-24.

⁶⁹ Ibid., p. 15.

⁷⁰ Ibid., p. 16.

their ownership of two reserves or their claims to other lands but in spite of that, the government counted these two as reserves.⁷¹ Treaties 3 and 5 in 1873 and 1874 encompassing large areas of what became western Ontario resulted in the setting up of many reserves. Ontario's reserves were widespread and relatively large, reflecting in part the Loyalist Indian settlements, in part the 1836 policy of collecting many Indians on huge reserves and in part the terms of the Robinson and later treaties.

Perhaps the reserves were too large; throughout the 1850-1896 period the Indians sold many acres of their reserve land. Despite some statistical ambiguities caused by the imprecise figures for the pre-1867 reserve sizes and for the amount of land sold which make the pre-Confederation calculations somewhat questionable, the data for the post-Confederation sales, taken with a conservative summary of the earlier figures, show that by 1896 there had been a net loss of upwards of five hundred thousand acres or seven hundred and eighty-one square miles.⁷² Often Indians and land are spoken of in terms of western Canada, yet the quantity of land sold in Ontario in the period 1876-1896 drives home the point that sales in Ontario were significant.

In western Canada most reserves came into existence between 1871 and 1877 when Treaties 1 through 7 were signed.

⁷¹Ibid., pp. 15, 18.

⁷²Ibid., pp. 13-24.

Treaties 1 and 2 included land in what is today southern Manitoba and southeastern Saskatchewan; Treaty 3 covered most of what is now the Lake of the Woods regions of Ontario and Manitoba; Treaty 4 encompassed a large section of the plains northward from the present United States boundary in Saskatchewan and eastern Alberta, north to the South Saskatchewan River and east to the northern part of Lake Winnipegosis; Treaty 5 covered the area from the middle of Lake Winnipeg northward to the Nelson River, westward into Saskatchewan and eastward into Ontario; Treaty 6 lands lay in northern Saskatchewan and Alberta; and, Treaty 7 included most of south central Alberta.⁷³

Between 1871 and 1877, approximately three million three hundred and forty thousand acres or more than five thousand square miles of western Canada became Indian reserve land. By 1896 more than one hundred thousand acres of this reserve land had been sold outright or had become "Indian Lands."⁷⁴ But much more acreage of this reserve land was sold after 1896 when the rush of immigrants to the prairies

⁷³Stanley, Birth, p. 210. A map of the Indian Treaties, 1871-77.

⁷⁴Indian land was land which had been turned back to the government for sale by the band to which it had originally been granted. It is discussed in chapter IV. Land was also transferred, "Three acres of this reserve have been surrendered and transferred to the R.C. church for church and burial purposes." Canada, Schedule, p. 28. Land transferred was counted as land surrendered but in fact when it was used for a road or a railway, a church, or a school continued to be part of the reserve and was not the same as land surrendered and sold to non-Indians.

resulted in the need for more and more farm land for non-Indians.⁷⁵

TABLE 5

NUMBER AND APPROXIMATE ACREAGE OF WESTERN RESERVES 1871-1877^a

	1	2	3	Treaties		6	7
				4	5		
<u>Manitoba</u>							
No. of Reserves	8	18	5	1	13	-	-
Original Area	210,536	191,656	15,353	5,360	70,411	-	-
<u>Northwest</u>							
No. of Reserves ^b	-	3	-	23	4	46	7
Original Area ^b	-	75,841	-	659,418	20,759	1,165,076	923,924
<u>Total Reserves</u>	8	21	5	24	17	46	7
<u>Total Area</u>	210,536	267,497	15,353	664,778	91,170	1,165,076	923,924

SOURCES: Canada, Schedule, pp. 22, 24, 28-37.

NOTES: ^aAll reserves had not been surveyed by 1896. In addition changes were made, exchanges or sales, and in all cases the exact acreage was not given.

^bA number of reserves cross provincial boundaries and are counted as reserves in more than one province. Number 39 in Treaty 3, the Shoal Lake reserve, had 6,725 acres in Ontario and 721 acres in Manitoba.

⁷⁵Canada, Schedule, pp. 28-30. By 1913 almost 800,000 acres or approximately 1,200 square miles had been sold or surrendered.

Whether the reserves had been established in eastern or western Canada, whether they were established early or late in the period 1680 to 1896, all of these shared common characteristics. Almost without exception they were controlled by the government; the government determined the size of the reserve; it employed surveyors to establish boundaries.⁷⁶ The Indians did not own the land; they had only the right of occupancy; they could neither sell nor dispose of it without the government's permission.

Not content with this much power over the reserves, the government's officials, for a variety of reasons also controlled the distribution and use of the land within the reserves. Initially, in most regions of Canada, communal occupation was the norm, but, the concept of communalism was at variance with the prevailing non-Indian acceptance of private ownership as the most desirable form of land holding. Consequently, the law-makers and Departmental employees encouraged the Indians to choose individual plots; they included in the Indian Act clauses to facilitate the transition from communal to individual occupation. Nevertheless, on most reserves the prevailing Indian philosophy found this concept incompatible with their beliefs and the idea was slow in gaining acceptance.

⁷⁶Canada, Schedule, pp. 7, 9, 16. The title to a small number of reserves was not transferred to the federal government by missionary or philanthropic organizations until after 1896.

Indians were considered capable of handling only limited responsibility for the management of reserves. The Indian Act determined the permissible degree of Indian participation in reserve government which was empowered to regulate routine day-to-day activities on the reserves.

These reserves, the central fact of Indian life, differed tremendously in size, ranging from ones of less than ten acres in the Maritimes to the Alberta Blackfoot reserve encompassing several hundred thousand acres. Obviously the topography and resources also varied and resembled that of the surrounding countryside. As well as differences there were similarities. Small one or two room houses built at the whim of the builder and without reference to lot lines were set along the roads and trails that crisscrossed the reserves. Often the reserves did not have a focal point; few had bona fide towns or villages within their boundaries. Churches, schools, general stores, perhaps flour mills or community meeting houses existed; but, cohesive communities, such as those which grew in non-Indian settlements, often failed to materialize. Perhaps this was because the reserves, unlike non-Indian communities, did not provide employment for their inhabitants; those who did not support themselves entirely by farming had to earn a living away from the reserves. Perhaps the fact that there was no economic *raison d'être* explained the absence of vibrant communities; had the Indians not been bound to them, many reserves would have been abandoned when their economic resources proved insufficient

to support the population. Furthermore, commercial enterprises such as saw mills, small factories, implement dealerships did not appear; perhaps because the Indians lacked the capital or initiative to begin them; or because non-Indian entrepreneurs were not permitted to live or work on the reserves. Whatever the reasons, many reserves did not thrive or develop commercially.

No doubt the government hoped that the reserves would develop and that the Indians would support themselves; it had no intention of turning the tribesmen loose to live among the non-Indian population. In its quest for settlers, Victorian Canada faced stiff competition from the United States; if Canadian settlement was to succeed, the government had to remove the Indians from the path of settlement; thus the reserve system was an important element in the strategy of building a transcontinental economy. Once the government had made its commitment to reserves, it passed laws to regulate reserve life and established a bureaucracy to implement its legislation. The expansion and development in these fields will be the subject of ensuing chapters.

CHAPTER IV

THE INDIAN ACT OF 1876

The Indian Act of 1876 was one of the most significant single events in the history of Indian Affairs in Canada. Introduced in the House of Commons as Bill 30, it proposed the consolidation of earlier colonial and Canadian laws which had provided the framework for government supervision of Indian reserve life; it also proposed the clarification of the procedure for enfranchisement, the process by which Indians gained the privileges and responsibilities of Canadian citizens. When Bill 30 was passed it became the Indian Act of 1876; the legal base of general administrative policy for the next twenty years.¹

There were one hundred clauses in the bill. Fifty-six related to reserves and resources; nine to the procedure for enfranchisement; seven to the prohibition of intoxicants; five to the privileges awarded exclusively to Indians; three to the disabilities inherent in Indian status; four to the procedure for obtaining legal evidence from non-Christian Indians and five to miscellaneous subjects.

The bill began with three clauses defining key words used in the legislation. The first clause defined "band"

¹Canada, Statutes, Victoria 35, chapter 18 (1876), sections 1-100, pp. 43-73.

and "irregular band."²

The word "band" had been used in English since the seventeenth century to mean "a confederation of persons having a common purpose."³ In Canada, an Indian band was a group of Indians speaking the same language, living in close proximity to one another, seeing themselves as part of a common entity. Usually, but not always, several bands made up a tribe, a larger political unit; the tribe might be part of a confederacy.

For administrative purposes, the government differentiated between a "band" and an "irregular band." A band was:

Any tribe, band or body of Indians who own or are interested in a reserve or in Indian lands in common, of which the legal title is vested in the Crown, or who share alike in the distribution of any annuities or interest moneys for which the Governor in Council is responsible.⁴

The government was not interested in the Indians' tribal origin or family relationships, but in their common interest in land and/or money. Reserves, as noted in the previous chapter, were set aside for the occupation of particular groups. "Indian lands" were areas, originally established

²Ibid., sections 1-3, pp. 43-45.

³Shorter Oxford English Dictionary, 3rd rev. ed. (London: Oxford University Press, 1959), p. 142. Anthropologists have defined a band as "the simplest form of true political organization . . . essentially a local group plus a system of leaders." R. L. Beals and H. Hoijer, An Introduction to Anthropology (New York: Macmillan Co., 1953), p. 444.

⁴Canada, Statutes, chapter 18 (1876), section 3 (1), p. 43.

as reserves, which the Indians had turned back to the government who reclassified them as "Indian land"; the government then sold these lands to non-Indians and deposited the proceeds in an Indian Fund, to be held in trust for the Indians. "Annuities" were moneys paid to individuals for a prescribed period, either as compensation for land given up as part of the terms of treaties, or as payments for past military service. "Interest moneys" referred to interest accumulated on money in the Indian Fund. Thus the government's interest in the entity, the band, was economic or political rather than anthropological.

In contrast an "irregular band" was one which had neither land nor funds:

Any tribe, band or body of persons of Indian blood who own no interest in any reserve or lands of which the legal title is vested in the Crown, who possess no common fund managed by the Government . . . or who have not had any treaty relations with the Crown.⁵

Here the words "Indian blood" implied a belief that the physical composition of the Indians' blood actually differed from non-Indian blood--a racist idea. The lawmakers believed that people with such blood recognized each other and that their self-defined groups should be accepted, particularly since no government-controlled lands or money were involved. The difference between band and irregular band was that the latter received no government funds and occupied

⁵Ibid., section 3 (2), p. 43.

no land classified as a reserve.

After it had defined band and irregular band, the bill then distinguished between "Indians," "non-treaty Indians" and "enfranchised Indians."⁶ Before Confederation, any person who merely claimed to be an Indian had been accepted as such by the government. But this leniency had disappeared by 1876. The bill defined an Indian as "any male person of Indian blood reputed to belong to a particular band. . . . Any child of such person . . . any woman who is or was lawfully married to such person."⁷ If the band accepted a man into membership the government would classify that man as an Indian. If a band denied membership to him, the government would not recognize him as an Indian. When the bill was introduced in the House of Commons, it stated that an Indian would lose his status as an Indian if he had lived off the reserve for more than five years continuously. But the parliamentary Opposition persuaded the government to modify the clause. In its final form it stated that an Indian would lose his status as an Indian if he had lived "for five years continuously . . . in a foreign country" unless he was classed as a "professional man, mechanic, missionary teacher or interpreter" and was "discharging his or her duty as such."⁸ The band could readmit a man, for good reason, to membership; the government would accept the band's decision.

⁶Ibid., section 3 (3,4,5), pp. 43-45.

⁷Ibid., section 3 (3), pp. 43-44.

⁸Ibid., section 3 (3b), p. 44.

Children of Indians would be accepted as Indians; but illegitimate children of Indians had to be formally accepted by the band before the government would grant them Indian status.⁹ Women, according to the bill, would take the status of their husbands.¹⁰ This provision reflected Common Law acceptance of patrilineal descent, a principle which had first appeared in English Common Law in the twelfth century. Thus surnames, identification and property passed from father to son rather than from mother to daughter as had been the case among the Iroquois Indians.

A "non-treaty" Indian was "any person of Indian blood who is reputed to belong to an irregular band or who follows the Indian mode of life though such person be only a temporary resident in Canada."¹¹ The Indian "mode of life" presumably meant living as an Indian at a time when most Indians, whether in eastern or western Canada, were identifiable as different from non-Indians by their appearance, occupation and customs. The reference to "temporary residence" applied to nomadic Indians who travelled between Canada and the United States to search for game or to participate in annual, traditional ceremonial gatherings. Non-treaty Indians, in effect, were any Indians with whom the government had no formal arrangements or agreements. The number of non-treaty Indians decreased greatly between 1876 and 1896; this was due partly

⁹ Ibid., section 3 (3a).

¹⁰ Ibid., section 3.

¹¹ Ibid., section 3 (4).

to the disappearance of the buffalo herds which discouraged the inflow of American Indians and partly to the fact that thousands of western Indians signed treaties and thereby became "treaty" Indians.

An "enfranchised Indian" was "any Indian, his wife, or minor unmarried child, who has received letters patent granting him in fee simple any portion of the reserve which may have been allotted to him . . . by the band to which he belongs . . ."¹² To receive title to his property an Indian had to have completed the enfranchisement process; the details were described in clauses eighty-six through ninety-four of the bill.

The bill then moved on to define "reserves," "special reserves" and "Indian lands." A reserve was:

Any tract or tracts of land set apart by treaty or otherwise for the use or benefit of or granted to a particular band of Indians, of which the legal title is in the Crown, but which is unsurrendered, and includes all the trees, wood, timbers, soil, stone, minerals, metals, or other valuables thereon or therein.¹³

Most reserve land was set apart by treaty between Indian bands and the government. The "otherwise" method of setting land apart for reserves was done by government unilaterally. Throughout eastern Canada, after Confederation, the government acknowledged Indians' needs and simply created new

¹²Ibid., section 3 (5), pp. 44-45.

¹³Ibid., section 3 (6), p. 45.

reserves or expanded existing ones. By this clause, the legal title remained in the hands of the government so long as the Indian bands did not surrender the land. "Unsurrendered" was land which the band kept; "surrendered" was land which the band had decided it did not need and turned back to the government to be reclassified as "Indian land" and sold. The details of this procedure appear in clauses twenty-five through forty-four.

A "special reserve" was one in which the title had been originally vested either in a "society, corporation or community, legally established, and capable of suing and being sued," or in "individuals of European descent."¹⁴ Thus both reserves and special reserves were areas set aside for and occupied by Indians.

The bill established that the "Superintendent General" was the "Superintendent General of Indian Affairs and that he was to be Minister of the Interior."¹⁵ An "agent" was a "commissioner, superintendent, agent or other officer acting under the instructions of the Superintendent General."¹⁶

Clauses five through ten laid out the procedure for staking out individual plots on the reserves. When a reserve was first established, the land had been held in common;

¹⁴Ibid., section 3 (7).

¹⁵Ibid., section 3 (10).

¹⁶Ibid., section 3 (11).

however, since the government believed in severality or individual occupation, the bill authorized the Superintendent General to subdivide the reserve into lots.¹⁷ Once the subdivision was done, Indians presently living on particular lots would not be "deemed to be lawfully in possession" unless they had been "located for the same by the band, with the approval of the Superintendent General."¹⁸ Because reserves might not be subdivided for many years after their creation, Indians who had built houses in the interim would have no claim to their lots until they received their location tickets. A building or residence on a lot did not guarantee the issuance of a location ticket for that lot; the owners of the building could be dispossessed. But, if these owners were dispossessed, the bill provided that "no Indian shall be dispossessed of any lot or part of a lot, on which he or she has improvements without receiving compensation . . . from the Indian who receives the lot or part of a lot, or from the funds of the band."¹⁹

The superintendent would issue, "in triplicate a ticket granting a location title to such Indians."²⁰ One copy of this document, known as a "location ticket," would be kept in a record book, one held by the agent and one by the Indian. Having a location ticket would not give the

¹⁷ Ibid., section 5.

¹⁸ Ibid., section 6.

¹⁹ Ibid.

²⁰ Ibid., section 7, p. 46.

occupant the rights of ownership; he would not be able to use the land as security nor could he sell it; it would remain part of the band's collective holdings.²¹ The location ticket would give the Indians merely the right of occupation. However, acquiring a location ticket would be the first step towards an Indian's enfranchisement.

Once an Indian had a location ticket, his holding would become part of his estate and, when he died, "the right and interest" to the land holding, "together with his goods and chattels" was allocated, according to a prescribed formula, to his next of kin unless he "had no heir nearer than a cousin"; in this case his estate would be "vested in the Crown for the benefit of the band."²² His heirs would have to apply for a location ticket if they wanted legal occupation of the holding.²³

Clause ten dealt with western Indians who had made improvements to a particular plot of land before reserves had been established. If such plots of land later became part of a reserve, these Indians would have the same rights to their plots as those who applied for location tickets.²⁴

Clauses eleven through twenty spelled out the protection of reserves from outsiders. First and foremost

²¹Ibid., section 8.

²²Ibid., section 9.

²³Ibid.

²⁴Ibid., section 10, p. 47.

clause eleven stipulated:

No person, or Indian other than an Indian of the band, shall settle, reside, or hunt upon, occupy, or use any land or marsh . . . all mortgages, hypothecs given or consented to by any Indian, and all leases, contracts and agreements made or purported to be made by any Indian, whereby persons or Indians other than Indians of the band are permitted to reside or hunt upon such reserves, shall be absolutely void.²⁵

Presumably the lawmakers expected that many outsiders would be trying to break into reserve life; the nine clauses, eleven to twenty, provided for the prosecution and punishment of individual trespassers.²⁶ Even if the government itself wanted to "trespass" for public works, to build roads or railroads, the Superintendent General, according to clause twenty, had the power to appoint an arbitrator to decide on compensation.²⁷

Clauses twenty-one and twenty-two delineated the future status of special reserves, those whose titles had been vested in groups or individuals of European descent.²⁸ When title to a special reserve would lapse or become void in law, "the legal title shall become vested in the Crown in trust, and the property shall be managed for the band or irregular band . . . as an ordinary reserve."²⁹ These clauses

²⁵Ibid., section 11.

²⁶Ibid., sections 11-20, pp. 47-50.

²⁷Ibid., section 20, p. 50.

²⁸Ibid., sections 21-22, pp. 50-51.

²⁹Ibid., section 22, p. 51.

protected the Indians when organizations or individuals gave up their philanthropic work among the Indians.

Clauses twenty-three and twenty-four specified the liability of reserve Indians "to perform labor on the public roads"; gave the Superintendent General, or his representative, power to, "direct when, where and how . . . the said labor shall be applied"; charged the band with the responsibility for keeping "roads, bridges, ditches and fences within their reserve" in proper order; and, authorized the Superintendent General to force them to meet these obligations.³⁰

Clauses twenty-five through forty-four established the mechanics for the surrender of reserve land and for the management and sale of that land once it was surrendered. The band's consent to the surrenders would be the prerequisite for government action, but after the initial approval of the Indians, their involvement would end. Clauses twenty-five through twenty-eight delineated the surrender procedure.³¹ No area could be sold, alienated or leased until it had been "released or surrendered to the Crown"; the superintendent or his representative would have to be present at a meeting of the band; he would witness that a majority of the band's males had agreed to surrender the land.³² The witnessing official and "one of the chiefs or principal men" then

³⁰ Ibid., sections 23-24.

³¹ Ibid., sections 25-28, pp. 51-52.

³² Ibid., section 26.

certified by oath before "some judge of a superior, country or district court or stipendiary magistrate" that the decision had been made in the prescribed manner.³³ Clause twenty-seven prohibited the use of alcohol as a means of persuading the band to surrender land or to grant timber licenses:

It shall not be lawful to introduce at any council or meeting of Indians held for the purpose of discussing or of assenting to a release or surrender . . . any intoxicant; and any person introducing, allowing or countenancing by his presence the use of such intoxicant among such Indians a week before, at, or a week after, any such council . . . shall forfeit two hundred dollars . . . one half of which penalty shall go to the informer.³⁴

Spelling out the procedure in such detail probably indicated that liquor might have been used in the past to obtain the surrender of reserve land and that the government was determined to stop the practice.

Clause twenty-nine stated that the disposition of surrendered land, to be known henceforth as Indian land would be the absolute responsibility of the government:

All Indian lands, being reserves or portions of reserves surrendered or to be surrendered to the Crown . . . shall be managed, leased and sold as the Governor in Council may direct, subject to the conditions of surrender, and to the provisions of this Act.³⁵

³³Ibid.

³⁴Ibid., section 27, p. 52.

³⁵Ibid., section 24, p. 53.

Clauses forty-five through fifty-seven outlined the procedures for managing and selling timber from the reserves. The power to assign timber cutting licenses would rest entirely with the officials:

The Superintendent General, or any officer or agent authorized by him . . . may grant licenses to cut timber on reserves and ungranted Indian lands at such rates, and subject to such conditions, regulations and restrictions, as may from time to time be established by the Governor in Council.³⁶

The details of clauses forty-six through fifty-seven indicated that many non-Indians had been coveting the timber on Indian reserves and Indian land; these non-Indians had been going to some lengths to obtain the timber and to avoid the dues payable for each and every piece of wood.³⁷ That the government intended to stop illegal cutting was clear in the next few clauses; so, too, was their refusal to call the crime by anything but its real name, "conveying away without authority to be [called] stealing."³⁸ The more stringent the administering of the regulations, the greater the benefits to the Indians; for clauses fifty-eight through sixty stated that "proceeds arising from the sale . . . of . . . the timber. . . shall be paid . . . to the credit of the Indian fund."³⁹

³⁶ Ibid., section 45, p. 57.

³⁷ Ibid., sections 46-57, pp. 57-61.

³⁸ Ibid., section 55, p. 60.

³⁹ Ibid., section 60, p. 61.

Then clauses fifty-eight through sixty dealt with the disposition of almost all money belonging or accruing to the Indians.⁴⁰ The government, through the Governor-in-Council, restricted only "by the provisions of this Act," had complete authority to "direct how, and in what manner, and by whom the moneys arising from the sales of Indian lands, and from the property held or to be held in trust for the Indians, or from any sources . . . shall be invested . . . and how payments or assistance to which the Indians may be entitled shall be made or given."⁴¹ The Indians, if they had had the presence of mind to ask for the control of some money at the time they surrendered their land, would be permitted to control a "small sum not exceeding ten per cent."⁴² Not only did the government dole out the funds as it saw fit, but it also had the authority to direct "what percentage or proportion thereof shall be set apart . . . to cover the cost of and attendant upon the management of reserves, lands, property and moneys and for the construction or repair of roads . . . and by way of contributions to schools frequented by Indians."⁴³ And by a further clause the government would control all money earned from common property; the clause stated that any money resulting from

⁴⁰ Ibid., sections 58-60.

⁴¹ Ibid., section 59.

⁴² Ibid.

⁴³ Ibid.

"the sale or lease of any Indian land, or from the timber, hay, stone, minerals or other valuables thereon . . . shall be paid to the Receiver General to the credit of the Indian Fund."⁴⁴ Although the spending of money earned by Indians as private individuals was exempt, all other Indian money would be held in the Indian Fund and dispensed by the government. The sums involved were large; the Indian capital fund grew from \$2,923,335 in 1876 to \$3,913,616 in 1896.⁴⁵ Indian participation in the management of this fund was minimal.

Clauses sixty-one through sixty-three allowed the government to standardize political organization on the reserves. Previously a band might have had one or more chiefs who had been chosen by the band or who had inherited the title of chief; or it might have had a council composed of elected and/or hereditary representatives. The degree of power that a band granted to the chiefs or the council had reflected the needs of the groups. In a nomadic, loosely structured band, except in times of crisis, the chief's role had been minimal. In a sedentary band where many people lived in close proximity, the political power of the leaders had been much greater. Whatever the form of native government, the role of the leaders had been to maintain peace within the groups, to organize or direct

⁴⁴ Ibid., section 60, p. 61.

⁴⁵ Canada, Annual Report 1876, part I, p. 43; Canada, Annual Report 1896, p. 467.

community enterprise, and to conduct such group activities as warfare.⁴⁶

Ignoring indigenous forms of band government, the bill imposed a new political structure; this new arrangement decreed that certain decisions affecting the whole band had to be approved by either a majority of males over twenty-one or by a majority of a council elected by and representing the majority of mature males.⁴⁷ In the past, hereditary chiefs retained their position for life; but Bill 30 provided that though these existing hereditary or life chiefs would not be deposed unless they exhibited unmistakable evidence of "dishonesty, intemperance, immorality, or incompetency," all future chiefs or councillors (the terms seem to have been interchangeable) would be elected by adult males for a given term; the number elected would conform to a prescribed ratio of one chief or councillor for a given number of Indians.⁴⁸ These elected chiefs and councillors could be dismissed by the government if they displayed any of the weaknesses for which hereditary chiefs could be removed.⁴⁹ In both the elections and the performance of duties the bill gave government officials the ultimate power to set aside the band's

⁴⁶Beals and Hoijer, Introduction to Anthropology, p. 444.

⁴⁷Canada, Statutes, chapter 18 (1876), sections 61-63, pp. 61-62.

⁴⁸Ibid., section 61.

⁴⁹Ibid., section 62, p. 62.

decisions and dismiss the chiefs.⁵⁰

The responsibilities given to the band council by the bill were the same as those held by non-Indian municipal governments. The bill would make each council responsible for:

1. The care of public health;
2. The observance of order and decorum at assemblies of the Indians. . . .
3. The repression of intemperance and profligacy;
4. The prevention of trespass by cattle. . . .
5. The maintenance of roads, bridges, ditches and fences;
6. The construction and repair of school houses, council houses and other Indian public buildings;
7. The establishment of pounds and the appointment of poundkeepers;
8. The locating of the land in their reserves, and the establishment of a register of such locations.⁵¹

These new councils ignored the traditional band government which had reflected the groups' needs. This was particularly true for the Iroquois organization in which women and the consensus of large groups had been so important.⁵² The new standardized reserve councils would allow the federal

⁵⁰Ibid., sections 61-62, pp. 61-62.

⁵¹Ibid., section 63, p. 62.

⁵²The characteristics of the Iroquois political structure were the delineation of lineage through the women; the division of bands and tribes into clans made up of certain women's families; the selection from these clans of a prescribed and usually large number of sachems or chiefs; the delegation of power to the sachems who met in a council to make collective consensus decisions; the retention by the senior women of the ultimate power to displace sachems if they incorrectly represented the women's views. It was a society in which consensus was important and the women held ultimate power. Beals and Hoijer, Introduction to Anthropology, pp. 404-7.

government to control this facet of reserve life and to relieve its agents of some of their responsibilities.

The "privileges" of Indians listed in clauses sixty-four to sixty-nine were peculiar. The framers of the legislation thought they were giving the Indians privileges; critics, however, recognized them as liabilities. Clauses sixty-four and sixty-five would give Indians the privilege of exemption from payment of taxes on real or personal property or land on the reserves; in reality these clauses would limit Indian participation in the non-Indian political process for without taxation the Indians could not demand representation.⁵³ Clause sixty-six, intended as a protection, would prevent non-Indians from holding mortgages on Indians' goods or property; but, in reality, this clause would prevent Indians from raising capital.⁵⁴ Clause sixty-seven would give as a privilege what to other Canadians was a right; the right to "sue for a debt due to them."⁵⁵ According to clause sixty-eight, Indians would be privileged to sue for and recover any "pawn taken . . . for any intoxicant"; they would be able to get back any goods they had given to non-Indians in exchange for liquor.⁵⁶ Intended as a protection for Indians, this law would curtail their freedom to drink intoxicating liquor; a freedom enjoyed by all other Canadians.

⁵³Canada, Statutes, chapter 18 (1876), sections 64-65, p. 63.

⁵⁴Ibid., section 66.

⁵⁵Ibid., section 67.

⁵⁶Ibid., section 68.

The final clause, sixty-nine, made inviolable any "present . . . or property purchased or acquired with or by means of any annuities granted to Indians"; it stipulated that non-Indians or Indians of other bands could not take these items "for any matter, debt or cause whatsoever."⁵⁷ The clause's purpose would be the protection of the property of Indians, but if merchants could not seize goods as payments for unpaid bills, they would have to insist on cash; Indians would be prevented from credit buying. These "privileges" would turn out to be liabilities.

An additional stipulation provided that in western Canada presents given to Indians or goods purchased with annuity money could not be "sold, bartered, exchanged or given . . . to any person or Indian other than an Indian of such band," without the "written assent of the Superintendent General or his agent."⁵⁸ The penalties to be imposed on those who acquired the Indians' goods were to be fines of up to \$200 or imprisonment for up to six months.⁵⁹ By inserting this clause, the Department hoped that the Indians would keep the livestock, plows, wagons, seed grain and other items which the government provided in order to encourage them to become farmers. The government hoped to protect its own investment and prevent the Indians from asking for more hand-outs. But preventing the Indians from

⁵⁷Ibid., section 68.

⁵⁸Ibid., section 69.

⁵⁹Ibid.

selling, bartering, exchanging or giving away their possessions prevented them from participating in the non-Indian free enterprise economy; it heightened the power of the agents who had to give permission before the Indians could engage in trade; and it reduced the possibility of the Indians using their own initiative to improve their economic situation. This restriction almost guaranteed that Indians would never enter into business.

Clauses seventy through seventy-three outlined certain "disabilities and penalties" applicable to Indians.⁶⁰ Indians were forbidden to homestead in western Canada.⁶¹ Imprisoned Indians were not to receive their annuities; "the legal costs incurred in procuring such convictions, and in carrying out the various sentences recorded" were to be paid out of annuity money or interest money due to the band.⁶² An Indian deserting his or her family forfeited his or her annuity; the money was used to support the deserted ones.⁶³ Furthermore, any woman without children who deserted "her husband" and lived "immorally with another man" lost her income.⁶⁴ Traditionally Indians had helped one another, but the law now reserved for the Superintendent General the power to use band money to help needy band members, whom the

⁶⁰ Ibid., sections 70-73, pp. 64-65.

⁶¹ Ibid., section 70, p. 64.

⁶² Ibid., section 71.

⁶³ Ibid., section 72, pp. 64-65.

⁶⁴ Ibid.

band, for whatever reasons, was not helping.⁶⁵ Although the money belonged to the Indians, the Department took over the responsibility for its allocation.

Clauses seventy-four through seventy-eight described procedures for obtaining evidence from non-Christian Indians.⁶⁶

Clauses seventy-nine through eighty-five prohibited the sale of intoxicants to Indians and established penalties for those who broke the law.⁶⁷ An intoxicant had been defined earlier in the bill as any "intoxicating drug or substance, and tobacco or tea mixed or compounded or impregnated with opium or with other intoxicating drugs, spirits or substances"; in most cases the intoxicant was alcohol.⁶⁸ From the earliest fur trading days, officials had debated the desirability of providing alcohol to Indians. By the seventies the government's position was clear: Indians were not to drink. But so many Indians and non-Indians were so determined to circumvent the regulations that enforcing prohibition became almost impossible.

Clauses eighty-six through ninety-four provided for enfranchisement, the process by which an Indian changed his legal status from that of an Indian whose rights and privileges, as defined by the Indian Act, roughly equalled those of a non-Indian Canadian minor, to that of a Canadian whose age, sex and ownership of property, not his race, determined

⁶⁵Ibid., section 73, p. 65.

⁶⁶Ibid., sections 74-78, pp. 65-66.

⁶⁷Ibid., sections 79-85, pp. 66-68.

⁶⁸Ibid., section 3 (7), p. 45.

his legal status.⁶⁹ Individual men, women and children, as well as bands, could be enfranchised. In the eyes of the law such a person would no longer differ from a non-Indian; he would have the same rights. After enfranchisement he would be free of the restrictions of the Indian Act; he/she could, though, continue to collect his/her annuities and participate in band councils.⁷⁰ Enfranchisement, according to the Oxford Dictionary, means eligibility to vote; admission "to political rights; now esp. the electoral franchise"; but Bourinot pointed out that enfranchisement for the Indians meant the "conferring upon them [of] the rights and privileges of free citizens" and in the Canada of 1876 women, children or propertyless males were not entitled to vote.⁷¹ An enfranchised male could vote only if he, as the equal of other Canadian males, met specific standards of eligibility.⁷²

Any Indian man or unmarried woman of twenty-one might, with the consent of the band, begin the enfranchisement procedure; the man's wife and minor unmarried children would be enfranchised with him when he had completed the

⁶⁹ Ibid., sections 86-94, pp. 68-72.

⁷⁰ Ibid., section 88, p. 69.

⁷¹ Shorter Oxford English Dictionary, p. 618; John George Bourinot, How Canada is Governed (Toronto: Copp Clark Co., 1895), p. 279.

⁷² From 1867 to 1885 eligibility to vote in federal elections was based on provincial standards. From 1885 to 1898 there was a uniform federal standard for the federal franchise, in 1898 eligibility again depended on provincial qualification.

process.⁷³ In addition, clause ninety-three provided for band enfranchisement saying that, "whenever any band, . . . decides to allow every member who chooses, and who may be found qualified" to become enfranchised, then "all such Indians . . . shall . . . cease in every respect to be Indians of any class within the meaning of this Act."⁷⁴ Thus, individually or collectively, Indians meeting the Act's requirements could become enfranchised. A third category of Indians, allowed to bypass this procedure, would be those who had university degrees or professions; they were enfranchised automatically.⁷⁵

The enfranchisement process was relatively straightforward. First an Indian had to apply to the band for permission to proceed; once he/she had received this, he/she could occupy the land allotted as his/her share of the reserve. Then a "competent person" would assess the Indian's character to determine if:

The applicant is an Indian who, from the degree of civilization to which he or she has attained, and the character for integrity, morality and sobriety which he or she bears, appears to be qualified to become a proprietor of land in fee simple.⁷⁶

⁷³Canada, Statutes, chapter 18 (1876), sections 86-88, pp. 68-69.

⁷⁴*Ibid.*, section 93, p. 71.

⁷⁵*Ibid.*, section 86 (1), p. 69.

⁷⁶*Ibid.*, section 86, p. 69.

When an Indian had received this approval, the government would grant a "location ticket" to the "probationary Indian"; after a period of three years the Indian could choose a "name and surname by which he or she wished to be enfranchised"; then he would receive the grant of land in "fee simple."⁷⁷ Having completed this process, the Indian would be considered enfranchised.

A number of clauses defined procedures for such exceptional circumstances as an Indian's children reaching twenty-one before he completed his probationary period, the disposition of the lot if an Indian failed to qualify or died before he had completed his probation, and, the manner of allotting land to probationary Indians.⁷⁸

To allow Indians to become property owners was indeed a concession on the government's part; the government until this time had owned all reserve land. It believed that most Indians lacked the competence to own property; that if they did own land they might sell it for the proverbial string of beads. But the government did admit that a few who met its enfranchisement standards could own property. They could become "proprietors in fee simple." This, in the Victorian property-centred society, was the ultimate stamp of approval.

⁷⁷Ibid., section 88. The significance of the name change may have been the Indian's acceptance of non-Indian customs or it may have been his rejection of his tribal or Indian values as embodied in his Indian name.

⁷⁸Ibid., section 89-92, p. 70.

The whole process of enfranchisement was relatively uncomplicated but the government would find in the ensuing years that very few Indians would become enfranchised. Perhaps the government had underestimated the Indians' desire to retain Indian status and overestimated their eagerness to become Canadian citizens.

Enfranchisement legislation did not apply to all of Canada's Indians; it applied only to those living in eastern Canada.⁷⁹ Since most western Indians still followed their nomadic way of life perhaps their degree of "civilization" in comparison with that of eastern Indians was so small that the law-makers saw no prospect of enfranchising them. Certainly in the next few decades the government's consistent policy of permitting only Caucasians to homestead, supports the idea that the government really did not want the Indians or any non-caucasians as homesteaders.⁸⁰ But if the government's long-term goal for Indians was assimilation by enfranchisement, there should surely have been provision for the eventual enfranchisement of those western Indians who could meet the government standards.

The remaining clauses, ninety-five through one hundred, cleared up miscellaneous legal matters: how affidavits required under the Act were to be taken; which documents were to be considered official evidence; the

⁷⁹ Ibid., section 94, pp. 71-72.

⁸⁰ Harold Martin Troper, "The Creek Negroes of Oklahoma and Canadian Immigrants, 1909-11," Canadian Historical Review (September 1972), pp. 272-88.

earlier legislation which was to be repealed by the passage of the bill; and, finally it empowered the Superintendent General to "exempt from this Act" any Indian, anywhere, for any length of time.⁸¹

The 1876 Indian Act provided for the government's day-to-day management of the lives of the reserve Indians and for the possible enfranchisement of eastern Indians. It was on the latter provision that much of the parliamentary discussion focussed. In the debate, three points of view were expressed. The Liberals, particularly the Minister of the Interior David Laird, and the Prime Minister, Alexander Mackenzie, believed paternal care, judiciously applied, would ultimately bring about the enfranchisement of most eastern Indians; the legislation provided for both short-term supervision and eventual enfranchisement. The Conservatives' principal spokesman, John A. Macdonald, leader of the Opposition and Hector Langevin, a former minister responsible for the Indians, generally agreed with the Liberals' professed goals, but attacked clauses which seem not to safe-guard adequately the Indians' rights. Two dissident Liberals, William Paterson and Gavin Fleming, who opposed both reserves and enforced separation of Indians and non-Indians, advocated the immediate absorption of all reserve Indians into Canadian life.

Although the government was deeply involved in trying to resolve the serious problems facing the plains Indians,

⁸¹Canada, Statutes, chapter 18 (1876), sections 95-100, pp. 72-73.

and although the situation in the west was approaching crisis proportions, Members of the House of Commons seemed to ignore the west in their discussion of the Indian bill. Few, if any, of the Members had had first hand experience with western Indian problems or any awareness of the gravity of those problems. As a result, the debators concentrated on the long-term objective of enfranchisement for eastern Indians but did not discuss the need for a similar goal for western Indians.

David Laird, Minister of the Interior, when he introduced the bill in the House of Commons on March 2, 1876, set the tone of the debate. He said that the bill's principal object was " . . . to consolidate the several laws relating to Indians"; and he emphasized that its importance lay in the changes in the enfranchisement process which he hoped would encourage Indians to apply for location tickets, to "improve their land," and, eventually, to become enfranchised.⁸² The new law would make identification with a particular plot of land the first step in enfranchisement because Laird, like other Victorians, believed that the successful management and improvement of property was the foundation of civilized society.

Laird gave neither an estimate of the numbers who might become enfranchised nor a proposed timetable for the rate at which enfranchisement might occur; he merely said

⁸²Canada, Debates, March 2, 1876, p. 342, D. Laird.

again that enfranchisement was the only possible long-term goal. It was not a new objective; provision for enfranchisement had been made in the Canadas in 1857; however, in the intervening eighteen years, fewer than one hundred Indians had actually been enfranchised.⁸³ He attributed the Indians' lack of interest to imperfectly designed legislation and the attitudes of non-Indians. His resolve to change both law and attitudes was reflected in this statement:

Our Indian legislation generally rests on the principle that the Aborigenes are to be kept in a condition of tutelage and treated as wards or children of the State. The soundness of this principle I cannot admit. On the contrary I am firmly persuaded that the true interests of the Aborigines and of the State alike require that every effort should be made to aid the Red man in lifting himself out of his condition of tutelage and dependence and that it is clearly our wisdom and our duty, through education and every other means to prepare him for a higher civilization by encouraging him to assume the privileges and responsibilities of full citizenship.⁸⁴

In spite of his good intentions, the 1876 bill, for which he was responsible, rested on the same foundations as the earlier legislation.

⁸³Canada, Legislative Assembly Journals, 1858, Appendix 21, Part II, unpagged. The law, Victoria 20, chapter 26 (1858) was described as "enabling Indians of sufficient education and character to become in all respects members of the Canadian community, when the Commissioners appointed for that purpose shall after due examination find an Indian competent to manage his own affairs, they may give him a certificate to that effect, and he may receive a portion of land in his own name, as well as the capital of his share of all moneys receivable by his tribe. He thus breaks the link which binds him to his band, and assumes the responsibilities and privileges shared by the community at large."

⁸⁴Canada, Annual Report 1876, p. xiv. D. Mills cited speech D. Laird had made.

The debate on the principles of the bill centred around the concept of present paternalism leading to future enfranchisement. Hector Langevin, former Conservative cabinet minister, expressed succinctly the need for paternalism saying, "Indians were not in the same position as white men. As a rule they had no education and they were like children to a very great extent. They, therefore, required a great deal more protection than [than] white men."⁸⁵ Gavin Fleming, one of the dissident Liberals, disagreed saying "Indians should be placed precisely on the same footing with whites; and they should be made more self-reliant and self-dependent."⁸⁶ Fleming opposed those clauses in the bill which gave the Indians their special status: those which prohibited their selling the land they were located on; forbade their taking mortgages; exempted them from paying taxes and excluded them from the other responsibilities of citizens. Fleming's belief that Indians should sink or swim as all other Canadians do was echoed by the most outspoken critic of Indian separation and special status, William Paterson:

To wipe out in this country all national distinctions . . . every resident of Canada should make it his proudest boast that he was a Canadian. The endeavour to perpetuate the Indians in the Canadian nation was an anomaly . . . national distinctions should not be perpetuated . . . and no legislative obstacles should be placed in the way of the union of whites and Indians.⁸⁷

⁸⁵Canada, Debates, March 21, p. 752, H. Langevin.

⁸⁶Ibid., p. 753, G. Fleming.

⁸⁷Ibid., p. 750, W. Paterson.

The two dissident Liberals, believing Indian reserves and paternal care unnecessary, advocated removing the legal distinctions which separated Indians from non-Indians, but their view seems to have been held by very few parliamentarians.

After second reading of the bill, the House went into committee of the whole to consider the details of the bill. In this discussion the Conservative Opposition became the champions of the Indians. Clause three provided for the loss of Indian status not only for an Indian who was out of Canada for five years, but also for one who "having for a like period very rarely resided with or visited the band to which he or she belongs"; it also removed Indian status from anyone who received money from the United States government.⁸⁸ John A. Macdonald said that although it might be convenient to revoke the status of these Indians, it would be wrong because their Indian status was "their birth right, and they should not be deprived of it."⁸⁹ Laird did not challenge this point but maintained that it was right to cut off those Indians who received money from the American government.⁹⁰ Macdonald again objected and emphasized that it was the band's prerogative to determine who its members would be. Eventually the Conservatives made their point; only an Indian who was not engaged in an occupation exempted in the legislation and who remained outside Canada for five

⁸⁸ Ibid., March 30, p. 870.

⁸⁹ Ibid., J. A. Macdonald.

⁹⁰ Ibid., D. Laird.

years would lose Indian status and the band could, if it chose, reinstate the individual at any time in the future.

In the consideration of clause eleven, which deprived Indians of the right to lease land to non-Indians, Paterson expressed the desirability of empowering bands to lease lands to whites for cultivation; he felt this would be useful for all Indians, particularly Indian widows.⁹¹ But his concern for the plight of widows was overshadowed by the long-term ramifications of permitting Indians to rent their land. Members participating in the debate pointed out that most bands showing little interest in cultivation yet wanting easy cash income would probably rent most of their arable land. This would cause trouble when non-Indians who had rented and improved the land were told to relinquish it. Alexander Mackenzie said, "that would never do. To allow the Indians to lease their lands to white people would be practically to dispossess them."⁹² He stated categorically, "the reserves should be preserved exclusively for the Indians," and added that if any excess land was to be sold or leased, such decisions, "should be left wholly within the control of the Indian department."⁹³ Mackenzie questioned the Indians' judgment; he said "the bands should not be empowered to sanction leases, as they might be exposed to highly improper influences, judging from experience, enabling worthless

⁹¹Ibid., p. 926, W. Paterson.

⁹²Ibid., March 30, p. 926, A. Mackenzie.

⁹³Ibid.

whites to settle in the heart of the reserves and demoralize the Indians."⁹⁴ The Conservatives' chief critic, Hector Langevin, supported Mackenzie saying that he was expressing not his lack of confidence in the Indians, but an awareness of the greed of non-Indians who were hard to dislodge once they had established themselves. He referred to non-Indian squatters in New Brunswick who had lived on Indian land and eventually gained absolute possession of that land.⁹⁵

Clauses fifty-eight to sixty, which outlined the control and allocation of Indian money, proved the next major source of disagreement. First Paterson said the whole approach to Indians' money was wrong because it was autocratic, unsympathetic and unresponsive to the Indians' needs. David Mills, later Liberal Minister of the Interior, expressed the government's opinion that "the duty of the Government was to judge as to what was best in the interest of the Band."⁹⁶ Customarily the money from the sale or lease of reserve land became part of the general Indian Fund from which the bands could receive small amounts on request. Paterson said the Indians should be paid the accumulation of interest accruing on the Indian Fund capital and that they should be allowed to spend it as they chose. Comparing the government's practices with those of a non-Indian guardian, he asked if a child's money were invested with a return of three hundred

⁹⁴Ibid., p. 927.

⁹⁵Ibid., H. Langevin.

⁹⁶Ibid., pp. 929-30, D. Mills.

dollars a year, "would it be fair . . . that the guardian pay the ward [only] \$100 per year?"⁹⁷ He did not think the government should be holding back any money that belonged to the Indians. Paterson, too, objected to the degree of paternalistic control. He insisted that the Indians' future ability to cope with financial problems would be improved by giving them greater power to allocate at least part of their money. Despite this objection no change was made in the three clauses concerning the handling of Indian money.

Consideration of clause sixty-nine which provided that Indians could not sell, trade or exchange anything given to them by the government or anything purchased with government annuities, provoked a lively discussion. Opposition members concentrated on the need to amend the clause so that it distinguished between eastern and western Indians. They said that only western Indians were in danger of losing their possessions; that eastern Indians should not have their commercial activities restricted. They also expressed scepticism that any government could administer the clause fairly. Macdonald dryly noted that henceforth if an Indian "squaw" bought a hen and sold the eggs the purchaser might spend six months in jail.⁹⁸ The Liberals accepted the Conservatives' idea of geographic differentiation; they amended clause sixty; in its final form it applied only to western Indians.

⁹⁷Ibid., p. 930, W. Paterson.

⁹⁸Ibid., p. 932, J. A. Macdonald.

Clause seventy prohibited Indians from homesteading. John Schultz, a western Independent Member, pointed out bitterly that because the Indians were given an annuity of five dollars a head they "were to be deprived of every right and privilege which a white man holds dear."⁹⁹ Laird said, "Indians must either be treated as minors or as white men. If they should be found intelligent enough to exercise the rights of white men they could become enfranchised."¹⁰⁰ However, this was a careless remark, for the law specifically forbade Indians in the west to become enfranchised; they could neither homestead as Indians, nor change their status to homestead as enfranchised Indians.

Finally, Parliament discussed the effectiveness and applicability of the provisions for enfranchisement. Previous enfranchisement legislation passed in 1857 and 1869 had resulted in the enfranchisement of very few Indians; so the Liberals, committed to encouraging enfranchisement, had tried to make the process more attractive. Paterson, who thought all legal distinctions between Indians and non-Indians should be removed, criticized the process both as it had been and, despite Laird's modifications, as it was to be in the future. He argued that if the very civilized Ontario Six Nations Iroquois Indians "are not fit for enfranchisement, it is the strongest possible argument against the system."¹⁰¹

⁹⁹Ibid., p. 933, J. Schultz.

¹⁰⁰Ibid., D. Laird.

¹⁰¹Ibid., March 21, p. 750, W. Paterson.

In fact, he had inverted the problem; it was not the government who had said the Indians were unacceptable, but the Indians who had decided they wanted no part of enfranchisement; the band usually refused permission to a member applying for enfranchisement. The Six Nations Indians vehemently opposed enfranchisement; they saw it as a device designed to weaken them by breaking up the reserve since an enfranchised Indian had the right to sell his land to whoever wanted to buy it.¹⁰² Langevin, the Member with the greatest experience with enfranchisement legislation, also opposed the clause permitting enfranchised Indians to sell reserve land.¹⁰³ He opposed it because he did not approve of non-Indians living or farming on the reserves. But Laird maintained that the government had to stick to the principle that once Indians became enfranchised they should have all the rights of non-Indians.¹⁰⁴ The question of which and how many Indians in eastern Canada should be enfranchised arose, as it did whenever enfranchisement was discussed. Langevin declared that the bill, in theory, gave to all eastern Indians the opportunity to become enfranchised; in reality it provided for the enfranchisement of only a small minority. He argued that by this legislation the majority were to be kept "in a state of tutelage" whereas "looking to the future

¹⁰²P.A.C., R.G. 10 B 3, file 6808, March 1876. Ashton to Christie.

¹⁰³Canada, Debates, April 4, p. 1037, H. Langevin.

¹⁰⁴Ibid., p. 1036, D. Laird.

of the race . . . their true policy should be to do away with the system, by the gradual emancipation of the Indians who lived in villages and were settled."¹⁰⁵ He did not specify how the government might accomplish this goal; as a matter of fact, while responsible for Indian policy himself, he had done little to improve the machinery for its realization. The government in 1876 had not laid out clearly its goals, nor solved the problems of how many Indians should be enfranchised nor devised an enfranchisement timetable.

To critics who said it was wrong to make enfranchised Indians cut themselves off from their tribal identity Laird responded that the individual was "not cut off from his band by enfranchisement. He belongs to the tribe as much as ever he did."¹⁰⁶ Although the enfranchised Indians "ceased in every respect to be Indians of any class within the meaning of this Act," the law provided that though they were no longer deemed "Indians within the meaning of the laws relating to Indians," nevertheless, they continued to have the right to "participate in the annuities and interest moneys, and rents and councils of the band."¹⁰⁷ But Paterson pointed out that it was "impossible at the same time to preserve the tribal relations and facilitate the enfranchisement

¹⁰⁵Ibid., p. 1039, H. Langevin.

¹⁰⁶Ibid., D. Laird.

¹⁰⁷Canada, Statutes, Victoria 35, chapter 18 (1876), section 88, pp. 69-70.

of the Indians."¹⁰⁸ He was probably right. Those few Indians who chose enfranchisement were probably denying tribal values and their identity as Indians. Any Indian belonging to the small minority who had passed through the lengthy procedure had rejected the traditional psychology of the band, based as it was on communal ownership and had accepted non-Indian values. As Paterson had said, it was unlikely that enfranchisement and tribal strength were compatible.

The questions raised about enfranchisement do not seem to have been satisfactorily answered. Most Members and particularly the Minister of the Interior, considered only a few Indians worthy or capable of becoming enfranchised; yet they spoke of enfranchisement as the ultimate solution for Indian problems.

Bill 30, assented to on April 12, 1876, became "An Act to Amend and Consolidate the Laws Respecting Indians," Victoria 35, chapter 18, 1876.¹⁰⁹ During its passage through Parliament, the Members discussed a number of issues which had been and would continue to be controversial: the desirability of enfranchisement; the best way to motivate Indians to become enfranchised; the necessity of preserving and managing the reserves and resources; the best way to look after the resources; and, the degree of paternalistic

¹⁰⁸ Canada, Debates, April 4, 1876, p. 1039, W. Paterson.

¹⁰⁹ Ibid., April 12, p. 1183.

control needed by the Indians. While most speakers at least acknowledged the long term desirability of enfranchising the Indians, the chief thrust of the legislation was the imposition of more paternalism. Only the dissident Liberals consistently advocated immediate assimilation.

The importance of the 1876 Indian Act rested on its definition of the Indians in terms of race. They were to be treated differently; given special legal status because of their race. The legislation established the legal framework necessary for the Department to control and manage the Indians on the reserve. This was restrictive legislation which prevented the tribesmen from freely entering the Canadian economic system as equal competitors. At the same time, it protected the Indians from feeling the full impact of the free enterprise system. The act enabled the government to keep the majority of Indians isolated and supervised on reserves; but at the same time it gave the government the means to permit a select few eastern Indians to free themselves from the restrictions of the Indian Act through the enfranchisement process. Although it was the Liberals who had passed this legislation, John A. Macdonald and his Conservatives, when they returned to power in 1878, retained it. The Indian Act of 1876 had become the basis of all future Indian policy and legislation.

CHAPTER V

LEGISLATION 1880-1896

The Conservatives, returned to office in 1878, began introducing Indian legislation which revealed their intention to continue the policies established by the Liberals: to confine the great majority of Indians on reserves and to permit only a few of the most "civilized" to escape their inferior legal status through enfranchisement. During these years the government would use an expanded administration and an increased number of restrictive laws to try to make reserve Indians live more like non-Indians and support themselves. It would tighten the qualifications for enfranchisement for eastern Indians so that the process would become less appealing. During the 1880-1896 period, the Conservatives passed the revised Indian Act (1880), the Indian Advancement Act (1884), amendments to these acts and the Franchise Act (1885).

In 1880, John A. Macdonald introduced Bill 90, the Conservatives' version of the Indian Act.¹ Although this bill was substantially the same as the 1876 Indian Act, it did establish a more sophisticated administrative structure for the government's increased responsibilities and for

¹Canada, Statutes, Victoria 43, chapter 28 (1880), sections 1-113, pp. 202-35.

solutions to problems arising from the dislocation of the western Indians.

The new bill proposed setting up the Department of Indian Affairs, to be headed by the Superintendent General and a Deputy Superintendent General; and it established the procedure for appointing clerks, servants, Indian Commissioners and Superintendents.² Until 1880 the Indian and Indian Land Branch of the Department of the Interior had managed Indian Affairs. A separate department would be a more autonomous unit; it would indicate cabinet recognition that the Department of Indian Affairs, though still within the Ministry of the Interior, had to deal with matters so unique as to require a separate administrative unit.

The new bill gave the Superintendent General the right to "seize and take possession of any presents or any property purchased or acquired with or by means of annuities."³ Such items as livestock, ploughs, harrows, if they had been obtained from an Indian who had received them from the government, would be confiscated. By this means the government hoped to discourage non-Indians from trading with Indians; and it hoped, too, to encourage Indians to keep their stock and implements and become good, solid farmers or ranchers.

²Ibid., sections 2-9, p. 204. "There shall be a Department of the Civil Service . . . to be called the Department of Indian Affairs over which the Superintendent General shall preside."

³Ibid., section 80, p. 225.

The bill penalized individuals who knowingly kept a house in which an "Indian" had "the intention of prostituting herself."⁴ The interesting point is that it was the keeper of the house who was charged, not the prostitute woman. As a legal minor, the Indian prostitute seems to have been judged incapable of accepting responsibility.

Although the Indian Act of 1880 did not differ greatly from its 1876 predecessor, a lively discussion of the long-term implications of Indian policy occurred; the discussion was very brief because the bill was introduced, debated and passed on a single day. Two aspects of the long-term policy of making all Indians self-supporting and enfranchising eastern Indians dominated the day's debate. Members were aware that achieving either goal would reduce Departmental costs, but that certain problems would ensue. Self-supporting tribesmen, though not requiring rations, would continue to need protection from exploitation. Enfranchised Indians, though they might continue to live on the reserves and share in the annuities and investment income of the band, would no longer have the special legal status of reserve Indians; in hard times they would have no greater right than other Canadians to ask the government for financial aid. The federal government would no longer educate enfranchised Indians' children, provide medical care or the other special services it gave status Indians. And enfranchised

⁴Ibid., sections 95-96, p. 30.

Indians would start paying federal taxes on their property; they would become contributors to, not recipients of, federal funds. Certainly enfranchisement, judged in financial terms, was a worthwhile goal.

During the debate on the 1880 bill, opinions expressed about the legislation, particularly enfranchisement, reflected Members' opinions of Indians and of the goals of Indian policy. The Conservatives, especially John A. Macdonald, saw the Indians as members of an inferior, uncivilized race whom the government must protect from non-Indian exploitation and must educate for the day when they would become equal to other Canadians. Replying to a suggestion from William Paterson that the law be changed to enable many more Indians to become enfranchised and therefore able to sell their share of reserve land, Macdonald cited American experience; in the States the Indians had been given letters patent, title to land, and had promptly sold it. As Macdonald said, "the Indian gets his deed, and by some injurious or unfortunate process, sells or leases his land, and becomes a vagrant without property."⁵ Implicit in his remarks was the assumption that allowing the standards for enfranchisement to be lowered would provide no guarantee that the tribesmen would become sufficiently committed to the idea of maintaining themselves on the land; they might sell the property as quickly as they could. Macdonald believed

⁵Canada, Debates, May 5, 1880, p. 1991, J. A. Macdonald.

it would take a long time to inculcate in the Indians a respect and appreciation for farming and the attendant sedentary way of life:

The general rule is that you cannot make the Indian a white man. . . . You cannot make an agriculturalist of an Indian. All we can hope for is to wean them by slow degrees, from their nomadic habits, which have almost become an instinct, and by slow degrees settle them on the land.⁶

Macdonald believed that the government should make enfranchisement sufficiently difficult that those who became enfranchised would already have become farmers or would have learned other skills which would make them economically self-supporting and therefore unlikely to want to sell their land the moment they became enfranchised. Macdonald ended this speech by saying again that the government's intention was to advance, "the Indians in the scale of civilization," and that the bill reflected its intention of doing this as soon and as well as possible.⁷

On the other side of the House, most of the Liberals who spoke criticized the details, not the principles underlying Indian legislation. Most seemed to share Macdonald's view that the tribesmen, though inferior and uncivilized, might be slowly and gradually changed; and that the government had to embark on this long-term plan because the taxpayers could not be expected to bear the cost of supporting

⁶ Ibid.

⁷ Ibid.

the Indians forever.

Former Liberal Minister of the Interior, David Mills, said in this brief debate that government policy was "wholly inadequate," and that "legislation of a much more radical character" was needed to "meet the present exigency in the administration of Indian Affairs."⁸ He offered concrete suggestions to the government. Speaking on enfranchisement, he said that his cabinet had been about to change the provisions making the machinery--application, approval, probation and the attendant paperwork--much simpler.⁹ Although very few Indians had been enfranchised between 1867 and 1880 a small band of Ontario Indians, the Wyandottes of Anderdon, were in the process of being enfranchised en masse, and Mills contended that if one group could do this the whole race could some day be enfranchised.¹⁰

Mills said that most Indians were "discouraged from seeking emancipation" and suggested that "the moment the Department is satisfied that the Indian is fit for emancipation, every effort should be made to emancipate him and throw him wholly upon his own resources."¹¹ These remarks

⁸Ibid., p. 1993, D. Mills.

⁹Ibid.

¹⁰Ibid. Canada, The Sessional Papers (No. 14), 1881, p. 4, give more details. "The small Wyandotte Band whose reserve is situated in the township of Anderdon . . . will, this year have completed their three years of probation . . . and will be entitled . . . to letters patent for their respective holdings, and to have the capital at their credit in the hands of the Government divided among them - and upon this taking place will cease to be Indians . . . within the meaning of this law."

¹¹Canada, Debates, May 5, 1880, p. 1995, D. Mills.

reflected the recent American preoccupation with the solution of the slavery question in which emancipation had been the issue. Emancipation had not previously been associated with Canadian Indians who, not being slaves, could not be emancipated or freed; they could be upgraded from the status of subjects to that of citizens, the privileged position of males entitled to vote. Undoubtedly Mills meant enfranchisement, not emancipation, but his repeated use of emancipation certainly heightened the dramatic effect of his speech. He wanted the process of enfranchisement simplified and the numbers of enfranchised Indians increased.

Considering the management of those Indians not engaged in the enfranchisement process, Mills spoke in laudatory terms of the experiment in Indian administration conducted in British Columbia by the Rev. William Duncan. This experiment, he said, had succeeded in "civilizing this people and making them an industrious population. They are not only self-supporting, but they are producing much more than is necessary for their subsistence."¹² Mills went on to say that "what he [Duncan] had accomplished shows that there is a radical defect in the administration of Indian Affairs in this country, or the condition of the Indian would not be what it is at present."¹³

Mills then discussed the peculiarities of the laws governing Indian land. He noted, first, the "mischevous

¹²Ibid., p. 1993, D. Mills.

¹³Ibid.

effects that flow from allowing the Indians . . . to hold their property in common," saying that as a result, "they have all sunk . . . to the level of the most indolent."¹⁴ He deplored the fact that Indians not allowed to sell their reserve holdings to Indians of other bands or to non-Indians could transfer their holdings to Indians of the same band; "as a result," he said, "you find over-reaching grasping Indians holding, not merely his [their] own fair share of the reservation, but that of half a dozen others [who are] without any property holding at all, without any means of subsistence and who, in case of disease or famine, are the first the Government require to deal with."¹⁵ This situation occurred only on reserves which had been subdivided, with all members allotted their share of the reserve. Mills' solution for this problem was to give the Indians,

Something like the power of the Israelites, in ancient times, to sell or alienate it for a limited time, that he should be liable for necessities but he should not lose his property for debt for more than a limited period, and that at the expiry of it, he should again come into possession.¹⁶

He also advocated the introduction of municipal government on the reserves and spoke of the benefits the Indians would derive from their participation. Lastly he discussed provisions in the law which exempted Indians from

¹⁴Ibid., p. 1994.

¹⁵Ibid.

¹⁶Ibid.

having their material property seized to pay their debts. He contended that this law had degraded the Indians and encouraged them to be immoral:

They have gone to traders and bought necessary articles of food, and being protected by the law against any legal process for the enforcement of their obligation have refused to pay their debts and have set the white population at defiance. The effect has been to make them dishonest, and to make them unpopular with the white population.¹⁷

Having made this point he ended his speech with a plea to the government "to seek to promote habits of industry, independence and honesty among them by the means I have indicated."¹⁸

The dissident Liberals, William Paterson and Gavin Fleming, opposed the Conservatives' program just as they had that of their own party. Paterson reiterated his belief that the Indians must have the "rights and privileges of citizens" and that current amendments to the act had only succeeded, "in more firmly fastening the shackles of tutelage" because the government wanted "to keep the Indians in their present condition."¹⁹ Paterson, an assimilationist, said:

The whole Indian law discourages the assimilation of the whites and the Indians, and the solution of the Indian problem can only be found in wiping out the distinction which exists between the races, in giving the red men all the liberties and rights enjoyed by the white men and entailing upon him all responsibilities which attach to those rights and privileges.²⁰

¹⁷ Ibid., p. 1995.

¹⁸ Ibid.

¹⁹ Ibid., p. 1990, W. Paterson.

²⁰ Ibid.

He was concerned that "the people year after year, and for all time to come," would have to vote "annually hundreds of thousands of dollars to keep the Indians in the low degraded state in which they are."²¹ Although these assimilated Indians might continue to live on reserves it seems more likely that Paterson envisaged the disappearance of both the reserves and the government's commitment to maintaining the reserve Indians.

Macdonald, replying to such criticisms, questioned the motives of those who would have the Indians give up their special status, and accused them of coveting Indian reserve land:

Disguise it as we may, whenever there is an Indian settlement the whites in the vicinity are very naturally anxious when they see the slovenly, un-farmerlike way in which the Indian lands are cultivated especially if the land be very good - to get rid of the red men, believing . . . that the sooner they are enfranchised or deprived of their lands and allowed to shift for themselves the better.²²

Macdonald also seemed convinced that many non-Indians equated enfranchisement with loss of land but he said the Conservatives wanted the Indians to keep their land and that was the reason they had made the requirements for enfranchisement stringent. Macdonald emphasized the government's dual policy of supporting enfranchisement and protecting the Indians from exploitation.

²¹Ibid.

²²Ibid., p. 1991, J. A. Macdonald.

The second dissident Liberal, Gavin Fleming, demolished Macdonald's assurances that the government encouraged enfranchisement:

The Hon. First Minister says he is in favour of the enfranchisement of the Indians, but only by slow degrees. When the right hon. gentleman in 1857 introduced the first Enfranchisement Bill, he expressed himself then as being desirous of seeing them speedily placed in the same position as white settlers. Twenty-three years have elapsed . . . some fifty-seven persons, including children, out of the 90,000 . . . have been enfranchised. At this rate . . . it would take 36,000 years to enfranchise the Indian population. . . . Surely this is proceeding by very slow degrees indeed.²³

Fleming's claims, if true, challenged the credibility of the government's program; such minute numbers did not justify the continuation of the policy. However, Macdonald had made the point that the government was not seeking to enfranchise large numbers immediately but to provide the education and motivation so that ever increasing numbers would become enfranchised, self-supporting citizens like non-Indian Canadians.

One of the last Liberal speakers, George E. Casey said that although he wanted Indians to be equal to non-Indians he resented the cost of maintaining healthy able-bodied men; he said he would accept any policy which would relieve the government of this financial burden. Casey suggested that segregation was not the answer:

²³Ibid., G. Fleming.

The question for us to consider is, whether it is advisable to keep the Indian tribes together, and separate from the rest of the community . . . I do not consider that it is advisable to make this condition of things permanent. I think Indians, who are equal to whites in wealth, and who are full grown citizens of the Dominion should not be placed in a worse condition than the negro.²⁴

Casey was wrong in his classification of Indians as citizens; Indians who paid no federal or provincial taxes, occupied but could not own land, and had no vote were subjects; they did not have the status of citizens. Nevertheless his speech reflected an attitude, probably quite widespread, that the tribesmen were a drain on the public treasury and the tax-payer must push to have them become economically self-sufficient. The government needed to reassure Members like Casey that paternal care was necessary to help the Indians learn the skills necessary to support themselves.

Mills, Macdonald and the dissident Liberals, knew the problems and expressed opinions based on experience; however, most Members of the House, having little first-hand knowledge of Indians saw them as an on-going annual expenditure and as a possible threat to peace. Conscious of their responsibility to the electorate, which did not include Indians, the Parliamentarians wanted policies which would decrease the costs while maintaining peace. Whether the Indians should remain on reserves or become assimilated was probably not important to most Members as long as the cost could be reduced and some reserve Indians, like the Ontario Six Nations

²⁴Ibid., p. 1996, G. Casey.

tribes, showed that they could support themselves on the reserves.

In general, in the 1880 debate, Members on both sides repeated their concern that the Indians, whose accounts showed an expenditure of more than a million dollars in 1880, should be encouraged, poked, prodded and even forced to become self-supporting as soon as possible.²⁵ Members with any knowledge of the Indians in eastern Canada knew that many reserve Indians did maintain themselves and their families; however, they also knew that status Indians could call on the government for help in hard times. Consequently, many Members wanted an attractive enfranchisement policy because enfranchised Indians would give up their special status and could no longer make these special claims on the government. In addition, enfranchised Indians, if they succeeded financially, could be taxed and might become a source of income. But the 1880 Indian Act did not meet the government's needs and by 1884 amendments were necessary.

On February 12, 1884 the Conservatives introduced Bill 87 which proposed two types of amendments to the 1880 Indian Act: those intended to extend greater control over western Indians whose behaviour threatened to impede the development of non-Indian settlement; and those designed to prevent economic exploitation of eastern Indians so that their transition to economic self-sufficiency would be

²⁵Canada, Annual Report 1880, p. 11. This money came from Indian Trust Fund interest and form parliamentary grants.

speeded up.²⁶

The first three clauses related specifically to the troublesome situation in western Canada. The first clause established penalties for, "whoever induces, incites, or stirs up any three or more Indians, non-treaty Indians or half-breeds to make any request or demand . . . in a riotous . . . disorderly or threatening manner."²⁷ These included a maximum jail term of five years. The government intended to stop the troublemakers.

John A. Macdonald gave a brief explanation of the need for these clauses:

The Indians, we find, when left to themselves are easy to manage, but when stirred up for improper reasons, by traders, good or bad . . . it is found that great danger has occasionally arisen of actual bloodshed.²⁸

Responding to the Prime Minister, the Leader of the Opposition, Edward Blake, objected to the clauses as being very imprecisely worded and applying to everyone: "It is not confined to Indians; it is general."²⁹ He said, "it is barbarous . . . It is outrageous to expose white men to these penalties for making such suggestions to Indians."³⁰

²⁶Canada, Debates, February 12, 1884, p. 260, Bill 87. This bill became Canada, Statutes, Victoria 45, chapter 27 (1884), "An Act Further to Amend the Indian Act of 1880," pp. 107-116.

²⁷Canada, Statutes, chapter 27 (1884), section 1, p. 107.

²⁸Canada, Debates, April 7, 1884, p. 1397, J. A. Macdonald.

²⁹Ibid., E. Blake.

³⁰Ibid.

Macdonald agreed that the provisions "would not do in a settled community," but pointed out "that there is great danger of a collision between whites and Indians, that white men for their own purposes, especially traders, stir up Indians to resist authority."³¹ He then appealed to the House, "considering the exceptional state of the country, to arm the authorities with the power given in this clause."³² Blake disagreed with Macdonald and said he had "never heard of or read of such loose legislation . . . which gives an opportunity for so much oppression."³³ Because conditions in the west were unsettled, Blake thought it was even more necessary to make, "the Criminal Law . . . plain and simple, and define the offences with as much exactness and precision as possible."³⁴ Despite Blake's objections, the House agreed to the first clause.

The House then considered the second clause which restricted the sale of ammunition to the Indians.³⁵ It gave the Superintendent General the authority to "prohibit . . . the sale, gift or other disposal, to any Indian in the province of Manitoba . . . or in the North West Territories . . . of any fixed ammunition or ball cartridge," and

³¹Ibid., J. A. Macdonald.

³²Ibid.

³³Ibid., p. 1398, E. Blake.

³⁴Ibid.

³⁵Canada, Statutes, chapter 27 (1884), section 2, pp. 107-108.

provided for fines and prison sentences for those who knowingly broke the law.³⁶ As a means of keeping the peace, the government had empowered itself to cut off the Indians' supplies of ammunition. Macdonald drew the House's attention to the fact that at various times in the past the North West Police had prevented ammunition sales to Indians and that there was need to reinstate the practice.³⁷ Blake again challenged Macdonald. He asked under what authority the North West Police acted; he commented that the introduction of such a law raised questions about who could or would sell ammunition and what role the government could and should play.³⁸ Despite Blake's challenges the clause passed.

The House moved on to consider clause three, which prohibited the celebration of the Indian festival known as the 'potlach' or " . . . the Indian dances known as 'Tamanawas'," and provided minimum and maximum punishments of imprisonment and/or fines for convicted offenders.³⁹ The Tamanawas dances, the famous sun dances, were indigenous to the prairies. Because these mid-summer dances, which brought together hundreds of tribesmen from different bands provided a perfect forum for the incitement of already rebellious Indians, the

³⁶Ibid.

³⁷Canada, Debates, p. 1398, J. A. Macdonald.

³⁸Ibid., E. Blake.

³⁹Canada, Statutes, chapter 27 (1884), section 3, p. 108. The potlach ceremony, a British Columbian phenomenon, is outside the scope of this discussion.

government planned to outlaw the potentially incendiary gatherings.⁴⁰ Blake, remarking on the significance of both ceremonies, commented, "It seems to me that one should be very cautious in attempting suddenly to stop, by the harsh process of the criminal law, the known customs and habits of these tribes."⁴¹ He was aware that the dances were central to Indian culture and would not be given up easily. Blake suggested that the government remove its minimum sentence so that officials could attempt to persuade the tribesmen themselves to abandon the practice, "by the force of the trial and a very trifling punishment the first time, with a warning that . . . much severer punishment might be inflicted on the next occasion."⁴² Parliamentarians seldom realized the great difficulties Indians experienced when they were forced to give up their customs, but Macdonald immediately accepted Blake's suggestion and struck out the sentence stipulating that a minimum sentence was mandatory if the Indian was convicted.

Clause five provided that any Indian who held a location ticket, the title to property, could leave or "devise the same by will" to those relatives, "as to him seem proper"; the Indian could do this if the Superintendent General and the band concurred and if the property had been left only to a person entitled to reside on the

⁴⁰The sun dance is described in a later chapter.

⁴¹Canada, Debates, p. 1399, E. Blake.

⁴²Ibid.

reserve.⁴³ Reflecting the values of their Victorian society, the framers of this amendment believed that giving an Indian the right to bequeath property would stimulate him to make improvements, knowing that his descendants would benefit.

During the course of the discussion of this clause, the opposition drew attention to several ambiguities which Macdonald hastened to correct. The first of these concerned the rights of widows. Paterson said that if an Indian died intestate, without a will, one third of his property went automatically to his widow but that in his will he might leave her nothing. As Paterson said, "if it is approved that the widow shall get a share when there is no will, should it not also be provided when there is a will. Is it not the common law of the land that the wife shall have her dower?"⁴⁴ Macdonald assured him that the band and the Superintendent General, both of whom had a vested interest in seeing that the widow was not indigent, would prevent this from happening.⁴⁵

Macdonald's reassurances about the widow's status led Mills and Paterson to raise a second point; they questioned the requirement that the Indian had to get the band's and the Superintendent's permission before making a will. They contended that, in reality, the band and the Superintendent General were deciding the terms. Macdonald agreed,

⁴³Canada, Statutes, chapter 27 (1884), section 5, p. 108.

⁴⁴Canada, Debates, 1884, p. 1400, W. Paterson.

⁴⁵*Ibid.*

"the thing is to encourage the Indian to assume the responsibility of property . . . when he does, and if it is a reasonable will, of course the local agent will see that the Indians are impressed with the Idea that the will should be adopted."⁴⁶ The clause was amended to provide for approval when the will was probated, not before it was drawn up:

Any Indian . . . may devise the same by will, provided that after his death the said will is consented to by the band . . . and approved of by the Superintendent General.⁴⁷

When Paterson asked if some provision should not be made for those cases in which the will was unacceptable, Macdonald inserted another sentence, "in the case the will is not assented to . . . the Indian shall be held to have died intestate," that is, if the Superintendent General did not approve of the will he would rule it invalid and act as if the person had died without leaving a will.⁴⁸

The third point raised by the Opposition concerned reserve land holding laws and their effect on Indians' wills. The 1876 act had provided for individual occupation of plots of subdivided reserve land which the Indian held by location ticket. His share was determined by dividing the acreage by the number of Indians in the band. On the reserve, band members were forbidden to sell, lease or transfer land to

⁴⁶ Ibid.

⁴⁷ Canada, Statutes, chapter 27 (1884), section 5, p. 108.

⁴⁸ Ibid.

non-Indians or Indians of other bands but they were free to transfer parcels within their own band. Paterson expressed concern that landholding would become a problem because of conflicts between the location ticket system by the government and the Indians' own system of transferring land among themselves; he pointed out that some band members had become very large land holders but did not have official location tickets.⁴⁹ This situation probably acted as one of the many deterrents to enfranchisement, for the Indians holding many acres would not be anxious to relinquish them for the sake of acquiring the few they would be allowed by "location ticket."

Mills agreed that on some reserves a few Indians controlled large acreages and said the government needed a measure, "somewhat radical in its character," to redistribute the land.⁵⁰ Mills believed that the individual Indian should be allowed to jeopardize his property; he should be able to allow others to control or use it for a limited number of years, but that it should then revert to the original Indian or to his descendents. He wanted to prevent large numbers of Indians being left without "a visible means of support" and he thought the ancient Israelite system would ensure that this would not happen; however, he offered no concrete suggestion for changes that would accomplish this end immediately.⁵¹

⁴⁹Canada, Debates, 1884, p. 1400, W. Paterson.

⁵⁰Ibid., D. Mills.

⁵¹See, Canada, Debates, May 5, 1880 for Mills' earlier biblical reference to the Israelites.

Generally the debate on changes to clause five show clearly that both Conservatives and Liberals wanted individual Indians to apply for location tickets and to improve their property; both parties were prepared to make the law supportive of those Indians who did. At the same time, however, both parties wanted to discourage band members from increasing their own land holdings at the expense of others who might then become charges on the public treasury. But, they did not find a way to write into the law their disapproval of land-greedy Indians.

Clauses six and seven dealt with the continuing problem of trespassers. Clauses eight, nine and ten altered the laws applying to the election and the powers of chiefs and councillors. There was little significant debate over these amendments.

The eleventh clause changed section 75 of the 1880 Indian Act which dealt with taxes. It added a provision that "no taxes shall be levied on the real property of any Indian, acquired under the enfranchisement clause of this Act, until the same had been declared liable to taxation by proclamation . . . in the Canada Gazette."⁵² Indians had thought that as soon as one of them had obtained a location ticket he would become liable for taxation on his plot of land. Explaining the problem which this misunderstanding had caused, John A. Macdonald said, "experience has shown

⁵²Canada, Statutes, chapter 27 (1844), section 11, p. 112.

that many Indians have been prevented from taking advantage of the enfranchisement clauses from fear of being subjected to taxation."⁵³ As this amendment made clear, possession of a location ticket did not subject the holder to taxation. Only when the Indian had completed the enfranchisement process did he become taxable; an Indian who did not take the final step retained his location ticket but paid no taxes.

Following this discussion of enfranchisement and taxation, Paterson asked what rights enfranchised Indians did have, saying that he thought that if they acquired the same rights as their white brethren they would have the same responsibilities.⁵⁴ Macdonald's answer, simple and seemingly straight-forward, underlined the enfranchised Indians' peculiar position. "They have not the same rights after they are enfranchised. They have not the right of alienation," of selling land.⁵⁵ Enfranchised Indians could, of course, sell their land but only with the permission of the agent; in this way they differed dramatically from non-Indians who could sell land whenever and to whomever they wished.

Many enfranchised Indians lacked not only the right of alienation, but, as Macdonald noted in reply to another question from Paterson, they lacked also the right to vote in federal elections because provincial eligibility determined federal eligibility:

⁵³Canada, Debates, p. 1401, J. A. Macdonald.

⁵⁴Ibid., W. Paterson.

⁵⁵Ibid., J. A. Macdonald.

We cannot confer the right to vote, as this power belongs to the different Provinces. . . . An Act was passed by the Ontario Legislature the other day disfranchising all Indians who receive anything from the Government in connection with their reserves.⁵⁶

Enfranchised Indians no longer shared the special legal status of reserve Indians but they were still entitled to share in the annuities and interest paid to their band by the federal government; however, if they accepted that money they were ineligible to vote. So Indians stood to lose either money or the vote if they became enfranchised.

Section 28 of the 1880 Indian Act had provided that imprisoned Indians would not be paid their annuities during their jail term and had given the government discretionary power to deduct from the withheld annuity the legal costs of procuring the conviction and the costs of carrying out the sentence.⁵⁷ Clause twelve of the 1884 amendments stuck out the government's right to withhold annuities but continued to permit the discretionary deduction of costs.⁵⁸ In fact, in the ensuing debate, Paterson suggested that the clause should be further amended to make the deduction mandatory. He argued that in many municipalities the number of Indians appearing in court was great, yet the Indians "did

⁵⁶Ibid.

⁵⁷Canada, Statutes, chapter 28 (1880), section 82, p. 226.

⁵⁸Ibid., chapter 27 (1884), section 12, p. 112.

not contribute anything to the municipal fund";⁵⁹ therefore, the costs should be paid by the Superintendent General from the Indian Funds. Mills supported Paterson. But Macdonald would not accept their request; he maintained that such a change was "too great an alteration in the law," to be introduced so late in the session.⁶⁰

Clauses thirteen through fifteen clarified various ambiguities in the law without greatly altering its substance.⁶¹

Clause sixteen, which replaced section 99 of the 1880 Act, had four subsections, all of which referred to various aspects of enfranchisement.⁶² The most important one removed the requirement that as a prerequisite an Indian applying for enfranchisement had to obtain the band's permission.⁶³ As the agent for the Six Nations Reserve in Ontario had pointed out several years earlier:

The Six Nations will not avail themselves of the enfranchisement clauses . . . 1st, Because the Chiefs will never give their consent to any member of the Band becoming enfranchised.⁶⁴

⁵⁹Canada, Debates, 1884, p. 1402, W. Paterson.

⁶⁰*Ibid.*, J. A. Macdonald.

⁶¹Canada, Statutes, chapter 27 (1884), sections 13-15, pp. 112-13.

⁶²*Ibid.*, section 16, pp. 113-14; chapter 28 (1880), section 99, p. 231.

⁶³*Ibid.*, chapter 27 (1884), section 16, p. 113.

⁶⁴P.A.C., R.G. 10, vol. 6808, March 21, 1876. Ashton to Christie.

The amendment provided that after the agent had obtained from the Indian a certificate of good character, the agent then gave the band thirty days to show "reasons . . . why such enfranchisement should not be granted."⁶⁵ If the band could not do this, the Superintendent General, if satisfied with the Indian's application, then granted "a location ticket."⁶⁶ The band's ability to thwart any Indian's enfranchisement was reduced with the removal of the band's veto power.

Discussing this change Macdonald noted that "the majority of the bands do not like an intelligent Indian to become enfranchised."⁶⁷ Neither he nor other speakers followed up the long-term implication of this remark by asking whether depriving the band council of the veto would make any great difference. Since Indians applying for enfranchisement were deviating from their society's norms and challenging peer group pressure, they were likely to remain few in number.

S. J. Dawson, the Independent Member from Algoma, Ontario, chose this moment in the debate to introduce his own quite different view of enfranchisement. He thought the whole enfranchisement procedure unduly complicated and

⁶⁵Canada, Statutes, chapter 27 (1884), section 16, p. 113.

⁶⁶Ibid.

⁶⁷Canada, Debates, 1884, p. 1402, J. A. Macdonald. Macdonald referred to clause fifteen but the nature of his remarks made it clear it was the sixteenth clause to which he referred.

suggested that "when Indians live like other people, acquire property, build houses, pay taxes, and live as other people do . . . they ought to be considered enfranchised."⁶⁸

Dawson, commenting on a recent Ontario statute which excluded from the franchise Indians receiving annuity payments, said:

It is contrary to the spirit of our institutions, contrary to the system existing throughout this wide Dominion, that there would be such a large number of people as the Indians without representation in parliament.⁶⁹

He believed that tribesmen would "never be properly taken care of until they "had parliamentary representation";⁷⁰ however, his speech drew no reaction; he was a man ahead of his time in his opinions on Indian affairs.

The seventeenth clause proposed further changes in the enfranchisement procedure. It replaced section 100 of the 1880 Act which had given enfranchised Indians the right to dispose of their land; it removed this power by stipulating that enfranchised Indians who obtained letters patent were to be "without power to sell, lease or otherwise alienate the land unless with the sanction of the Governor-in-Council."⁷¹ This was a radical change brought about by the fact that Indians enfranchised since 1880 had not kept

⁶⁸Ibid., S. J. Dawson.

⁶⁹Ibid.

⁷⁰Ibid.

⁷¹Canada, Statutes, chapter 27 (1884), section 17, p. 114.

their land. The government had been alarmed. So, to try to prevent enfranchised Indians from disposing of their land, the government henceforth would insist that the Indians have the permission of the Governor-in-Council before they could dispose of it.⁷² The Governor-in-Council would also have to approve of the purchasers. This change was designed to protect the Indians remaining on the reserve from unwelcome or unscrupulous land grabbers. The clause also introduced a third drastic change; it extended the probationary period of three years to thirteen. By clause seventeen, then, the enfranchised Indian wishing to dispose of his land would find himself forced to have the Governor-in-Council's approval of the sale and approval of the purchaser. And the Indian wishing to become enfranchised would face a probationary period of not three years, but thirteen!

The debate on these proposed changes was sharp. Paterson, the first speaker on these amendments, objected to the lengthening of the probationary period, saying that under the 1880 Indian Act an Indian had a mere three years to wait before he could do "as he pleased with his land."⁷³ Paterson argued that since "the new section does not allow him to sell, lease, or otherwise alienate his land" at any time, it was unnecessary to demand that the Indian "hold the patent for thirteen years" before becoming enfranchised.⁷⁴

⁷²Ibid.

⁷³Canada, Debates, April 7, 1884, p. 1403, W. Paterson.

⁷⁴Ibid.

Macdonald accepted this argument and returned to the original three year term. Paterson then objected to the proposed restrictions on the enfranchised Indian's right to do as he wished with his land:

We are still keeping them in the position of tutelage . . . the Indian will only recognize he is a man when he is made to assume the responsibility of manhood. We will have to come to that point . . . that when he becomes enfranchised the lands ought to be his . . . I know there is great danger that the white man will get the better of him but the position of tutelage will prevent that development of manhood.⁷⁵

Paterson acknowledged that Macdonald did not agree with him but said changes had to be made to encourage the Indians to accept increased responsibility.

Alexander Mackenzie, former Liberal Prime Minister, disagreed with his colleague:

If they were allowed to dispose of their lands, their lands would soon be taken out of their hands, as they are naturally reckless and improvident in incurring debt, and would be thrown on the community for support. So very few would be fitted to exercise this responsibility that we could not make the law applicable to the whole.⁷⁶

Responding to Mackenzie, Paterson argued that the law gave the Superintendent General or his representative the right to decide which Indians should become enfranchised and provided sufficient control to ensure that the calibre of enfranchised Indians would remain high. At this point

⁷⁵ Ibid.

⁷⁶ Ibid., A. Mackenzie.

David Mills, former Minister of the Interior, introduced once again the parallel between the Indians and the ancient Israelites:

In the history of an old and nomadic people taken from the desert, put in possession of real estate, allowed to control it for a certain limited period, with the right of reversion, we find they succeeded in maintaining a Federal Democratic Government extending over a period of over 500 years.⁷⁷

Macdonald, perplexed by Mills' ambiguous reference, asked to whom he referred and heard again of the Law of Moses and the people of Israel whose system Mills wanted applied to the Indians.⁷⁸

The question of whether the enfranchised Indians should be given complete control of their reserve property remained. Macdonald agreed with Mackenzie, "even if we enfranchise the Indians, it is not likely that 5 per cent of them would keep their property for ten years."⁷⁹ He commented that although few Indians had been enfranchised even those few had failed; "the experiment has not been a success. They have lost their property."⁸⁰ In fact, in Macdonald's view, the Indian case much more closely paralleled that of the Egyptians than that of the Israelites:

⁷⁷ Ibid., D. Mills.

⁷⁸ Ibid. J. A. Macdonald and D. Mills.

⁷⁹ Ibid., J. A. Macdonald.

⁸⁰ Ibid.

There is a nomadic race. They have never had any property. They are vagabonds and wandered over the face of the earth, and our Indians would be deprived of all property and would be wandering Egyptian-like over this continent. I think we must, by slow degrees, educate generation after generation, until the nature of the animal, almost is changed by the nature of the surroundings.⁸¹

Macdonald remained adamant that the Indians were not "far enough advanced" to control their land, in spite of Paterson's protests. With the removal of the thirteen year probationary period, the clause was accepted.

Clauses eighteen, nineteen and twenty also altered the laws affecting enfranchisement. Clause eighteen changed the wording of section 101 of the 1880 act to conform to the new restrictions imposed by the seventeenth clause of the 1884 amendments.⁸² Clauses nineteen and twenty had greater significance for they transferred from the bands to the Superintendent General the power to decide on the amount of land allotted to the individual Indians applying for location tickets.⁸³ With no debate the House accepted this transfer of authority.

The remaining clauses, twenty-one through twenty-five, tightened the law for apprehending and removing trespassers on reserves, changed several other clauses in minor ways and stipulated that the amendments would become effective January

⁸¹Ibid.

⁸²Canada, Statutes, chapter 27 (1884), section 18, p. 114.

⁸³Ibid., sections 19-20, p. 114.

1, 1885.⁸⁴

The 1884 amendments and the debate accompanying their passage through the House showed the direction of government policy and the reaction of government and Opposition members. Generally the government was assuming power previously assigned to the Indians and was justifying this tightening of control as a necessary step in its plan to make the Indians eventually self-supporting.

On January 28, 1884, John A. Macdonald introduced Bill 22 titled "Self Government Among Indian Communities" but generally known as the Indian Advancement Bill.⁸⁵ He said "this Act is merely an experimental one, for the purpose of enabling the Indians to do by an elective council what the chiefs by the statutes of 1880 have already the power to do."⁸⁶

This bill set out the procedure for establishing municipal government on selected eastern reserves.⁸⁷ Previously, sections in the 1876 and 1880 Indian Acts had provided that chiefs, whether hereditary or elected, and/or councillors would provide Indian local government and that the Department would supervise this government. The laws had decreed that when hereditary chiefs died they would be

⁸⁴ Ibid., pp. 21-25.

⁸⁵ Canada, Debates, January 28, 1884, p. 67, J. A. Macdonald.

⁸⁶ Ibid.

⁸⁷ Canada, Statutes, chapter 28 (1880), sections 72-74, pp. 223-24.

replaced by elected ones, had specified the conditions of the chiefs' elections, the terms of office, the areas of responsibility and the reasons for the dismissal of chiefs and councillors. The introduction of the Indian Advancement Act reflected the Department's hope that Indian municipal governments, modelled on those of non-Indians, would encourage eastern tribesmen to take over the regulation of day-to-day reserve life; it hoped, too, that Indians would become increasingly cognizant of and comfortable with the democratic ways of non-Indians. The bill introduced the democratic election process to Indian municipal government.

Four years of discussion with agents and Indians had preceded the writing of this statute which would give the Governor-in-Council the power to determine when a band was "fit to have this act applied to them."⁸⁸ Once this had been done, the reserve, depending on its size, would be divided into sections; members of a council would be elected to represent each section.⁸⁹ The bill set forth the election procedure, the frequency of elections and the minimum and maximum number of meetings of the council to be held each year.⁹⁰ So with these clauses, the government was taking the final step in the democratization of municipal governments by introducing the election process. It also authorized the

⁸⁸ Ibid., chapter 28 (1884), sections 1-5, pp. 116-17.

⁸⁹ Ibid.

⁹⁰ Ibid., sections 5-9, pp. 116-19.

councils to enact by-laws to maintain roads, bridges, public buildings, to remove stray animals; the council was also authorized to levy taxes on the "land of Indians enfranchised, or in possession of land by location tickets."⁹¹ Since the Indian Act had protected Indians from paying federal or provincial taxes, Indian councils could levy taxes only for their own purposes. The law also outlined the punishments for infractions. As in earlier legislation applying to Indian chiefs and councillors, the government reserved for itself the right to remove an Indian from council if it found him to be "an habitual drunkard or . . . living in immorality, or . . . guilty of dishonesty or of malfeasance of office."⁹²

During the discussion in the House, Edward Blake commented that clause eleven, providing for the removal of unsatisfactory councillors, might "be extended to whites," and asked, "why should we be more moral with our Indian friends than with ourselves."⁹³ Macdonald, never one to miss an opportunity for a quip, suggested that the application of such a principle "might diminish the members of the opposition."⁹⁴

⁹¹Canada, Statutes, chapter 28 (1884), section 10, subsection 11, p. 120.

⁹²Ibid., section 11, p. 121.

⁹³Canada, Debates, February 26, 1884, p. 539, E. Blake.

⁹⁴Ibid., J. A. Macdonald.

Paterson and Macdonald, though on opposite sides of the House, both knew a great deal about Indians; they agreed that it was difficult to advance the Indians and fit them to assume the duties of citizenship. Macdonald, in a perceptive assessment of the Indians' situation vis-a-vis the non-Indian community noted that the tribesmen really had very little to gain by accepting increased responsibility:

They have great advantages as they are now. They have their reserves, they have their land in common, they deal with land, after their own fashion, they do not pay taxes, they are not obliged to serve in the militia or to serve on juries, and they really have all the advantages of the protection and order maintained by the Government; and yet except by the purchase of dutiable goods . . . or imported goods, they contribute nothing to the public revenues. The Indians are quite well aware of that, and they resist the attempts of the Department of Indian Affairs to make them responsible fellow subjects of ours.⁹⁵

In spite of Macdonald's own feeling that the Indians were well off, the Indian Advancement Act was approved by the House, some Indians might move a few steps closer to the way of life followed by non-Indians.

Then, in 1885, Macdonald proposed the ultimate step in the political democratization of reserve Indians. He proposed giving the vote to Indians who met certain qualifications and he presented this idea in a bill proposing changes in the franchise for all Canadians. Until now, legislation concerning Indians had dealt only with Indian affairs; now an Indian question was to be discussed in the context of

⁹⁵Ibid., pp. 534-44, J. A. Macdonald.

an all-Canadian question.

On March 19, 1885, Macdonald introduced Bill 103,⁹⁶ the Electoral Franchise Bill, which proposed that the federal government would establish its own conditions of eligibility for the federal franchise, discontinuing its use of provincial conditions; it would set minimum property qualifications; it would give the vote to unmarried adult women; and, it would give the vote to adult Indians who met the property qualification. For six weeks the House hotly debated the bill.

During the debate the opposition focussed its attack on three points of dissatisfaction: a number of provincially qualified voters, particularly in the Maritimes, would lose their votes because federal qualifications were to be more stringent than provincial ones; women's position in society was such that many men could or would not accept the idea of women exercising the franchise; and, coinciding as this bill did with the Rebellion of 1885, the idea of giving the vote to all Indians who met the property qualification clashed with the intensification of anti-Indian feelings and increased the opposition's resolve to block the proposal.

Discussion of the bill began on Monday, the twenty-eighth of April. Anticipating prolonged opposition resistance, the Conservatives seemed to have worked out a strategy for overwhelming their opponents with noise. A Liberal,

⁹⁶Canada, Debates, March 19, 1885, p. 629, J. A. Macdonald.

Gavin Fleming, reported that they spent Monday and Tuesday in a rowdy, raucous, cacophony of sound, "they indulged in the most disgraceful unseemly noise. . . . that would disgrace the most disgraceful house in the city."⁹⁷ By Wednesday, April 30, the House was still discussing the definitions of the bill's terms of reference. In clause five the Conservatives had specified that an "Indian" was to be considered a "person." Yet the Indian Act had provided that when an Indian became enfranchised, he became legally a "person" whereas before that time he had been an "Indian," a being distinct from a "person."⁹⁸ David Mills rose to ask, "how are we to understand the word Indian. Does he [John A. Macdonald] use it in the sense of Indians who are not enfranchised?" Macdonald did not answer Mills question directly; instead he said that he was proposing that all adult Indian males living in eastern or western Canada, if they were British subjects, and had an income of three hundred dollars a year would be entitled to vote.¹⁰⁰ Since adult Indian males living on reserves usually were not enfranchised, he proposed to give the vote to Indians who were not legally "persons."

⁹⁷Canada, Debates, May 2, 1885, p. 1544, G. Fleming.

⁹⁸Canada, Statutes, chapter 27 (1880), section 2 (12), p. 204.

⁹⁹Canada, Debates, April 30, 1885, p. 1484, D. Mills.

¹⁰⁰*Ibid.*, J. A. Macdonald.

The Liberals, unwilling to accept the inclusion of all of these adult Indian males began a filibuster which lasted better than eighty hours, ending at midnight, Saturday, May 2, when the advent of the Lord's Day forced the adjournment of the House. The Liberals were somewhat disgusted with the actions of the Conservatives during the filibuster:

We saw the hon. gentlemen opposite come into this Chamber with pillows, which they ostentatiously shook in our faces to show us that they had come to sit us out, and to push this Bill through at unreasonable hours. Did we not see couches carried into . . . rooms . . . early on Thursday . . . Hon. gentlemen opposite provided themselves with all the comforts that they could command. They retired for refreshments from time to time; they brought bands of music into the building for two nights; they had their dances going on to keep up the amusement.¹⁰¹

During the filibuster the Liberals, rallying their Members, produced three general categories of objections to giving the Indians the vote. These categories were based on law, politics and prejudice.

Beginning with the legal objections, the opposition first drew to the attention of the Conservatives a contradiction in the bill. The Franchise Bill proposed continuing an established prohibition; minors had never been and were not about to be permitted to vote. By law all reserve Indians were considered minors. Yet the bill would give qualified adult Indian males the vote. The two provisions were incompatible.

¹⁰¹Canada, Debates, May 2, p. 1544, G. Fleming.

Secondly, the Liberals pointed out that reserve Indians, as legal minors and wards of the government, had the status of subjects, not citizens; they protested giving the vote to subjects. The Indians' subject status aroused many speakers. William Paterson said the Indians' status should make them ineligible, "the Indians have not the rights, responsibilities and privileges of other citizens . . . he is [they are] still a ward. . . . in a state of tutelage."¹⁰² David Mills maintained that the absence of responsibilities made the Indians ineligible, "in so far as the Indian population are prepared to assume the responsibilities of citizenship, I am prepared to say that they shall be dealt with precisely as the rest of the community."¹⁰³ In fact, the Indian Act had precluded any such action on the Indians' part. G. E. Casey, West Elgin, Ontario, said the government had kept the Indians "in a condition very similar to that of the serfs of Russia, unable to leave their reserves without the consent of the agent, just as the serf in Russia was not allowed to leave without his master's consent; incapable of administering their own property . . . unable to make a will."¹⁰⁴ Casey was mistaken in his analogy; the Indians could leave if they wished, but he, like many others, saw the Indians as unequal. Casey said:

¹⁰²Ibid., May 4, p. 1572, W. Paterson.

¹⁰³Ibid., April 30, p. 1485, D. Mills.

¹⁰⁴Ibid., May 4, p. 1579, G. E. Casey.

You never think of putting in a clause to say that people of any other race among us shall have a vote . . . as soon as they become citizens they get votes. . . . Why should it be different with the Indians?¹⁰⁵

This, of course, was not strictly true; many Canadian citizens, notably adult women and men without property, did not have the vote. Nevertheless, it seems clear that while the reserve Indians' legal status, as defined in the Indian Act, prevented them from assuming the burdens of citizenship, particularly taxation, few Canadians would willingly accept them as voters.

A third legal objection centered on the confusion over the meaning of enfranchisement. In terms of this 1885 bill, the franchise meant the vote; those entitled to vote were said to be enfranchised. But, in terms of the 1880 Indian Act, those who became enfranchised were Indians who had given up their special legal status as Indians; Indian enfranchisement was in no way associated with the vote. These two distinctly different meanings of the same word led to confusion. Paterson, noting the confusion, said "you may pass a Bill to enable him to vote, but he is no more enfranchised, no more a free man, than he is at the present time."¹⁰⁶ Opposition members said they were willing to allow Indians enfranchised in terms of the Indian Act to vote because "enfranchised Indians ought to exercise all the rights and

¹⁰⁵ Ibid.

¹⁰⁶ Ibid., May 2, p. 1558, W. Paterson.

privileges of ordinary citizens"; but they were not willing to give the vote to Indians who were not "prepared to take all the responsibilities of citizenship."¹⁰⁷ Paterson, Blake and Mills agreed with Bain when he said that the government should have made "the [1880 Indian Act] enfranchisement clauses easier so that Indians might more readily avail themselves of them and become citizens." They were not prepared to give the vote to reserve Indians who had not become enfranchised according to the terms of the 1880 Indian Act.

A fourth legal objection related to the reserve Indian's status as wards and to the financial support which they received from the government. Some Members suggested that a parliamentary tradition originating in England withdrew or withheld the franchise from those whom the government supported. David Mills said that by giving the Indians the vote, the Conservatives would be striking "at the very foundation of our constitutional system."¹⁰⁸ Malcolm Colin Cameron, South Huron, Ontario claimed that "by the law of England, persons who receive the bounty of the Government, or are dependent on the Government, have not the franchise, even if they have sufficient property qualification."¹⁰⁹ He was referring, of course, to annuity payments to reserve and to enfranchised Indians.

¹⁰⁷ Ibid., p. 1535, T. Bain.

¹⁰⁸ Ibid., May 1, p. 1508, D. Mills.

¹⁰⁹ Ibid., May 2, p. 1527, M. C. Cameron.

Members' objections to the manner in which the Conservatives were pushing the bill through the House also were expressed in legal terms; they said the Conservatives' techniques threatened the constitution. Mills compared them to "adventurers who occasionally come into power in Peru or Guatamala . . . not like governments established under the British system."¹¹⁰ He went further by suggesting that "when the First Minister uses his power as an ordinary South American guerilla chief our constitution cannot much longer survive."¹¹¹ On legal grounds, the Liberals objected to giving the Indians the vote because they were legal minors, dependent wards and subjects, they had accepted financial support from the government and they had not assumed the responsibilities of citizenship.

The political reasons for their objections to giving the vote to Indians were forcibly expressed by the Liberals during the filibuster. They expressed concern about the impact the proposed Indian vote would have on Liberal seats. Several Members accused the government of ulterior motives. One saw "the object the First Minister seeks to attain is not the elevation or benefit of the Indians, but the security of the party in power."¹¹² Another said, "I could not help thinking it was done with the express purpose of obtaining

¹¹⁰Ibid., May 1, p. 1508, D. Mills.

¹¹¹Ibid., p. 1509.

¹¹²Ibid., April 30, p. 1489, W. Paterson.

control of a large number of votes."¹¹³ A third commented that "in 1882 the Government endeavoured to defeat the hon. Member from Bothwell [David Mills] by the Redistribution Bill . . . they are now endeavouring to deprive him of his place by enfranchising the Indians."¹¹⁴ A fourth described it as "an effort to lift certain men out of this parliament, whom it unsuccessfully attempted to lift out by the Redistribution Act."¹¹⁵

The Liberals were quite specific in estimating the effects of the Indian vote. Malcolm Colin Cameron, pointed out that "according to the Indian Report, there are a dozen constituencies in Ontario alone in which the vote of the Indian population would change the political aspect of those constituencies . . . Haldimand . . . a voting strength of 120, in Brant . . . 600 votes; in Middlesex . . . considerable."¹¹⁶ J. A. Armstrong said, "in Ontario it would have the effect of defeating in all probability the members for Haldimand, South Brant, West Lambton, Bothwell and myself; for I have no less than 1,345 Indians in my constituency."¹¹⁷ William Paterson expressed fears that his own seat was threatened when he suggested that "South Brant which the Government tried to win for themselves through their infamous

¹¹³Ibid., May 1, p. 1505.

¹¹⁴Ibid., p. 1520, G. Landerkin.

¹¹⁵Ibid., May 2, p. 1535, T. Bain.

¹¹⁶Ibid., p. 1527, M. C. Cameron.

¹¹⁷Ibid., p. 1543, J. A. Armstrong.

gerry mander [the 1882 Redistribution Bill] would at last be secured for the Government."¹¹⁸

The Liberals were afraid they would lose these seats because the Indians, dependent on the government, would wish or would be told to support that government at the polls:

Knowing the traditional obedience, respect and honor that the Indians have been accustomed to pay to the Crown and the Government . . . their notion would be that they ought to vote for the Government.¹¹⁹

.
It is doing the Indians no injustice to presume that on every occasion they will be the servants of the Government.¹²⁰

.
Indians who are under the control of the Government . . . have not the independence which could permit them to vote with freedom . . . The Superintendent will have the power of manufacturing votes . . . they will dictate to the Indians how they shall vote.¹²¹

Many Liberals were convinced that giving the vote to Indians would be "placing in the hands of the Administration a certain number of votes."¹²²

In addition to the concern over the effect of the addition of Indian voters to specific constituencies, many Members also expressed concern over the general impact an undetermined number of Indian voters would have. P. B.

¹¹⁸Ibid., April 30, p. 1499, W. Paterson.

¹¹⁹Ibid., p. 1486, E. Blake.

¹²⁰Ibid., May 1, p. 1493, M. C. Cameron.

¹²¹Ibid., p. 1507, I. Rinfret.

¹²²Ibid., April 30, p. 1485, D. Mills.

Casgrain, I'Islet, Quebec, suggested that Indian voters would "represent about one fifth of the whole electorate."¹²³ G. G. King asked if "the effect of enfranchising 50,000 or 60,000 Indians in British Columbia" would "swamp those [votes] of the white people in the Maritime Provinces."¹²⁴ J. M. Platt noted "there are electors whose relative influence in the country will be largely decreased by the enfranchisement of the Indians."¹²⁵ One member hypothesized that Indian voters who opposed non-Indian voters could begin another rebellion, saying:

To put up an uncivilized Indian, a pagan Indian, to kill a white man's vote, is ridiculous, and the people will not stand it. If a band of 40 or 50 Indians came up to the polling booth in Manitoba and attempted to kill the votes of an equal number of white men who pay the taxes, who build the roads and bridges and support the expense of the Government it would raise a rebellion.¹²⁶

The Liberals were very uneasy about the total effect of adding Indians to the voting population of Canada.

They also raised the bogey of the Indian as parliamentarian. As M. C. Cameron of Huron, Ontario, reasonably remarked, "if we give the Indians the right to vote, we cannot refuse them the right to send their own representatives

¹²³Ibid., May 1, p. 1510, P. B. Casgrain.

¹²⁴Ibid., p. 1525, G. G. King.

¹²⁵Ibid., J. M. Platt.

¹²⁶Ibid., p. 1503, M. C. Cameron.

to this House."¹²⁷ Robert Watson asked how a minister would "like to have seated among his colleagues or near him Pi-a-pot, or Big Bear, or Strike-him-on-the-back."¹²⁸ Platt raised the question of language, saying that there was "the possibility of these people coming here, and speaking their own tongues, and . . . we will have other languages established in this House."¹²⁹ W. J. P. McCraney said, "we shall be having some of their chiefs . . . Poundmaker, Blue Quill, Bob Tail, and the rest of them. The whole thing is too ridiculous."¹³⁰

The third category of Liberal objections to giving Indians the vote was based on prejudice against the Indians. The common belief was that Indians were an inferior race. The Liberals' attitude to the prospect of Indian chiefs sitting as Members of Parliament might have been a bit frivolous but they were really outraged at the idea of Indians as voters or as Members of Parliament while large numbers of non-Indians would still not have the right to vote. Married women and poorly paid male workers, particularly school teachers, would have no vote. Reflected in speech after speech was the conviction that no Indian should have the vote while worthy non-Indians did not have it:

¹²⁷ Ibid., p. 1503, M. C. Cameron.

¹²⁸ Ibid., May 2, p. 1542, R. W. Watson.

¹²⁹ Ibid., May 1, p. 1526, J. M. Platt.

¹³⁰ Ibid., p. 1526, W. J. P. McCraney.

A great many white people who live and die in this country, raise families and pay taxes, and who cannot vote, although they are in every way capable of exercising the franchise . . . mothers, and wives and sisters, no matter whether they pay taxes or not, shall not have a vote . . . a monstrous proposition . . . refuse the same franchise to women . . . and give it to the low and filthy Indians.¹³¹

.
Is he superior to the white women . . . who possesses everything required for the franchise except sex. While you give to the naked untutored barbarian a vote which we deny to our own sons and to our females.¹³²

.
On what principle do you refuse the vote to intelligent school teachers which you give to Indians.¹³³

.
Before semi-civilized or uncivilized Indians are enfranchised, every white man of full age and being a resident, should have the right to vote.¹³⁴

These demands that non-Indians be given the vote before Indians reflected a widely held belief that the poorest of non-Indians were superior to Indians. Many Members, who might not have objected on legal or political grounds, opposed giving an inferior people--the Indians--the vote. They argued that Indians were uneducated, savage, even murderous. A sampling of remarks suggests the Liberals' attitudes:

These Indians are not of a character to be entrusted with that greatest privilege of citizenship.¹³⁵

¹³¹Ibid., p. 1522, J. M. Platt.

¹³²Ibid., J. Charlton.

¹³³Ibid., J. H. Wilson.

¹³⁴Ibid., May 1, p. 1505, S. A. Fisher.

¹³⁵Ibid., p. 1503, G. E. Casey.

I do not think the franchise should be extended to these uncivilized people.¹³⁶

.....
We are enfranchising before we educate or Christianize him.¹³⁷

.....
Not only are they pagans . . . they still have in them the savage and ferocious disposition of ordinary barbarians. They are ready on the slightest pretext, to return to their ancient habits of rapine, pillage and murder.¹³⁸

.....
They have not that degree of intelligence which is necessary to exercise the franchise.¹³⁹

.....
Through their nomadic habits they are unfit to become an element in modern civilization.¹⁴⁰

.....
They are a class, the majority of whom are not intelligent, and few of whom can read and write.¹⁴¹

Perhaps the Member for Norfolk, John Charlton, summed up the sentiments of many Members when he said that the Indians were:

A separate nationality . . . no pride of country, no desire to promote its interests, and they know nothing about its institutions. They are governed by ignorance and superstition, and are not fit to exercise the high duties, privileges and responsibilities appertaining to free citizens. They are grovelling barbarians,

¹³⁶ Ibid., p. 1492, R. Watson.

¹³⁷ Ibid., p. 1502, M. C. Cameron.

¹³⁸ Ibid., p. 1505, S. A. Fisher.

¹³⁹ Ibid., p. 1506, I. Rinfret.

¹⁴⁰ Ibid., p. 1517, P. B. Casgrain.

¹⁴¹ Ibid., p. 1522, C. Burpee.

sunk in the depths of ignorance and depravity and vice . . . who . . . have lighted up the North-West with the lurid glare of burning buildings, who are brandishing the tomahawk and scalping knife in that country, who are murdering the settlers and subjecting their wives and daughters to a fate a thousand times worse than death.¹⁴²

At midnight, Saturday, May 2, the three day round-the-clock filibuster ended. The Liberals had blasted the Conservatives for proposing to give the vote to the Indians who as legal minors, state wards, recipients of government money, subjects exempt from taxes and military service and an "inferior" people would be able to vote while countless law-abiding tax-paying non-Indians would not be entitled to exercise the franchise.

On Monday, May 4th, John A. Macdonald, rose to answer some of the Liberals' criticisms. He began by saying rather testily that there really had been a misunderstanding; he had not meant to give the vote to all Indians but had been thinking of the "Indians of the old Provinces, where they are educated and have been under a civilizing process for years and years, where they have schools, where they can read and write - the greater portion of them."¹⁴³ He then discussed some of the objections the Liberals had made.

Replying to those who questioned whether the Indians had or would assume the responsibilities of citizenship, particularly participation in the militia, Macdonald did not

¹⁴²Ibid., p. 1524, J. Charlton.

¹⁴³Ibid., May 4, p. 1574, J. A. Macdonald.

commit himself on the Indians' present and future activities but referred to the past and the Indians' status as subjects:

They are proud to call themselves British subjects as well as allies. It was in the capacity of allies they became British subjects. They are British subjects now; they desire to remain so, and as British subjects they have the same rights as white men.¹⁴⁴

His remarks rather avoided the point, since all Canadians were British subjects and the question was their transition from subject to citizen, not their status as subjects.

Answering Liberal accusations that the government would be assuring itself of electoral support by giving the vote to Indians, Macdonald pointed out that Indians were not homogeneous and that they had differing opinions; these would be reflected at the polls. He admitted that the Indians were not as prudent as others but this he said should not keep them from having the vote. Three of Britain's greatest political leaders, Charles James Fox, Sheridan and William Pitt had been, in their personal affairs, unable to maintain a state of solvency.¹⁴⁵ He drew a picture of the difference in character between Highland and Lowland Scots saying that Indians exhibited many of the traits of the Highlanders, who were no less worthy of having the vote than the more staid, industrious Lowlanders. Macdonald believed that the right to vote should not be based on personal characteristics.

¹⁴⁴Ibid., p. 1575.

¹⁴⁵Ibid.

During his speech Macdonald made an ingenious comparison between American slaves and Canadian Indians. The slaves "came from a foreign country . . . from a servile condition . . . uneducated, having no traditions of freedom . . . none of the independence of free men";¹⁴⁶ they had been given the vote three years after their arrival in Canada. On the other hand, the Indians, "formerly the Lords of the soil, formerly owning the whole of this country . . . [were] prevented from either sitting in this House, or voting for men . . . to represent their interests."¹⁴⁷ Macdonald said that Indians were "steady, respectable, law abiding and God fearing people" who should have the vote.¹⁴⁸ Although the Opposition found gaping holes in the logic of the First Minister's arguments, clause five, which defined the "Indian" as a person, was accepted and the House moved on to discuss other clauses.

In its final form, the Franchise Bill of 1885 reflected the effectiveness of the Liberals' opposition: the minimum property qualification had been reduced from three hundred dollars to one hundred and fifty dollars; the proposal to give the vote to single women had been withdrawn; the proposal to give the vote to all adult Indian males with the minimum property qualifications had been modified so that only adult males in eastern Canada who possessed

¹⁴⁶Ibid.

¹⁴⁷Ibid.

¹⁴⁸Ibid., p. 1575.

location tickets for land on which they had made improvements valued at one hundred and fifty dollars would be entitled to vote.¹⁴⁹ Western Indians were excluded; they had not demonstrated a sufficient commitment to private property. Had the western Indians and those in the east who did not meet the property qualifications been given the vote it would have been a blow to those non-Indians who remained ineligible because of poverty.

It seems likely that the opposition charges were true; the Conservatives' original proposal to give the tribesmen the vote had been made in order to make the Conservatives' position at the polls more secure. Perhaps it was because of this broadened electoral franchise that the Conservatives remained in power for another eight years.

During these years, 1885 to 1896, the Conservative government, by order-in-council or by legislation, made a number of changes to the 1880 Indian Act and the 1884 Indian Advancement Act. Usually the government, in response to Departmental suggestions, modified or expanded the laws to make them more effective. But, on February 3, 1890, a Liberal Opposition Member, C. Doyon of Laprairie, Quebec introduced Bill 42 which proposed to change the Indian Advancement Act, to remove the requirement that a council's by-laws and

¹⁴⁹ Canada, Statutes, Victoria 48-49, chapter 40 (1885).

decisions had to be approved by the Superintendent General.¹⁵⁰ This would increase the power of local Indian Councils. Doyon introduced this amendment because of an unfortunate situation on the Quebec Caughnawaga Iroquois reserve. Apparently, there were two political factions on the Caughnawaga reserve, both represented on council. The majority of councillors, representing one faction, had appointed a policeman, the minority had found the policeman unacceptable, and, when the motion had been sent to the Superintendent General for ratification, he had sided with the minority and refused to accept the policeman's nomination. In retaliation the majority of councillors refused to carry out their duties and the council ceased to function.

During the debate that followed second reading on March 31, Edgar Dewdney, Minister of the Interior and Superintendent General of Indian Affairs, refused to accept Liberal criticisms of the Department's actions, or its suggestions that the Indians should be given more power. He said that the government needed to keep the ultimate power in its own hands because the Indians could not be counted on to govern themselves wisely:

There are many sound and intelligent Indians on the reserve, but they do not appear to take an active part in the municipal affairs of the reserve and when that is the case, I think we shall have to continue the very wise provision which gives the Superintendent General the power of approving the by-laws.¹⁵¹

¹⁵⁰ Canada, Debates, February 3, 1890, p. 184, C. Doyon.

¹⁵¹ Ibid., March 31, 1890, p. 2725, E. Dewdney.

Wilfrid Laurier objected strenuously to this idea, noting that:

Though you allow them to participate in the affairs of the country, though you give them the rights of exercising the highest privilege of civilized men, yet you do not allow them to dispose of their own petty affairs on their reserves.¹⁵²

He challenged the Minister:

On what principle can he defend this anomaly, or refuse to allow them to conduct their own municipal affairs.¹⁵³

At this point, Samuel Burdett, the Liberal representing the Ontario Six Nations Reserve at Deseronto, rose to say that he had been born on that reserve, that he was himself an enfranchised Indian; and that he objected to the Conservatives who:

Do not treat the Indian as they speak of him, and talk of him, and talk at him. They say he is an intelligent and refined gentleman but, when they deal with him here, he is a ward . . . and must be looked after under the protection of the Royal Court at Ottawa.¹⁵⁴

Burdett went on to say, with considerable bitterness, that:

It is hardly consistent with the liberty a man ought to enjoy when he votes, that you should say to him: I control your moneys, I control your lands, I control the appointment of your officials, I control the power to remove your councillors for intemperance or almost anything else, although I cannot do it in other

¹⁵²Ibid., p. 2726, W. Laurier.

¹⁵³Ibid.

¹⁵⁴Ibid., p. 2729, S. Burdett.

municipal councils; in other words I have you tied hand and foot, so now you are free, go and vote as you see fit.¹⁵⁵

Laurier summed up the Opposition's attitude to the amendment:

The question is whether these Indians shall have the right to pass by-laws which the statute gives them the power to pass, untrammelled by the Superintendent General. . . . If they have the right to pass judgment as to who shall be the Superintendent General . . . they should have the power to decide who shall be the toll keeper on their own reserve.¹⁵⁶

Bill 42 was defeated and the Caughnawaga Indian council continued to refuse to function.

On April 10, 1890, partially as a result of this deadlock, Edgar Dewdney introduced Bill 132 proposing three amendments to the Indian Advancement Act of 1884.¹⁵⁷ The first, which regulated the style of sleighs for use on winter roads, was non-controversial. The second clause supplemented section 11 of the 1884 act, the section which enumerated the reasons for which the government might dismiss councillors, and gave the government the power to dismiss councillors who did not take part in the "proceedings by at least voting."¹⁵⁸ This amendment would empower the Department to deal with the Caughnawaga problems by getting rid of

¹⁵⁵ Ibid.

¹⁵⁶ Ibid., pp. 2737-38, W. Laurier.

¹⁵⁷ Ibid., April 10, 1890, p. 3151, E. Dewdney.

¹⁵⁸ Ibid., April 18, 1890, p. 3604, E. Dewdney.

the obstructionist councillors. The third clause provided a "day of nomination for candidates for elections as councillors," but did not specify the method of election; that is, did not say it would be by secret ballot.¹⁵⁹

The Liberals launched their criticisms by attacking the third amendment. David Mills asked if the elections were to be by secret ballot.¹⁶⁰ In response to Edgar Dewdney's denial, James Lister insisted that only secret ballot elections would improve the situation.¹⁶¹ He said it was:

Anomalous we should say to them that they may vote by ballot in Dominion elections, they have sufficient intelligence and education to vote for members of the House of Commons by ballot, but in the smaller matter . . . the election of their own councillors, they shall have neither proper nomination of candidates, nor shall they be permitted to cast their ballot as they wish and as the spirit of this age approves.¹⁶²

At this point Laurier said he found the second section "all together objectionable," and believed that "if you give the Indians the right of managing their own municipal affairs, the right given to white men, they should be treated as white men are treated."¹⁶³ Edward Blake, following Laurier, commented sarcastically that the Indian Advancement Act applied only to the more advanced bands and noted that if

¹⁵⁹ Ibid.

¹⁶⁰ Ibid., D. Mills.

¹⁶¹ Ibid., E. Dewdney, J. F. Lister.

¹⁶² Ibid., p. 3605, J. Lister.

¹⁶³ Ibid., W. Laurier.

these Indians:

Choose to elect a person who may, to the satisfaction of the Superintendent General of Indian Affairs, the great chief, the arbitrator, the autocrat, the Czar, to be held to be an habitual drunkard - if such an Indian be chosen . . . by the best and most advanced Indians, is he to be disqualified?¹⁶⁴

Blake said, "we are honest enough not to attempt to set up any such doctrine as this for ourselves. Why should we set it up for them?"¹⁶⁵

William Paterson, the long-time dissident Liberal champion of Indian assimilation, said the amendment was retrograde, as it "intended to take away power from the Indians which they already possess, and to place greater powers in the hands of the Superintendent General."¹⁶⁶ He suggested that the Caughnawaga Indians might feel that:

If our request upon matters affecting our own interests, affecting our own moneys only, is to be treated in this way, it is nothing less than a farce for us to meet together to transact business at all; for if we are only to transact it as approved by the Superintendent General . . . we might as well abandon control of our own affairs altogether.¹⁶⁷

Another Liberal speaker, David Mills, the former Minister of the Interior, also objected to the extension of the Superintendent General's arbitrary power and said that

¹⁶⁴Ibid., p. 3607, E. Blake.

¹⁶⁵Ibid.

¹⁶⁶Ibid., p. 3615, W. Paterson.

¹⁶⁷Ibid., p. 3618, W. Paterson.

there was great potential for abuse:

The Indian is not a portion of the body politic in which abuse of power is readily detected, he is not one that touches the sensibilities of the population of the country as a unit. This bill affects a class of people among whom few newspapers are circulated; a class that is not brought into contact with general public sentiment; and a class among whom abuses may be committed without being readily detected.¹⁶⁸

Despite Liberal objections the amendments passed and the Indians lost a little more freedom and control over their lives.¹⁶⁹

A second occasion for debate on proposed amendments occurred in 1894 when the Conservatives introduced Bill 116 which proposed to amend the 1880 Indian Act by transferring some band council power to the Superintendent General.¹⁷⁰ The 1880 act had provided that an Indian's will needed the band's approval; this bill would give that power of approval to the Superintendent General.¹⁷¹ The Liberals objected to this increase in power. David Mills said, "if an Indian is capable of making a will at all it ought to be done without the interference of the Superintendent General."¹⁷² John Charlton agreed saying;

¹⁶⁸ Ibid., p. 3620, D. Mills.

¹⁶⁹ Canada, Statutes, Victoria 53, chapter 30 (1890).

¹⁷⁰ Canada, Debates, May 18, 1894, p. 3003, T. M. Daly.

¹⁷¹ Canada, Statutes, Victoria 57-58, chapter 32 (1894) section 1, p. 227.

¹⁷² Canada, Debates, July 9, 1894, p. 5541, D. Mills.

I wish to add my protest against this arbitrary power being placed in the hands of the Superintendent General. These powers . . . are more autocratic . . . you might as well give the Superintendent General the power of making a will for an Indian. . . . He has absolute power . . . I doubt whether it is proper to invest in the hands of any man such arbitrary power as this.¹⁷³

The Conservatives listened but did not change their proposals and the amendments became law. Other amendments introduced in 1894 and 1895 provoked no discussion and also became law.¹⁷⁴

The legislation enacted between 1880 and 1896 increased the restrictions on Indian economic opportunity, continued the government's policies of keeping the majority of Indians on reserves, increased the power of the agents and the Superintendent General, made enfranchisement even less attractive, provided for municipal government on some eastern reserves and gave a small number of eastern Indians the right to vote in federal elections.

The government rested much of its expectations for the eastern Indians' future on the belief that they would become enfranchised. An enfranchised Indian, one who had title to a lot on the reserve, was no longer considered an Indian in terms of the Indian Act; but he could continue, if he wished, to share in the band's resources and councils.

¹⁷³ Ibid., J. Charlton.

¹⁷⁴ Canada, Statutes, Victoria 58-59, chapter 35 (1895). This was Bill 109, "To Further Amend the Indian Act." It gave the Department the power to lease all reserve land.

Presumably, having title to the land he could dispose of it at will and, before 1884, those few Indians who had become enfranchised apparently did so. However, in 1884, the Conservatives, anxious to preserve the integrity of the reserves, amended the law to prevent enfranchised Indians from selling their land to any but band members. If one of the motivations for becoming enfranchised was the desire to obtain and sell the land to non-Indians willing to pay well for it, this amendment made enfranchisement even less appealing to the Indians. William Paterson had proposed during the 1884 debate that the government, rather than making enfranchisement less enticing, change its tactics and make it more inviting and easier. Possibly he envisaged a situation where any Indian who decided to become enfranchised applied for a license, just as he would for a civil marriage license. The government's unwillingness to relax its regulations reflected its concern that the Indians retain their land as their patrimony; that the reserve continue to remain inviolable to non-Indians; and that many Indians, if they became enfranchised, would lose their land and would become poor, dispossessed wanderers, dependent on charity for their survival. The Conservatives believed that only a few of the most "civilized" eastern Indians were capable of being enfranchised and they intended that most Indians should remain on the reserves bound by the provisions of the Indian Act.

The Conservatives set out to give the Indians on the reserves in the east a greater role in their self-government

and to make it possible for a few to vote in federal elections. There was no move to extend these provisions to western Indians who were not considered sufficiently "civilized" to benefit. The government had hoped that by imposing the kind of municipal government common to non-Indian communities it would encourage the Indians to adopt non-Indian ways. The agents stated in the annual reports that local reserve government did not always live up to the expectations which the officials had held for it. Perhaps the Indians might have been more effective had they been permitted to work out their own forms of government. Indians did not vote in federal elections before 1885 but in that year the Franchise Act gave the franchise to selected property holders in eastern Canada. Ensuing elections revealed that few exercised the privilege. Perhaps the Indians' lack of political awareness prevented them from recognizing the power which a block of Indian voters might have had. Because few had or used the vote, the Indians remained clients of, rather than participants in, the Canadian political process; this powerless role enabled the government to continue its paternal control of Indian life.

Generally, the legislation passed between 1880 and 1896 had the effect of tightening the restrictions on Indian initiative and separating the Indians still further from the mainstream of Canadian economic and social life. Paternalism became codified in the laws and increased the tribesmen's dependence on the government and acceptance of their unequal status.

CHAPTER VI

THE DEPARTMENT OF INDIAN AFFAIRS:

STRUCTURE AND STAFF

Whenever and wherever a government established a sustained relationship with the Indians, a bureaucracy evolved to facilitate the interchange between the two. The degree to which a government became involved with the Indians determined the organization it established: its size, staff and responsibilities. Before Confederation, the British had reacted to the differing circumstances under which it met the Indians in the respective colonies by establishing varied administrative organizations. Following Confederation, the federal government assumed responsibility for the Indians and for the organizations established earlier by the British. After 1870 the problems of prairie tribesmen in the newly acquired west forced the Canadian government to create in the west a much more complex administrative structure than it had needed in the eastern provinces.

The government used the Department's administrative organization, shaped like a pyramid, to implement its programs for maintaining and/or changing the Indians. When its goals altered the machinery also was modified; personnel was added or the role of employees revamped to conform to new policy directions. From the base of the pyramid, where

agents, farmers and teachers implemented programs, through the level of supervisory personnel to the apex where the Superintendent General formulated policy, the hierarchy was vertically organized; it was responsible to the Superintendent General and to Parliament, never to its clientele--the Indians.

As the Department of Indian Affairs expanded its staff and functions during the 1876-1896 period, its budget increased rapidly and the proportion of that budget allocated for various items changed. Generally, in the twenty year period, the Department paid more and more attention to, and an increasing proportion of its budget on, education, not only for children in the classrooms, but also for adults learning agricultural methods. The increased spending in this area reflected the government's determination to make the Indians economically self-supporting.

These policies and their attendant costs required parliamentary approval. During the annual estimates' debates in the House of Commons, Members had the opportunity to scrutinize expenditures and policies. But parliamentarians did not seem interested in Indians and their management; they seldom challenged Departmental programs. As a result, the Department tended to develop its own course unobstructed by the politicians.

The effectiveness of this course was determined by the efficiency of the administrative machinery and by the calibre of the personnel. In fact, the success of Indian

policy could be said to depend to a great degree on the intelligence and commitment of Departmental personnel. The Department intended to bring about radical changes in Indian life; it required an effective organization to reach its objectives.

When the British North America Act of 1867 declared Indians to be a federal responsibility, the organizations in the Maritimes and Canada were integrated into the new Department of the Secretary of State for the provinces;¹ the Secretary of State himself became the chief executive officer, the Superintendent General of Indian Affairs. In 1873 the Liberals, in office for the first time and anxious about the management of the vast Hudson's Bay territory acquired in 1870, created a Ministry of the Interior; it included as one of its functions the management of Indians and Indian lands. For most of the twenty year period following the Indian Act of 1876, the Minister of the Interior was also the Superintendent General of Indian Affairs.² He headed a branch of the Ministry of the Interior called Indian Affairs. This branch was divided into the Inside and Outside Services, officials of the Inside Service were stationed at Ottawa; those of the Outside Service worked all across the country.

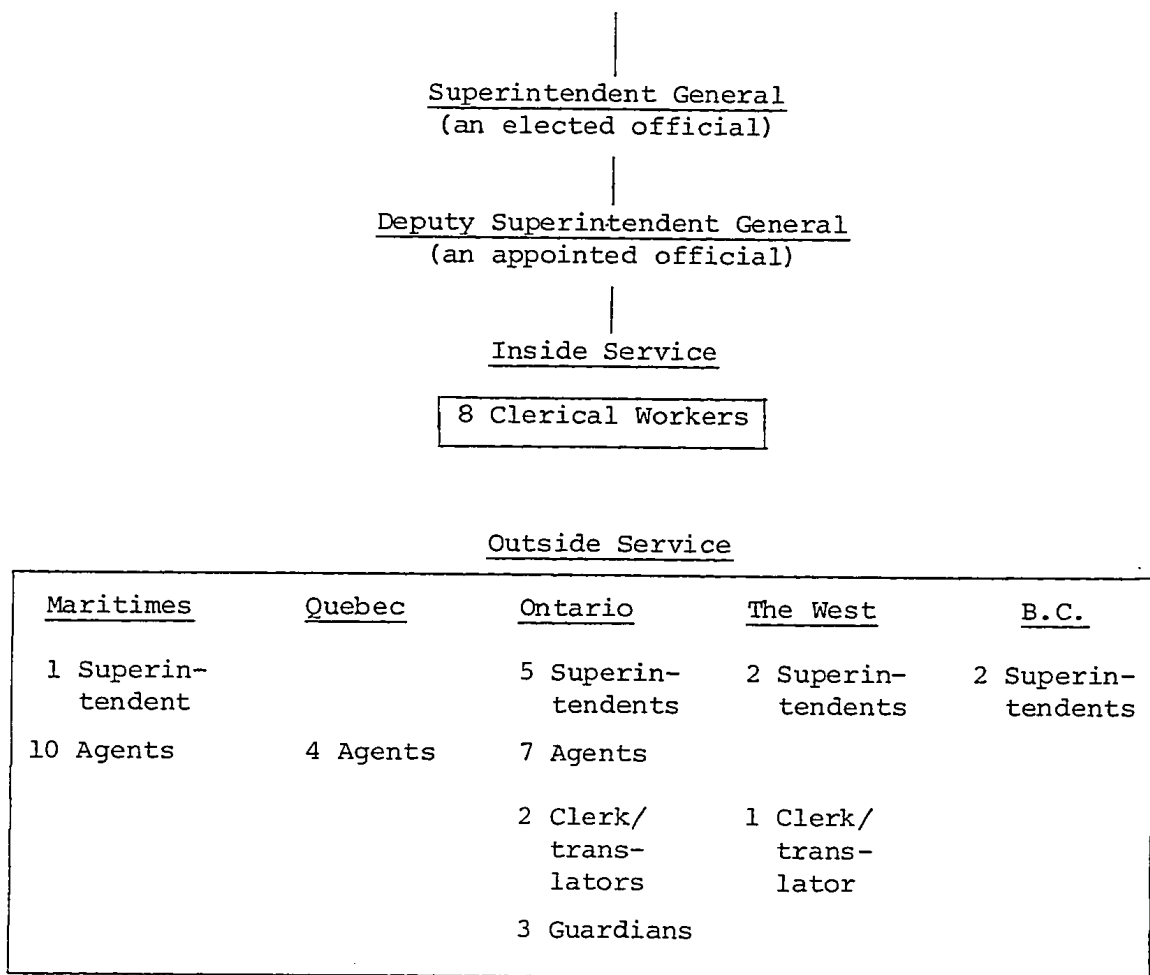
¹ Report 1858, unpagued.

² P.A.C., R.G. 10, Preliminary Inventory, June 10, 1951, Appendix 1, p. ii. J. A. Macdonald from 1883-1887 was Superintendent General but not Minister of the Interior.

In 1876 the Indian Affairs Branch employed forty-five civil servants, eight in the Inside Service and thirty-seven in the Outside Service.³

CHART 1

ORGANIZATION: INDIAN AFFAIRS BRANCH (1876)



SOURCE: Canada, Annual Report 1876, pp. 39-42.

During the 1876-1896 period there continued to be one Superintendent General and one Deputy Superintendent

³Canada, Annual Report 1876, pp. 39-42.

General, but the numbers of employees in other categories increased. The number of employees of the Inside Service, those clerks and accountants in Ottawa who facilitated the flow of information, directives and statistics between the two services, grew from eight in 1876 to forty-six in 1896.⁴

One feature of the Inside Service seems to have been the permanency of appointments. People hired in the Liberals' years in office, 1872-1878, did not lose their jobs when the government changed. Those working in the Indian Branch in 1876 were still employees of the Inside Service in 1882, four years after the Conservatives had returned to office.⁵ Perhaps one of the reasons for this stability was that salaries were good. In 1876 salaries for the eight employees ranged from \$750 to \$2,050.⁶ Compared with the wages of such skilled mechanics as bookbinders, printers, blacksmiths, brewers and stone cutters which ranged from only \$300 to \$720 per annum, the civil service rates were high.⁷ By 1896 the maximum salary had reached \$3,200.⁸ The Inside Service of the Department, comprising forty-six members by 1896, was a well-paid and effective service.

⁴ Ibid., p. 39; Canada, Annual Report 1896, p. 455.

⁵ Canada, Annual Report 1882, part II, p. 2.

⁶ Canada, Annual Report 1876, p. 39.

⁷ Canada, Sessional Papers (No. 8), 1877, Department of Agriculture, p. 20. Return of the Average Wages Paid to Laborers and Mechanics.

⁸ Canada, Annual Report 1896, p. 456.

But the expansion of the Outside Service in the two decades 1876-1896 was even more dramatic.⁹ It had, in total, thirty-seven employees in 1876; by 1896 it had two hundred and eighty-two.¹⁰ The numbers in each region varied according to the numbers of Indians in the area and the degree of management needed. By 1896, the eastern Outside Service had more than tripled, increasing from thirty-two in 1876 to one hundred and three in 1896:

CHART 2

ORGANIZATION: DEPARTMENT OF INDIAN AFFAIRS

OUTSIDE SERVICE: EASTERN CANADA, 1896

Outside Employees Working at Ottawa

Inspector of Indian Agencies and Reserves
Inspector of Timber

<u>Maritimes</u>	<u>Quebec</u>	<u>Ontario</u>
2 Superintendents		3 Superintendents
21 Agents/Missionary Agents	11 Agents	14 Agents
8 Physicians	4 Missionaries	1 Missionary
2 Constables	3 Physicians	20 Physicians
1 Teacher		2 Clerks
		1 Guardian
		6 Land Agents

SOURCE: Canada, Annual Report 1896, pp. 456-64.

⁹ Canada, Annual Report 1876, pp. 39-42; Canada, Annual Report 1896, pp. 456-64.

¹⁰ The greatest numbers were men but in western Canada women were employed as cooks and housekeepers. Many were also employed as teachers.

In eastern Canada, the Maritimes had an Indian population of approximately four thousand with few resources and little land; the government had no reason to change the Indians' way of life. It, therefore, had no need to create an extensive full-time bureaucracy; throughout the period it maintained fewer than five full-time workers with a growing number of part-time employees. During the years 1876-1896, the number of full-time employees in the Outside Service in the Maritimes grew from two to four; the part-time from nine

TABLE 6

STAFF AND SALARIES: MARITIMES, 1876 AND 1896

			Total	Salaries
				\$
1876	Nova Scotia	8 Agents at \$100	8	800
		1 Superintendent at \$200	1	200
	New Brunswick	2 Agents at \$400	2	400
	Total		11	1,800
1896	Nova Scotia	16 Agents (6 at \$100, 10 at \$50)	16	1,100
		2 Physicians	2	175
	P.E.I.	1 Teacher at \$300	1	300
		1 Superintendent at \$300	1	300
	New Brunswick	2 Superintendents at \$450	2	900
		5 Missionary/Agents	5	540
		6 Physicians (1 at \$200, 3 at \$100, 1 at \$25, 1 at \$20)	6	545
		2 Constables (1 at \$20, 1 at \$24)	2	44
	Total		35	3,804

SOURCE: Canada, Annual Report 1876, pp. 40-41; Canada, Annual Report 1896, pp. 458-59.

to thirty-one.¹¹ In comparison with the total growth in the Outside Service in the same period, the Maritime growth was small.

In Quebec the approximately seven thousand Indians were better endowed with land and resources than those of the Maritimes. The management of these resources needed considerably more attention. The Department was eager to maximize the amount deposited in the Indian Fund, since a percentage of this fund was used to pay some of the costs of Indian administration.¹² Employees working with resource management drew all or part of their pay directly from percentages of their sales of Indian land or timber. By 1896, the government had hired missionaries to act as quasi-agents to supply the Department with relevant information; it had also hired physicians to care for the Indians' health. But even with these extra employees, the number employed in the Outside Service in Quebec rose from four in 1876 only as high as eighteen in 1896.¹³

Compared with Quebec's and the Maritimes' administrative organization, the machinery to look after Ontario's seventeen thousand Indians and their lands was more complex.

¹¹Canada, Annual Report 1876, pp. 40-41; Canada, Annual Report, 1896, pp. 458-59.

¹²The Indian Fund was a capital account which contained money paid to Indians for surrendered land, money from land and resource sales and sums deposited by earlier governments for miscellaneous reasons.

¹³Canada, Annual Report 1876, pp. 40-41; Canada, Annual Report 1896, pp. 458-59.

TABLE 7

STAFF AND SALARIES: QUEBEC, 1876 AND 1896

		Total	Salaries
			\$
1876	4 Agents (1 received a percentage of the value of land sales, 1 was paid \$300, 1 received a percentage of the moneys paid to the Indians plus a percentage of rents collected, 1 had no notation for income	<u>4</u>	<u>300^a</u>
	Total	4	300 ^a
1896	11 Agents (3 from \$400 to \$600, 3 at \$200, 1 at \$150 plus a percentage of land sales, 1 at \$100, 2 at \$50, 1 at commission on collections and a percentage of disbursements)	11	2,250 ^a
	3 Physicians (1 at \$200, 1 at \$100 and 1 at \$80)	3	380
	4 Missionaries (1 at \$313.32, 1 at \$235, 1 at \$80)	<u>4</u>	<u>905.28</u>
	Total	18	3,835.28 ^a

SOURCE: Canada, Annual Report 1876, pp. 40-41, Canada, Annual Report 1896, pp. 458-59.

NOTE: ^aplus an undisclosed amount.

Almost from the day the Loyalists began arriving in Ontario, the organization created to deal with the bands had had a sophisticated hierarchy of officials. In 1876, the hierarchy was headed by five Superintendents. It included two clerks, three guardians of islands in the St. Lawrence and seven agents to look after the Indians or to handle the sales of

TABLE 8

STAFF AND SALARIES: ONTARIO, 1876 AND 1896

		Total	Salaries
			\$
1876	5 Superintendents (\$1,400, \$1,600, \$1,200, \$1,000, \$900 with additional income from percentages of land and timber sales as well as allowances for houses and office rent and travelling)	5	6,110 ^a
	2 Clerks	2	1,700
	7 Agents (\$600, \$500, \$400, \$350, \$250, 3 of the agents received commissions and 2 others were paid no salary but got a percentage of land sales or departmental disbursements)	7	2,100 ^a
	3 Guardians of the islands (3 at \$25)	3	75
	Total	17	9,900 ^a
1896	3 Superintendents (\$1,200, \$900, \$800, plus a percentage of land sales, travelling expenses and office rent)	3	2,900 ^a
	6 Land Agents (1 at \$825 with rent and fuel, 1 at \$600 with a percentage of collections, 4 without salaries but commissions on land sales and an office provided)	6	1,425 ^a
	14 Agents (1 at \$800, 1 at \$750, 1 at \$650, 2 at \$600, 7 at \$500, 1 at \$100, 1 at \$60, and 2 received allowances for rent, light and fuel)	14	7,060 ^a
	2 Clerk/Translators (\$720, \$900)	2	1,620
	1 Guardian of the islands (\$25)	1	25
	20 Physicians (\$2,000, \$1,000, \$850, \$500, \$350, 4 at \$300, \$275, 2 at \$260, 3 at \$250, 3 at \$150, \$100, \$37)	20	8,032
	3 Missionaries (3 at \$400)	3	1,200
	Total	49	25,975 ^a

SOURCES: Canada, Annual Report 1876, pp. 41-42; Canada, Annual Report 1896, pp. 566-67.

NOTE: ^a plus an undisclosed amount.

Indian lands. By 1896 additions to the staff included two clerk/translators, seven Indian agents, six land agents, three missionaries and twenty physicians. In all, the staff of the Outside Service for Ontario had grown from seventeen employees in 1876 to forty-nine in 1896.¹⁴

But by far the greatest growth in the Department's Outside Service took place in Manitoba and the North West. This single unit had, in 1876, two Superintendents and one translator. By 1896, this staff of three had grown to a staff of one hundred and sixty-four. Its composition is shown in chart 3. Chart 3 shows nine categories of employees and the numbers in each: the Indian Commissioner and his assistant; four inspectors, two surveyors, thirty-four clerks, twenty-seven agents, two storekeepers, thirty-eight farm instructors (referred to as farmers in the 1896 Annual Report), eleven medical workers and forty-five others including interpreters and caretakers. This large professional and relatively well-paid staff reflected the magnitude of the government program.¹⁵ Feeding, equipping and retraining the twenty-four thousand Indians of Manitoba and the North West was the greatest challenge that the Department of Indian Affairs had to face.

Of course, this increase in staff resulting from new government programs required increasing amounts of money; the

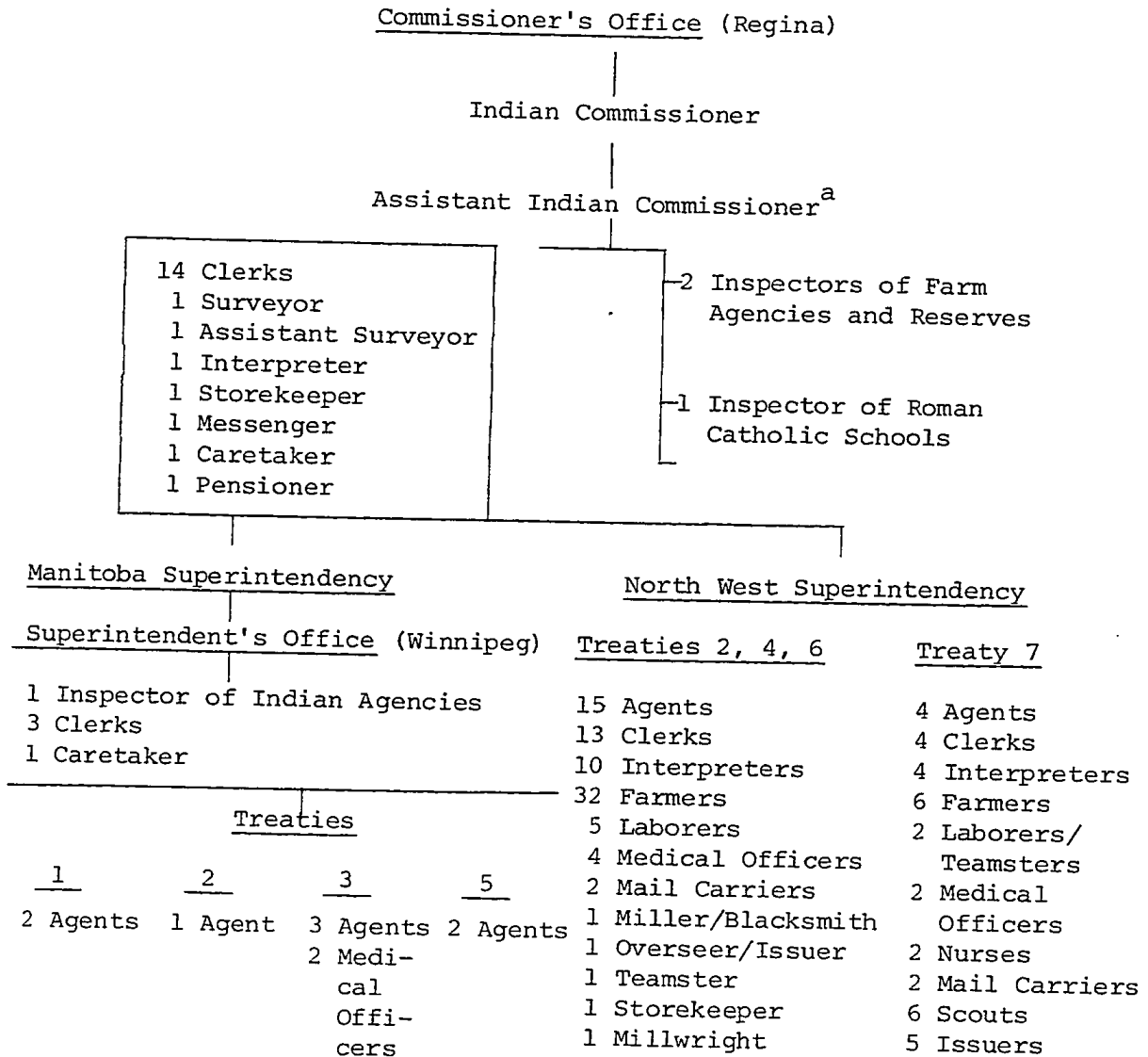
¹⁴Canada, Annual Report 1876, pp. 41-42; Canada, Annual Report 1896, pp. 566-67.

¹⁵Ibid., p. 40; Ibid., pp. 460-64.

CHART 3

ORGANIZATION: DEPARTMENT OF INDIAN AFFAIRS

OUTSIDE SERVICE: WESTERN CANADA, 1896



SOURCE: Canada, Annual Report 1896, pp. 460-64.

NOTE: ^aThere was no Assistant Indian Commissioner in 1896.

TABLE 9

STAFF AND SALARIES: WESTERN CANADA, 1876 AND 1896

		Total	Salaries
			\$
1876	2 Superintendents (\$2,000, \$1,000)	2	3,000
	1 Interpreter	1	250
	Total	3	3,250
1896	1 Indian Commissioner	1	2,400
	4 Inspectors (\$2,400, 2 at \$2,200, \$1,200)	4	5,800
	2 Surveyors (\$1,800, \$1,400)	2	3,200
	34 Clerks (2 at \$1,400, \$1,200, \$1,100, 7 at \$900, \$800, 2 at \$780, 10 at \$720, \$520, 3 at \$480, 3 at \$420, 1 at \$300, \$240, \$180)	34	24,900
	27 Agents (2 at \$1,400, 13 at \$1,200, 2 at \$1,100, 1 at \$1,050, 7 at \$1,000, 2 at \$900)	27	30,450
	2 Storekeepers (\$1,300, \$720)	2	2,020
	38 Farmers (\$720, 8 at \$600, \$540, 10 at \$480, 9 at \$420, 7 at \$360, \$300, \$240)	38	17,700
	11 Medical Workers (\$1,000, \$800, \$700, \$600, \$480, 2 at \$450, \$350, \$240, 2 at \$72)	11	5,214
	45 Others (Interpreters, Caretakers, Messengers, etc.). (\$900, \$660, \$540, 2 at \$480, 9 at \$420, 8 at \$360, 3 at \$300, \$250, 2 at \$180, 2 at \$144, 7 at \$120, 8 at \$60)	45	12,838
	Total	164	104,522

SOURCES: Canada, Annual Report 1876, p. 40; Canada, Annual Report 1896, pp. 460-64.

Indian Department's annual budget reflected these escalating costs. The money to pay Departmental expenses came from two sources: investment income accruing to the Indian Trust Funds; and grants made by Parliament. In 1876 the Indian

Department had an income of \$573,992 of which more than half, \$231,360 was derived from the Indian Trust Funds.¹⁶ In 1896, the Indian Department had an income of \$1,221,718 of which only a little more than a quarter, \$319,410, was derived from the Trust Funds.¹⁷ The growth in the revenue from the Trust Funds had not kept pace with the rapid expansion in the Department's requirements. Parliament paid the difference.

The Department's expenditures rose during the same period from \$44,529 in 1876 to \$1,143,495 in 1896.¹⁸ In 1896, money from the Trust Fund provided \$263,086.59; Parliament paid \$880,408.41.¹⁹ This tremendous increase resulted largely from the government's assumption of responsibility for the western Indians. The impoverished state of the Indians required that the government provide money for provisioning, teaching, farming, educating the children, paying annuities and employing more staff.

Since a large part of the Department's income was voted by Parliament, Members of Parliament had the opportunity to consider the Indian administration during their annual estimates debates. Though not all Members were sufficiently interested to enter into the debate, the few who did were

¹⁶Canada, Annual Report 1876, pp. 43-76.

¹⁷Canada, Annual Report 1896, pp. 456-67.

¹⁸Canada, Annual Report 1876, pp. 43-76; Canada, Annual Report 1896, pp. 456-67.

¹⁹Canada, Annual Report 1896, pp. 456-67.

sharp. They attacked the Superintendent General of Indian Affairs from many directions.

One type of question heard regularly during the debates on the estimates concerned the tiny details of Departmental organization: the reason one brand of farm equipment was chosen over another; the cost of coal as opposed to firewood on a particular reserve; the comparative cost of seed peas in Ontario and Manitoba; or the freight charges on oatmeal. Two examples of this sort of questioning taken from the Debates of 1886 and 1891 illustrate the thoroughness of some Member's examination of the estimates.

On May 29, 1886, Richard Cartwright said, "I would like to know on what principle ammunition and twine are purchased for the Indians? I see a charge for 3,911 lbs. of twine at \$2,136. That is nearly 60 cents a lb. for twine. What kind of twine costs 60 cents a lb.?"²⁰ Hector Langevin, speaking for the Minister of the Interior, noted that the twine was used for fishing. At this point other Members contributed their expertise: Thomas Sproule, Grey East Ontario, said the twine was about the price of good thread; A. W. McLelan, Colchester, Nova Scotia, noted that around the Bay of Fundy twine cost from thirty to fifty cents; L. Wigle, Essex South, Ontario, remembered "getting some twine of that kind . . . from Boston and [it] cost 50 cents a pound."²¹

²⁰Canada, Debates, May 29, 1886, p. 1654, R. Cartwright, H. Langevin, T. S. Sproule, L. Wigle.

²¹Ibid., H. Langevin, T. S. Sproule, L. Wigle.

Similarly, in August 1891, when the House considered the sum of \$4,490 for Triennial Clothing, Edgar Dewdney explained that this money was used to purchase clothing promised in the treaties. R. Watson, Marquette, Manitoba, asked where the clothing was obtained and if by tender; the minister said the suits were made in the penitentiaries and cost about \$20. Watson commented, "It must be a pretty good suit for an Indian."²² Dewdney assured him, "they are very good suits. Those for the headmen are made of blue cloth; and those for the Chiefs of red cloth . . . this is for the dress suits, which they get every three years."²³ Not only did Members listening to or reading these exchanges learn something of the complexities of provisioning and supplying the Indians, but also the government, knowing it would be questioned about the details, made sure it could justify the expenditures.

On other occasions Opposition Members who began by asking for explanations of particular items went on to demand that the government justify its policies. In 1891 Thomas Bain, the Liberal Member for North Wentworth, Ontario, referred to the \$5,000 allotted for staff at the Battleford Industrial School; he asked how many children were cared for by the staff. When he found that there were only one hundred and twenty children, he challenged the Minister of the Interior to justify an educational policy which necessitated

²²Ibid., August 31, 1891, p. 4739, E. Dewdney, R. Watson.

²³Ibid.

such high pupil costs.²⁴

Taking a different tack, the Opposition accused the Conservatives in 1893 of having allowed officials of the Department of Indian Affairs to mismanage the Indian Trust Fund.²⁵ Each year the Trust Fund capital of about \$4,000,000 produced interest which the Department spent. The Liberals contended that over a ten year period, Departmental officials had not only spent the interest, but had also depleted the principal; as a result of this depletion less interest was accruing. David Mills said that during the ten year period the Trust Fund had been overdrawn by \$956,496.²⁶ Since the money for Indian administration came partly from the Trust Fund and partly from parliamentary grants, depletion of the Trust Funds meant that the taxpayers had to pay more. Having heard the Liberal accusations, the

²⁴Ibid., August 31, 1891, p. 4741, T. Bain.

²⁵Ibid., March 29, 1893, pp. 3358-78. The Indian Land Management Fund originated before 1860 when the Imperial government had begun deducting ten percent from the sale of Indian land and resources and setting this sum aside in a fund to be charged "with the cost of managing Indian property, and taking charge of Indian interests."; Ibid., p. 3359. The Indian School Fund had originally been a fund to help the Indians buy "arms and ammunition" established jointly by the Imperial and Pre-Confederation Canadian government. But, when "the hunting in a large degree ceased," these governments had decided that these funds should be "converted into a school fund."; Ibid., p. 3375. The Province of Quebec Indian Fund also was established jointly by the Imperial and pre-Confederation Canadian governments "about 1849 when the Government, there being no extinguishment of Indian title in the province of Quebec, by legislation undertook to make provisions for an Indian Fund, and certain Imperial and Canadian funds were made the base of the fund."; Ibid., p. 3354.

²⁶Ibid., pp. 3361-62, D. Mills.

Conservatives admitted that they had not supervised expenditures; in fact they said Department officials did not require parliamentary approval in order to spend Trust Fund money. Richard Cartwright, long time Liberal financial critic, was incredulous:

There is nothing to prevent the Indian Department drawing the whole of this Trust Fund . . . we have . . . in all a matter of \$4,000,000 and . . . the Indian Department could draw any portion . . . and spend it just how it pleased.²⁷

The Liberals extracted from the Minister of the Interior the promise that the Trust Fund accounts would be repaid from parliamentary appropriations over a period of years and that future expenditures from the Funds would be made only from the interest.

Although the debate about the Trust Funds centered on accusations of wrong-doing or of carelessness, not all questions and comments heard during the estimates debates were criticisms; some were suggestions for improving services or reducing costs. R. Watson, the Member from Marquette Manitoba, noted in 1886 that the government's current method of giving contracts for supplying and transporting goods to western Canada was neither the cheapest nor the best way of doing things. He thought the goods should be delivered to points on the Canadian Pacific Railway and;

²⁷Ibid., p. 3370, R. Cartwright.

Separate tenders obtained for delivering them on the reserve. At present only some large contractors are able to furnish the supplies, and they do so at prices yielding large profits. . . . there would be more competition among the manufacturers and produce dealers in supplying the goods, because they could easily ascertain the rates on the railway.²⁸

In 1890, Edgar Dewdney, Minister of the Interior, informed the House that the government was changing its methods:

I propose this year to adopt the suggestion made a year or two ago with respect to the purchasing of supplies . . . that is to call for tenders for articles such as groceries, tools, and all our supplies. . . . When I first went to the Territories, the transport was so poor . . . but now, as the transport is so cheap and the roads better, I believe it will put a great deal of money into the hands of our people who do the trading.²⁹

In spite of the fact that some Members criticized or commented on many aspects of Indian Department administration, the subject of Indians and their management did not greatly concern very many Members; however, the annual debates on the estimates did provide them with a picture of Departmental programs and did provide an opportunity for Opposition criticism. Occasionally, as when the overdrawn Trust Fund accounts generated demand for repayment, the government responded to its opponents and changed its ways. Generally, the debates were useful as a forum for providing information and for giving the Opposition the chance to make recommendations for specific changes.

²⁸ Ibid., May 29, 1886, p. 1654, R. Watson.

²⁹ Ibid., March 18, 1890, p. 2175, E. Dewdney.

Presenting and defending the Department's estimates in the House of Commons was one part of the Superintendent General's job. But he was also responsible for policies and programs. And he had to organize and administer the Department of Indian Affairs so that it would best meet the needs of the Indians. The Superintendent General's job was a very demanding one.

There were seven Superintendents General during the 1876-1896 period. The first of these was David Laird who was Minister of the Interior and also Superintendent General from 1873 to 1876.³⁰ It was he who initiated and piloted through Parliament the Indian Act of 1876, the basis of all future legislation affecting Indians. David Laird's successor was David Mills who held office from 1876 to 1878.³¹

When the Conservatives returned to power in 1878, the Prime Minister, John A. Macdonald, and his colleagues realized that the problems of the starving Indians in the

³⁰David Laird, aged 40 in 1873, represented Charlottetown, P.E.I. where he edited the Patriot. For details of his life, see: H. J. Morgan, ed., Canadian Men and Women of the Time (Toronto: Wm. Briggs, 1894), pp. 225-27; W. S. Wallace, ed., Encyclopaedia of Canada, vol. II (Toronto: University Associates of Canada, 1935), p. 375; P.A.C., M.G. 26 A1 (a), vol. 574.

³¹David Mills who was born in 1831 in Ontario spent the years before Confederation at Michigan University and as Superintendent of Schools in Kent County, Ontario. He was elected to Canada's first Parliament as an advanced Liberal who believed in the absolute separation of the powers of the provincial and federal governments, an elected Senate and the exclusion of B.C. For other details of Mills' life see: H. J. Morgan, ed., Canadian Parliamentary Companion (1876), p. 225-29; F. Landon, "Sketches," London Free Press (1926, 1927); and F. Landon, "David Mills: The Philosopher," Willison's Monthly (September 1924).

west must be solved before the west could be opened for development. They took two important steps. The first of these was that Macdonald himself took on the post of Minister of the Interior and of Superintendent General. The second step was that the government, in the 1880 Indian Act, gave to Indian Affairs the status of a separate department within the Ministry of the Interior. Macdonald took upon himself the extra responsibility of being Minister of the Interior because he believed the Interior Portfolio, was "invested with the management of all the important aspects of Canada's programme of expansion in the west."³² Macdonald was sharply criticized by the Toronto Globe for taking the Interior Portfolio and with it the Superintendent's position:

It is not probable that the Department of the Interior . . . will be properly administered till Sir John hands it over to some more active and business like man. He never was a good administrator, and now cannot spare time for party management except by sacrificing his health. It is high time that he should take a position where 'masterly inactivity' can do little harm.³³

Indeed there appears to have been some truth in these charges. On one notable occasion when the Annual Report of his own Department of Indian Affairs, was to be presented in Parliament, Macdonald confessed that he had not read it. However, that must have been an exception. The large volume of telegrams and letters he sent and received and his appointing

³²Donald C. Creighton, John A. Macdonald, vol. II (Toronto: Macmillan Co, 1955), p. 246.

³³Toronto Globe (October 6, 1881), "The Battleford Settlers."

such trusted men as Lawrence Vankoughnet, Deputy Superintendent General and Edgar Dewdney, Indian Commissioner, indicates that he did keep himself well-informed.

Macdonald remained Minister of the Interior and Superintendent General for five years; in 1883 he relinquished the Ministry of the Interior but kept control of the Indian Department and the North West Mounted Police. From 1883 to 1887 Macdonald, as Superintendent General of Indian Affairs, represented the Department in the Cabinet and in the House. During this four year period, the Department of Indian Affairs was virtually separated from the Ministry of the Interior.³⁴ Following the general election of 1887, Macdonald turned the responsibility for the Indians back to the Minister of the Interior, Thomas White, and once again the Minister and the Superintendent General were the same person.³⁵ In the late spring of 1888 White died; from August 3, 1888 Edgar Dewdney unofficially took over the duties of the Minister of the Interior and Superintendent General.³⁶ Dewdney, a Conservative, had begun his political life as a Member of the British Columbian Legislature in 1869. In 1872 he was elected to the federal House of Commons and was re-elected in 1878.³⁷

³⁴ J. C. Hopkins, Canada Encyclopaedia, vol. I (Toronto: Linscott Pub. Co., 1898), p. 281.

³⁵ Creighton, Macdonald, vol. II, p. 504.

³⁶ Morgan, ed., Canadian Parliamentary Companion (1889), p. 123.

³⁷ Ibid., (1877), pp. 141-42; J. K. Johnson, Directory of Parliament (Ottawa: Public Archives of Canada, 1960), p. 3.

In 1877 Macdonald appointed him Indian Commissioner in the North West. As Indian Commissioner he travelled extensively in the North West and kept Macdonald informed by letter, telegram and personal visits, not only of the situation vis a vis the Indians, but also of the political activities of non-Indians: "some measures ought to be taken to look after their politics. There are lots of Globes [the Toronto Liberal paper] knocking about but I see very few Mails [Toronto Tory paper]."³⁸ Dewdney disagreed with government austerity measures in the years immediately preceding the Rebellion of 1885 and his cassandra-like warnings of the dire consequences of this policy accelerated as the desperation of some western Indians increased in the months before the outbreak.³⁹

Following the rebellion which Opposition parliamentarians blamed on Dewdney and Macdonald, Dewdney asked for another appointment, preferably the Lieutenant Governorship of British Columbia; however, Macdonald refusing to take immediate action, waited until 1888 when he invited Dewdney to return to active politics and become Minister of the Interior.⁴⁰ The Liberal papers, particularly the Manitoba

³⁸ P.A.C., M.G. 26 A1 (a), vol. 210, March 28, 1880, E. Dewdney to J. A. Macdonald.

³⁹ Ibid., vol. 91, July 24, 1884, E. Dewdney to J. A. Macdonald; Ibid., vol. 212, January 10, 1885, E. Dewdney to J. A. Macdonald. There are many other examples in these papers.

⁴⁰ Ibid., vol. 256, part I, pp. 241-42, 1886, J. A. Macdonald to E. Dewdney; Ibid., May 2, 1888, p. 528. "The idea has been suggested that you should become one of us as Min. Interior . . . it seems to me that you are the man for the place."

Daily Free Press denounced his appointment in editorials which said that his administration as Indian Commissioner could be "characterized as the embodiment of all that is evil."⁴¹ On September 12, 1888, Macdonald appointed Dewdney Minister of the Interior and Superintendent General after a by-election which he had won by acclamation.⁴² Dewdney remained in the post until 1892.⁴³

After Dewdney's departure, the Ministry of the Interior was headed by T. Mayne Daly until 1896. Daly did nothing innovative as Superintendent General; he simply continued the policies of Macdonald and Dewdney. When the Bowell government resigned early in 1896 and the government of Sir Charles Tupper came into office, Hugh John Macdonald, only son of Sir John A. Macdonald, became Minister of the Interior but he held this post for only a few months. Laird, Sir John A. Macdonald and Dewdney were the ministers who had the greatest impact on the Department between 1876 and 1896.

⁴¹ Manitoba Daily Free Press (June 7, 1888), "Hon. Edgar Dewdney."

⁴² Canadian Parliamentary Companion, (1889), p. 123.

⁴³ During Dewdney's terms as Superintendent General there was some suspicion that he misused his power. Two Department of Indian Affairs employees who testified during the 1892 Royal Commission investigating the Civil Service, said Dewdney had used them on private business. John Mason, a carpenter, said he had spent most of his time working on Dewdney's house; William Peart, a messenger, testified that he actually lived in Dewdney's house and worked as a servant there. Canada, Sessional Papers (No. 11), 44 Victoria, 1892. The Royal Commission Appointed to Inquire Into Matters Relating to the Civil Service of Canada, pp. 115-24.

The actual responsibility for overseeing the day-to-day functioning of the Department rested with the Deputy Superintendent General, a career civil servant. Lawrence Vankoughnet, who held the job from 1874 to 1893, made the Department very much his own. Vankoughnet, appointed by the Liberal government of Alexander Mackenzie, survived the 1878 change of government and continued in office until after Macdonald's death. Only then was he replaced by Hayter Reed, a former army officer with twelve years experience in western Canada's Outside Service.⁴⁴ Reed was Deputy Superintendent General from 1893 to 1897.⁴⁵ Of the two men Vankoughnet had the greatest impact; his years in office covered the dramatic period of transition; the Department grew from thirty-five employees to more than three hundred; its policies and goals altered to correspond with the changing needs of the Indians of Canada and of Canada itself.

Just below the Superintendent General and Deputy Superintendent General who were at the top level of the organizational pyramid was the middle level of the bureaucracy: superintendents, commissioners and inspectors. In eastern Canada there were superintendents but no commissioners or provincial inspectors although by 1896 two inspectors of the outside service had their operational headquarters at

⁴⁴P.A.C., R.G. 10, file 20692; Obituary clipping, Toronto Globe (March 28, 1893); Canadian Parliamentary Companion (1885), p. 381.

⁴⁵P.A.C., R.G. 10, file 20692, June 28, 1893; Morgan, ed., Canadian Men and Women, p. 849; Correspondence with G. Reed, owner of the Hayter Reed papers.

Ottawa and worked wherever their services were needed in eastern Canada. In western Canada, the Department employed commissioners and inspectors but no superintendents.

During the period there were six superintendents in eastern Canada. At the beginning, in 1876, there were five in Ontario, one in P.E.I. and none elsewhere; by the end, in 1896, there were three in Ontario, two in New Brunswick, one in P.E.I. and none in Quebec and Nova Scotia.⁴⁶ Presumably in areas without superintendents the Department's employees dealt either with the Inside Service or with the two inspectors based at Ottawa.

The superintendents in eastern Canada seem on the average to have remained in office for many years.⁴⁷ Each travelled in his assigned area; he made suggestions to local staff; he submitted reports to Ottawa on the work of the employees and on the state of the Indians. These reports written over a period of several years by the same men, were printed in the Department's Annual Report and provided an on-going description of activities, an assessment of progress and comparisons of bands.

In 1908 the superintendent of the Ontario Six Nations reserve, giving evidence to a Royal Commission investigating the Civil Service, described his work in serving a clientele of approximately four thousand two hundred:

⁴⁶The P.E.I. inspector was really an agent; he had only 300 Indians within his jurisdiction and only one other employee, a teacher.

⁴⁷Canada, Annual Report 1876 and 1896.

(2) The Council meets every month as [at] Oshwekin, twelve miles from Brantford, which has no railway, telegraph, or telephone communication with the outside world and I have to attend each monthly meeting. The Council sometimes lasts two or three days and the minutes are consequently very voluminous . . .

(3) About 10,000 acres of the whole 43,696 acres are under Government leases to white men. Each lease . . . I prepare. The collection of rents . . . is done through this office.

.

(5) Twice a year I have to distribute about \$15,000 annuity money, two-thirds of which is payable in cash at Oshwekin, requiring three days residence there . . . guarded night and day by two constables. The responsibility . . . is great.⁴⁸

He outlined such other duties as the supervision of the thirteen reserve schools, the hearing of appeals and the granting of loans.⁴⁹ He pictured in great detail the complex and demanding job of superintendent.

Following the suppression of the first Riel Rebellion and the acquisition of the North West, the federal government realized that it would have to set up an administrative organization to handle western Indian Affairs. In 1873, it established a Board of Indian Commissioners for Manitoba and the North West to negotiate treaties and suggest policies to Ottawa.⁵⁰ But the newly instituted Department of the Interior also had jurisdiction over the western Indians. This dual arrangement proved so unwieldy that in 1876 the Superintendent General recommended that the government drop the Board and

⁴⁸Canada, Sessional Papers (No. 29) Edward VII, 1908. Royal Commission on the Civil Service, pp. 276-77.

⁴⁹Ibid.

⁵⁰Stanley, Birth, pp. 227-28.

adopt the system of superintendents used in eastern Canada. For this purpose the west was divided, in 1877, into the two superintendencies of Manitoba and of the North West; the government appointed two superintendents, J. A. N. Provencher for Manitoba and David Laird for the North West. Laird was also Lieutenant Governor but within the year, having decided he could not do justice to both positions, he had resigned as Indian Commissioner; Provencher had been dismissed.⁵¹

In 1878, then, the government had no supervisory personnel in the west. The situation was critical; buffalo in the west had disappeared; Indians were starving; the Department's employees could not meet the needs. The government desperately sought a solution. It chose not to appoint new superintendents; instead, in 1879, it established the position of Indian Commissioner and gave the appointee, "full power to carry out all provisions of the treaties" and made agents and other Departmental officials in the west responsible to the Commissioner.⁵² Further, the Indian Commissioner, though his office was in the North West, would travel throughout the west, to be a visible symbol to the Indians of the power and the authority of the Queen.⁵³ The Commissioner had the authority to initiate policy. He was also supposed to

⁵¹Ibid.

⁵²P.A.C., R.G. 10, Letterbook, vol. 1078, May 16, 1879, pp. 340-41. Memo from the Minister of the Interior to the Privy Council.

⁵³Stanley, Birth, pp. 227-28. The capital of the North West in 1883 was Battleford; after that it was Regina.

insist that all Indians wanting rations had to live on the reserves. Between 1876 and 1896 there were three commissioners: the Hon. Edgar Dewdney, from May 1879 to August 1888; Hayter Reed, from August 1888 to October 1893; and, Amédée Emmanuel Forget, from October 1893 to January, 1898.⁵⁴

Despite the appointment of one Commissioner for the west, it remained divided into the two superintendencies of the North West and of Manitoba; but since no superintendents were appointed in the 1879-1896 period, the affairs of both superintendencies were directed from the Commissioner's office; his office was located first in Battleford and then, after 1883, in Regina. In time that office became also the headquarters for an Assistant Indian Commissioner, two Inspectors of Farm Agencies and Reserves, one Inspector of Roman Catholic Schools, two surveyors and a number of clerks. The Manitoba superintendency, however, did continue to have a degree of autonomy; one Inspector of Indian Agencies and a number of clerks had their offices in Winnipeg.

So it was that in the east, superintendents were the senior field personnel; in the west, a Commissioner filled this position. However, the volume of work in the east and west expanded sufficiently to warrant the employment of inspectors, a third class of supervisory staff. Generally these inspectors acted as a link between the Inside Service

⁵⁴N. O. Côté, Political Appointments, Parliaments and the Judicial Bench in the Dominion of Canada, 1896-1917 (Ottawa: Lowe-Martin Co., 1917), p. 78.

at Ottawa and the Outside Service personnel on the reserves. They travelled extensively; they provided the direction and guidance to bring about some degree of uniformity on the reserves; they kept the Deputy Superintendent General and other Ottawa officials informed of developments in the field.

In 1880 there were two inspectors in western Canada, none in eastern Canada. In 1896 when their number had grown from zero to two in the east and from two to four in the west, inspectors tended to divide into two groups: one group became responsible for such specialized areas as schools, farms or timber management; the second group supervised all the Department's activities in a wide geographic area. In 1896, in the east, the Inspector of Indian Agencies and Reserves, J. A. Macrae, and the Inspector of Timber, G. L. Chitty, were described as "officers of the outside service at headquarters"; from their base at Ottawa they travelled wherever their services were required. Macrae would go out to supervise the general management of reserves or to investigate specific problems; and Chitty to see that the harvesting of the Indians' timber was done within the terms of agreements made with individuals and lumber companies.⁵⁵ The four inspectors in the west, in 1896, each had specific responsibilities: one, agencies and reserves; one, agencies in the Manitoba superintendency; one, Roman Catholic Indian schools; the fourth was the chief inspector.

⁵⁵Canada, Annual Report 1896, p. 455.

According to the Annual Reports, these inspectors travelled widely, advising reserve employees on how to improve their performance.⁵⁶ They provided the Department with an overview of development in particular regions or special fields and recommended policy changes.

E. McColl, the only Inspector of Indian Agencies that the Manitoba superintendency ever had, described part of his responsibilities in the 1880 Annual Report saying that he had:

Visited the eight agencies, and mostly all of the sixty bands under my supervision, scattered over one hundred reservations from Savanne on Lac des Milles . . . to Cumberland on the Saskatchewan.⁵⁷

Seventeen years later when, after a stroke, he applied to the Liberal government for leave of absence from the position, he wrote to Sir Wilfrid Laurier:

I travelled upwards of seventy-five thousand miles in visiting Indians of my Superintendency for the last twenty years and with satisfaction to the Government.⁵⁸

Another inspector, T. P. Wadsworth, also had a long career of twenty-one years in supervisory positions. In 1880 his first position was Inspector of Farm Instructors in Manitoba and Keewatin; later, he became Inspector of Farms

⁵⁶Canada, Annual Report 1897, p. xxx, J. A. Smart.

⁵⁷Canada, Annual Report 1880, p. 54.

⁵⁸P.A.C., M.G. 27, II D 5, vol. 26, December 6, 1897. E. McColl to W. Laurier.

and Agencies in the North West Territories; and finally, Chief Inspector of Farms and Agencies for the North West, the position from which he retired in 1901. Wadsworth started the programs to teach the Indians to farm. Throughout his inspectorate he continued to persuade the Indians to try new crops and techniques to improve their productivity. By the time he retired in 1901, many Indians had become acceptable farmers. He could look back on his work with some pride and satisfaction.⁵⁹

Below this middle level of superintendents, commissioners and inspectors in the pyramidal structure of the Department was the broad base of workers in the Outside Service. The workers were agents, farm instructors, teachers and other employees on the reserves. Of all these, the agent was the most important. He was the link between the Indian and the Department; he was the man in the middle, "legally, emotionally, and economically responsible to Ottawa but living among the people" whose lives he administered.⁶⁰

The agent represented the government on one or more reserves known as his agency; he was responsible for that agency. The agent might be the only agency employee, as he was in many Maritime agencies, or, he might have a number of people working for him, as he had frequently in many western

⁵⁹ Canada, Annual Report 1880, p. 124; Canada, Annual Report 1885, part II, p. 9; P.A.C., R.G. 10, file 91839, July 29, 1901.

⁶⁰ C. Zeleny, "Government Treatment of the Indian Problem of Canada," (Masters dissertation, Yale University, 1941).

agencies. In the east, the agent might be a part-time employee; but, elsewhere in Canada, he usually worked full-time for the Department. The character of the agent determined his success on the job. It determined, more than any other single factor in the whole administrative structure of the Department, the successful application of Indian policy.⁶¹

The Department's method of appointing agents seems to have been haphazard. The basic criterion was that they must be male; but they might be Protestant or Catholic, English or French; occasionally Métis; rarely, and only in eastern Canada, Indian.⁶² Patronage was the chief process by which agents' appointments were made. Opposition Members of Parliament and the press frequently attacked the patronage system, accusing the Department of appointing only government supporters. Indeed, in 1891 when the Deputy Superintendent General, Lawrence Vankoughnet testified before a Royal Commission investigating the Civil Service, he recommended that the candidates for Departmental office meet established standards or pass examinations. He said:

⁶¹Canada, Debates, July 18, 1904, p. 6943, C. Sifton, Minister of the Interior, said "the improvement [of the Indians] depends almost entirely on the character of the agent. We have some who are extremely successful and some who are not."

⁶²A Report (1888), p. xvi. Dr. Peter Jones, an Indian, was appointed agent to the Ontario Mississaugas of the Credit.

No candidate for office should be admitted on the recommendation, direct or indirect, of a member of Parliament, or through political influences of any kind, and that the attempt to bring such influence to bear in order to secure an appointment should of itself bar the applicant's right to the same. . . . Certificates of character and capacity from other than a political source should be required in each case.⁶³

Yet Vankoughnet himself was not above using his office to further the fortunes of his family. On one occasion Vankoughnet conceded that one nephew was unsuitable for a post but said that he had another who could fill it. Both nephews were soon working for the Department.⁶⁴

The application of political pressure was not always effective. In Manitoba Angus McKay, a Métis, had been made an agent at Lake Winnipeg in the 1870's; in 1879 three prominent Manitoba politicians, Messieurs Royal, Norquay and Schultz, probably at McKay's request, asked that he be transferred to Duck Lake in the North West.⁶⁵ But Vankoughnet, reported to Macdonald that McKay had earlier incited the Indians to express dissatisfaction over the implementation of their treaty and that:

⁶³ Royal Commission, 1892, p. 1624, L. Vankoughnet.

⁶⁴ P.A.C., M.G. 26 Al (a), vol. 210, October 31, 1879. E. Dewdney to J. A. Macdonald; vol. 292, March 28, 1887.

⁶⁵ P.A.C., R.G. 10, 1078, Letterbook 1879, pp. 314-17. Confidential letter about McKay from L. Vankoughnet to J. A. Macdonald.

The past experience . . . is not of such a nature as to justify it in placing much confidence in him . . . the Department requires in the North West agents in which the most implicit confidence can be placed.⁶⁶

Eight years later, McKay, still in Manitoba, requested a transfer to the North West. This time his petition was supported by Archbishop Taché, a well-known and respected Roman Catholic clergyman. Vankoughnet again confided to Macdonald that:

McKay, I think, is a dangerous man to be among any Indians who could easily be led astray. Where he is at present he can do no harm, as the Indians there are all civilized, and in fact the majority of them are Protestant whereas he is a Catholic. I should be glad to see him out of the service altogether, as he is a man of very insubordinate temperament. . . . McKay you will remember is a Half-breed.⁶⁷

McKay, despite the intercession of influential men, did not achieve his objective, primarily because Vankoughnet distrusted him, but possibly because he was a Métis.

Although the government chose no particular type as agent, R. J. N. Pither might be considered an average agent. Like many other agents, Pither was an Anglo-Saxon who had grown up in eastern Canada where he had been an army officer at Niagara Falls before going west as a member of the party chosen by Alexander Morris to negotiate Treaty 3 in 1871; his was one of the signatures affixed to the treaty in 1873. Shortly after the negotiations were completed, he obtained

⁶⁶Ibid.

⁶⁷P.A.C., M.G. 26 A1 (a), vol. 292, March 9, 1887. L. Vankoughnet to J. A. Macdonald.

the post of agent at Rainy River in the Manitoba/Ontario Lake of the Woods region.. Once established at Rainy River, he, like many other agents, learned an Indian language. Unlike most other agents, Pither married an Ojibway woman. Pither, who knew that his wife and her daughter had lost their Indian status as a result of the marriage, made sure that they received their portion of band funds; several years after the marriage he applied on their behalf for their share of accrued band money.⁶⁸

Pither, who had had a rambling frame bungalow built for himself just outside the settlement on a point of land later known as Pither's point, settled down to enjoy his life; however, several years after his arrival at Rainy River the Department, following a policy of moving agents from one agency to another in its attempts to achieve harmonious relations in every agency, asked Pither, although satisfied with his performance, to transfer to another agency. When he resisted he was left at Rainy River; but he never again was given the opportunity to move either upward or horizontally.

However, Pither, like many other agents, seemed to have been a man of limited ambition, a man who was quite content to do his job and to remain an important person in the small non-Indian community of Rainy River. Indeed, after his first wife's death, when he married Rebecca Barlow, an

⁶⁸ P.A.C., R.G. 10, file 69903. Petition on behalf of Maggie Pither.

Anglo-Saxon from eastern Canada and took her to Rainy River, the details of the couple's social life and of the cost and progress of their new house were discussed in the columns of the local paper; these articles painted a picture of an unambitious man enjoying his life. When the Department was reorganized in 1897, Pither was dismissed; after twenty-four years with the Department in western Canada he returned to Toronto.

Although initially agents in both eastern and western Canada were usually eastern Canadians, this situation gradually changed. As non-Indian settlement increased in the west the Department had a greater choice among western candidates for agents' positions; as a result the Department's senior officials chose westerners; they preferred to appoint local men who knew the country and sometimes the Indian languages. The agents, whether they were originally from eastern or western Canada, tended to work in one agency for many years and to identify with the Indians with whom they worked.

Once an agent had been appointed, he was employed on a temporary basis for a year; he posted a large bond, renewed annually, to assure the Department that he would not make off with annuity payments or money from land sales. In 1878 the new agent at Maniwaki, Quebec on an annual salary of \$600 was required to post a bond of \$2,000.⁶⁹ Agents would

⁶⁹P.A.C., R.G. 10, file 1078, Letterbook, 1879, July 1, 1878, p. 407.

obtain this surety from bond companies; raising this amount of money privately would be impossible.⁷⁰ Once the agent had posted the bond he could go to work.

The salary the Department paid the agent bore little relation to his responsibilities or to his qualifications; there seems to have been no country-wide salary scale for Indian agents. In the Maritimes the agents received about \$100 a year. In Quebec, Ontario and the west there were tremendous variations. Occasionally an agent, unhappy about his salary, appealed to his Member of Parliament to intercede on his behalf. Francis Ogletree must have appealed to Joseph Ryan, M.P. In 1879 Mr. Ryan sent a memo to the Minister of the Interior outlining the relative situation of two agents: Francis Ogletree received \$300 for looking after six hundred and ten Indians; G. W. Macpherson cared for six hundred and forty-four Indians and was paid \$1,000.⁷¹ Ryan asked that Ogletree's salary be raised to \$600; it was.⁷²

Agents' salary levels and/or seniority did not guarantee tenure; the Department occasionally dismissed agents. The Department might dismiss an agent because his personal failings affected his job performance. In 1880 Edgar Dewdney, Indian Commissioner, in a letter to John A.

⁷⁰ P.A.C., M.G. 27, II D, vol. 103, January 25, 1901. D. Laird to J. McKenna.

⁷¹ P.A.C., R.G. 10, file 1078, Letterbook, 1879, April 1, 1878, pp. 230-31.

⁷² Ibid.

Macdonald said he did not think much of agent E. Allen, Vankoughnet's nephew, and hoped that he would "not be held responsible for Mr. Allen's activities. . . . It [Allen's agency] is at the present time the most important post . . . and an honest man should be there."⁷³ The Annual Report of 1881 noted tersely that there was no report from E. Allen of the Treaty 4 area in the North West because the Department had dispensed with his services; Dewdney could stop worrying.⁷⁴ Sometimes the Department would dismiss agents for their political activities. Following the election of 1896 when the Liberals took office again, many agents were fired. Some of them contended that they had lost their jobs because the new Liberal government was making room for its own appointees. The new Deputy Superintendent General justified the government's dismissal of many agents on the grounds that they had been "dispensed with" to improve the Department's efficiency.⁷⁵

Sometimes the Department reprimanded or dismissed agents at the request of the Indians. In the east, particularly on the Iroquois Caughnawaga reserve in Quebec and the Six Nations reserve near Brantford, Ontario, the Indians considered the agents their employees; if the agents did not meet their expectations they complained directly to the

⁷³P.A.C., M.G.26 A1(a), vol. 210, October 21, 1880. E. Dewdney to J. A. Macdonald.

⁷⁴Canada, Annual Report 1881, p. 72

⁷⁵Canada, Annual Report 1897, p. xxx, J. A. Smart.

Department. In 1874 the Caughnawaga chiefs presented a statement of nine grievances to Superintendent General David Laird asking that various situations be corrected. The tone of the petition was confident. The Department, in reply, rebuked the agent at Caughnawaga and told him to carry out his job and do what the Indians wanted.⁷⁶ In 1879 the same chiefs issued a memorandum outlining their complaints against another agent; again the Department accepted the charges and rectified them.⁷⁷ In the same year, the Indians of Maniwaki, Quebec, sent a petition requesting the removal of their agent because of his "intemperate habits"; in July the Department noted that:

Owing to the irregular habits of Mr. Patrick Moore, Indian Agent at the River Desert Village . . . coupled with the ineptitude for business displayed by that gentleman it became necessary to dispense with his service and to have another person appointed in his place.⁷⁸

Since the Indians in Ontario and Quebec paid a portion of the costs of their management from band and Indian funds, they were justified in asking the Department to heed their complaints. Such requests did not pass through the normal channel of communication, the agent, but were sent to Members of Parliament or to the Superintendent General. The Indians

⁷⁶ P.A.C., R.G. 10, file 3055, March 11, 1874. Grievances of Caughnawaga chiefs sent to D. Laird.

⁷⁷ Ibid., file 1078, Letterbook 1879, File 7706, March 29, 1879, pp. 205-55.

⁷⁸ Ibid., file 7706. Memorandum of July 17, 1879, p. 407.

in eastern Canada were sufficiently sophisticated and cognizant of the workings of the Department that they confidently demanded and obtained changes when they were dissatisfied with the local agents.

As a rule, senior officials in the Department placed the agents and evaluated their work. In parts of Ontario and in the west, the officials tried to avoid firing a man who was performing badly. They would often give him a second chance by transferring him to another agency. The Annual Reports and Macdonald's and Dewdney's papers indicate some of the reasons for agents' moves.

In 1886 Deputy Superintendent General Vankoughnet wrote to John A. Macdonald lamenting the transfer of a particular agent back to a location where he had previously been responsible for a great deal of trouble. Vankoughnet wrote:

Last winter, owing to Rae's misconduct in the way of drinking, Indian matters at that point got into a most disorderly state and he and Chaffey the farming instructor . . . raised between them alarming rumours about communications between the Battleford Indians who were formerly engaged in the Rebellion . . . these rumours were communicated to the press and caused no little consternation.⁷⁹

As Vankoughnet's remarks intimate, weaknesses of character were more likely to surface in the west where the agents' jobs, demanding and lonely, tried the mettle of the strongest. Agents' weaknesses could have dire consequences for the

⁷⁹ P.A.C., M.G.26 A1(a), vol. 291, December 8, 1886. L. Vankoughnet to J. A. Macdonald.

western tribesmen; the bands in the west relied more heavily on their agents than the bands in the east did on theirs. In eastern Canada, particularly in the Maritimes and much of Quebec, the situation was different: many agents' jobs were part-time ones; they had little to do; periodically they visited the Indians, made the annual annuity payments; provided any necessary relief and reported their activities annually to the Department. Agents in Quebec, Ontario and Manitoba worked full-time but since their tasks were routine, they had few problems. In 1907 the Superintendent of the Six Nations reserve described the agent's job:

The Indian Act . . . gives very great powers to an Indian Agent. He had large semi-judicial powers. All appeals from the Indian Council are made to him. He acts as an arbitrator between Indians . . . He advises them on fence line disputes and family quarrels. He keeps the land register and records all transfers of land, supervises all testamentary dispositions, and with him are filed all wills. He prepares all agreements for Government leases of Indian lands to white men. He presides at all meetings of the Council of the Chiefs, acts as their advisor and reports all minutes of council . . . He is also the advisor of the Department in regard to all matters affecting the interior economy of the reserve.⁸⁰

In addition, in eastern Canada, the agents supervised the farming, the schools and the renting or selling of land. These were managerially demanding but not physically hard or dangerous jobs.

⁸⁰ Canada, Sessional Papers (No. 29) Edward VII, 1908. Royal Commission on the Civil Service, p. 276. Letter from G. Smith, Superintendent Six Nations, Brantford, October 29, 1907.

The agents in the Lake of the Woods and other similar areas of Manitoba and Ontario had little to do for their Indians, who still hunted and fished; they visited their bands only semi-annually. As Manitoba Inspector, McColl wrote in 1880; "the agents . . . are generally discharging their official duties faithfully as far as the distribution of supplies, and the payment of annuities . . . but beyond these very little is done, except an occasional correspondence with the Inspectors."⁸¹ By 1891 he had changed his mind and characterized the woodlands agents as being very busy men:

The position of the Indian agents . . . had formerly been only a sinecure in comparison to what it recently had been, as the various duties . . . are annually increasing, such as visiting schools, examining quarterly returns from teachers, dispensing medicine to the sick, issuing rations to the destitute, giving instructions in agriculture, preventing trespasses on fishing and other reserves; making payments of annuities, obtaining statistical information, preparing estimates for the ensuing year, attending to the general correspondence of the . . . agencies.⁸²

Seven years later the Indian Commissioner, who wished to justify a reorganization of the Outside Service to reduce the number of Manitoba agents, said that these agents did very little, "the position of an Agent . . . is practically a sinecure, as beyond semi-annual perfunctory visits to the reserve and the school lying nearest the agency, nothing is

⁸¹Canada, Annual Report 1880, p. 55, E. McColl.

⁸²Canada, Annual Report 1891, p. 179, E. McColl.

is done."⁸³ The truth probably lay somewhere between the two versions; Manitoba agents had much less to do than the agents farther west because the Indians remained largely nomadic and self-supporting and had limited need of government assistance.

In contrast, from 1876 or 1877 through 1885 the Indian agents on the prairies faced great problems. The Indians, reduced to starvation as the buffalo disappeared, were forced to move to the reserves and to depend on the government to feed and clothe them while they adjusted to agrarian life. Confronted with hordes of displaced Indians for whom the government had accepted responsibility, the agents had to provide rations, clothing, tools, even coffins for the tribesmen. The logistics of getting the right quantities of goods for the bands were difficult.⁸⁴ Requisitions for goods were first sent east to Ottawa. Until 1883, when the Canadian Pacific reached Calgary, mail from the North West had been carried by courier on horseback south to Fort Benton, Montana, put on the train, sent east across the United States, then north to Ottawa.⁸⁵ Here, when the tangle of bureaucracy and its triplicate forms had been overcome, the orders were made up, and sent to the nearest rail head from which they were transported to the reserves by horse

⁸³ P.A.C., M.G. 27, II D 15, vol. 19, January 20, 1897. A. E. Forget.

⁸⁴ Canada, Annual Report 1883, p. 78.

⁸⁵ Canada, Annual Report of the Post-Master General, 1882, p. 16.

and wagon. This process took a long time. Not only was it hard to predict months in advance how many Indians would be on a given reserve and what their needs would be, but also the requisitioned quantities might not arrive. Provisioning might slip up anywhere along the way; orders might be lost or filled with substitutes or lesser quantities; food might spoil or not turn up at all. It was a hazardous business and many Indians' lives and the agents' safety depended on sufficient food, clothing and blankets getting to the Indians.

The distances and poor communications made the agents' work difficult in another way. Until the telegraph wires linked isolated agencies, the agents, facing fluid, urgent situations had to make important decisions entirely on their own, knowing that they would be held accountable. Probably the most difficult judgments they had to make concerned the allotment of rations. If the agents gave out too much food, supplies would dwindle too quickly, the Department would be angry and the Indians would starve. If they gave too little, the Indians would rebel. In 1880 Dewdney wrote:

From early in the spring large numbers of Indians have been returning from the other side of the line, utterly destitute, a good many on foot - their horses having been stolen, or traded for whiskey.⁸⁶

These Indians returning from an unsuccessful search for the buffalo were starving and Dewdney said the problem of feeding them in the ensuing winter was going to be tremendous:

⁸⁶P.A.C., M.G. 26 A1 (a), vol. 210, October 3, 1880. E. Dewdney for Cypress to J. A. Macdonald.

The amount of food consumed this year will astonish your government but there is no help for it. The Indians are not in a frame of mind to be trifled with and unless kept satisfied there will be trouble.⁸⁷

The perseverance and courage of the agents in face of hungry, disoriented, angry Indians is illustrated by a note from one of them. In 1881, Hayter Reed, the agent at Battleford wrote:

The Indians around here have been in Arms and are trying to browbeat me - but I am determined to be determined - and I think if I win my course will be more easy.⁸⁸

In 1880 ten thousand or more starving Indians were managed by only ten agents, a Commissioner, and twenty-four farming instructors; yet with very few exceptions the employees calmly proceeded to do the best they could.

The Rebellion of 1885 may be taken as the demarcation line between the period of transition and that of settlement. In the period of 1885-1896, the agents did not face the dramatic and challenging situations of the early years but the scope of their jobs was greatly increased. In addition to the continuing responsibility for allocating provisions, annuities, seed grain and relief supplies, the agents were charged with maintaining sanitation, supervising schools, dispensing justice, overseeing the activities of the farmers and other departmental employees, keeping records and

⁸⁷ Ibid.

⁸⁸ Ibid., July 21, 1881. H. Reed, Battleford to A. T. Galt.

protecting the reserves from non-Indian encroachment. The list is endless.⁸⁹

Undoubtedly the agents were the most important men in the Indian Department. Their role as middle men between the policy makers in Ottawa and the Indian clientele posed difficulties. The imposition of programs based on the values of the dominant non-Indian culture resulted in misunderstandings: misunderstandings among the Indians, whose view of the world differed from that of non-Indians; misunderstandings with Ottawa administrators, who predicated their policies on assumptions acceptable in their own milieu but not necessarily valid in the Indian culture. One of these differences in values occurred in the area of housing. The Department insisted that the western Indians should build large substantial houses in order to improve their health and keep themselves comfortable; but the Indians were unwilling to do this, since traditionally they had abandoned a dwelling after a death in it; they had no wish to expend time

⁸⁹Canada, Annual Report 1891. T. P. Wadsworth, Inspector of Indian Agencies. A summary of the book-keeping on any western reserve gives an idea of the complexity of the operation, "the system of book-keeping is well conducted . . . The following books are kept in the office: order book, beef receipt book, letter book, contract book, invoice book, voucher register, record of individual issues, cattle record, letter register, standing orders, vital statistics, cash book, receipt book, Indian passes, record of religious denomination of Indian, accounts of agricultural implements purchased by Indians, earning of individual Indians, reports of Indian Councils, record of vaccination, permits to sell wood, hay, etc., and to purchase ammunition; copies of farm returns, way bills, vouchers, agency store returns, ration lists from instructors; letter and circulars received were all docketted and fyled."

and energy on a house which they would sooner or later leave. The Department's goal was reasonable from a non-Indian point of view; the Indians' objections were valid from their point of view. The agents had to reconcile the two.⁹⁰ The agents, part or full-time, handling routine matters or solving serious problems were the ones who implemented Ottawa policy. Their energy, enthusiasm and intelligence determined the success of that policy.

Another group of Department employees at the bottom of the organizational pyramid were the farm instructors. A great deal of credit for the transition for Indians as hunters to Indians as farmers went to the farm instructors, a category of Departmental employee unique to western Canada.

TABLE 10

FARM INSTRUCTORS

	1880	1882	1885	1890	1895	1896
Farm Instructors	24	26	20	45	35	38

SOURCE: Canada, Annual Reports 1881-1896.

The numbers of farm instructors decreased in 1885, the year of the rebellion, rose to a peak in 1890, and began a decline thereafter as the increasing independence of many bands

⁹⁰ Indian housing is discussed in chapter IX.

diminished the need for farm instructors. These teaching farmers were employed on a full-time basis; in the early years they ran model farms; later, they served as farming instructors. This was one of the most creative and far-reaching of the Department's programs to change the Indians.

In the vicinity of some reserves in 1879, the Department established model farms operated by non-Indian farmers; these farmers would provide seed for the Indians and demonstrate farming. The project began badly because the eastern men, all Conservative supporters, appointed as model farmers were not good farmers. The appointment of one man in particular, T. Gow, aroused the fury of the Liberal partisan press.⁹¹ Whether it was due to these attacks or to a belated realization that the man was unsuitable, he was dismissed. Editorials in the Toronto Globe claimed that of the original appointees, "not one of the instructors could maintain himself as a farmer, and not one of them have [has] even had any experience at all in agriculture."⁹² The Globe continued its attack, noting in October, 1879:

A burning disgrace was inflicted upon this Dominion when the Tory Government, in order to relieve itself of the presence of some of its most disreputable supporters, shipped a whole gang of them into the North-West under the pretense of making them agricultural instructors to the Indians . . . by continuing them in office after their utter unsuitableness has

⁹¹Toronto Globe (August 1, 1879), "T. Gow's Appointment," (August 26, 1879), "The Indian Teachers."

⁹²Toronto Globe (August 26, 1879), "The Indian Teachers."

been proved the government takes full responsibility for their deeds.⁹³

The lists of farm instructors' names in the 1879 and the 1880 Annual Reports reveal that the Government had responded to the charges; a number of the farm instructors had been dismissed.

By 1882 the government was phasing out the model farm scheme. It was starting another program to teach the Indians farming. In the 1882 Annual Report, John A. Macdonald assured the readers that "a competent and reliable man will be placed on each reserve to encourage and direct the efforts of the Indians."⁹⁴ These men, farm instructors or farmers, would visit individual Indian reserves to show the Indians how to farm their allotments.⁹⁵ According to the 1883 Annual Report, several western agents commended the Department on this new direct farm instruction. Edgar Dewdney, Indian Commissioner, wrote enthusiastically of the progress the farm instructors would bring about.⁹⁶ The men appointed as farm instructors were westerners familiar with the peculiarities of western agriculture, with the Indians, and, sometimes, even with their languages. Among those new appointees were a number of Métis including one referred to as Dumas.

⁹³Ibid. (October 16, 1879), "The Indian Farmers Again."

⁹⁴Canada, Annual Report 1882, p. xii, J. A. Macdonald.

⁹⁵Canada, Annual Report 1881, p. 122, T. P. Wadsworth.

⁹⁶Canada, Annual Report 1883, p. 99, E. Dewdney.

Dumas, who was appointed as a farm instructor before the 1885 rebellion, later joined Louis Riel's forces; post-rebellion Parliamentary critics of government policy sharply criticized the government for having employed Dumas knowing that he was a friend of Riel's. The Department had known of Dumas' past association with Riel; but, having "had assurances that Riel intended no mischief but to act constitutionally"; and, having received recommendations for Dumas from a Roman Catholic Bishop and from Hayter Reed, the Departmental agent at Battleford had decided to hire him.⁹⁷ Edgar Dewdney, Indian Commissioner, in June of 1885 wrote to Sir John A. Macdonald protesting that the Opposition, "when it suited them have complained that a mistake was made when farming instructors were sent from below and old settlers who understood the Indians were overlooked and have . . . advocated the employment of Half Breeds."⁹⁸ He then listed specific Métis who had been hired, "Dumas, Isbester, Joseph McKay and William McKay were recommended. The satisfaction given us by Sam Ballentine a Half Breed Instructor induced us to engage other Half Breeds," and said he was "still of the opinion that to handle Indians fresh from the plains they are the best men we can get."⁹⁹ Having made this point, Dewdney admitted that there were problems when "Half Breeds"

⁹⁷ P.A.C., M.G. 26 A1 (a), vol. 212, June 12, 1884. E. Dewdney to J. A. Macdonald.

⁹⁸ Ibid.

⁹⁹ Ibid.

were employed because "they are so poorly educated that they cannot keep our returns etc. This is especially so with the French Half Breeds."¹⁰⁰ However, the tempest over Dumas passed and the Department continued to employ Métis as farm instructors.

Some of the farm instructors were so competent that they became agents. The agent Magnus Begg had first been a farm instructor. Dewdney regarded him so highly that he described him as having "the confidence of Crowfoot and his Indians to a greater extent than any Indian agent we have ever had."¹⁰¹ The farm instructors were so competent they gradually worked themselves out of jobs. The program was so successful that after 1896 the need for farm instructors dwindled.

Farm instructors and agents were the most important employees working at the base level of the Departmental pyramid but they were not the only employees working at this level; the Department also engaged clerks, translators, issuers, storekeepers, laborers, mail carriers, housekeepers, millers and others. As subordinates of the agents and farmers, these other workers carried out but did not initiate policy; however, particularly in the west where the agency staffs were large, they were important elements in the expediting of Departmental programs. In addition to these workers,

¹⁰⁰ Ibid.

¹⁰¹ Ibid., vol. 213, February 14, 1886. E. Dewdney to J. A. Macdonald.

the government also employed physicians and teachers.¹⁰²

They too were at the base of the pyramid, but they were not integrated into the organizational structure in the same way as the others.

Before Confederation the administrative organization had evolved differently in each colony and these individual characteristics continued after 1876 when the Indians, who had become a federal responsibility, were administered by one Department. From the earliest days in eastern Canada, the government allocated more money and manpower for the supervision of those Indians who were numerous and possessed capital, large reserves and/or valuable resources. As a result, by 1876, the most sophisticated organization and the greatest number of full-time employees per capita looked after Ontario's Indians. After 1876 the emphasis shifted to western Canada, but not because the western Indians were well endowed. Although the prairie tribesmen had more reserve acres per capita than the eastern Indians, many were forced to rely on the government for support. It was this very dependency which made the government expand its staff: first, to look after the Indians' immediate needs; secondly, to teach them new ways of making a living in order to relieve the Department of the burden of feeding them. As a result, by 1896, forty-nine employees supervised the approximately seventeen thousand Ontario Indians, one for every three

¹⁰²Physicians are discussed in chapter IX and teachers in chapter VII.

hundred and fifty Indians, while a staff of one hundred and sixty-four cared for the approximately twenty-four thousand western Indians, a ratio of one to one hundred and forty-five.

The Department, built like a pyramid, had a political figure, the Superintendent General at the top; under him the Deputy Superintendent General; a number of supervisory personnel; at the base, the agents, farm instructors, teachers and physicians who implemented policy and provided the actual link between the Indians and the administration. The increase in staff from forty-five in 1876 to three hundred and twenty-eight in 1896 reflected the rapid expansion particularly in western Canada, of the Department's involvement in the Indians' lives. The accompanying increase in expenditure resulted partly from staff costs but largely from the increase in provisioning and from the expanded education program.¹⁰³

The Department's development took place in a partial vacuum. Parliament, to whom the administrators were ultimately responsible, discussed Indians infrequently and seemed ready, as long as the Indians were peaceful, to accept policies presented by the Superintendent General. And the clientele, the tribesmen, had little influence, except in Ontario and Quebec where they directed the allocation of band funds; Indians seldom voiced their opinions, unless they turned, as in 1885, to violent means to make a point. The employees implemented Departmental policy with determination

¹⁰³ Education is discussed in chapter VII.

and a degree of success dependent on a multitude of difficult-to-measure factors; many of them, according to hundreds of individual reports in the Annual Reports, were committed to achieving the goals set by the Department.

The Department of Indian Affairs had a workable organizational structure, clear lines of authority, adequate finances and a staff of reasonably intelligent conscientious employees. Enfranchisement for a few eastern Indians and the assumption of a self-supporting non-Indian way of life for all Indians were its clearly-defined policy objectives. If the Department failed to attain those goals it was not because of its employees or organization, but because the goals were unobtainable.

OSP-8

"CIVILIZING" THE INDIAN: GOVERNMENT
ADMINISTRATION OF INDIANS,
1876-1896

by Marion Joan Boswell

[V. 2]

Thesis presented to the School of Graduate Studies
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CHAPTER VII

EDUCATION

1. General Policy

From 1876 through 1896 educating the greatest number of Indian children was one of the principal goals of federal government Indian policy. The British North America Act had given the federal government total responsibility for the Indians, including education. The Deputy Superintendent General of Indian Affairs, Laurence Vankoughnet, expressed government educational policy in 1876:

Education is the primary principle in the civilization and advancement of the Indian race, without it but little progress in that direction can be made. The importance therefore of fostering and maintaining it on a proper footing, in the numerous Indians' communities, cannot be overestimated.¹

The civilizing of the Indian became a recurring theme whenever education was discussed. Nicholas Flood Davin, in his 1879 Report, a study commissioned by the Conservatives to guide them in their development of educational facilities in western Canada, said:²

¹Canada, Annual Report 1876, p. 6, L. Vankoughnet.

²Nicholas Flood Davin, Report on Industrial Schools for Indian and Métis Children (Ottawa: n.p., 1879).

The industrial school is the principal feature of policy known [in the United States] as that of 'aggressive civilization.'³

The Indian is a man with a tradition of his own which makes civilization a puzzle of despair.⁴

The influence of civilized women, . . . in and out of school must be constantly present in the early years.⁵

One of the earliest things an attempt to civilize them does is to take away their simple Indian mythology.⁶

It must be obvious that to teach semi-civilized children is a more difficult task.⁷

As bands become more amenable to the restraints of civilization education should be made compulsory.⁸

School principals, the Indian Commissioners, agents, even the Superintendent General repeated the need to "civilize" the Indians:

The Indians are anxious for instruction . . . I wish something could be done as I fear that any permanent improvement in the way of civilization can only be looked for in the rising generation.⁹

³Ibid., p. 1.

⁴Ibid., p. 10.

⁵Ibid., p. 12.

⁶Ibid., p. 14.

⁷Ibid., p. 15.

⁸Ibid.

⁹Canada, Annual Report 1877, p. 23, Skene, agent, Ontario.

To render such an institution [the Mohawk Institute, a residential school at Brantford, Ontario] capable of receiving children . . . even in infancy . . . the effectual means of attaining that change . . . their real civilization.¹⁰

It is difficult to secure the service of competent teachers . . . consequently the civilizing influences of education are so imperfectly disseminated that they cannot germinate successfully.¹¹

Ignorant themselves the Indians depreciate the benefits of education. . . . In order to effect the work of civilization the Sisters had to . . .¹²

These Indians who are well advanced in civilization . . . are generally glad to get their children into a school.¹³

The boarding school . . . reclaims him from the uncivilized state in which he has been brought up.¹⁴

In the absence of the influence which industrial training affords for the acceleration of the process of civilizing, they would remain for an indefinitely longer period on our hands.¹⁵

¹⁰ Ibid., p. 18, J. T. Gilkinson, agent, Ontario.

¹¹ Canada, Annual Report 1881, p. 87, E. McColl, inspector, Manitoba.

¹² Canada, Annual Report 1882, p. 213, Sister M. U. Charlebois, principal, North West.

¹³ Ibid., p. 21, E. Wilson, principal, Ontario.

¹⁴ Canada, Annual Report 1889, p. xi, E. Dewdney, Superintendent General.

¹⁵ Canada, Annual Report 1896, p. 293, A. E. Forget, Indian Commissioner.

The policy of the Department . . . has been that boys should remain at the industrial schools until they attain an age, at which . . . their characters shall have been sufficiently formed as to ensure . . . against their returning to the uncivilized mode of life.¹⁶

The "civilized" Indian no doubt meant something different to each who spoke of "civilizing" as the goal of Indian education; but the most generally accepted picture of the "civilized" Indian was of one who had become literate in French or English, dressed in non-Indian clothes, lived in a dwelling resembling that of his non-Indian neighbours, supported his family, preferably by farming and professed a belief in the doctrines of one of the Christian churches. In 1891, the Canadian Indian, a Church of England Paper edited by the principal of the Shingwauk residential school, defined a civilized Indian:

There are three tests which particularly mark the advancement of the Indian toward civilization viz., the adoption of white man's dress, education of children, and engaging in agriculture.¹⁷

Civilization and Christianity seemed to many non-Indians to be interdependent. In fact, when the Conservative government began formulating new educational policies in the eighties, it found that clergymen were already established in the Indian school system. Missionaries, accompanying or following the explorers and traders had settled among the

¹⁶Ibid., p. xxxviii, H. Reed, Deputy Superintendent General.

¹⁷Canadian Indian, vol 1, no. 5, February 9, 1891.

Indians; teaching Indians to read had been but one more step in their campaign to convert them to Christianity and to teach them the ways of civilization. Indeed, whenever churches moved into an area in Canada, their clergymen often would educate the Indians in small schools attached to their missions.

Some mission schools began boarding Indian children; many clergymen considered residential schools the ideal means to change these children. Although he had not been the first, Egerton Ryerson, an Ontario Methodist minister who, in 1847, had written a detailed report on Indians' education, had been one of the most vigorous proponents of residential schools as places where the Indian children, removed from the deleterious tribal influences, could best become educated Christians.¹⁸ Ryerson, knowing that education was an expensive business, had suggested that governments should play their part by paying part of the costs and by inspecting the schools.¹⁹ By 1876 there were seven denominational residential schools which took the most promising Indian youths, gave them a very good, very Christian education and sent them back to their reserves to provide Christian leadership.

Coming to power in 1878, the Conservative government accepted the interrelationship between church and state in

¹⁸ P.A.C., R.G. 10. Dr. Edgerton Ryerson's Report of 1847 (Toronto: May 2, 1847). The details will be discussed when residential schools are described later in the chapter.

¹⁹ Ibid., p. 74.

Indian day and residential schools. Indeed, the majority of Indian schools were directed by or affiliated with a religious organization. In 1883, John A. Macdonald expressed his approval of the connection when he said that "secular education is a good thing among white men but among Indians the first object is to make them better men, and, if possible, good Christian men."²⁰

Having agreed that the churches had an important role to play in Indian education and that it would expand and improve the facilities of Indian education because it considered education the best means to "civilize" the Indians, the Department had to decide on the steps it would take to achieve its objectives. In 1876 during the Liberals' term, Vankoughnet laid the groundwork for future improvements. He had suggested that as a first step towards improvement, the Superintendent General ask Parliament for an increased appropriation:

As there are . . . many Bands of Indians who have either no funds at their credit; or who have not sufficient to bear the extra expense, I would respectfully suggest that application be made to Parliament for an appropriation . . . probably about \$3,000 would be sufficient.²¹

Having received the money, he proceeded in the following year, 1877, to express the need for increased information as a prerequisite for planning any expansion of schools:

²⁰Canada, Debates, May 9, 1883, p. 1107, J. A. Macdonald.

²¹Canada, Annual Report 1876, p. 5, L. Vankoughnet.

The information as to the actual requirement as regards the educational facilities . . . was insufficient to admit of a comprehensive scheme such as would embrace all the various Indian communities. . . . Succinct information is being obtained, with a view to the inauguration of a more perfect system than at present exists.²²

So it was that in the last two years of the Liberals' term, 1876 and 1877, Vankoughnet set the wheels in motion to improve and expand the school system.

The Conservative government vigorously undertook to achieve even more ambitious goals when it returned to power in 1878. Following up Vankoughnet's comments about the lack of information, they commissioned Nicholas Flood Davin to make a study of American Indian schools; they wanted him to recommend the best way to educate the thousands of Indian children in western Canada.²³ Davin, presenting his Report in 1879, drew his conclusions largely from his observations in the southeastern states where the five tribes referred to by the American government as the "five civilized tribes" had made great progress. Davin dismissed day schools as useless:

²²Canada, Annual Report 1877, p. lxvii.

²³Norah Story, The Oxford Companion to Canadian History and Literature (Toronto: Oxford University Press, 1967), p. 203. Nicholas Flood Davin, 1843-1901, was an Irish lawyer who came to Canada in 1872 where he worked as a journalist in Toronto before being called to the bar in 1874. In 1883, he settled in Regina where he established a newspaper, the Regina Leader. From 1887 to 1901 he represented West Assiniboia in the House of Commons as a Conservative.

The influence of the wigwam was stronger than the influence of the school . . . what little he learns is soon forgotten, while his tastes are fashioned at home, and his inherited aversion to toil is in no way combatted.²⁴

He thought that only in residential schools could Indian children become civilized. To give his remarks greater impact, he cited the opinions of Indians of the five tribes:

All the representatives of the five civilized nations declared their belief that the chief thing to attend to in dealing with the less civilized or wholly barbarous tribes was to separate the children from the parents . . . the Indian Department . . . have not much hope in regard to the adult Indians, but sanguine anticipations are cherished regarding the children.²⁵

Davin then generalized about Indian character saying that, although they were noble men "the race is in its childhood": but then he advised that,

The Indian . . . is not a child and he is the last person that should be dealt with in a childish way. He requires firm, bold kindly handling and boundless patience.²⁶

Turning to specifics, Davin recommended the initial establishment of no more than four western industrial boarding schools where available clergy could and should be employed on a contract basis as administrators.²⁷ The Davin Report became

²⁴Davin, Report, pp. 1-2. The five tribes were the Chicksaws, Chocktaws, Cherokees, Creeks and Seminoles.

²⁵Ibid., p. 7.

²⁶Ibid., p. 11.

²⁷Ibid., p. 13.

the basis of government policy.

This report led the Conservatives to concentrate on residential schools and to continue building them throughout their term. In the 1880 Annual Report, John A. Macdonald, as Superintendent General, wholeheartedly endorsed the program:

The Indian youth, to enable him to cope successfully with his brother of white origin must be dissociated from the prejudicial influences by which he is surrounded on the reserve of his band. And the necessity for the establishment more generally of institutions, whereat Indian children, besides being instructed in the usual branches of education, will be lodged, fed, clothed, kept separate from home influences, taught trades and instructed in agriculture, is becoming every year more apparent.²⁸

Despite such enthusiasm for the benefits of residential schools, particularly in western Canada, the Department never abandoned anywhere in Canada the idea of improving day school education. The Department proposed first to analyse the needs of "each Indian school in the Dominion"; however, this collection and examination of pertinent information did not proceed very rapidly.²⁹ Macdonald, several years later, was still complaining that his Department could not inaugurate "a comprehensive scheme such as would embrace all the various Indian communities," until it had more information.³⁰

²⁸Canada, Annual Report 1880, p. 8, J. A. Macdonald.

²⁹Ibid., p. 7.

³⁰Canada, Annual Report 1886, p. lxvii.

A second step in the program to improve education was to be, as Macdonald announced in 1880, "a systematic inspection of all Indian schools."³¹ But only four provinces agreed to provide inspectors; and it was many years before the arrangements with even these four were completed. Macdonald also saw that good teaching was essential for good education. He planned to insist that "the teachers . . . hold certificates of competency and character from School Boards or other competent authorities."³² But it was never possible to obtain more than a few qualified teachers. The Department's next step, also taken in 1880, required Indian schools to use a standardised course of study.³³ And to further the policy of expanding the educational program the Department, in 1890, made school attendance compulsory for all Indian children between six and fifteen.³⁴ And finally, the Department established a School Branch of the Department of Indian Affairs, "in order to ensure a proper return from the large outlay of funds, and to watch closely over the carrying out of details of policy."³⁵

Although the Department took these steps to improve Indian education in both residential and day schools, many Departmental officials saw little value in day schools;

³¹Canada, Annual Report 1880, p. 7.

³²Ibid.

³³Ibid.

³⁴P.A.C., R.G. 10, November 10, 1894; December 29, 1890.

³⁵Canada, Annual Report 1894, p. xxi, H. Reed.

they continued to advocate residential education. In 1891 Dewdney wrote:

Day schools . . . which as a rule are very inferior as a medium for imparting instructing . . . indeed it is very questionable whether the expenditure incurred in keeping up such schools is not so much money wasted.³⁶

Hayter Reed, as Deputy Superintendent General, said in 1895 that the government's residential school program was the only possible way to civilize Indian children:

Increased opportunities for observation strengthen the conviction as to the soundness of the policy of recent years adopted by the Department: to do away as far as funds and circumstances will permit with day schools on the reserves and substitute industrial and boarding schools at a distance from them.³⁷

However, it was not possible nor would it have been practical to educate all Indian children in residential schools; the Department had to continue to use both day and residential schemes.

In the twenty year period, 1876-1896, the total number of day and residential schools increased from seventy-eight to two hundred and seventy-seven.³⁸ By 1896 a significant proportion of Indian children living on reserves attended school:

³⁶Canada, Annual Report 1891, p. xiv, E. Dewdney.

³⁷Canada, Annual Report 1895, p. xxii, H. Reed.

³⁸Canada, Annual Report 1876, pp. 82-87; Canada, Annual Report 1896, p. 416.

TABLE 11

SCHOOLS 1876-1896: PERCENTAGE OF CHILDREN ATTENDING IN 1896

Province	Approx. Pop. 1896	No. of Schools		Percentage of Children Attending School 1896 ^a
		1876	1896	
Nova Scotia	2,100	1	8	% 39
New Brunswick	1,700	-	5	52
P.E.I.	300	1	1	39
Ontario	17,300	52	83	53
Quebec	7,300	11	20	46
Manitoba	23,300	3	55	49
North West		-	71	68
B.C.	23,700	9	34	54
Total		78	277	

SOURCE: Canada, Annual Report 1876, pp. 82-87; Canada, Annual Report 1896, p. 416.

NOTE: ^aThese figures compared favorably with those for all Canadian schools where average daily attendance in 1914 was reported to be slightly less than 2/3 of those enrolled. J. Donald Wilson, Robert M. Stamp and Louis-Phillipe Audet, Canadian Education: A History, (Toronto: Prentice Hall, 1970), p. 327.

This great increase in numbers of schools and pupils enrolled brought about a corresponding rise in the expenditures for education although no absolute figures are available. Departmental accounts in the Annual Reports do not reveal the total cost of education. One of the reasons for this is that when the Department paid all or part of teachers' salaries, the largest item in education, it included these salaries with all other Departmental salaries in its accounts; they were not itemized separately.³⁹ A second reason that

³⁹Canada, Annual Report 1876, pp. 43-87.

Departmental accounts do not reveal the total cost is that the Department did not pay all the costs of education. There were three other sources of money for education. The churches paid a large share; of the seventy-eight schools existing in 1876, the churches financed eleven entirely and contributed to twenty-one others; however, since they did not reveal how much they spent on education, it is impossible to pinpoint the size of their contribution. Indian bands' own funds paid for two schools in 1876.⁴⁰ The Department also used some of the interest accruing to the Indian Trust Fund to pay for education.⁴¹ In 1876 the Department paid at least a portion of most teachers' salaries and less than \$2,000 for capital costs.⁴²

By 1896 the situation had changed; the number of schools had grown to two hundred and seventy-seven and the financing had altered. The churches had decreased their contribution; they paid the total costs of only two and a percentage of the costs of twenty-seven of the schools.⁴³ The bands had increased their participation; they were paying all or part of the costs of sixty-seven of the one hundred

⁴⁰ Band funds were a percentage of the annual interest money accruing on capital which had been built up from the sale of the band's land and resources; the bands were permitted to spend the money.

⁴¹ See chapter VI.

⁴² Canada, Annual Report 1876, pp. 43-87.

⁴³ Canada, Annual Report 1896, pp. 455-67.

and three schools in Ontario and Quebec.⁴⁴ Interest from the Indian Trust Funds, which had not grown appreciably in the twenty year period, was used to pay the total costs of nine schools and part of the costs of four others.⁴⁵ The Department, through Parliamentary appropriations, paid a large part of the costs of the schools in Ontario and Quebec and almost all the costs of schools outside Ontario and Quebec. Though the Departmental accounts of 1896 still do not give a complete picture of the total costs of the whole educational system, they do state that the Department spent \$306,953.⁴⁶ The Conservative government showed by its willingness to put this much money into education that it was totally committed to educating the Indians.

Liberal Members of Parliament had their opportunity to discuss government education policies in the debates on the annual estimates. They constantly attacked the high costs. They maintained that the per capita cost for educating each Indian child was much too high. In 1883 Edward Blake insisted that:

The cost of maintenance seems to be extraordinarily large - \$150 for each child. It is quite obvious from their station in life, that it would not be a kindness but a cruelty to provide for these children for other than the simplest manner, both as to food and clothing.⁴⁷

⁴⁴Ibid., p. 416.

⁴⁵Ibid., p. 455-67. See chapter V for details of the Trust Funds.

⁴⁶Ibid.

⁴⁷Canada, Debates, May 22, 1883, p. 1877, E. Blake.

Eleven years later the first Liberal speaker to comment on the item "Day, Boarding and Industrial Schools . . . \$233,000," was Richard Cartwright; his comments sound remarkably like those Edward Blake had made in 1883 when the requested amount had been \$44,500:

The hon. Gentleman tells us that for this sum . . . there is an average attendance of 2,300 children. . . . That seems to be but a poor result for an expenditure of nearly a quarter of a million. Here is a cost of \$100 roughly . . . including those who attend the day schools. . . . I must say that, making all allowances possible, an average expenditure of \$100 per head does appear to me to be a very extravagant figure.⁴⁸

In reply, Superintendent General T. M. Daly summed up the financial problems facing those who administered the Indian schools:

When you take the per capita allowance you must take into consideration the long distances that some of these schools are from the railways, and from civilization, and the difficulty we have in getting men to undertake to run the schools as principals or as teachers, and also the cost of provisions. We do not buy the provisions nor the clothing, as the denominations who look after these schools supply all that, and of course the amounts they pay for supplies are larger in proportion to the distance they are from the railways.⁴⁹

Opposition Members, though admitting the importance of education, were alarmed at the rapidly increasing costs. They wanted to know the reasons. In 1889 the estimates

⁴⁸ Ibid., June 22, 1894, pp. 4853-54, R. Cartwright.

⁴⁹ Ibid., p. 4854, T. M. Daly.

item "Indian Schools Ontario, Quebec, Nova Scotia and New Brunswick . . . \$22,197.50" stimulated Richard Cartwright to comment:

An increase of nearly 50 per cent is required. . . .
If that money be well spent, hon. gentlemen on this side are not disposed to oppose it, but this vote requires an explanation.⁵⁰

Edgar Dewdney, the Superintendent General, explained exactly how the money was to be spent and assured the Members that the details would be included in the Auditor General's Report for the following year.⁵¹ Opposition Members of Parliament did keep a watchdog eye on educational expenditures; they did make the government explain high costs; however, they did not have a strong basic commitment to educating and "civilizing" the Indians.

Educating as many Indian children as possible was a major objective of policy between 1876 and 1896; but the implementation of this idea was difficult in both day and residential schools. The qualities of the two types of schools, the nature of the problems the Department encountered and its solutions to its problems all determined the degree to which government succeeded in educating and "civilizing" the Indian children.

⁵⁰Ibid., April 10, 1889, p. 1170, R. Cartwright.

⁵¹Ibid., p. 1170, E. Dewdney.

2. Day Schools

In 1876 at least eighteen hundred of a possible four thousand two hundred and sixty-seven school age reserve Indian children were enrolled in day schools.⁵² Although educators and politicians recognized the ineffectiveness of day schools as a means of "civilizing" the Indians, the Conservatives, returned to power in 1878, acknowledged that such schools were the only practical way to educate the majority of Indian children. The government, therefore, continued to build, maintain and improve these schools concurrently with its residential school building program. By 1896 the numbers of schools and students enrolled had more than tripled; the rapid growth of the early years began to slow down in the nineties because most Indian reserves had schools by that time.

The day schools across the country varied tremendously in the nature and quality of instruction they provided. On a northern Manitoba reserve, an Indian woman in her teepee might occasionally teach reading in Indian syllables to children who dressed and lived in the typical Indian style.⁵³ In a rural school house on a southern Ontario

⁵²The data for 1876 refers to all children and gives a figure of 2,044 for enrollment; however, using later references to maximum possible enrollment in the residential schools existing in 1876 it appears that no more than 200 children could have been attending residential schools, hence the figure in day schools: $2,044 - 200 = 1,800$. ca.

⁵³Canada, Annual Report 1881, p. 100, Black River Reserve, Manitoba.

TABLE 12

DAY SCHOOLS 1876-1896

Year	No. of Schools	No. Enrolled	Average Daily Attendance
1876 ^a	<u>ca.</u> 74	<u>ca.</u> 2,044	<u>ca.</u> 1,026
1889	215	5,759	2,980
1891	231	6,202	3,112
1896	239	7,112	3,131

SOURCES: Canada, Annual Report 1876, p. 5; 1889, p. xii; 1891, p. xv; 1896, p. xxxvii.

NOTE: ^aThese figures are approximate because the data for the 78 schools gave an enrollment of 2,044 and we must estimate that 74 were day schools with an enrollment less than the total enrollment.

reserve a provincially qualified teacher would teach the regular provincial curriculum; her pupils might already speak English and live in a style much like that of non-Indians.⁵⁴ Despite these great variations across Canada, the schools shared many of the same problems and peculiarities: the Indian parents' inability to appreciate the correlation between regular school attendance and scholastic attainment; the unfamiliarity of many Indian children with the English or French language; the incompatibility of the Indians' attitudes to cleanliness, competition and academic achievement with those underlying the traditional non-Indian school

⁵⁴Canada, Annual Report 1880, p. 18, Mohawks of the Bay of Quinte, Ontario.

system; the unsuitability of standard curriculum and text books; the unattractiveness of teachers' salaries and working conditions; the difficulty of obtaining and keeping qualified teachers; and the preponderance of teachers who were associated with or hired by religious groups.

Wherever a school was located and whatever its state, the Departmental or provincial inspector was the person who measured its success or failure. In an effort to raise the standards of Indian schools, John A. Macdonald, in 1880, began negotiations to have provincial school inspectors include Indian day schools in their itineraries.⁵⁵ In 1882 Vankoughnet noted in the Annual Report, "the Government of Nova Scotia has alone, up to the present time, intimated its willingness to co-operate . . . the terms proposed by that Government . . . has [have] been thankfully acquiesced."⁵⁶ By 1896 the Indian day schools of Ontario, P.E.I. and Quebec were the only ones inspected by provincial inspectors.⁵⁷ In New Brunswick, Manitoba and the west, the Department continued to use its own local agents or its inspectors.⁵⁸ These agency inspectors supervised everything within an agency; the overseeing of Indian schools was only one of their duties. Though they were not themselves teachers, their

⁵⁵Ibid., p. 7; P.A.C., R.G. 10, Comments on School Inspectors, 1895.

⁵⁶Canada, Annual Report 1882, p. xli, L. Vankoughnet.

⁵⁷Canada, Annual Report 1914, p. xii.

⁵⁸Ibid.

overview of many schools did allow them to compare the achievements in various schools and to suggest methods for improvement.

John A. Macdonald's sanguine hopes that using provincial inspectors would help raise the standards in Indian schools did not materialize. In 1895 a report on Indian day school inspectors said that the Department would do better if it used its own inspectors who knew and understood the problems the teachers faced:

Public School Inspectors' Reports on the qualifications of teachers and progress are also of slight value to the Department as many of our schools are so remote and the salaries are so small it is difficult to obtain properly qualified teachers. . . . Public school inspectors have so far failed to better the condition . . . improvements can only be looked for in the exercise of vigilance and energy on the part of the Department and its own officers, and not from the paid officials of other Governments over whom the Department has no control.⁵⁹

The report also stated that these provincial public school inspectors' reports were "written solely with a view to brevity, very few of them making any remarks and when they do so only repeating their previous suggestions, many of which are wholly impracticable for Indian schools."⁶⁰ The report criticized the inspectors for the timing of their visits to the schools; in the early fall most children were not back from their summer travels with their families; by late spring

⁵⁹P.A.C., R.G. 10, 1895.

⁶⁰Ibid.

they were gone.⁶¹ To see an Indian school operating normally, the inspectors should visit the schools at other times.

The report suggested that local agents would do a much better job than the public school inspectors:

The class of work done by our schools does not call for Inspectors holding Provincial certificates. Any of our agents of ordinary education and intelligence are competent on hearing the school children go through their exercises, to give an opinion as to whether they are deriving any benefit . . . and they should also be able to report on the fitness of the teachers.⁶²

Undoubtedly Indian schools had to be inspected; but experience showed that provincial public school inspectors did not provide the kind of helpful guidance and inspiration which John A. Macdonald had believed they would. Departmental personnel were better qualified to inspect Indian day schools.

Day schools on the Indian reserves had been established in different ways. Several denominations operated schools in conjunction with their mission activities. These churches hired the teachers, paid part of the schools' operating costs and received a Departmental grant based on average daily attendance. The churches had imposed these schools on their congregations without consultation. But all other day schools on the reserves were initiated by the Indians themselves. Sometimes the bands asked the Department

⁶¹Ibid.

⁶²Ibid.

to build and staff a school. The Department built one if it had capital available; but often the Superintendent General would have to admit that "several of the bands have applied to me for assistance, but I can only tell them . . . that there is no money."⁶³ Sometimes the bands' request for assistance would be turned down for other reasons. In 1879 one agent reported that "a school was asked for by this section of the band, but there is no school house, nor is there any immediate prospect of a sufficient number of Indians permanently settling on it to justify the granting of their request."⁶⁴ Sometimes the bands would build the schools and then ask the Department to supply the teacher. In 1879 one agent noted that a band had "erected a commodious school house believing that in due time the Government will furnish them with a school master."⁶⁵ Or, if the bands were well settled on their reserves they might build the school, hire the teacher and continue to pay part or all of the school's expenses. The Chippewas living along the Thames River in southern Ontario had four schools staffed by Indian teachers; these schools were "maintained by the funds of the Chippewas of the Thames and under the supervision of trustees

⁶³Canada, Annual Report 1877, p. 19; 1880, p. 18; 1881, p. 10; 1882, p. 147.

⁶⁴Canada, Annual Report 1879, p. 20.

⁶⁵Ibid., p. 29.

elected by the band.⁶⁶ The initiative came from the Indians; the Department merely responded to the Indians' demands.⁶⁷

The Indians realized that the first requirement for a school was the building. Using local materials, they constructed and maintained the school building. In rural wooded areas, they were usually one room log buildings:

It is a log building. The roof is composed of bass-wood troughs. With the exception of the door, window sashes and Teacher's desk, the whole owes its construction to the chopping and the broad axe. Floor, Benches and Desks are made of planks hewn from logs. . . . The Windows, not extensive affairs, were provided with curtains formed by newspapers, which in every part of the Province is a certain indication of a Lady Teacher.⁶⁸

The building of a school was only the first step in the process of civilizing Indian children. Persuading the parents to send their children to school regularly proved to be a major obstacle. Many parents, initially committed to the idea of education and enthusiastic about having a school,

⁶⁶Canada, Annual Report 1879, p. 20.

⁶⁷The Indians' situation vis a vis the Department differed from that of non-Indians vis a vis the provincial governments. In rural Ontario, non-Indians were expected to start a school within a reasonable time; if they failed to do this, the provincial school inspector would suggest that they do, "I found two settlements . . . without schools. I gave the people all the encouragement I could and they promised to take immediate steps." The Department waited for the Indians to take the initiative, the government of Ontario waited too; but, if nothing happened, it coerced the people into building a school. John George Hodgins, Documentary History of Education in Upper Canada, vol. xxviii (Toronto: Warwick Bros. & Rutter, 1894-1910), p. 51.

⁶⁸Hodgins, Documentary History of Education, p. 52.

could not see the need for daily attendance; they did not see that regular attendance was essential to the children's progress. Sometimes the reason children did not attend regularly was a very simple one, the children had "want of proper clothing."⁶⁹ Some families had enough footwear or warm clothing to send only one or two of their children to school at the same time. The Department did not try to improve attendance by simply issuing footwear and clothing.

Instead it tried several more serious schemes to improve attendance. The first one made attendance the responsibility of the teachers. In 1876, the Department began projecting attendance for each school; if the regular attendance figures did not meet the projected numbers, the Department reduced the pay of the teachers. The Department did this in spite of agents' repeated reports that poor attendance was the parents' fault:

The parents do not seem to take any interest in the school, keeping the children at home, under the pretext of assisting and doing that which the elder ones ought to do instead of loafing.⁷⁰

.....
The attendance is small. The reason for this is the destitute condition of the Indians, and the want of clothing for the children; the Indians are most anxious to have their children educated but give this as an excuse.⁷¹

⁶⁹Canada, Annual Report 1876, p. 5, L. Vankoughnet.

⁷⁰Canada, Annual Report 1877, p. 21.

⁷¹Canada, Annual Report 1880, p. 90.

It is much to be regretted that the attendance of the children is irregular - being kept from school to aid their parents in sugar-making, planting, berry picking and harvesting, makes such inroads upon the time which should be devoted to study.⁷²

.
There are a number of children of school age who do not attend. I have spoken to their parents repeatedly. . . . They give the most frivolous reasons for not sending them to school.⁷³

But parents needed more than persuasion to send their children regularly. Their own way of life included little routine; daily repetition of actions was unusual for them. They did not understand the non-Indian emphasis on regularity. The Department failed to recognize this as the real cause of irregular attendance. Certainly, making the teachers responsible for student attendance did not solve the problem of poor attendance.

The second attempt to improve school attendance was made in 1883. The Department implemented two suggestions made by the Deputy Superintendent General:

The plan recently adopted . . . in connection with Indian day schools in Manitoba, Keewatin, and the North-West Territories, of granting bonuses annually in addition to their salaries, to the teachers of the five most efficiently conducted schools and of presenting prizes to deserving pupils will, it is hoped tend to stimulate both teachers and pupils to greater exertions.⁷⁴

⁷²Canada, Annual Report 1877, p. 21.

⁷³Canada, Annual Report 1881, p. 18.

⁷⁴Canada, Annual Report 1883, p. 102.

The five most efficiently conducted schools had increased to seven by 1892. In that year a teacher in a Presbyterian school "carried off the first of seven bonuses by one year's work in a school which had been most unsuccessfully conducted for many years."⁷⁵ Some teachers rose to the challenge and did improve the efficiency of the school; attendance improved. But the provision of prizes for the children was not as successful. One agent wrote, "the prizes given by the Department have had the effect of attracting many children to school; however many of them came to receive their books and have not returned since."⁷⁶

In a third attempt to improve attendance, John A. Macdonald altered the school year. He reasoned that the children did not attend because of "the absence of many families from the reserves while fishing, hunting and berry picking."⁷⁷ These occupations the Indians pursued through the late spring, summer and early fall. Macdonald instructed the teachers "to adapt the periods of vacation to the time when the Indians will be absent from the reserves."⁷⁸

Another approach considered by the Department was the provision of hot noon meals. The agents urged the Department to do this. They said that on reserves where the

⁷⁵Canada, Annual Report 1892, p. 187.

⁷⁶Canada, Annual Report 1882, p. 14.

⁷⁷Canada, Annual Report 1880, p. 7, J. A. Macdonald.

⁷⁸Ibid.

Indians received rations, the children did not always get enough to eat; a hot meal might lure them to school. In 1890, the Deputy Superintendent General, Hayter Reed, was convinced that the hot noon meal had improved daily average attendance in the North West. He said that he had diverted "a proportion of the rations formerly allowed for the consumption of the children at home, to the provision of a meal at the schoolhouse, which provides a strong inducement to regular attendance."⁷⁹

Since all these attempts to encourage children to attend school regularly had failed, the government decided to make school attendance compulsory. As early as 1876, the Deputy Superintendent General, Vankoughnet, had said, "it would appear to be even advisable, in the interests of the young people, to render attendance at school compulsory by legislative enactment."⁸⁰ Davin, in his Report, had suggested that extra rations of tea and sugar should be given to those parents who sent their children regularly; inducements should be given to the children; and, "as the bands become more amenable to the restraints of civilization education should be made compulsory."⁸¹ In 1890, the Department advised all its agents to:

⁷⁹Canada, Sessional Papers (No. 12), 1890, pp. 169-70.

⁸⁰Canada, Annual Report 1876, p. 6, L. Vankoughnet.

⁸¹Davin, Report, p. 15.

Call upon the Chiefs in Council to frame rules and regulations, under subsection g of section 76 of the Indian Act . . . respecting the attendance at school of children between the ages of six and fifteen.⁸²

In 1894 an order-in-council amended the 1880 Indian Act to make attendance compulsory for Indian children. The local Indian agent was empowered to appoint truant officers; if a truant officer laid a charge with the justice of the peace, and the charge was upheld, the parent or guardian of the child would have to pay a fine of \$2 or serve ten days in jail.⁸³ Departmental officers were also empowered to withhold rations or annuity money from Indians who did not send their children to school.⁸⁴

Opposition Liberal critics objected to the withholding of annuities. David Laird said:

Interest or annuity money is regarded in too sacred a light by the Indians as a treaty obligation to be withheld for neglect to send children to school. Such money should only be withheld for serious crime, or for desertion.⁸⁵

In spite of Liberal objections, the provisions remained in force. Compulsory attendance legislation was the government's last step in its campaign to improve day school attendance;

⁸²P.A.C., R.G. 10, November 10, 1894. This is a large file containing correspondence on compulsory education dating from 1890 to 1901.

⁸³Ibid.

⁸⁴Ibid.

⁸⁵Ibid., letter from D. Laird, March 13, 1901.

but even this law did not result in regular school attendance.

And, of course, the children who did come to school brought a major problem with them. They could neither speak nor understand English or French. Yet the authorities insisted that one of those languages be used.⁸⁶ In fact, the Department insisted that the teachers' first and most important task was to get the children to speak a second language:

Teachers do not seem, in all cases, to realize the paramount importance of instruction in English and in the ideas of the citizen. Without a knowledge of our language, when the children . . . grow up, they will be unable to mix with their white neighbours, and cannot possibly become assimilated with them.⁸⁷

The Department noted, too, that even when the children did learn to work in English or French, many were neither fluent nor comfortable in the language:

The pupils read a little English, like a parrot, they do not understand it, simply learn to repeat the sounds given them by their instructor, they hear nothing but their mother tongue at home and on the playground, in fact Cree is spoken by

⁸⁶ The children in Quebec were taught French; a few in western Canada notably on Manitoba's Water Hen and Pine Creek reserves and at the St. Albert Industrial School were taught English and French. French speaking Roman Catholic principals and teachers in Ontario and western Canada usually taught the children in English. See Canada, Sessional Papers (No. 15), 1888, p. 62; (No. 14), 1892, pp. 102-3.

⁸⁷ Canada, Annual Report 1888, p. 147.

nearly all, even the children of English speaking parents use the Cree in conversing.⁸⁸

And learning a second language did not overcome the problems of unfamiliarity with the subjects discussed by the teachers or the books. Teachers' difficulties began when it became "necessary to impart ideas which, being entirely outside the experience and environment of the pupils and their parents have no equivalent expression in their native language."⁸⁹ For both students and teachers, the language of instruction continued to be a problem.

The Department created another problem. In 1880 it announced that the schools would use a standard curriculum and the textbooks of the provinces. Until this time, teachers had taught whatever they felt competent to teach; there had been, as a result, great variations in courses; the Department decided that a standardized curriculum would help both teachers and pupils. One official later reported satisfaction with the standardization:

The system of teaching by the adoption of a standard course of study for the Indian schools and other regulations is doing much to render teachers' efforts more effective, and the more that is seen of their methods of instruction the more apparent it becomes that in many instances, without a prescribed direction being given to their efforts little real good is likely to accrue to them.⁹⁰

⁸⁸Canada, Annual Report 1902, p. 97.

⁸⁹Canada, Annual Report 1889, p. xxxi.

⁹⁰Canada, Annual Report 1881, p. 102.

After 1880, the Department gradually expanded its courses of study. By 1894 its outline of the courses dealt with twelve subject areas; English, reading, recitation, writing, arithmetic, general knowledge, geography, ethics, history, vocal music, calisthenics and religious instruction.⁹¹ The Department spelled out, as well, the actual material to be used in six consecutive standards. All subjects were not to be introduced in the first standard; recitation was begun in the second and geography and history in the third.

Teachers found that the courses of study suggested that they build each year on knowledge the children had previously acquired. In English the children moved step by step from word recognition in standard one through to the analysis of parts of speech in standard six. Recitation, which began in standard two, was "in line with what is taught in English" and was developed "in pieces of verse and prose which contain the highest patriotic and moral maxims and thought."⁹² The children began reading in the first primer in standard one and moved from it through to the fifth reader in standard six.

Writing and arithmetic also developed sequentially. As they learned to write, they progressed from making elementary strokes on a slate, to writing in a "large, round

⁹¹Canada, Annual Report 1894, pp. 246-49.

⁹²Ibid., pp. 248-49.

hand," to writing in a small round hand in successive copy books. In arithmetic they began in standard one by learning the numbers from one to ten, and ended in standard six with "factors, measure and multiples, vulgar fractions, decimals, square and cubic measure, percentages and problems."⁹³ In these basic subjects the material prescribed for Indian children corresponded to that taught to non-Indian children. Few concessions were made to the special needs of Indian children.

In other subjects taught to Indian children the Departmental curriculum shows that officials knew that Indian children needed to learn about non-Indian culture, particularly those facets which directly affected their lives. Teachers were instructed to begin with familiar subjects and move to unfamiliar ones. In "general knowledge," the teacher would begin by teaching children in the first standard "facts concerning things in school."⁹⁴ They then would learn about their immediate environment, the seasons, measures in common use, colours, things in the "animal and vegetable kingdoms" and how they grew.⁹⁵ In later standards, teachers would introduce unfamiliar ideas, the use of railways and ships, the processes used in the manufacture of articles in "common use," the furs and game laws, the Canadian systems of representation, justice, commerce and

⁹³Ibid., pp. 246-47.

⁹⁴Ibid., p. 246.

⁹⁵Ibid.

the exchange of products. In geography, introduced to the children in standard three, the teachers would begin with the "development of geographical notions by reference to geological features of the neighbourhood" and with lessons in direction, distance and extent.⁹⁶ Teachers were then to introduce the concept that the world was a ball surrounded by air and begin the study of maps using the immediate vicinity as the text. In standard five, pupils went on to study the county in which their reserve was located, their province, Canada and a few of the more important countries of the world.⁹⁷ In standard six, they learned more about the world. The study of history began in standard three with stories of the Indians of Canada and their civilization; then covered the history of the home province and, finally, the history of Canada. The Department did plan by these courses, the expansion of the children's general knowledge.

However, it had even greater ambitions; it wanted to inculcate the underlying values of non-Indian culture; to this end it included 'ethics' as a subject. The course of study directed teachers to begin in standard one by stressing the practice of cleanliness, obedience, respect, order and neatness; to continue this emphasis in standard two adding instruction on right, wrong and truth.⁹⁸ Then, in the third

⁹⁶Ibid.

⁹⁷Ibid., p. 247.

⁹⁸Ibid., p. 248.

and fourth standards the teachers moved to the value of independence, self-respect, industry, honesty and thrift; at this stage the teachers explained the reasons for proper appearance and behaviour which the children had been told in earlier grades were so important.⁹⁹ In the fifth standard, teachers discussed the citizenship of Indians, patriotism, industry, thrift, self-maintenance, charity and pauperism. In the sixth and final standard, the teacher compared "Indian and white life," continued teaching patriotism and introduced the evils of Indian isolation, the desirability of enfranchisement, labour as a 'law of life' and "the relations of the sexes" in home life, the work force and public life.¹⁰⁰ The Department gave its teachers the task of communicating as many non-Indian values as they could.

Reinforcement of the ideas taught in ethics was incorporated into classroom work in singing, religion and calisthenics, subjects in which all pupils participated simultaneously. For music, the course of study instructed the teachers to use songs and hymns that were "interesting and patriotic. In tunes bright and cheerful."¹⁰¹ In religious studies, the teachers gave lessons on scripture, the Ten Commandments and the story of Christ's life. To

⁹⁹ Ibid., pp. 248-49.

¹⁰⁰ Ibid., p. 249.

¹⁰¹ Ibid., pp. 248-49.

afford variation during work and to improve physique, teachers gave the students calisthenics, "exercise frequently accompanied by singing."¹⁰² The Department introduced these three subjects as part of the campaign to make the children resemble their non-Indian counterparts.

The Department's use of readers, spellers, arithmetic, geography and history books used in non-Indian provincial schools was another move to inculcate non-Indian ideas. Indian schools in eastern Canada used the books of the province in which the schools were located. In western Canada, Indian schools began by using books authorized in Ontario; gradually they replaced the Ontario texts by textbooks authorized for the province in which the school was located. In these non-Indian books, objects, events and customs referred to would be familiar to most non-Indian students but would not necessarily be familiar to Indian students.

Within the Department, officials did not agree that provincial textbooks should be used in Indian schools. One side said that these books were meaningless to Indians; the other side contended that Indian children should use non-Indian books in order to learn non-Indian ways. J. A. Macrae, Inspector of Indian schools in Manitoba, Keewatin and the North West pointed out the problems:

¹⁰²Ibid., p. 248.

A want is still felt in regard to text books, a series of reading books adapted to the understanding of pupils who are learning the language in which they read concurrently with reading itself is needed. The topics of the series that would be suitable are quite different to those of the ordinary ones in use in "English" schools. A text book for "English" would be a great help, especially to such teachers as find it difficult to originate wisely chosen lessons.¹⁰³

Macrae himself attempted to rectify the situation and wrote "a primer, designed specially for the use of Indian speaking children."¹⁰⁴ Since he had been an inspector for more than ten years, he knew from experience what would be best for Indian children; the Department would have been wise to accept his recommendations. But Hayter Reed believed the pupils should be taught to read in a European language and should be provided exclusively with books in that language:

At the outset the teachers have to face the difficulty of teaching through the medium of a language foreign to the pupil; and the use of the native tongue in the schools, for any purpose whatsoever, is one which I feel convinced should on no account be allowed. This objection extends to the supply of literature written in Indian dialects; because if the ideas and sentiments of white people are to be acquired it must be done by such contact as requires a thorough understanding of their language.¹⁰⁵

The Department accepted Reed's advice. As a result, Indian children continued to struggle through textbooks whose stories and references were meaningless for them.

¹⁰³Canada, Annual Report 1892, p. 187, J. A. Macrae.

¹⁰⁴Canada, Annual Report 1891, p. 97.

¹⁰⁵Canada, Sessional Papers (No. 12), 1890, p. 168, H. Reed.

To capture the pupils' attention, teachers needed adequate supplies and high quality interesting visual aids; the standardized texts required accompanying illustrative material. Alas, the quality and quantity varied. For non-Indian schools, local trustees provided supplies, maps, blackboards, books, furniture; the generosity of the trustees determined how well equipped the school would be.¹⁰⁶ But money for supplies for Indian schools in eastern Canada came from Band Funds, religious bodies, individuals or the Department. No one group had sole responsibility for providing supplies; as a result some schools might have no visual aids, no supplies, no equipment, while others might have more than enough. In 1876, the Deputy Superintendent General urged that the Department itself provide maps, books and apparatus for all Indian schools. The Department did provide some, but agents and teachers continued throughout the years to lament the absence of adequate materials.¹⁰⁷ In western Canada, the Department did provide everything and there was at least some uniformity. But the irrelevant curriculum, inappropriate textbooks and paucity of teaching aids all contributed to the students' lack of progress in the day schools.

One of the consequences of the children's lack of progress was the massing of pupils in the first two standards;

¹⁰⁶Hodgins, Documentary History of Education, p. 52.

¹⁰⁷Canada, Annual Report 1876, p. 5; 1881, p. 103.

a great many proceeded no further than this before leaving school. Of the two thousand one hundred and thirty-six Indian children enrolled in school in western Canada in 1890, one thousand six hundred and eighty-three were in standards one and two.¹⁰⁸

1,227	in standard 1
456	in standard 2
244	in standard 3
154	in standard 4
55	in standard 5

Since these figures included the residential schools where there were many older and more advanced students, it is apparent that most children had made and were making very limited progress. Hayter Reed, commenting on this fact, said "the large number in Standard No. 1 is owing to the fact that so many attend irregularly."¹⁰⁹ Although it was true that the children's lack of progress was partially explained by their attendance, there were other reasons why they failed to move ahead.

One important reason was that the children and their parents, not having the same values as their teachers, did not meet the teachers' expectations. Most teachers had come through the non-Indian educational system. They believed that education was important, that most children would master the basic skills of literacy, and that some children would go on to high school and to specialized training. Although

¹⁰⁸Canada, Sessional Papers (No. 12), 1890, p. 176.

¹⁰⁹Ibid., p. 168.

some Indian parents shared these general expectations, they did not accept the imposition of rules and the use of particular teaching methods, the means by which teachers traditionally moved their students from one grade to the next.

The teachers expected the children to come to school regularly, to arrive on time, to be clean and neatly dressed. Indian children did not come regularly. When they did attend, they arrived whenever they chose to appear; time-mindedness was not a characteristic of Indian society. Often the children were dirty and poorly clothed. A western agent described how teachers felt when they confronted dirty, ragged children;

The matter of clothing is important, it is difficult for a teacher to take an interest in dirty unkempt or not clothed at all (excepting breech clout and blanket) children.¹¹⁰

Of course, all Indian children did not come to school like this; probably there were greater differences between the so-called "civilized" Indians of eastern Canada and the "uncivilized" Indians of western Canada than there were between the Six Nations children of southern Ontario and the neighbouring non-Indian children. Nevertheless, across the country, clothing and cleanliness continued to be problems.

Once the children arrived at school, the teachers expected them to behave in an orderly, obedient fashion.

¹¹⁰Canada, Annual Report 1881, p. 116.

Indian children had not learned this type of behaviour at home and teachers found that the children resented the classroom restrictions. Furthermore, neither they nor their parents agreed that physical restraint or punishment should be used to maintain order:

Heredity has done much to overcome in white children the natural aversion to the monotonous work and confinement of school but Indian children not only possess this in its strongest form, but receive much sympathy from their parents, who dislike to compel their inclinations and to subject them to discipline and the possibility (at any rate so far as boys are concerned) they regard as the great indignity of personal chastisement.¹¹¹

When teachers had their pupils sitting quietly, they called upon individuals to recite lessons; they pitted students against each other; they urged the children to compete with one another for prizes or positions of honor. The teachers found these pedagogical methods ineffective; Indian children who had been taught to be cooperative, found competition alien and indicative of bad manners. Since they were very shy, they did not want to draw attention to themselves by reciting, particularly if the object of the recitation was to show that they excelled. The teachers were in an awkward position; finding that their traditional methods did not work, they did not know how to motivate the children. Teachers could not count on the pupils and parents sharing their values or accepting their teaching methods; this must have been

¹¹¹Canada, Annual Report 1897, p. xxvi.

disconcerting and not a little frightening for them. It certainly made teaching in Indian schools very difficult.

Not only in the classrooms did teachers face difficulties; living on the reserves created problems for them. The first was the difficulty of finding a suitable place to live. The second was their isolation, geographically and culturally. Indian reserves were usually remote from non-Indian settlement:

The difficulties are very great. The reserves are for the most part remote from white settlement and they are therefor not very desirable places of residence for teachers of white origin.¹¹²

The cultural isolation must have dampened the spirits of many teachers; they had to live in the midst of Indian communities where the majority spoke only an Indian language and followed a life style completely different from their own. Their social life was restricted to community and church events all of which took place in the Indian language. Department officials recognized the isolation of teachers on reserves and acknowledged the difficulty of getting non-Indian teachers. One of the officials said, "I fear it would not be easy to get qualified teachers, and ones acquainted with the Indian language, to live in such remote districts."¹¹³ Graduates of provincial teacher training institutions found little to attract them to reserve teaching.

¹¹²Canada, Annual Report 1882, p. xviii.

¹¹³Canada, Annual Report 1877, p. 23.

Indeed, the criterion for teachers in Indian schools established by the Department in 1880 shows that the Department did not expect to attract the best teachers:

Teachers shall receive their certificates from the County or District Board of Examiners . . . for some time to come . . . the standard of "High School Entrance" will be as high as is attainable.¹¹⁴

Even this standard was too high. Agent after agent wrote that the teachers were poorly qualified; that they did not meet even the minimal Departmental standards:

Her educational adquirements [sic] are not of the highest order, but probably she is the best available. She reads fairly and spells correctly. Her knowledge of arithmetic is very limited. She studied a little geography; but no grammar.¹¹⁵

.
The school is being taught by the same unqualified female teacher as formerly. She has promised to make an effort to pass the County Board examination at an early date.¹¹⁶

.
The teacher at the school at the Saugeen has been removed for incompetency but . . . her successor does not give much greater satisfaction.¹¹⁷

Of course there were exceptions; there were a few teachers who were well qualified. Of a Mr. Davis, it was said that his "educational qualifications are unquestioned; for

¹¹⁴Canada, Annual Report 1881, p. 87.

¹¹⁵Canada, Annual Report 1882, p. 142.

¹¹⁶Canada, Annual Report 1881, p. 3.

¹¹⁷Ibid., p. 4.

he not only holds a Provincial certificate, but is also a graduate of Cambridge, England." Of others, that "their [Mohawks of the Bay of Quinte] schools are fairly attended and the teachers are qualified to teach in the public schools of the province."¹¹⁸

However, these were exceptions; a great many teachers were poorly qualified. Most agents attributed the Department's inability to attract qualified teachers to its failure to pay good salaries. Teachers in the day schools were paid less than teachers in comparable non-Indian schools. In Manitoba in 1885, teachers in Indian day schools were paid \$300 a year; teachers in rural non-Indian schools were paid \$475.¹¹⁹ Salaries in the west remained at \$300 throughout the period: nothing was done to close the gap between Indian day schools and other rural schools. Many agents believed that these lower salaries explained the plethora of poorly qualified teachers in the Indian day schools. In 1877, an Ontario agent noted that "with few exceptions the teachers in this Superintendency are totally unqualified" and said that in order to "mitigate this evil a much higher salary must be paid."¹²⁰ The Inspector of Manitoba Schools wrote in 1880, "the services of competent teachers capable of

¹¹⁸ Canada, Annual Report 1882, p. 147; 1880, p. 18.

¹¹⁹ Canada, Annual Report 1885, p.176-87; Charles E. Philips, The Development of Education in Canada (Toronto: W. J. Gagevlo, Ltd., 1957), p. 552.

¹²⁰ Canada, Annual Report 1877, p. 20.

imparting instruction, are not always available at the inducement offered," and, eight years later, the same inspector said "it is . . . very difficult, if not impossible, to secure efficient teachers at the present salaries."¹²¹ In 1891, he expanded his comments by giving an idea of the comparable salary position of teachers in Indian and non-Indian schools:

It must be remembered that it is utterly impossible to secure at the present salary of three hundred dollars per annum offered for a daily average attendance of up to twenty-five pupils, the services of efficient teachers, . . . when they can easily obtain double the remuneration for conducting provincial schools where the enjoyment of kindred society, and all the advantages of civilization are available to them.¹²²

Furthermore, teachers in the Indian day schools ran the risk of not receiving their full salaries; in 1876 the Deputy Superintendent General had introduced an ingenious scheme tying teachers' salaries to average daily attendance and penalizing those teachers who did not maintain attendance. The Department found that the imposition of this scheme made it even more difficult to get good teachers:

It is difficult to secure the service of competent teachers at the salaries offered on account of irregular attendance of the pupils which reduces the daily average considerably below the maximum required, and hence the actual amount received is correspondingly diminished.¹²³

¹²¹Canada, Annual Report 1880, p. 50; 1888, p. 159.

¹²²Canada, Annual Report 1891, pp. 179-80, E. McColl.

¹²³Canada, Annual Report 1881, p. 87.

It seems inconceivable that the Department, placing as it did so much emphasis on education and being told repeatedly by officials that only the best teachers could overcome the many obstacles confronting teachers in the Indian day schools, could have failed to realize that there was a correlation between the salaries it offered and the calibre of teachers it was able to hire. It may be that the Department expected so little of the day schools that it was unwilling to offer higher salaries.

Or, it may be that the presence of clerics and Indians, who were prepared to teach school for the low salaries offered by the Department, lulled it into thinking that these two categories of teachers would succeed; that the Department would achieve its goals without spending more money. Certainly the presence of large numbers of teachers affiliated with religious denominations and of teachers who were Indians characterized Indian day school education in the years 1876-1896.

The clergy had a long history of involvement in Indian education. Although some viewed the schools as an extension of their missionary activities, others taught simply because no-one else was available:

Upon the retirement of the last teacher . . . the Rev. George Bruce Church of England missionary here, unwilling to see the school closed for want of a teacher, generously took to teach personally. . . . He has made this school the most important in my district [Manitoba Treaty 2].¹²⁴

¹²⁴Canada, Annual Report 1883, pp. 60-61.

Bruce was not alone:

Rev. Mr. Cochrane teacher of the lower school [St. Peter's Reserve in Manitoba] is a most efficient instructor, and has unquestionably the best school in the Superintendency.¹²⁵

These clergymen, who were also teachers, came from all denominations.¹²⁶ Many were not full-fledged clergymen; they were missionary licentiates; individuals with some religious vocation, hired by the churches to teach in the mission schools.

However, there was no guarantee that having a clergyman or missionary licentiate as a teacher would result in good teaching. In fact there were frequent reports of ineffective mission schools: "an Episcopal Mission school was opened last May, but the teacher's qualification is very limited"; at the "Methodist Mission School . . . the children are very backward. . . . The whole band complains of the inefficiency of the Mission."¹²⁷

All schools designated as mission schools were not, in fact, denominational:

Although nominally under the patronage of these religious denominations about one-third of them are actually non-sectarian as all the Indians are heathens where these schools are established and are therefore, averse to religious instruction.¹²⁸

¹²⁵Canada, Annual Report 1881, p. 101.

¹²⁶Canada, Annual Report 1882, p. 147.

¹²⁷Canada, Annual Report 1881, pp. 102, 107.

¹²⁸Canada, Annual Report 1888, p. 159.

The churches' operation of schools brought problems not found in non-sectarian schools. The first occurred when the Indians, particularly if they were pagan, objected to the establishment of mission schools and to the appointment of clerics as teachers:

They objected to mission schools being established on their reserves, as they did not wish their children influenced to forsake the religion of their fathers.¹²⁹

The aversion of non-Christian Indians continued for many years. In 1892 an inspector noted:

Those who are still pagan . . . entertain it [antagonism to education] . . . the latter rest their objections upon the feeling that the school and the church are allied and that it is adherence to the "faith of their fathers" which gives rise to unwillingness to send their children to the school house.¹³⁰

The inspector said that a great many more Indian children might be sent to school if the schools were non-sectarian.¹³¹

A second problem resulting from the churches' role in education centred around the religion of particular teachers. On most reserves, one church had been established and its clergymen resisted the introduction of a teacher of another

¹²⁹Canada, Annual Report 1881, p. 98.

¹³⁰Canada, Annual Report 1892, p. 188.

¹³¹Ibid.

faith.¹³² In Quebec in 1881, this attitude created a problem:

The Cornwall Island school was progressing very favourably under an Oka Indian teacher, but as he was a Protestant, the Missionary Father interfered, and as a majority of the Indians are Roman Catholics, his services had to be dispensed with, or, if they continued to send their children they would be deprived of church benefits.¹³³

In this case the church protested; the Indians were reported to be "pleased to have their children making good progress, no matter what the teacher professed in religious matters, which was [were] not taught at school."¹³⁴ In another case it was the Indians who objected to a teacher because of his religious affiliation; the "Indians in Council refused consent to Père Marcoux erecting a school . . . saying they did not wish to have different churches among them"; their refusal meant that a school was not built.¹³⁵

Although these clerical teachers created some problems in the day schools, their presence, along with the availability of a large number of Indian teachers, allowed the Department to staff many schools yet to continue paying low salaries. Occasionally the Department found a teacher

¹³²When western Canada was controlled by the Hudson's Bay Company, it decreed that in a given area there could be only one denomination. Similarly in much of the Maritimes and Quebec, the Roman Catholic Church was firmly established among the Indians.

¹³³Canada, Annual Report 1881, p. 14.

¹³⁴Ibid.

¹³⁵Canada, Annual Report 1884, p. 65.

who was both an Indian and a clergyman: "the school [Touchwood Hills in the North West] is now being conducted by Rev. Mr. Setter, a pure Indian, who is a clergyman of C.E."¹³⁶ However, most Indian teachers were not clergymen.

According to the agents, Indian teachers were numerous and often effective:

There are six schools among the Indian of this Agency, viz: two among the Oneidas, three among the Chippewas, and one among the Munceys, all taught by native teachers, with the exception of one.¹³⁷

.....
The school on the east of Walpole Island is well attended and appears to be well kept. The teacher is an Indian, and seems quite capable. . . . The schools at Kettle Point and the Sauble are taught by Indians.¹³⁸

.....
The Riding Mountain Band . . . their school is very well conducted by Mr. McVicar, an Indian student of Manitoba college, and those who attend are advancing rapidly.¹³⁹

Occasionally an agent opposed the employment of Indian teachers saying that they would speak the native languages and the children would not learn English or French:

¹³⁶Canada, Annual Report 1880, p. 90.

¹³⁷Canada, Annual Report 1881, p. 8.

¹³⁸Canada, Annual Report 1880, p. 15.

¹³⁹Canada, Annual Report 1884, p. 64.

Indian teachers are too prone to teach almost exclusively the Indian tongue. I am of the opinion that no material advance in the educational status of the children can be expected until intelligent White teachers are employed, and greater prominence is given to the English language in the schools.¹⁴⁰

This writer was in the minority; generally, agents and administrators accepted readily any teacher whether that teacher be male, female, Indian, non-Indian, clergyman, professional or unqualified; as long as the teacher went to the school and appeared to be achieving something, the Department was content. It found Indian teachers quite satisfactory.

In eastern Canada, many of those Indians who did teach had received some specialized teacher training at one of the four eastern residential schools. From the Mohawk Institute near Brantford, Ontario, the Superintendent reported in 1882:

Elam Barefoot, Isabella Lathem and Maggie Davis, successfully passed the High School "entrance" examinations at Christmas, and will now receive six months special training here as Indian school teachers; they are none of them old enough to take charge of a school yet, or I could easily provide them with appointments.¹⁴¹

In 1882, the agent for the Six Nations Indians noted that in schools where the teachers were graduates of the Mohawk Institute, "uniformity characterises the teaching and order."¹⁴²

¹⁴⁰ Canada, Annual Report 1877, p. 21.

¹⁴¹ Canada, Annual Report 1882, p. 235.

¹⁴² Ibid.

By 1884, the seven day schools on the Six Nations reserve were staffed with Mohawk Institute graduates.¹⁴³ The other residential schools also supplied teachers.¹⁴⁴ These Indian teachers may not have been as well trained as non-Indians who had completed high school and then studied at the provincial normal or model schools, but the Indian teachers had other advantages: they spoke the first language of their pupils; they bridged the cultural gap; and they explained the textbooks in terms that made sense to the children. Had the Department hired even larger numbers of Indian teachers, its day schools might have been more successful.

Although the number of day schools, the number of children enrolled, and the average daily attendance all increased during the twenty year period, the day schools were still not effective vehicles for transmitting the basic tenets of "civilization." The teachers were hampered by the children's irregular attendance, their inadequate command of English or French and their lack of interest in the curriculum. The Department, which offered low salaries and unpleasant working conditions, could not attract enough provincially-qualified teachers; it relied instead on unqualified teachers, particularly clergymen and Indians to fill the vacancies in its schools. But the Indian teachers seem to have

¹⁴³Canada, Annual Report 1884, p. 20.

¹⁴⁴Ibid., pp. 21-24.

been the most successful teachers. Generally, the Department expected very little of the day schools. The schools fulfilled these expectations.

3. Residential Schools

The residential school for Indian children was not a new phenomenon in Canada; but the government's use of it as the central pivot in its far-reaching campaign to change western Indians was new. The few residential schools established before 1878 housed very small proportions of Indian children. These schools had been sanctioned, inspected and even partly financed by the government. Officials had been satisfied to see a few select Indian children learning academic subjects and non-Indian skills; these officials had harboured no grandiose expectations about the effect these few educated children would have on the Indian population as a whole. In contrast, after 1878, the Department envisaged residential schools as instruments for radical change; it would build residential schools in the west and squeeze in as many pupils as possible. The Department, at first, hoped that graduates would leave their reserves and assimilate with the non-Indian population; when graduates failed to do this, the Department modified its expectations; it hoped that graduates would return to the reserves, support themselves, live like non-Indians and set the example for others.

Before embarking on its western residential school program, the Department took two steps; it decided to look

carefully at the four eastern residential schools; and it commissioned a study of American residential schools. These studies, one by the Department, one by Nicholas Flood Davin, had a tremendous influence on the residential school.

When the Department looked carefully at the four residential schools existing in Ontario before 1876, it found that they owed their distinctive characteristics to Egerton Ryerson, a formidable figure in early Canadian education for both Indians and non-Indians. Ryerson had started his first residential school for Indian boys in 1827. In 1847, he conducted for the provincial government a study of Indian education in which he made certain recommendations for its future course.¹⁴⁵ Ryerson, having considered various kinds of schools, had recommended that residential industrial schools would be most effective:

I would suggest that they be called Industrial Schools; they are more than schools of manual labour; they are schools of learning and religion; and industry is the great element of efficiency in each of these. . . . As to the objects of these establishments, I understand them not to contemplate anything more in respect to intellectual training than to give a plain English education adapted to the working farmer and mechanic. In this their object is identical with that of every common school.¹⁴⁶

Although Ryerson's goals might have been attained in day schools, he envisaged the enriched curriculum as more

¹⁴⁵ P.A.C., R.G. 10, file 202, 239, Ryerson's Report, 1847.

¹⁴⁶ Ibid., p. 73.

successful if it were implemented in residential schools:

The pupils of the industrial schools are to be taught agriculture, kitchen gardening, and mechanics, so far as mechanics is concerned with making and repairing the most useful agricultural implements. It is, therefore, necessary that the pupils should reside together.¹⁴⁷

As a devoted Methodist, he felt that only through religious training could the North American Indian be:

Civilized or preserved in a state of civilization (including habits of industry and sobriety) except in connection with . . . not only religious instruction and sentiment but of religious feelings.¹⁴⁸

Ryerson had also recommended that the government give financial support, provide for inspections, appoint clergymen principals and then leave them to run the schools. He did suggest that if the government required the principals to submit detailed reports once or twice a year and if it retained the power to withhold grants, "the paramount authority of the Government" would be guaranteed.¹⁴⁹ Ryerson's recommendations had been accepted; the churches did run the residential schools; the clergymen principals did submit regular reports; government inspectors did check the schools; and the government did help support the schools.

One of those four schools was the Mohawk Institute on the Six Nations Iroquois reserve near Brantford, Ontario.

¹⁴⁷Ibid.

¹⁴⁸Ibid.

¹⁴⁹Ibid.

It was founded in 1831 by the New England Company of the Church of England; it was modelled on English boarding schools and had "a plan almost exactly the same as that adopted in the boarding and day schools for farmers' sons in England."¹⁵⁰ In 1846, a contemporary traveller said of the Mohawk Institute:

The distinctive feature of it is, that the young people are taken from their parents, and boarded, educated, and clothed gratuitously, and trained to daily habits of devotion; and, as they grow up, taught various handicrafts.¹⁵¹

The school in 1876 still had an excellent reputation; it had had a series of dedicated principals, and a proud record of providing teachers for the Indian day schools.

In 1847, two years after Ryerson's report, Rev. Peter Jones, an Ojibway chief and minister of the Wesleyan church, had founded the Mount Elgin Industrial School, on the Carodoc agency near London, Ontario. Jones had been:

Commissioned by the Church in 1844 to visit England in search of the funds for the building. The Indians contributed to the project as well, especially in the gift of two hundred acres of land for the school at Muncey.¹⁵²

¹⁵⁰James Beaven, Recreations of a Long Vacation (Toronto: H & W Rowsell, 1846), p. 158. The New England Company also began schools in the Maritimes in the late eighteenth century, but these failed.

¹⁵¹Ibid., p. 53.

¹⁵²Elgie E. Joblin, The Education of the Indians of Western Ontario (Toronto: Ontario College of Education, 1947), p. 47.

Soon after this, the Roman Catholic Church established Wikwemikong on Manitoulin Island. Then the Church of England founded the Shingwauk Home near Sault Ste. Marie. By 1876, these four schools had an enrollment of about three hundred and sixty children.¹⁵³ The schools continued to thrive throughout the 1876-1896 period but no new residential schools were built in eastern Canada.

In addition to looking carefully at the eastern Canadian residential schools, the Department, before embarking on its expansion of education in the west, considered seriously the recommendations in Davin's Report on Industrial Schools. Davin had begun his Report with a summary of current American policy; he described it as having "the industrial school [as] the principal feature of the policy known as 'aggressive civilization'."¹⁵⁴ In 1869, President Grant had received recommendations for a policy of "aggressive civilization" from a congressional committee which had suggested that the following steps be taken:

The Indians should, as far as practicable, be consolidated on few reservations, and provided with "permanent individual homes"; that the tribal relations should be abolished; that lands should be allotted in severality and not in common; that the Indian should speedily become a citizen of the United States, enjoy the protection of the law, and be made amenable hereto; that, finally, it was the duty of the Government to afford the Indians all reasonable aid in their

¹⁵³ Canada, Annual Report 1881, p. 6; 1882, p. 230. There were ninety places at the Mohawk institute, eighty at Mt. Elgin, eighty to one hundred at Wikwemikong and ninety-six at the Shingwauk Home.

¹⁵⁴ Davin, Report, p. 1.

preparation for citizenship by educating them in industry and in the arts of civilization.¹⁵⁵

To achieve this last goal, the American government was establishing residential schools. Davin reported that the Indians themselves recommended that the Canadian government remove Indian children from their parents:

The chief thing to attend to in dealing with less civilized or wholly barbarous tribes was to separate the children from the parents. . . . The Indian Department . . . have not much hope in regard to the adult Indians, but sanguine anticipations are cherished regarding the children.¹⁵⁶

Davin approved of residential schools; he recommended that the Department proceed to set them up.

If the Department built residential schools, Davin wrote, it would have to decide whether to build and operate them itself or whether to erect the buildings and encourage interested churches to operate the schools. The American Commissioner of Indian Affairs had cautioned Davin that the churches might try to save money by underfeeding the children; nevertheless Davin recommended that the Department begin by constructing four schools, appointing the teachers and contracting the schools' management to the churches. E. McColl, the Manitoba inspector, disagreed with Davin:

¹⁵⁵Ibid., p. 7.

¹⁵⁶Ibid., pp. 2, 13.

It would be . . . most advisable that the institutions proposed be conducted on strictly non-sectarian principles, and that it be absolutely under the immediate direction and control of the Government.¹⁵⁷

But since Davin also urged that "the whole machinery . . . be carefully guarded against the suspicion of having any character of religious endowment" the Department accepted Davin's recommendation. John A. Macdonald, Superintendent General, writing in the Annual Report of 1880, indicated his approval.¹⁵⁸ By 1883, the Deputy Superintendent General was able to record in the Annual Report that an order-in-council had decreed that three new residential schools were:

To be established. . . . Battleford, where the house and premises formerly occupied by the Lieutenant Governor of the North-West Territories have been appropriated . . . another at or near Qu'Appelle and the third at High River, in the Blackfoot country.¹⁵⁹

Indeed in 1883, when the House was considering expenditures for the new schools, Hector Langevin, responding to Edward Blake's question about the purpose of the schools, described the experiment:

They [the boys] are taught there as in ordinary schools, to read and write, and arithmetic, as well as a trade of some kind - generally the cultivation of the soil; and when they leave school they receive a small sum

¹⁵⁷ Ibid., Appendix B, p. 17, Inspector E. McColl.

¹⁵⁸ Canada, Annual Report 1880, p. 8, J. A. Macdonald.

¹⁵⁹ Canada, Annual Report 1883, p. xi, L. Vankoughnet.

of money to enable them to buy implements and to engage in agriculture on their own account.¹⁶⁰

Blake agreed that the experiment was worthwhile but suggested that "the Indian, as a white man, is likely to have a better half. . . . If the hon. gentleman is going to leave the young Indian girl . . . to have the uncivilized habits of the tribe, the Indian when he marries such a squaw will likely be pulled into Indian savagery by her . . . you will have to civilize the wives."¹⁶¹ Blake had made his point. The Department opened its doors to girls. By 1884, these three new schools were operational.

But the Department did not stop with three; it continued to build new schools and by 1892 there were fifty residential schools. Because there was no consistent presentation of data in the Annual Reports, table 13 following is incomplete; however it may be said that the numbers of schools increased; and that the Department differentiated between boarding and industrial schools. Initially, the line between these two types of residential schools was not distinct. As late as 1891 a western inspector wrote:

No very marked line has yet appeared between the boarding and industrial schools. . . . Small children of too tender years for industrial training . . . and children physically unfit for training that requires strength, have been taken [into boarding schools].¹⁶²

¹⁶⁰Canada, Debates, May 21, 1883, p. 1377, H. Langevin.

¹⁶¹Ibid., H. Blake.

¹⁶²Canada, Annual Report 1891, p. 97, J. A. Macrae.

TABLE 13

RESIDENTIAL SCHOOLS: NUMBER AND ATTENDANCE 1889-1896

	1889	1890	1891	1892	1896
Industrial Schools	10	19	19	22	15
Daily Average Attendance	593	920	1,045		1,115
Boarding Schools	6	10	18	28	34
Daily Average Attendance	107	102	225		1,130
Total Number of Schools	16	29	37	50	49
Total Number of Pupils	700	1,022	1,270		2,602

SOURCES: Canada, Annual Report 1889, p. xii; 1890, p. xiii; 1891 p. xv,; 1892, p. 241; 1896, p. xxxvii.

The boarding schools usually took younger children, provided less industrial training and received smaller per capita government grants.

Once the Department had embarked on its western residential school building program, it had to solve a number of problems. Financing was one such problem. It was no great burden for the Department in the east. Money to operate the eastern schools came from several sources. The Department paid a grant per pupil, the churches contributed varying amounts and each principal worked out schemes to make money by using the children's labour and skills.

Edward Wilson, the principal of the Shingwauk Home, reported frequently, and always optimistically, on his school's financial situation. In 1879, he said his schools, with an enrollment of fifty-one boys and fifteen girls, had received a capital grant of \$1,200.¹⁶³ Three years later, he noted that the school master, matron and house manager were paid from the institution funds, the principal from church society funds and by friends in England, the carpenter and printer from the profits of their operations.¹⁶⁴ In 1884 he reported that the school had built a boat shop and a sash and door factory:

The money for starting this was raised chiefly by selling out our printing office and reducing our farm stock. The balance is borrowed from the Shingwauk Saving Bank at 6 per cent.¹⁶⁵

He stated that these new enterprises had been started to make money and to provide employment for the school's graduates.¹⁶⁶ In 1889, the school received another capital grant from the Department which it used to expand its business operations.¹⁶⁷ Wilson, in his detailed and informative accounts, expressed no feeling of want: the Shingwauk Home managed very well.

¹⁶³Canada, Annual Report 1879, p. 27.

¹⁶⁴Canada, Annual Report 1882, p. 231.

¹⁶⁵Canada, Annual Report 1884, pp. 23-24.

¹⁶⁶*Ibid.*, p. 24.

¹⁶⁷Canada, Annual Report 1889, p. 22.

W. W. Shepherd, principal of Mount Elgin, in 1891 said his school was prospering:

The proceeds of the farm and shops together with the amounts paid by the Department for each pupil (60) per annum, have been sufficient to cover all current expenses, and to assist in making large improvements.¹⁶⁸

Eastern schools were thriving; they needed only minimum financial support from the Department. And the Department did not need to interfere in the operation of these schools.

But the situation in the west was quite different. Since the Department had conceived the whole program, it had to provide almost all the financial support for the new residential schools. The existing boarding schools were paid for partly by the churches involved and partly by the Department's \$60 per pupil grant; the residential schools were totally supported by the government.¹⁶⁹ In all of these schools, the principals used the children's help to keep the costs as low as possible. The children did the daily work: the cleaning, cooking, sewing, gardening, tending livestock and caretaking. Then, once the pupils had learned marketable skills, they did more ambitious work to earn money for the schools. At the Battleford and Qu'Appelle schools, the pupils made furniture and did blacksmithing for the neighbouring reserves; at Elkhorn they operated a printing

¹⁶⁸Canada, Annual Report 1891, p. xxiii.

¹⁶⁹Canada, Annual Report 1888, p. xii.

press.¹⁷⁰ The children's work did help to keep costs down.

But even with the children's contribution, the schools were so costly that some Members of Parliament expressed alarm. Speaking in the House during the estimates debates in 1889, Richard Cartwright expressed concern about the item, "Industrial Schools . . . \$128,994" and inquired about the capital costs.¹⁷¹ Edgar Dewdney gave the per capita costs: "The Qu'Appelle school . . . \$78 per head; Battleford \$233 . . . St. Joseph's school . . . \$231 per head."¹⁷² He pointed out that though the costs seemed exorbitant, they "compare favorably with expenses for similar institutions in the United States."¹⁷³ In the next few years, Opposition Members continued to complain of the high cost of the industrial schools; the Conservatives continued to assure them that they were doing everything they could to keep expenses as low as possible.

The location and condition of the schools were two of the factors which determined the annual expenses and they varied considerably. Initially, in the east, the four residential schools had been built according to the availability of funds and the personal preferences of the individuals in charge. Usually there was a large main building

¹⁷⁰Canada, Sessional Papers (No. 15), 1888, pp. 195-96.

¹⁷¹Canada, Debates, April 10, 1889, p. 1177, R. Cartwright.

¹⁷²*Ibid.*, E. Dewdney.

¹⁷³*Ibid.*

which housed the children and the classrooms, several outbuildings for the trades, land devoted to the farming operations and an area set aside for the children's playground. The following description of the growth of the Shingwauk Home at Sault Ste. Marie gives some idea of the way that the physical plant had developed:

Beginning with a frame building and some 17 or 18 children in the autumn of 1873, we have now, January 1882, two large stone buildings and 76 pupils . . . the Wawanosh Home for Indian girls, stands on 15 acres of land, 12 of which are under cultivation, and is surrounded by four outbuildings viz, laundry, laundress' cottage, girl's playhouse and stables. The Shingwauk Home stands on 90 acres of land about 18 of which are under cultivation, and is surrounded by five outbuildings.¹⁷⁴

And in 1881 the principal of the Wikwemikong School on Manitoulin Island had noted that they were expanding their facilities, but that the emphasis would still be on agricultural training.¹⁷⁵ He said, in a later report, that Indian labour was used when new buildings were being constructed.¹⁷⁶ All the four schools were solid, substantial institutions; their form had been decided by their churches and their principals; government had had no responsibility.

Nor had government had any responsibility for the existing schools in the west. Their locations had been chosen by the creators of the schools. Some of these were

¹⁷⁴Canada, Annual Report 1882, p. 230.

¹⁷⁵Canada, Annual Report 1881, p. 6.

¹⁷⁶Canada, Annual Report 1895, p. 18.

not satisfactory. In fact, in later years when the very existence of the industrial schools was questioned, one of the criticisms was that many of these schools had been built in unhealthy locations and had been designed without adequate attention being paid to ventilation and sewage disposal. The Department, as it began its western residential school program, decided that the schools would be built off the reserves. Hector Langevin explained the reason for this decision in the House in 1883:

If these schools are to succeed, we must not have them too near the bands, in order to educate the children properly we must separate them from their families. Some people may say that this is hard but if we want to civilize them we must do that.¹⁷⁷

Once the schools were built, the Department needed principals who were men of strong character and firm resolve; it needed men who knew what they wanted the schools to achieve and would set out to attain those goals. The principals' annual statements included in the Annual Reports of the Department provide a picture of the principals and of their schools. One of these principals, Reverend Edward Wilson of the Shingwauk Home, was in many ways typical of the eastern principals. Wilson was a strong forceful English immigrant who had definite ideas on almost every subject; every facet of his school reflected these opinions. Some of his ideas he had gleaned from visits to Indian schools in the

¹⁷⁷Canada, Debates, May 21, 1883, p. 1377, H. Langevin.

United States.¹⁷⁸ Once he accepted an idea he not only incorporated it into his own operation but also wrote about it enthusiastically and at length in the Annual Report. He believed that if the children were treated with fairness and kindness, as he treated his own wife and ten children, they would eventually take their place in non-Indian society. He was an assimilationist;

We have pursued, for the most part, a wrong method. The idea has been to keep the Indian as an Indian. What we need to do, on the contrary, is to have him cease to be an Indian as soon as possible. It may not involve a . . . change of skin, but it must involve a change of life and habit.¹⁷⁹

Wilson, perceiving himself as the agent responsible for changing Indian children into civilized Christians, set about this task with vigour. He was typical of the eastern residential school principals: opinionated, dedicated and confident that his course was the right one.

The principals in western Canada did not have the same opportunity to leave such distinctive marks on their schools. The newness of the schools, the difficulties inherent in their inauguration, the problems of the early years and the degree of standardization imposed by the Department all contributed to greater uniformity; the principal became more of an administrator and less of a

¹⁷⁸Sault Ste. Marie Our Forest Children, vol. III, no. 4, July 1889.

¹⁷⁹*Ibid.*, vol. IV, no. 3, June 1890, "What Next for the Indian."

creator. Although individual principal's names are not associated as closely with western schools as they are with eastern schools, the fact that so many of the schools prospered and that the pupils did well indicated that the Department found principals who were men of strong character and firm resolve, men who made the schools work.

Staffing the residential schools was less difficult than staffing the day schools. Teachers were attracted by the knowledge that they would not be isolated, by the idea of pleasant working conditions and by the guarantee that they would be paid their full salaries because attendance was assured. They did face a cultural and linguistic gap between themselves and their pupils; however, the immersion nature of the residential schools insured that most children would be clean, neat, able to speak English and, superficially at least, able to understand the teachers' instructions.

But persuading parents to enroll their children in the residential schools was even more difficult than persuading them to enroll them in the day schools. Parents were loth to send their children to residential schools; and, once recruited, the children were loathe to stay very long. The principals of the institutions had to go out to the reserves to recruit their own students. Even in eastern Canada, where the schools had been established for years, the principals still had to recruit. In 1888, Edward Wilson, principal of the Shingwauk Home, complained:

These Indians who are well advanced in civilization and comparatively well off, are generally glad to get their children into a school where they will be clothed and fed without any charge; but the poorer and less well advanced, whose children it is more desirable to get, are indifferent about education . . . and if sent to an institution . . . will take them away again on the merest pretext . . . the children of wild Indians . . . it is almost impossible to get except by bribes or money or presents, a system to which I utterly object.¹⁸⁰

Most principals found recruiting an onerous and odious task.

Wilson spoke for many of them when he said:

It ought not I think be necessary for the Superintendent of an institution to be going around seeking, and in many cases, begging, and often begging in vain, for pupils from indifferent, obdurate, and often opposing parents.¹⁸¹

The principals in the west had even more trouble recruiting than the principals in the east. Initially, they adopted the plan of;

Commencing with orphans and children who have no natural protectors. . . . We must count on judicious treatment of these children by the principals and teachers of the institutions eventually to do away with the objections of the Indian parents to their children being placed under their charge.¹⁸²

Once a number of schools had been established, principals began an interdenominational rivalry to procure children. Each new pupil was a victory for one denomination: every

¹⁸⁰Canada, Annual Report 1888, p. 21.

¹⁸¹Ibid.

¹⁸²Canada, Annual Report 1883, p. xi.

new child meant more government grants. The Toronto Mail of June 20, 1891, reported bitter acrimony between the Presbyterians and the Roman Catholics in the North West; the Presbyterians were accusing Reverend Father Hugounard of paying an Indian mother \$8 to register her boys at his school when the children were already registered at the Presbyterian Round Lake boarding school.¹⁸³

After the western schools had been operating for a number of years, the principals found that the recruiting problems were increasing. Indian parents were not happy with the results of residential school education:

When the pupils began to return after having been from 4 to 9 years resident and not able to talk English intelligently they began to reason among themselves and ask what good is this education doing either to the child or to us.¹⁸⁴

The parents questioned not only the academic results but also health conditions in the schools. They saw perfectly healthy children going to schools, contracting tuberculosis or some other dreaded disease and dying at school or on their return home.¹⁸⁵ Death was much too high a price to pay for an education that many Indians believed unnecessary in the first place.

Educators believed the children needed several years of residential schooling to achieve the objectives laid out

¹⁸³P.A.C., R.G. 10, file 78,880; Toronto Mail, June 20, 1891.

¹⁸⁴Ibid., file 112,220, March 31, 1899.

¹⁸⁵Ibid.

for them: mastery of academic and technical skills; observance of non-Indian customs; and the transformation from acceptance of Indian values to adherence to non-Indian values. At the Shingwauk Home the total program took five years: for the first three years the students attended classes; in the last two, they were apprenticed to tradesmen in Sault Ste. Marie but continued to live at the school.¹⁸⁶ Western industrial schools kept the children for four years; boarding schools took them for as many as seven years.¹⁸⁷

But educators found it difficult to keep the children at school for the prescribed periods. If they allowed the children to go home for holidays, they often failed to return. And principals differed in their approach to the problem of maintaining sustained attendance. The principal of the Wikwemikong School on Manitoulin Island left the decision to the parents: "no binding engagement prevents the parents from taking their children to themselves when they prefer to have them with them."¹⁸⁸ At Mount Elgin, children leaving without permission were not permitted to return but the enforcement of this policy distressed the principal:

Although it is a regulation of the Institution that all pupils leaving without the permission of the principal are considered dismissed and will not again be admitted, yet this is not found to be a sufficient penalty to keep them from going at certain busy seasons

¹⁸⁶Canada, Annual Report 1884, p. 23.

¹⁸⁷Canada, Annual Report 1897, p. 217. Boarding schools took the children from seven to fourteen and industrial schools from fourteen to eighteen.

¹⁸⁸Canada, Annual Report 1881, p. 6.

. . . This occurs sometimes when a few months should enable them to pass for the High School.¹⁸⁹

Writing in the Annual Report in 1884, he suggested two policy changes which he thought would improve the situation. First, he said:

All parents and guardians (as a condition of their children being admitted to the advantages of the institution) sign articles of agreement binding the parents . . . to continue . . . the full term of the agreement.¹⁹⁰

Secondly, he asked:

Would it not be an additional inducement to the pupil to fulfil the terms of agreement if the Department would retain the annuity money during all the years of Institution life, to be refunded to the pupil with interest, upon the production of a certificate from the principal showing that the terms of the agreement had been fulfilled.¹⁹¹

He also suggested that the children who passed the high school entrance examinations should be subsidized to attend high school:

If each pupil who succeeds in passing the entrance examination . . . could have the promise of six months or one year at the school free of charge would it not be a great incentive to study and remain at the institution . . . fifty dollars per half year would settle the account.¹⁹²

¹⁸⁹ Canada, Annual Report 1884, p. 17.

¹⁹⁰ Ibid.

¹⁹¹ Ibid.

¹⁹² Ibid.

These very practical suggestions from a man anxious to see the children stay in school as long as possible were not implemented. At the Mohawk Institute, the rules for attendance were also stringent:

All pupils are now admitted on written agreements that they shall remain for not less than two years and without any vacation; that those who go home upon the completion of their term must, if they wish to re-enter, make application within thirty days. By this system undesirable characters are eliminated and those only who are deserving are readmitted.¹⁹³

Excluding "undesirable characters" was only possible in the east where the schools provided an elitist education.

Western schools also had problems keeping the pupils at school. The principal of the Qu'Appelle school summed up parents' objections to sending the children and to letting them stay in school when he wrote,

We succeed every year in getting new Indians to bring in their children; but they object to the distance from the reserves, to their children being obliged to work, and to not being allowed to use their own medicine on the children when [they are] sick.¹⁹⁴

The Department did try to overcome this problem by refusing permission for students to return home for holidays; however, the result of this policy was that many simply left, never to return. Keeping the children in both eastern and western schools was a serious problem.

¹⁹³Canada, Annual Report 1891, p. 246.

¹⁹⁴Canada, Annual Report 1889, p. 131.

Once an Indian child entered residential school he was totally immersed in non-Indian culture. Administrators and principals believed they were removing the child from "the degrading influences surrounding him in his wretched home" and providing him with "the most favourable influences for his mental and physical development."¹⁹⁵ They intended to change almost everything about the child; their policies were meant to destroy the old and inculcate the new. Their program began by changing the child's name; the child was often not even aware that this had happened:

In 1886, at the age of twelve years, I was lassoed, roped and taken to the government school at Lebret. Six months after I enrolled I discovered to my chagrin that I had lost my name and an English name had been tagged on me in exchange. The interpreter explained . . . you were asked your name . . . the principal remarked that there were not letters in the alphabet to spell this little heathen's name and no civilized tongue could pronounce it. "We are going to civilize him, so we will give him a civilized name."¹⁹⁶

And children were shocked by the schools' instant assault on their bodies. They were immediately given a bath, a delousing, a haircut, institution clothes, towels, bedding, toilet articles and assigned to a bed and a locker. The children, not understanding the reasons for these changes, interpreted them in terms of their own culture:

¹⁹⁵Canada, Annual Report 1881, p. 81.

¹⁹⁶Dan Kennedy, Recollections of an Assiniboine Chief (Toronto: McClelland & Stewart, 1972), p. 54.

They went to work and cut off my braids, which, incidentally, according to the Assiniboine traditional custom, was a token of mourning - the closer the relative, the closer the cut. After my haircut, I wondered in silence if my mother had died, as they had cut my hair close to the scalp. . . . If this was civilization, I didn't want any part of it.¹⁹⁷

The very first meal shocked the students' stomachs; a drastic change of diet was in store for them. Gone were the game, the fish and the wild berries they knew; in their place appeared strange non-Indian porridge, salt pork, white bread, mutton, potatoes and starchy puddings. Disappearance of their accustomed diet, their casual living habits, even their own names, cut at the very psychological and cultural roots of the Indian children. The Department was so determined to turn the children into non-Indians that it ignored the cruelty it was imposing on the children.

Another shock to the children was the use of time. They had to conform to a daily schedule. Routine had, of course, played no part in the children's early life; but at school it was very important. Edgar Dewdney wrote:

The value of time is practically exemplified . . . in the classroom, at recreation, or in any fatigue work which he may be required to perform, by the recurrence every day of the hour at which each duty has to commence. . . . The importance . . . of such instruction cannot be overestimated as innate in him, inherited from his parents, is an utter disregard of time, and ignorance of its value.¹⁹⁸

The clocks and bells of school life replaced the freedom of

¹⁹⁷ Ibid.

¹⁹⁸ Canada, Annual Report 1889, p. xi.

the children's home life.

Learning to communicate in a new language must also have been a disturbing experience for the children. The Department wanted them to learn English as quickly as possible. But principals varied in their reactions to this regulation. In 1890, the principal of St. Joseph's Industrial School in Alberta said that Blackfoot children were unwilling to speak English; he had not forced them because "my conviction is that it would be unsafe to use severity to this end."¹⁹⁹ He did not elaborate; whether he feared the wrath of the students or their parents is not clear. At Wikwemikong, the principal wrote that getting the children to speak English had been very hard:

We notice particularly among the larger boys the use of the English language in recreation hours. It has required great and constant effort to obtain this result. It had seemed almost impossible to break their obstinancy or conquer their natural shyness.²⁰⁰

Principal Edward Wilson of the Shingwauk Home had succeeded in making English the language of the boys. He proudly reported that:

Not a word of Indian is heard from our Indian Boys after six months in the institution. All their talk among themselves, while at play is in English. Even those who knew not a word of the English tongue when they came to us last fall, now talk nothing

¹⁹⁹Canada, Annual Report 1890, p. 90.

²⁰⁰Canada, Annual Report 1889, p. 20.

else among themselves. We bring this about principally by great strictness - sometimes punishing heavily any old boy who presumes to break the rules.²⁰¹

Punishing heavily, particularly if this meant corporal punishment, shocked the Indian children and their parents; the imposition of a régime by strict discipline and punishment was an alien concept. Although Wilson had referred to punishing heavily, he and other principals and officials realized that other methods were more effective. At the Battleford Industrial School, discipline was played down:

The design of the management is not to encumber the child with more rules and regulations than can easily be kept by a reasonably good child, and to make them feel that the institution is a cheerful home and not a prison, as at first the Indians feared it would be.²⁰²

Edward Wilson, intent on his campaign to change the children, could not accept such an easy-going approach; he initiated the novel scheme of judgment and discipline by peers:

In order to put a check on petty thieving and wanton destruction of property, I instituted a court of trial and appointed three of our senior boys as constables. Any boy suspected now of thieving is arrested by a constable armed with a warrant from some member of my staff . . . and is placed in the lock-up. As soon after as convenient he is brought before me for a trial, a jury of six boys listen to evidence, give their verdict and recommend the punishment. A great change for the better is observed.²⁰³

The use of pupil juries was a departure from autocratically

²⁰¹Canada, Annual Report 1884, p. 24.

²⁰²Canada, Annual Report 1889, p. 296.

²⁰³Canada, Annual Report 1881, p. 26.

imposed discipline. But corporal punishment continued to be used. The Inspector of Manitoba Indian Schools commented on the Indians' rejection of the idea of corporal punishment:

The order and discipline of pupils depend altogether upon the controlling influence of the teacher in charge . . . when . . . corporal punishment is resorted to, invariably . . . the children and their parents are neither edified nor interested in school matters.²⁰⁴

Whether its imposition was severe or kindly, discipline in any form was foreign to Indian children. The concept did not exist in Indian culture. In Indian families, "children receive much sympathy from their parents, who dislike to compel their inclinations and to subject them to discipline."²⁰⁵ School discipline, particularly corporal punishment, was a shock to the children; it was incompatible with the values they had learned at home.

Discipline may also have been used occasionally to force unwilling children to perform the demanding and tiring manual work of the institutions. At the Shingwauk Home, the boys worked in a para-military fashion:

The working hours for the boys are from 6 to 7 and 7:30 to 8 a.m., and 5 to 6 p.m. They wear tin badges on their arms while on duty and are not allowed to play while their badges are on.²⁰⁶

²⁰⁴Canada, Annual Report 1896, p. 105.

²⁰⁵Canada, Annual Report 1897, p. xxvi.

²⁰⁶Canada, Annual Report 1884, p. 23.

The boys' duties varied:

The senior boy is captain and he has two subalterns, and these take turn about in superintending the boys at their outdoor and other work.²⁰⁷

Since the school's staff comprised only a school master, a matron and an Indian servant,

The boys do most of the scrubbing, washing dishes etc; also, chop wood, draw water on a tramway from the river, attend to farm and garden work etc.²⁰⁸

The boys' duties changed weekly. They received, "a little pocket money if they work well."²⁰⁹ Western schools also made use of the boys' labour. Gilbert Wuttenee, a graduate of the Battleford Industrial School, recalled that the school conducted extensive farming operations; children attended classes in the morning, then worked on the farm in the afternoon.²¹⁰ Wuttenee had vivid memories of the whole school, at haying time, tenting in the fields. He said that the experience had been so unpleasant that he never again camped out with any enjoyment.²¹¹ On the other hand, he was convinced that he had succeeded at the many and varied occupations he had pursued in his long life because of the

²⁰⁷ Ibid., p. 22.

²⁰⁸ Ibid.

²⁰⁹ Ibid.

²¹⁰ Conversation, April 1969, with Gilbert Wuttenee, a Cree from the Saskatchewan Red Pheasant reserve, who attended Battleford Industrial School at the turn of the century.

²¹¹ Ibid.

training and experience he had received at Battleford.²¹² The manual work of the students made a real contribution to the schools; it helped keep the costs down. This work also taught the students non-Indian skills; if, as adults, the boys used these skills, they could support themselves. The whole work program was one of the most useful aspects of the Department's educational program.

Following the maxim that all work and no play would not produce well rounded individuals, the principals allowed the children organized recreational activities and some free play time. Organized activities created opportunities to further the "civilizing" of the children. Sports, brass bands and after-school clubs abounded. The Battleford Industrial School emphasized games:

The [teachers] gain their confidence by entering into their little lives, engaging with them during the hours of recreation, in sports and passtimes, such as cricket, basefull, boxing, swings, lawn tennis, croquet. Their object is to make the children feel that they are not different from white children; and, by interesting them in these games, to wean them from their wild habits and traditions.²¹³

The Inspector of Schools, J. A. Macrae, noted the non-Indian character of the games at Battleford:

A noticeable feature of this school is its games. They are all thoroughly and distinctly "white." The boys use the boxing gloves with no little science, and excellent temper, and play good games of cricket

²¹²Ibid.

²¹³Canada, Annual Report 1889, p. 296.

and football, with great interest and truly Anglo-Saxon vigor. The girls dress dolls, make fancy articles of dress, and play such games as white children do. From all their recreation Indianism is excluded.²¹⁴

Brass bands, important in many institutions, sometimes played at such non-Indian gatherings as the North West Territories Territorial Exhibition in 1895 in Regina. The press reported enthusiastically on the bands' performances;

The brass bands belonging to the Qu'Appelle, St. Joseph's (High River), Regina, and St. Albert Schools supplied nearly all the music at the Fair, and won universal praise for the excellence of their playing, their time and attack being admirable especially considering the fact that they were only Indian lads from ten to eighteen years.²¹⁵

After-school clubs originated at the Shingwauk Home. Principal Wilson had picked up the idea from the Carlisle Indian School in Pennsylvania. Concerned about broadening the children's knowledge of the world and their understanding of Christian doctrine, he formed a club to promote the development of the pupils' minds and their practice of and adherence to the moral tenets of Christianity. He wrote in the Annual Report:

About a year ago we formed an "Onward and Upward Club." The idea is to encourage self-reliance in speaking in English, to draw out the thinking powers of the pupils and to create in them an interest in what is going on in the world while at the same time making

²¹⁴Canada, Annual Report 1888, p. 146.

²¹⁵Canada, Annual Report 1895, pp. xxiii-xxiv.

religion the basis on which all else must rest. While the meetings are in progress those who wish to, do engage in some handy work, such as netting, carving picture frames etc.²¹⁶

Other schools soon began organizing after-school clubs. Combined with the children's learning scriptures, saying prayers and attending church, the club promoted the children's Christian development. This was an essential part of the "civilizing" of the Indian.

The children did have time for free play too. Gilbert Wuttenee said that in spite of school work, manual work and organized recreation, the children at Battleford had time to play. He admitted that they enjoyed organized sports; but they enjoyed, too, many distinctly Indian activities including fishing, snaring and hunting with bows and arrows. He described one Indian skill which they particularly enjoyed. The boys would plaster long willow switches with mud, making them into deadly catapults and then proceed to kill gophers with great accuracy.²¹⁷ That the boys were allowed to continue to do some things they had done before they started school was good; they were not forced to discard everything of their past.

The principals, realizing school should be enjoyable, took special care to make holidays festive and fun-filled. Christmas at the Shingwauk Home was a joyful day. The

²¹⁶Canada, Annual Report 1888, p. 22.

²¹⁷Gilbert Wuttenee, Conversation, April 1969.

children had a large decorated tree, they were visited by Santa Claus and they received several presents. Christmas dinner was a feast to rank with the best Victorian dinners. Again, on New Year's Day, the children celebrated; they were given three presents; they were all weighed and measured; and, those who had increased the most in weight and height were given prizes.²¹⁸ Observers at other schools wrote of equally festive celebrations and said that the children really enjoyed themselves. At least at holidays Indian children were given some indication that non-Indian life was not all virtue and hard work; that celebrations and merry-making also had a part in the non-Indian culture.

Holidays, however, occurred infrequently; most days were spent in the classroom. The curriculum was the standardized one imposed in 1880. In 1894, the principal of St. Joseph's School wrote:

The program of studies is followed closely and a time-table constantly kept on the wall shows the time allotted to each subject. A good deal of attention is paid to calisthenics.²¹⁹

The children in many schools though, were not expected to excel academically:

What we may reasonably expect from the generality of children, is certainly not to make great scholars of them. Good and moral as they may be they lack great mental capacity.²²⁰

²¹⁸ Sault Ste. Marie Our Forest Children, vol. III, no. 11, February 1890.

²¹⁹ Canada, Annual Report 1894, p. 144.

²²⁰ Canada, Annual Report 1883, p. 96.

But Edward Wilson of the Shingwauk Home, disagreed with the assumption that Indian children had limited academic potential; he constantly pushed his pupils to achieve. He placed great emphasis on the complete mastery of English and on the memorization of masses of information.

In the Annual Report of 1882, Edward Wilson described the levels of work which his students had reached on their examinations:

Three senior boys were examined in geography, grammar, arithmetic, English, history, Euclid, algebra, Latin and a little Greek. Twelve boys and seven girls in reading, spelling, dictation, arithmetic, geography, grammar and English history - the girls omitting the last two subjects and taking sewing, knitting etc. Fourteen more boys and seven girls brought up the second reading book, spelling, dictation, arithmetic, and a little elementary geography. The rest of the school was only commencing to read, and write on slates.²²¹

He illustrated the kind of examination administered by reporting that the examiner had asked a geography candidate to locate Aden, Pondicherry and Singapore and a history student to describe the life of Edward VI.²²² Wilson classified the children according to their examination success:

For each year of residence . . . a child must take 100 marks in order to be a victor, 80 marks to be an aspirant, and those who receive less than 60 . . . would be counted as lags.²²³

²²¹Canada, Annual Report 1882, p. 231.

²²²Ibid., p. 232.

²²³Ibid., p. 231.

Of twenty-six children examined in 1882, twenty-one were victors, twenty-three aspirants, twenty-five below the mark, ten lags.²²⁴

Wilson encouraged the children not only to excel in their internal examinations but also to compete outside the school. He persuaded Trinity College School, a boys' private school near Port Hope, Ontario, to take one of his boys as a student. He wrote in the 1886 Annual Report:

About the first week in May I sent our senior pupil . . . to Trinity College School, Port Hope. This I did at my own expense, just for one term, as an experiment, and in order to prove to those who are sceptical about the intellectual powers of Indians, that an Indian boy is as capable of acquiring knowledge as a white boy . . . the headmaster . . . writes . . . "we are all very pleased with him in every respect . . . I shall be very glad if you can manage to have David sent back to us."²²⁵

Wilson was an uncommon principal: others set their sights much lower. They were content if their pupils acquired the rudiments of elementary education and some mastery of domestic skills.

In addition to their academic work, industrial school pupils learned one or more of the following trades: farming, carpentry, shoemaking, blacksmithing, tinsmithing, printing, tailoring, baking, mechanical engineering and teaching.²²⁶ The voluble Edward Wilson in 1882 summarized the goals of

²²⁴Ibid.

²²⁵Canada, Annual Report 1886, p. 18.

²²⁶Canada, Annual Report 1895, p. xxiii.

industrial school program when he wrote that;

One of the great objects . . . is to fit the Indian children for gaining their livelihood when they grow up after the manner of white people. So, with this object in view, the girls are thoroughly trained in housework, cooking, baking, and laundry work, and the boys, after spending about two years steadily at school, in their third year commence learning a trade, and during the last two years of residence rank as apprentices.²²⁷

Some apprentices, notably those wishing to be carpenters or printers, learned their trade in work shops at the school; others, apprenticed to tailors, blacksmiths, tin-smiths, boat or harness makers in Sault Ste. Marie, walked into town each day. He wrote that "Every morning about 7 am. the boys may be seen starting . . . with their dinner cans, they are away the whole day and return home about 6 o'clock."²²⁸ Local craftsmen who had Indian apprentices were pleased with their work; Wilson included many of their letters in his reports to the Department.

The apprentice system was introduced in the west in 1888. Indian Commissioner Hayter Reed wrote, in 1891, that the "number sent out must necessarily be few at first, because the children are taken into the schools at a comparatively early age, and time must elapse before many of them are strong enough to be sent out to work"; he was confident that the system would succeed:

²²⁷Canada, Annual Report 1882, p. 232.

²²⁸Ibid.

It appears at first to be of a philanthropic character, but will ere long pass beyond that state, and schools will be applied to for help because it is wanted. These Indian apprentices work faithfully and continuously. Having few companions or acquaintances they are not inclined to ramble. They are particularly honest, their manner is grave and they possess a decided sense of personal dignity. Their movements are deliberate, and they lack a quick response to directions and remarks. These deficiencies are however in no instance vital and are only such as belong to the Indian character itself as measured by the standards of the whites.²²⁹

This description might equally well have been applied to work horses. Reed believed that the apprentice system not only provided the young Indians with experience but that it also demonstrated Indian virtues to non-Indians. He thought the young people's supervised movement into the non-Indian community would help to solve what he called the "Indian question," the need to amalgamate Indians and non-Indians.

Indeed, preparation for assimilation was one of the purposes of education. Wilson, in the 1882 Annual Report, spoke of the need for assimilation:

It surely then would be far better that increased facilities should be afforded to the rising generation of Indians to engage in occupations for which they are so well fitted, than that they should be left to idle away their time in a semi-civilized half-gypsy, sort of existence. . . . His Excellency the Marquis of Lorne, who visited the Institution last summer . . . expressed his belief that . . . encouraging them to throw off their Indian habits and amalgamate with the white population was the right course. . . . The Earl of Dufferin, who laid the foundation stone . . . in 1874, expressed almost exactly the same view.²³⁰

²²⁹ Canada, Sessional Papers (No. 18), 1891, p. 138.

²³⁰ Canada, Annual Report 1882, p. 233.

His ultimate hope for the future was that while:

Making it our first object to teach our Indian boys and girls the great truths of religion, and to train them in the ways of God, we also look forward to the day when the undeserved reproach of the race will be removed, and they will take their stand on an equal platform with their white brethren.²³¹

Wilson fervently believed that the Indians were just as competent, just as capable of progress as anyone else. Edgar Dewdney had the same attitude; he cited the children's achievements at school as proof:

The transformation also in the appearance and manners of the children, who have been for even a comparatively brief period the subjects of these civilizing and elevating influences [the schools] is of itself proof that the advancement of the Indian race is feasible.²³²

Dewdney believed, too, that the graduates should not return to the reserves; he thought they should assimilate:

The injury received by those who return to the reserves in renewing their old associations, is not calculated to be much greater than and to outweigh any benefit conferred upon the other members of the bands. . . . it would seem . . . advisable that every possible legitimate means should be used to prevent those whose education in an industrial or high school has been completed from returning to the reserves.²³³

In 1891, three years after Dewdney had made these remarks and after the Department had been engaged in its western industrial school program for eight years, Richard

²³¹Ibid., p. 234.

²³²Canada, Sessional Papers (No. 15), 1888, p. lxxix.

²³³Ibid.

Cartwright asked Edgar Dewdney for a progress report. He wanted to know "how far the experiment of educating, Christianizing and civilizing the Indians has been a success."²³⁴ Dewdney provided a description and an assessment of the western schools:

We only started our industrial schools a few years ago, and a large number of those who went into [them] as children are still there. They are taught housework, needle work, knitting and the sewing machine . . . the Indian girls at Qu'Appelle . . . make all the clothing required for the children. We supply them with material, and they cut out the boys' pants and coats and make them there. We have not yet been able to place many outside, but there are a certain number leaving . . . and being placed out in service, and they are doing very well. Some of the young boys are also doing very well. I specially recollect one of them now. He is the son of one of the chiefs, and he is at home now taking entire charge of his father's farm. . . . there is every chance of our industrial schools being a success . . . I cannot say so much of the success of our day schools. . . . the sooner we can close the day schools and send the children to the boarding schools the sooner we will be able to do something with them.²³⁵

Since the Department could not hope to build enough residential schools to accomodate the children, it continued to expand its day schools; but the Department was convinced that only residential schools could achieve the desired effects.

As Dewdney had pointed out in the House of Commons, western residential school pupils were only beginning to

²³⁴Canada, Debates, August 31, 1891, p. 4741, R. Cartwright.

²³⁵Ibid., pp. 4741-42, E. Dewdney.

graduate in numbers in the nineties and it was then that the Department had to come to terms with the graduates' futures. In keeping with the widespread application of the apprentice system and in keeping with the unwillingness of administrators to allow industrial school graduates to return to the reserves, the Department gradually began to accept responsibility for placing pupils in situations away from the reserves in jobs where they would be paid but would still be under some supervision.²³⁶ This hiring out system was considered successful. Hayter Reed reported, in 1895, that:

The system of sending the more advanced pupils out to service among the settlers is working admirably. The advantages are obvious, for of course when comparatively isolated from their own people and in close daily association with the settlers, they not only acquire increased proficiency in the English language, but also in the habits and ways of thought pertaining to the whites. . . . An eye is kept on them, and they are encouraged to keep in touch with the institutions from which they are sent out, and in fact to regard [them] as their homes.²³⁷

But Hayter Reed was perhaps too optimistic. Indian children sent into non-Indian communities as workers or apprentices found that many non-Indians were prejudiced against Indians. Indeed, as early as 1883, William Paterson had said, in the House of Commons, that his knowledge of Ontario's Six Nations Iroquois had led him to conclude that educated Indians had difficulty finding suitable work away

²³⁶Canada, Annual Report 1895, pp. xxiv-xxv. In 1895 some girls had been in domestic service for nearly five years.

²³⁷Ibid.

from the reserves and that "after receiving a good education . . . their after life on the reservation is not calculated to enable them to take full advantage of their training."²³⁸ Senator James Gladstone, an Alberta Indian, in reminiscences of his childhood, said that Indians coming from the reserve into Calgary looking for work found employers prejudiced and unwilling to hire Indians.²³⁹ By the 1890's, administrators recognized that most eastern Canadian Indian graduates were not going to be absorbed into the non-Indian population and suspected that the same thing would happen in western Canada as more and more graduates tried to enter the labour force. The principal of Wikwemikong School in Ontario said that the emphasis in the schools should be on farming; he pointed out that trades' graduates would have little opportunity to use their skills on the reserves and would have an equally poor chance of finding employment in the non-Indian communities:

They are very fond of industrial training, and make good progress . . . they manifest a special inclination for farming, and we make a point to encourage it since farm work will be their principal means of earning a living. There is little room on the reserve for the practice of other trades and very few Indian tradesmen will ever be acceptable to work outside their reserve principally on account of racial prejudice.²⁴⁰

²³⁸ Canada, Debates, May 22, 1883, p. 1377, W. Paterson.

²³⁹ James Gladstone, "Indian School Days," Alberta History, vol. 15, no. 1 (Winter 1967), pp. 18-24.

²⁴⁰ Canada, Annual Report 1895, p. 18.

The Department, recognizing the difficulties of trades' graduates, changed the emphasis in the curriculum of the residential schools. It decreased the time allowed for teaching skilled trades and increased the time devoted to farming. Then, when the students graduated, the Department encouraged them to settle in groups. Wherever possible, the Department set aside special areas exclusively for these graduates; one of the most successful of these areas was the File Hills Colony in Saskatchewan. The Department encouraged the graduates to maintain the habits learned in school and it subsidized their initial efforts to establish themselves as farmers. It helped the graduates get a good start:

The policy of the department . . . has been that boys should remain at the industrial schools until they attain an age at which, in addition to their having obtained a rudimentary education and some trade . . . their character shall have been sufficiently formed as to insure as much as possible against their returning to the uncivilized mode of life. . . . A suitable location of land is selected . . . a house is built by the boy himself, and some simple furniture made while he was still a member of the institution is given him. In addition . . . cattle and implements are provided . . . when pupils are advanced in years and considered capable of providing for themselves [assistance is given] to bring about a matrimonial alliance.²⁴¹

Protecting the graduates who represented a considerable investment of time and money became the Department's revised policy.

But the residential school graduates had acquired some academic and technical knowledge. They could speak and

²⁴¹Canada, Annual Report 1896, p. xxxviii.

understand English. They had some familiarity with non-Indian customs and values. They were able to support themselves. The Conservatives' residential school program had been reasonably successful; it had probably eased the western bands' transition from nomadic to sedentary living because its graduates could show other band members how to settle into the new way of life.

The Department used both day and residential schools not only to educate but also to "civilize" the children. The residential school graduates, because of their immersion in non-Indian culture, displayed more outward manifestations of "civilization"; however, they probably paid a high price for their "civilization." In the residential schools, two cultures came into conflict; the children had absorbed traditional Indian values at home but once at school, they had learned from educators that those traditional values were inferior and should be rejected. The prevailing attitude towards Indian culture is exemplified in an 1889 statement extolling the virtues of residential schools:

The boarding school disassociates the Indian child from the deleterious home influences. . . . It reclaims him from the uncivilized state. . . . It brings him into contact . . . with all that tends to affect a change in his views and habits of life. By precept and example he is taught to endeavour to excel in what will be most useful to him.²⁴²

²⁴²Canada, Annual Report 1889, p. xi, E. Dewdney.

Although many officials agreed with Dewdney on the importance of dissociating the Indian child from his background, there were many who disagreed. These people realized that schools should not destroy the Indians' traditions. Agents occasionally commented that isolating the students in residential schools could prevent them from learning traditional survival skills. Such agents realized that "it would be of a disadvantage to the boys, to be taken away . . . how are they to live on a hunting or fishing reserve on their discharge?"²⁴³ At the schools the children were permitted to practise traditional skills in their free time. Some agents agreed that the children should be told something of their history but that the Department should select the information carefully. The assimilationist Canadian Indian suggested that:

They should hear little or nothing of the "wrongs of Indians," and of the injustices of the white race. If their early history is alluded to, it should be to contrast it to the better future that is within their grasp. . . . With education they will become useful and happy citizens . . . without it they are doomed either to destruction or to hopeless degradation.²⁴⁴

Indian children could not fail to grasp the essential points of the educational system: their teachers and other non-Indians thought that they, their families and their culture were inferior; and that non-Indians wanted to change and to

²⁴³P.A.C., R.G. 10, file 112,220, January 21, 1901.

²⁴⁴Canadian Indian, vol. I, no. 1, October 1890.

"civilize" the Indians.

An assessment of the success of the Department's programs as they had evolved by 1896 must be tentative; the system had been operating for too short a time to judge long-term results. Undoubtedly, many more children were attending school; enrollment had increased from two thousand nine hundred and fifty-two in 1876 to nine thousand seven hundred and fourteen in 1896. But only in the residential schools did the children attend with sufficient regularity to ensure that they would learn very much. In fact, many day school pupils mastered only enough English, arithmetic and reading to manage very simple transactions. It is true that a handful of exceptional protégés of dedicated teachers did acquire more than the rudiments; but they were the exceptions. Generally the Department had set out to teach the Indians basic skills but the day schools had not achieved this. The immersion nature of the residential schools did give their pupils more opportunity to master English or French, to learn elementary school subjects and to acquire practical and trade skills not taught in the day schools. Although many graduates were unable to use some of those skills because they could not find employment away from the reserves, residential pupils had learned much that was useful. Some of them might not have accomplished as much as their parents wished; some of them might have been psychologically handicapped; but most of them did adopt many non-Indian ways and were able to support themselves economically.

Since the Department had set out to teach Indian children to become self-supporting adults, its educational program could be considered successful. Without that education, these children would have had even greater problems adapting to their changing environment. But the long-term harm done by the schools' assault on the Indian children's self-image and traditional values may have outweighed its short-term achievements.

CHAPTER VIII

THE ADMINISTRATION OF RESERVE ECONOMIC LIFE

The Department of Indian Affairs purposely introduced and implemented policies intended to make Canada's Indians self-supporting, or, at least, to lessen the financial burden on Canadian taxpayers. It did this in three ways. First, it undertook to make the greatest possible number of tribesmen take up farming and ranching. Secondly, it retained control of the management of the bands' important resources of land and timber. Lastly, it encouraged individuals on the reserves to take every opportunity to make money from the less important reserve resources and from their own labor in order to reduce Departmental costs. In short, to achieve its goals, the Department controlled most of the Indians' economic life.

One of the primary objectives was to persuade the Indians who farmed to continue to farm; to improve Indian farming practises; and to persuade those Indians who did not farm to become farmers. By 1876, some Indians in every eastern province did farm; however, most of these achieved only marginal success and every year a number of them found that the harvest from one year's crop was insufficient to allow them to sow a crop the following spring. Since the Department did not want Indians to give up farming, it

supplied them with enough seed or potatoes to enable them to continue. The same Indians did not need seed every year; but there were always some who did require help.¹ In 1884, a Nova Scotia agent commented that even though the Department provided seed grain, its attempt to make Indians into farmers was an uphill struggle:

Were it not for the encouragement given by the Government in the shape of farming implements and fertilizers, farming would be impossible for them, and would soon be abandoned for the more congenial occupations of coopering, basket making, and bead work, and even with the aid they receive, I fear it will be long before the Indians of Antigonish can be considered an agricultural people.²

Many of eastern Canada's Indians were marginal part-time farmers; a few were successful full-time farmers. The Department rejoiced when Indian farmers succeeded. The Superintendent General reported in 1884 that Ontario's Six Nations' Indians, comprising about twenty percent of Ontario's total reserve population, were doing very well. He said that "many of their farms are well cultivated and the products of the soil and of the dairy exhibited at their annual agricultural exhibition command the admiration of all."³ The

¹The government also helped non-Indians particularly in the North West when farming was just beginning. Canada, Sessional Papers (No. 18), 1891, p. 163; Canada, Annual Report 1881, p. 35.

²Canada, Annual Report 1884, p. 45.

³Canada, Sessional Papers (No. 3), 1885, p. xiii. The exhibition to which the Superintendent General referred, marked the centenary of the grant made to the Six Nations after the Revolutionary War and was attended by many prominent non-Indians who praised the Indians' achievements.

Six Nations reserve, located on good agricultural land in southwestern Ontario, had advantages of soil and climate which a great many Indian reserves lacked.

Yet, even when the soil was good, agents reported that the Indian farmers did not always maximize productivity. One agent attributed this to the Indians' inability to look ahead.⁴ He said that in farming, where one must always anticipate the needs of the oncoming season, neglecting to plan for the future reduced the chance of success.⁵ Another agent attributed the Indians' failure to maximize returns to their custom of cultivating land as long as it yielded a good crop and then abandoning it.⁶ Many agents agreed that in one way or another even the best Indian farmers did not make the best use of their land.

In spite of these failings, most eastern bands did support themselves; as a result, the Department encouraged but did not interfere with these eastern Indian farmers. Agricultural programs initiated by the Department between 1876 and 1896 usually applied only to western agriculture; they were not relevant to eastern Indian farms.

After 1879, in the west, the situation for both the Indians and the Department was difficult. The tribesmen had depended on the buffalo; when the buffalo disappeared these

⁴Ibid., (No. 14), 1892, p. 1.

⁵Ibid.

⁶Ibid., p. 18.

Indians had no other source of food; they had to rely on government rations. The Department, aware that providing rations might become a permanent burden on the Canadian taxpayers, decided to perform a mighty feat; it would turn hunters into agriculturalists. However, unless the Indians were destitute and dependent, the Department did not force them to farm; it allowed those who supported themselves by hunting and fishing to continue to do so. In the 1896 Annual Report, Hayter Reed stated the Department's policy:

The policy of the department has not been to place them on reserves and endeavour to make farmers of them, but to await the time when such means of earning a livelihood become so precarious as to compel the Indians to seek aid at the hands of the Government. Until the arrival of such time, little or no reliance can be placed upon them to make any really sustained effort at farming, and they are liable, if the whim seizes them, to leave at the most critical moment and go hunting or fishing, the result being that a success is made of neither, while they become impressed with the idea that such efforts entitled them to continuous aid at the hands of the Government.⁷

Once the Indians were ready to learn to farm, the Department had to provide instruction. The Superintendent General noted in 1877 that many Indians did want to learn how to farm:

They all appear very desirous of imitating the Whites in their mode of life, habit, education and religion . . . they are eager, and their children are more so, that they should be taught the rudiments of civilization by competent persons . . . they desire to have

⁷Canada, Annual Report 1896, p. xxx, H. Reed.

a practical farmer sent round to each reserve to teach farming.⁸

Initially, the Department decided not to have farm instructors circulate among the reserves but to place them on model farms located off the reserves.⁹ Edgar Dewdney justified the decision not to put the model farms on the reserves:

For the first season or so the bulk of the work done would be with our own labor, and if on the reservation, the Indians, on whose land the improvements were made would consider that they were entitled to them, as well as to any crops. . . . If our instructors resided on the reserve each band would consider that they were entitled to the same privilege.¹⁰

His last comment referred to the fact that the unit of management, the agency, handled the affairs of several bands living on different reserves.

Model farms were unsuccessful as teaching tools. Model farmers, fully occupied with the conversion of virgin prairie sod into flourishing farms, and with the production of seed for the Indians' use, could teach only those few Indians they could employ on the farms. Other band members could come and see what the model farmers were doing, but the farmers could not go to them. The methods used on one model farm were described by an 1882 issue of the Saskatchewan Herald:

⁸ Canada, Annual Report 1877, p. 44.

⁹ Canada, Sessional Papers (No. 4), 1880, p. 101.

¹⁰ Ibid.

Mr. Lucas, in charge of the home farm . . . conducts it on plantation principles. All the work is done by Indians who go to the fields and return at the sound of the horn, and are thus trained to system and order. . . . No provisions are given except for an equivalent in labour. . . . That the Indians are benefitted by this mode of procedure is shown by the skill they have attained in the handling of agricultural tools and implements - a skill of which they are excessively proud.¹¹

Although the Indians took pride in the skills they acquired working on the model farms, they needed farm instructors who would come to the Indians' own plots and show them what to do. As a result, the Department began to shut down its model farms and to send the model farmers around to the reserves as instructors.¹² These farm instructors walked a narrow line; they had to win the Indians' confidence, inspire them to work, but not impose restrictions severe enough to alienate them.

As more and more Indians replaced the nomadic life with farming, the number of farm instructors increased tremendously. Even after the Indians became successful farmers, the instructors continued to visit farms; they had to make sure the tribesmen did not backslide:

Although the Indians in certain localities may become self supporting, or nearly so, by tilling the soil, still that aid and supervision which the Government at present grants them in the way of

¹¹P.A.C., M.G. 26 A1 (a), vol. 91; Saskatchewan Herald, iv, October 14, 1882.

¹²Canada, Debates, April 9, 1884, p. 1450, J. A. Macdonald.

instructors, cannot be dispensed with, during the present generation at least, otherwise the fields now under cultivation, will gradually revert to idleness, and the young stock which has been raised, killed off as a means of livelihood without regard to future wants.¹³

Persuading and teaching the nomads of yesterday to adopt the attitudes and life styles of farmers and ranchers, challenged the ingenuity of the farm instructors and agents. A number of thorny problems confronted them during the process and the resolution of these problems affected the future character of Indian farming.

Severality, the subdividing of reserves and the settling of Indians on their own allotments, was a key point in the Department's program. It was one they had difficulty implementing in both eastern and western Canada. In eastern Canada a number of reserves whose existence went back decades, if not centuries, continued to be held collectively; they had not been subdivided. The Department urged the bands to subdivide but after long years of collective occupation, some bands opposed subdivision.

In the west, after the bands had signed treaties, they chose their own reserves; the government moved as quickly as it could to have these reserves surveyed and subdivided. The Dominion land surveyors had subdivided western land into lots of six hundred and forty acres. On the reserves these six hundred and forty acre sections were further subdivided

¹³Canada, Annual Report 1882, p. 50, H. Reed.

"into sixteen lots of forty acres each."¹⁴ Wood and hay lands were held in common.¹⁵ Once the surveying had been completed, Indians could apply for location tickets and receive their land. Although the Department carried out the surveying and made provision for band members to occupy individual holdings, it could not force a band to insist that its members claim their share. Many bands did not accept severality and were not prepared to have their members take the last step. The concept of individual land holding was alien to Indian traditions.

Although the idea of severality conflicted with traditional Indian ways, the Department believed that its introduction was vital for the future of Indian agriculture. Its officials believed that Indians would improve land only if they occupied individual plots. The officials could not conceive that anyone would work to improve land that was not his own. They did not appreciate the degree to which the bands adhered to collectivism nor did they see any value in the Indians' traditional system of sharing. Non-Indian observers assumed that the Indians would have to give up their tribal system, their adherence to collectivism:

Something should be done to bring about the gradual extinction of the tribal system, and substitute for community property individual ownership of land. Each adult Indian should be located on a lot over

¹⁴Canada, Sessional Papers (No. 12), 1890, p. 165.

¹⁵*Ibid.*

which no other person could exercise any control, and he should be not only encouraged but to some extent forced to depend on this possession for a livelihood.¹⁶

In fact, the Indian Act did not allow Indians to own land; it gave them only the right to occupy land. A year after this Globe editorial, another Globe writer suggested that the Indians did not succeed as farmers because they did not have their own holdings and suggested:

The important matter is to make the Indian feel an individual interest separate from the tribe . . . [perhaps] by giving each family a farm, and making future governmental assistance contingent on its cultivation to a specific degree. It seems probable that Indians do not work the land, nor usually ask for separate allotments, merely because they cannot conceive that the result of an individual's labor would be his own . . . To instruct the tribe in agriculture as a preliminary to the institution of private property seems like putting the cart before the horse.¹⁷

The Department was determined to see that the horse came first. In 1889, the Deputy Superintendent General wrote that the Department was following a "policy of destroying the tribal or communist system . . . in every possible way, and every effort [was] made to implant a spirit of individual responsibility instead."¹⁸ He said that the Department's insistence on severality was justified because "the ability to secure a certificate of ownership of a lot

¹⁶Toronto Globe, September 25, 1880.

¹⁷Ibid., April 6, 1881, "The Indians and the Tribal System."

¹⁸Canada, Sessional Papers (No. 12), 1890, p. 165.

assures an industrious Indian against the feeling that it is not worth his while to greatly improve such lands as the other members of the band may claim as much right to it as he does."¹⁹ He noted that "only the idle-good-for-nothing members offer any objection to what is hailed with pleasure by the better class."²⁰ The following year he gave a severality progress report:

The improvement made in various ways is very marked where the sub-division . . . has been accomplished. Great hopes were always entertained as to the effect this measure would have in fostering a spirit of individualism, and they have not been disappointed . . . great caution had to be exercised to avoid rousing suspicions of the Indians who often imagine sinister motives. . . . It had been highly appreciated by the more industrious who now feel some guarantee that their improvements will be vested in themselves and their families.²¹

No figures show the exact number of reserves which were subdivided and allotted to individuals; however, it is indisputable that the Department did its best to persuade the Indians to accept severality even though communalism was a basic principle of Indian life.

Once the bands had settled on the reserves and began producing agricultural products, the Department might have stopped giving rations to those who harvested crops. However, the Department decided not to remove such Indians from

¹⁹Ibid., p. 166.

²⁰Ibid.

²¹Ibid. (No. 18), 1891, p. 136.

the ration lists; instead, because it wanted to encourage hard-working Indians to persevere and to act as examples to the less industrious, the Department continued to feed them. But as soon as the majority of a band was farming, the Department gradually phased out rationing for all band members except those who could not support themselves. This process took several years.

While the Department fed these Indians in the transitional phase, a continuing stream of nomadic Indians began settling down to become farmers; their names, too, were placed on the ration lists. As a result, the annual allotments for rations remained high. The Indian Commissioner and the Deputy Superintendent carefully noted in the Annual Report that the same Indians did not receive rations over a long period. Tribesmen, unless they were too young, too old or too ill to support themselves, were given rations only for a limited period while they and their band made the transition from nomad to farmer. In 1890, the Deputy Superintendent General described the progress prairie Indians had made and explained "what keeps up the expenditure":

While the per capita expenditure is being surely and considerably reduced, the number of Indians taken in hand, and put upon the road to eventual independence has largely increased . . . the existence of a considerable proportion of aged and infirm . . . must remain a charge . . . the hunt will no longer furnish the necessities of life . . . bringing them [bands of Indians] in to settle down on their reserves.²²

²²Ibid. (No. 12), 1890, p. 161. H. Reed.

By 1891 the Department was able to note optimistically that various bands were no longer receiving rations or at least had reduced the amount needed; they had increased their output sufficiently to support themselves. The agent for the File Hills Agency in the North West demonstrated that this band's consumption of rations had decreased and attributed this fact to an increase in agricultural production:

TABLE 14

FILE HILLS RATIONS 1889-1891

	1889-90	1890-91	Decrease
	\$	\$	\$
Bacon	15,591	14,856	735
Beef	24,142	13,951	10,091
Flour	60,100	27,500	32,600

SOURCE: Canada, Sessional Papers (No. 14), 1892, p. 190.

These Indians were no longer as dependent on rations as they had been. But, one factor which kept the Department's rationing costs high might have been the success of its championing of individualism. Some Indian farmers had learned not to share their goods and agricultural output as freely as they might have in the past. As a result, relatives and neighbours who might have shared the bounty of

these more successful Indians found that they had to turn to the Department for rations. Those Indians who had accepted individualism were reported to be "much more chary than in the days when communist ideals prevailed about sharing their substance with their impecunious neighbours."²³

Despite its high rationing costs, the Department at first informally and then formally sanctioned the sale of the Indians' excess produce in the free market. Edgar Dewdney said that the Department had found it hard to draw the line and decide which Indians should be allowed to sell their produce but that;

The policy adopted is . . . that of letting the industrious invest a fair share of the result of their labor, in what they will appreciate as constituting private property; at the same time exercising all possible care to insure such purchases being of a nature to tend toward the ultimate independence of the individual.²⁴

The Department encouraged the Indians to emulate non-Indians, to acquire 'private property,' the cornerstone of western economic life. But it also protected its investment; the Indian Act was amended to make it necessary for Indians to obtain the agent's approval before they sold produce. The agents told the Indians that they were being allowed to sell produce in order to purchase domestic goods or agricultural equipment which would help them to become self-supporting.

²³Ibid. (No. 12), 1890, p. 161.

²⁴Ibid. (No. 15), 1888, p. 192.

The Indians' entrance into the free market proved controversial. The tribesmen, subsidized by the government, competed with non-Indians who were not subsidized. The Saskatchewan Herald, in January 1882, reported on the progress made by the district's Indians; it noted that on John Smith's reserve, on the south branch of the Saskatchewan River, the Indians had produced such large quantities of grain that "they have been granted certain privileges relative to the sale and barter of their produce."²⁵ The paper did not record opposition; but in November 1884, the Regina Leader said that farmers in the Fort Macleod area were complaining because Indians receiving government support were underselling non-Indian farmers.²⁶ In 1886, a Member commented in the House of Commons, that he had received a petition from some non-Indian farmers in the Battleford area complaining "that the Indians are raising so much grain and farm produce that they are taking the market away from the white settlers."²⁷ The Superintendent General, as a politician, might have regretted the settlers' dissatisfaction; but as the head of the Department he must have celebrated the Indians' increased productivity.

²⁵ P.A.C., M.G. 26 A1 (a), vol. 211; Saskatchewan Herald, January 21, 1882.

²⁶ Regina Leader, November 30, 1884.

²⁷ Canada, Debates, May 19, 1888, p. 1610, D. H. Macdowall.

Within a few years, western Indians with no previous knowledge of farming had learned agricultural skills and had produced crops. A comparison of the output of these reserve farms with the production of all of Manitoba and the North West Territories reveals the degree of success achieved by the Indian Department's agricultural programs. According to the Report on Agricultural Production in Western Canada, 1891, the productivity of Manitoba Indian agencies compared favorably with that of the whole of Manitoba.²⁸ The agencies produced 43.7 bushels of oats per acre; Manitoba as a whole, 32.7 bushels per acre; the agencies produced 107.3 bushels of potatoes per acre; Manitoba as a whole produced 179.4 bushels per acre; the agencies produced 16.2 bushels of wheat per acre; Manitoba as a whole produced 17.9 bushels per acre.²⁹ But the average productivity of the Indian agencies in the North West Territories was very poor in comparison with the productivity of the whole of the North West. The average yield of potatoes in the North West Territories was 138.3 bushels per acre; on the agencies' reserves only 86.2 bushels per acre.³⁰ The average yield of oats for the entire area was 26.4 bushels per acre; on the agencies, 11.6 per acre. The North West Territories as a whole produced 15.8 bushels per acre of wheat; the agencies a mere 8.6 bushels per

²⁸Canada, Sessional Papers (No. 18), 1891, pp. 250-57.

²⁹Ibid.

³⁰Ibid.

acre.³¹ These poor results from the reserves in the more remote regions of the North West discouraged both the Indians and the Department. By 1896, the Deputy Superintendent wrote that "the fruitlessness of too much dependence being placed in the North-West Territories upon cereals to meet the Indians' demands" had forced the Department to reconsider its goals; it had decided to encourage these bands to concentrate on the "rearing of stock and the raising of roots and vegetables" and had suggested that only after these crops had been attended to should the Indians try to grow cereal crops.³²

Those Indians who did grow wheat, as they did in Manitoba, faced a serious problem. Wheat, unless ground into flour was useless; mills were few and far between. As late as 1890, the Indian Commissioner said that "the want of milling facilities . . . renders the production of grain of comparatively little value."³³ The agent at Touchwood Hills, Manitoba wrote that the two nearest mills were fifty-five and sixty-six miles away:

It is a long way to haul grain during the cold, severe weather. The Indians make their own sleighs for this purpose, carry hay with them, camp out during the coldest weather and undergo considerable hardships

³¹Ibid.

³²Canada, Annual Report 1896, p. xxiii, H. Reed.

³³Canada, Sessional Papers (No. 12), 1890, p. 173, H. Reed.

but never complain, so glad are they to see the fruits of their labors in the shape of flour.³⁴

The Department did build some mills and the Indians continued to grow wheat wherever the soil and the climate permitted.

Although the Indians did not become large-scale producers, their crops were often of a very high quality, comparing favorably with those grown by non-Indians. The Department encouraged the Indians to exhibit their produce at local exhibitions. Sometimes the Indians entered competitions open only to Indians; sometimes they entered those open to all. In the 1888 Sessional Papers, under the sub-heading "Indians take prizes at shows" Edgar Dewdney wrote:

The marked success of our Indians, wherever they have come into competition with white settlers at local agricultural exhibits has been most gratifying to them as well as to ourselves.³⁵

In keeping with the competitiveness which the Department fostered, Dewdney proudly noted that "these exhibitions and the preparation for them engross much of the attention of the Indians and have become a staple subject of conversation with them as they sit around the fire."³⁶ In 1891, he noted that "in order to encourage them," the Department had established categories which "exclude white settlers from competition with Indians"; but, Indians who had competed

³⁴Ibid. (No. 14), 1892, p. 52.

³⁵Ibid. (No. 15), 1888, p. 190.

³⁶Ibid.

with all entrants at the Regina exhibition had done very well. Indians from the Crooked Lakes reserve had won first prize for their white Fife wheat.³⁷ Other bands, too, had done well in open competitions; some of the reserve women whose introduction to traditional butter making, preserve making and handicrafts had occurred very recently had also carried off a number of prizes.³⁸ Undoubtedly these measures of success encouraged the Department.

But not all of its attempts to make the Indians into farmers and ranchers were as productive. One reason for the failure of some agricultural programs was the destructive actions of band members who had chosen not to become farmers. In 1881 Edgar Dewdney wrote of such a situation among the Blood Indians of southwestern Alberta:

They erected houses, cultivated gardens, and worked admirably for Indians, who, up to that time, had done nothing in the way of agriculture. The proceeds of their crops would have found them seed for this spring . . . had not the remainder of the band returned in the middle of the summer and pitched their lodges in the vicinity of the gardens and houses . . . and . . . feasted on what was eatable. They brought back a large band of horses; these broke down the fences, and destroyed a good deal of the crop.³⁹

A second explanation for the failure of some agricultural programs was that some bands began farming before they were ready; they were not prepared to give up their

³⁷ Ibid. (No. 18), 1891, pp. 134-35.

³⁸ Ibid.

³⁹ Canada, Annual Report 1881, p. 24, E. Dewdney.

former habits of hunting, fishing and gathering. In 1892, a Manitoba agent described the trouble he had had getting one band to plant or harvest their crops because they were anxious to go and dig seneca root; they could sell this to non-Indians for use in medicines. He said that the Indians were "strongly addicted to wandering. Their lands have to be planted, as well as their crops reaped for them."⁴⁰

Nevertheless, the Department was determined that the Indians would farm; and, it told them not only how to farm but also how large their farms should be. In eastern Canada few details about the sizes of individual reserve farms are available; oblique references in the Annual Reports indicate that there were some large farms.⁴¹ In the east, the Department was not as interested in the size of farms because the Indians did support themselves. But in western Canada, the Department encouraged the tribesmen to cultivate only as much land as they themselves could work without expensive machinery. In 1887, Edgar Dewdney said that this was generally accepted policy in the North West:

The area cultivated this year may . . . be roughly stated to be about one-tenth less than that of last year. This reduction of area is to be attributed to the teaching of experience which has convinced the best farmers in these Territories that success

⁴⁰Canada, Sessional Papers (No. 14), 1892, p. xxv.

⁴¹Department officials discussing enfranchisement said that some Indians did not want to become enfranchised because it would mean giving up the large acreages which they cultivated.

can only be hoped for from the cultivation of a smaller acreage and the retention of a proportion of the land unseeded in order to allow of its being summer-fallowed.⁴²

By 1895, Hayter Reed, the Deputy Superintendent General, was even more explicit; the Department was actively discouraging Indians who wanted to be large-scale farmers:

The department does not lay stress upon a mere increase of the area under cultivation, since its policy is, at any rate in the earlier stages of development, to restrict the area cultivated by each Indian to within such limits as will enable him to carry on his operations by the application of such simple implements as he would likely be able to command if entirely thrown upon his own resources rather than to encourage farming on a scale to necessitate the employment of expensive labor-saving machinery.⁴³

Even though the Department discouraged individual Indians from cultivating large farms, the total acreage cultivated on the reserves increased considerably.

The cultivation of these thousands of acres required at least a few agricultural implements. Here again the Department accepted some responsibility. In the east the Indians usually bought their own implements, but there are records of Department assistance. Of course, the Indian Act clauses preventing the Indians from using their land or goods as collateral kept them from buying on credit and

⁴²Canada, Sessional Papers (No. 15), 1888, p. 190, E. Dewdney.

⁴³Canada, Annual Report 1895, p. xx, H. Reed.

TABLE 15

RESERVE LAND CULTIVATED (ACRES) 1876-1896

	1876	1886	1896
Maritimes	2,244	4,350	4,274
Ontario	51,939	66,242	76,938
Quebec	6,318	6,034	10,890
Manitoba	3,415	1,547	2,187
North West }		8,929	11,305
Total	63,916	87,102	105,594

SOURCES: Canada, Annual Report 1876, pp. 160-61;
 Canada, Sessional Papers (No. 6), 1887,
 pp. 208-209; Canada, Annual Report 1896,
 pp. 420-25.

limited their ability to buy machinery. In 1895, the Department, in partial recognition of the handicap imposed by the legislation, permitted individual Ontario Indians to borrow from the band's capital "for the purpose of . . . improvements for the farm, or for the purchasing of useful stock or farming implements."⁴⁴ By withholding a purchaser's money, the Department made sure that the borrower would not default. As a further safeguard, the band council took a "lien upon the man's property"; if he reneged on his obligation, the council could sell his property.⁴⁵ Elsewhere in

⁴⁴ Canada, Annual Report 1896, p. xxvi.

⁴⁵ Ibid. Indians could sell their land to other band members.

eastern Canada, the Indians either raised the cash or did without the machinery they wanted.

In western Canada, the treaties promised to give the Indians agricultural implements when they began farming. The Department selected the implements and arranged for their purchase and delivery. The farm instructor or agent showed the tribesmen how to use and maintain them. Occasionally officials decided that certain tools were unsuitable for particular bands and fulfilled the treaty terms by providing such items as twine for fishing nets.⁴⁶

Sometimes bands living in the midst of prosperous non-Indian farming communities coveted the expensive machinery owned by their non-Indian neighbours; the Department welcomed this evidence that the tribesmen wanted to improve:

Demands from some of the bands for improved agricultural machinery, such as threshing, reaping and mowing machines . . . afford pleasing evidence of progress and enterprise.⁴⁷

Although Indians could not buy on credit, many bands did manage to buy up-to-date machinery. Agents' reports contain approving references to Indians who had purchased new, modern machinery. In 1892 the agent for the Six Nations

⁴⁶Canada, Sessional Papers (No. 12), 1890, p. 159. Indians about one hundred miles north of Prince Albert Saskatchewan had just been admitted to Treaty 6 and the Commissioner wrote that because some of the equipment usually given would not be useful to them "articles better adapted to their peculiar circumstances" were being substituted.

⁴⁷*Ibid.* (No. 3), 1885, p. xii.

noted that individuals on the reserve owned eight threshing machines and that one or two where "the latest steam traction engines."⁴⁸ In 1896, Chief Inspector Wadsworth described the farm and equipment of an Indian who was the most advanced farmer on an Alberta reserve. He said that the Indian had twenty-six or more implements; that he had begun in 1889 with a team of ponies, a yoke of oxen and a cow borrowed from the agent; and that he had reached his present flourishing state "as a result of economy and careful industry."⁴⁹

The Department welcomed this evidence that individual Indians were progressing but its official line continued to be that Indian farms should be labor intensive. In 1890 the Deputy Superintendent General expressed this view:

When the Indians see the white men in the possession of self-binders and other costly inventions for saving labor, which the condition of the white man renders highly necessary, they overlook the fact that the employment of such implements is only justifiable where manual laborers are comparatively scarce. They think that they should have such implements, even should the possession of them leave them little more to do than sit by and smoke their pipes, while work is being done for them without exertion on their part.⁵⁰

He believed that the tribesmen should learn to make and use simple equipment and should be encouraged to be self-reliant:

⁴⁸ Ibid. (No. 14), 1892, p. 2.

⁴⁹ Canada, Annual Report 1896, p. xxxiv.

⁵⁰ Canada, Sessional Papers (No. 12), 1890, p. 162.

I never relax my efforts to impress on those employed to train the Indians that they must be taught to handle such comparatively simple implements as cradles, scythes, hoes, etc., which will be readily obtainable by them when thrown upon their own resources, and afford employment to every hand which should be thus profitably occupied.⁵¹

The Department anticipated the day when the Indians would not have farm instructors, when their success as farmers would depend on their mastery of simple tools; it did not want the Indians to become dependent on complex machinery. Nor did it want the tribesmen to be idle; subsistence farming with simple equipment would provide enough work to keep the band members busy.

But the Department did encourage diversification; it did not want the Indians to confine themselves to cereal or vegetable crops; it, therefore, introduced stock raising. The idea of looking after animals in order to derive benefits from them in the future proved to be a difficult concept for the Indians to accept; the Department had difficulty persuading the Indians to raise stock. Initially to fulfill its treaty promises, the Department gave the bands a prescribed number of animals. The Indians either ate the animals immediately or neglected them to such an extent that the animals died. Since this initial approach had not worked, the Department tried another tack. It told the bands that it would lend them a number of animals for a prescribed period;

⁵¹Ibid.

that it would require the return of the same number at the end of the period; that the bands could keep the increase. By introducing this scheme, the Department hoped to persuade the bands to look after the animals and give particular care to the young stock. But the Indians did not understand stock. They often failed to put away enough fodder to last the winter; and, they had acquired such a taste for milk and butter that they did not give the young animals enough milk to assure their growth. For some time after the introduction of the stock-loan system, bands still preferred to "hand them [the stock] back and not make provision for their winter's keep."⁵² But, by 1889, the Deputy Superintendent General was able to say that the problems were being overcome:

It is gratifying to be able to report . . . a very satisfying natural increase in stock . . . it is not only that more calves are dropped but a far larger proportion is being raised. . . . Some considerable difficulties have been experienced . . . not only is there a disregard for animal life inherent in recently reclaimed savages, but as they have been acquiring a taste for milk there has been a natural inclination to starve or do away with the calves, that consume too much of it. Now . . . the Indians, instead of tying up their calves to a fence post, or the corner of the house, are making pastures for them and exhibiting much greater readiness to allow the calves their proper share of milk.⁵³

⁵²Canada, Annual Report 1882, p. 50.

⁵³Canada, Sessional Papers (No. 12), 1890, p. 163, H. Reed.

Indeed the Department's introduction of stock raising had been so successful that by 1896 it encouraged all Indians whose land was not suitable for cereal crops or who disliked tilling the soil to raise stock. In the 1896 Annual Report, the Deputy Superintendent General synopsized the Department's reasons for embarking on this course and judged the successfulness of the program:

The raising of stock is not surrounded by so many elements of uncertainty as that of cereals, and it is constitutional in the Indian, that is, the Indian of the West, to evince a greater fondness for the rearing and care of stock than the production of grain and roots, owing to the monotony necessary in the case of the latter. . . . Through a great deal of watching and patience, the loan system . . . has been brought to work admirably. . . . So successful has this system proved, that many individuals have managed to collect about them herds of sufficient size as permit, without detriment, sales to be made, bringing in ready cash, thus the Indians, who for a long time remained sceptical, has become aware of the value of stock.⁵⁴

The statistics corroborate these remarks; in the west the growth of the reserve domestic livestock industry had been dramatic, as shown in table 16.

Indians of Treaty 7, living in the semi-arid region of southern Alberta, found livestock raising to be the only viable means of supporting themselves; there was not enough rainfall to grow crops. But persuading the Treaty 7 Indians to become ranchers had been difficult. In the eighties when the Department had first offered cattle to these bands, the

⁵⁴Canada, Annual Report 1896, p. xxiii.

TABLE 16

DOMESTIC LIVESTOCK ON THE RESERVES 1876-1896^a

	1876	1886	1896
Maritimes	1,022	713	689
Ontario	11,693	15,557	16,959
Quebec	2,323	2,480	3,087
Manitoba		2,104	3,893
North West	1,179	6,775	23,970

SOURCES: Canada, Annual Report 1876, pp. 160-61; Canada, Sessional Papers (No. 6), 1887, pp. 208-209; Canada, Annual Report 1896, pp. 420-25.

NOTE: ^aThe relatively static situation in eastern Canada probably came about because most bands had tried and accepted and tried and rejected stock raising by 1876; there were no great gains to be made as there were in the west once the Indians' initial resistance was overcome.

Indians had rejected the offer; they had wanted to keep their ponies and they did not have enough hay and fodder to support both cattle and ponies. These ponies had been important in the plains buffalo culture. Indians had used ponies in the buffalo hunt and they had measured a man in terms of the quality and quantity of his pony herd. Once the buffalo disappeared, the ponies were no longer useful but they continued to be status symbols. The agents did not accept the initial rejection of their offer of cattle; they kept pressing the Indians to try stock raising. Eventually they succeeded and by 1896, Indians were turning in their ponies for cattle:

At first the Indians would not even accept cattle . . . as a gift . . . but by dint of perseverance, some few of the Piegans were induced to . . . accept a limited number. Profits having rapidly accrued to these few, the desire to follow their example became so great that the department could not . . . meet the demands. . . . So great has become the demand that . . . Indians are now clamouring for them [cattle] in exchange for their ponies . . . the herd of ponies, for which really no market can be had, is becoming so great that a problem has arisen . . . getting rid of them.⁵⁵

Once the Treaty 7 Indians had agreed to raise stock, the Department in the nineties turned its attention to the problem of modifying the environment so that the prolonged droughts which occurred in this area would not destroy the cattle or the hay necessary for food. Irrigation was the answer. Private firms such as the Calgary Irrigation Company were constructing irrigation networks to serve southern Alberta. Irrigation was introduced on the Piegan, Sarcee and Blood reserves in the nineties. On the Blackfoot reserve, the government in 1893 and 1894 diverted water from the Bow River into irrigation canals. Indians did most of the construction work. The Chief Inspector of Surveys and Irrigation in the Department of the Interior reported that they had done a superior job, "when it is remembered that all the work . . . has been performed with Indian labour, I . . . say that the workmanlike manner in which the cuts and fills have been completed would do credit to many of our experienced

⁵⁵Canada, Annual Report 1896, pp. xxx-xxxi, H. Reed.

ditch contractors."⁵⁶ He described the anticipated effect of the project:

The system . . . will provide water for the irrigation of some two thousand acres . . . and, as the soil of the larger part of this area is first class, the results of the application of water . . . are certain to be satisfactory . . . if the Indians can be induced to undertake the farming of this area in small holdings and are educated in an intelligent use of water . . . the area . . . will produce sufficient to provide for all the needs of this band, even if they do nothing more than raise oats, hay and vegetables . . . if the magnificent grazing areas which this reserve possesses could be turned to account . . . the future of the Indians . . . would be very bright.⁵⁷

Indians of Treaty 7, in desperate straits in 1879, were finally, in 1896, moving towards prosperity.

The need to have the Indians self-supporting and even prosperous explained the Department's emphasis on its farming programs. In tandem with this promotion of agricultural programs, the Department undertook the maximize returns from the reserves' resources of land and timber. This second program would also reduce the burden on the Canadian taxpayer.

By the treaties which established reserves, Indians had acquired vast areas of land. But reserve land, of course, could not be sold while it was classified as part of the reserve. Once Indians decided that a portion of their reserve was superfluous and had turned it back to the

⁵⁶Canada, Annual Report 1896, p. xxxi.

⁵⁷Ibid.

government it was reclassified as Indian land; then it could be sold.⁵⁸ A large portion of the revenue from the sale was deposited in the Indian Fund and the Department used the interest from these funds for administrative costs. The Department controlled both the terms of the sales and the disposal of the resulting revenues.

Revenue could also be derived from reserve land which was rented. Here, too, the Department intervened in order to maximize the returns. It found that when it did the negotiating, it could obtain more favorable terms because it had the weight of the federal government behind it. Also, enforcement of the rental terms, the collection of rent and the eviction of tenants who tried to take up permanent residence were easier for the Department than for the band. At first, the Department rented only the land of widows and orphans or any land the band council had asked it to rent. In 1877, the Annual Report noted that the Department had taken over and renegotiated an unprofitable rental arrangement made by the Mississaugas of Alnwick, Ontario. Under the new lease, they derived "a profitable revenue from the same land."⁵⁹ In 1879, the Department surveyed this same reserve in order to rent to non-Indian farmers a further

⁵⁸Canada, Statutes, chapter 18 (1876), section 50, p. 61.

⁵⁹Canada, Sessional Papers (No. 11), 1877, pp. 8-9. This was about \$1.80 per acre per year.

portion unused by the Indians.⁶⁰ In 1895, the government amended the Indian Act to give the Department, with the band's permission, total authority to rent Indian reserve land.⁶¹ Here again the Department had assumed power previously in the hands of the Indians in order to maximize financial returns.

The disposal of timber, the second valuable reserve resource, was also controlled largely by the Department. It believed that only its officials had the wisdom to see that this resource was harvested wisely. However, before the Department could enter any negotiations for cutting rights it had to obtain the band's permission. Occasionally a band refused this permission. In Ontario in the nineties, one band adamantly refused; the agent's chagrin is reflected in his comments:

On the question again being brought before them, they again decidedly refused to surrender their timber with the object of its being sold for their benefit. Owing to extensive lumber operations going on all around their reserve, their timber is in great danger from fire, and it seems most expedient that it should be sold; but the obstinacy of one or two . . . blocks the way . . . with the result that \$150,000 worth of pine . . . is liable to be destroyed any dry summer.⁶²

\$150,000 was a lot of money; timber was a valuable resource and one which the Department had difficulty protecting. The

⁶⁰ Ibid., 1879, p. 10.

⁶¹ Canada, Statutes, Victoria 58-59, chapter 35 (1895).

⁶² Canada, Sessional Papers (No. 14), 1892, p. 8.

Indian Act provided for the issuance of timber cutting licenses and for stringent punishments for those convicted of stealing reserve timber; but trespassing and theft continued to be problems. In 1882, a Manitoba inspector wrote:

Thus the Indian is defrauded of his most valuable inheritance by the cupidity of unscrupulous lumbermen who are fattened upon their unrighteous gains while their poor helpless victim is left destitute for his reserve generally abounding with rocks and muskeg is almost worthless when denuded of its timber.⁶³

Departmental officials did try to protect the stands. They did not concede any more power to the Indians than the right to accept or reject the cutting of particular stands of timber.

The use of one specific variety of tree, the sugar maple, was also regulated by law. In eastern Canada, maple sugar bushes were a renewable resource and the government, accepting the Department's fear that the Indians would cut the maples for firewood, passed the following legislation:

No Indian, or other person may, without the consent in writing of the Indian agent . . . cut, carry away, or remove . . . any hard or sugar maple trees or sapling.⁶⁴

The Department did everything possible to guarantee and increase the financial returns from the timber resources.

⁶³Canada, Annual Report 1882, p. 134.

⁶⁴Canada, Statutes, Order-in-Council (1889), August 9, 1888, p. xiv.

Although timber was a resource which belonged to the reserves and their inhabitants, the ownership and disposition of the mineral resources lying under the ground was a subject of disagreement. The Indian Act of 1876 defined a reserve as "all the trees, wood, timber, soil, stone, minerals, metals or other valuables thereon or therein"; nevertheless, as late as 1899, the Minister of the Interior noted in the House of Commons that "title to the precious metals on Indian reserves had been in dispute for some years past."⁶⁵

But the ownership of coal on the reserves was not questioned; it belonged to the Indians since it had never been classified as a mineral. The Indians gathered surface coal and sold it. The Indian Commissioner in 1890 reported that the mine on the Alberta Blackfoot reserve had supplied the coal required by the High River Industrial School and said that in 1891 the Department hoped enough coal would be available "to meet all the requirements of the [Indian] Department in the Territories."⁶⁶ Coal was the only underground substance from which the Indians derived any revenue during the 1876-1896 period. The Department did not interfere with the Indians' coal mining ventures just as it did not interfere with those Indians who earned money pursuing

⁶⁵Canada, Statutes, chapter 18 (1876), section 3(7), p. 45; Canada, Debates, June 22, 1899, pp. 5703-4, C. Sifton.

⁶⁶Canada, Sessional Papers (No. 12), 1890, p. 172, H. Reed.

a wide variety of occupations away from the reserves or those Indians who exploited the reserves' less important resources. Its officials were anxious to see the Indians make money and to support themselves.

Across the country the Indians engaged in a great number of varied occupations; but all of these occupations were both seasonal and marginal. Excerpts from the Annual Reports give some idea of the nature and variety of the Indians' occupations. A Nova Scotian agent noted that the Indians of Annapolis who did wickerwork, fancy work and coopering also produced mast hoops.⁶⁷ Elsewhere in Nova Scotia, the Indians earned "considerable money during the summer and autumn fishing and working about the mills"; working on the railroad, spreading gravel on the roadbed and putting up fencing.⁶⁸ They made pick handles for the coal miners of the Pictou area. At Bear River the Indians guided sportsmen and shot porpoises, and made, in addition to the mast hoops mentioned above, jib hanks, another item for sailing ships.⁶⁹ In New Brunswick, since the reserves were located in the lumbering regions, the Indians cut wood and drove it down the rivers. They also worked as guides for fishermen and hunters.⁷⁰ In Quebec, too, the Indians worked

⁶⁷Canada, Annual Report 1891, p. 38.

⁶⁸Canada, Sessional Papers (No. 14), 1892, pp. 40-42.

⁶⁹*Ibid.*

⁷⁰*Ibid.*, pp. 36-37.

in the woods; they actually drove the huge timber rafts down the Ottawa and St. Lawrence Rivers. In 1883, the agent at Caughnawaga described the Indians' various vocations:

Nearly three hundred have left for the shanties. Some have gone north to work for the Engineers of the Canadian Pacific Railway. Twelve of the young men spent three months in England, playing Lacrosse. . . . Some follow the not very honorable, but fairly remunerative calling of dancers in the American circus, where they act as a kind of advertisement for certain quacks peddling medicines. . . . It is to be regretted that a greater number do not follow agriculture.⁷¹

In Manitoba many Indians continued to hunt and to trap. They fished commercially in the large lakes, dug seneca roots and worked as laborers in the mills or on the railroad:

A large number of men work at taking out ties, and at the lumber shanties belonging to the sawmills and receive good wages.⁷²

.
The young men are employed on the Canadian Pacific Railway.⁷³

.
The Sturgeon Lake Band . . . have scarcely planted anything . . . owing to their obtaining constant employment.⁷⁴

Indians of the North West also hunted and fished, exploited reserve resources and worked as laborers. One agent lamented

⁷¹Canada, Annual Report 1883, p. 20.

⁷²Ibid., p. 59.

⁷³Canada, Annual Report 1884, p. 64.

⁷⁴Canada, Annual Report 1883, p. 89.

their employment:

If the people of Calgary do not want the Indians, they have it in their power to keep them out. If, instead of getting them to do their chores for a small sum of money and a little food . . . they refused to give them any assistance the Indians . . . would seldom go there.⁷⁵

But they did go to Calgary and to any other community where they could find casual, seasonal work.

On the reserve or in the surrounding unsettled country, the Indians exploited natural resources to make money. In 1891, the Deputy Superintendent General said that the Indians contributed to their own support by "the sale of hay, firewood, lime, [and] roots" and that the Department missed no opportunity to get them "to help themselves by such methods."⁷⁶ Hay grew on the reserves and the Indians either cut it and sold it, or allowed settlers to pay for the privilege of cutting it. The Indians cut and sold the firewood themselves. Seneca roots were dug and sold to the makers of patent medicines. Lime, used to make mortar, was found in natural limestone deposits, charcoal was obtained by burning hard wood. The tribesmen found the procurement and sale of these commodities more to their liking than farming; from these activities they could get immediate results; from farming they had to wait months for returns. Agents reported that the Indians were willing to work hard

⁷⁵Canada, Annual Report 1884, p. 88.

⁷⁶Canada, Sessional Papers (No. 18), 1891, p. 133.

to achieve short-term objectives; one agent wrote that "without much difficulty an Indian can be induced to cut hay or cut firewood where he knows they are readily sold for a cash."⁷⁷ Data from the decennial census gives some idea of the cash Indians in the North West could earn from the sale of these resources:

TABLE 17

EARNINGS DERIVED FROM THE SALE OF RESERVE RESOURCES
IN THE NORTH WEST, 1891

Sale of:	\$
Firewood	1,468
Seneca Root	563
Hay	4,005
Lime and Charcoal	493
Labour	11,946

SOURCE: Canada, Sessional Papers (No. 12), 1891, pp. 212-13.

The Indians earned much more from their labour than they did from their other resources. The income from the exploitation of all resources contributed a little cash to the Indians' coffers.

⁷⁷Canada, Annual Report 1896, p. xxiii.

Although individual Indians and the bands derived some money from the sale of these resources, they earned a great deal more from the sale of fish and furs:

TABLE 18

THE VALUE OF FISH, FUR AND OTHER INDUSTRIES
OF THE RESERVES 1876-1896

	Fish	Fur	Other	Total
	\$	\$	\$	\$
<u>1876^a</u>				
Maritimes	4,031	4,233	16,573	24,837
Ontario	22,333	74,334	24,347	121,014
Quebec	400	16,534	11,469	28,403
Manitoba	36,300	29,800	1,700	67,800
North West	-	-	-	-
<u>1886</u>				
Maritimes	9,954	9,053	35,298	54,298
Ontario	43,921	41,200	37,774	122,894
Quebec	810	43,570	105,350	149,730
Manitoba	67,650	80,368	14,590	162,608
North West	15,326	83,620	13,809	112,755
<u>1896^b</u>				
Maritimes				66,084
Ontario				515,868
Quebec				101,409
Manitoba				142,914
North West				115,417

SOURCES: Canada, Annual Report 1876, pp. 160-61; Canada, Sessional Papers (No. 6), 1887, pp. 208-209; Canada, Annual Report 1896, pp. 420-25.

NOTES: ^aThere was no information about the components of "other."
^bThere were no categories in 1896, just the total figure.

Fish and furs provided a good proportion of reserve income in all regions; they were especially important in Ontario, Manitoba and the North West. The Department, of course, was pleased that the Indians made money from these resources but Indian involvement in the fur and fish trades created several problems for the Department.

The first occurred when the number of animals in a particular area decreased and the bands which normally depended on them for food and furs were forced to turn to the Department for help. One Departmental official in 1890 explained that the large amount allocated for rations was due in part to the fact "that game and fish seemed to have almost entirely and universally disappeared . . . in the north the hunt appears to be growing steadily worse."⁷⁸ But it took more than one or two bad years to persuade the Indians to give up hunting and turn to agriculture. They always hoped that the next year would be better. And the swings in the animal population kept the Indians hoping that the animals would return to their particular area. Throughout the 1876-1896 period, there were always some areas somewhere in the country where the hunting was good. The agent at Maniwaki, Quebec in 1891 reported that a successful hunting season had richly rewarded the Indians and had made farming unattractive:

⁷⁸Canada, Sessional Papers (No. 12), 1890, p. 160.

Last winter's hunt was successful. Prices for the different sorts of furs continue remunerative and there seems to be no perceptible diminution in the number of fur bearing animals. The Indians engaged in hunting receive from \$200 to \$500 for their winter's work. With those returns attainable . . . it is not surprising that farming is considered merely a pursuit auxiliary to their main occupation of hunting.⁷⁹

All Indians hoped that their hunt would be successful; those whose hunts were unsuccessful resisted giving up the hunt as long as they entertained some hope that they might be successful in the future.

A second problem arose from a jurisdictional dispute between the federal and provincial governments. The federal government was responsible for Indians and their treaties; provincial governments, for the game laws. In 1890, the Indian Commissioner wrote:

Although the terms of treaty prevent the Indians being brought under the operations of the game laws, every effort is made to compliance with their spirit.⁸⁰

To make practise compatible with spirit, the Commissioner said:

I have directed agents to refrain from issuing ammunition during the close [sic] season, to sternly discourage taking the eggs of wild fowl, and the catch, during spawning, of more fish than are required to satisfy the actual demands of hunger.⁸¹

⁷⁹ Ibid. (No. 14), 1892, pp. 30-31.

⁸⁰ Ibid. (No. 12), 1890, p. 160.

⁸¹ Ibid.

The Department even amended the Indian Act to make the control of hunting more stringent:

The Superintendent General may, from time to time, by public notice, declare that on and after a day therein named, the laws respecting game in force in the Province of Manitoba or the Western Territories, or respecting such game as is specified in such notice, shall apply to Indians within the said Provincial Territory.⁸²

Usually game laws specified closed seasons during which no one was permitted to hunt particular species of animals or to fish. Recognizing that many Indians relied on game for food, several provincial governments agreed that during such periods Indians might hunt on their reserves and in unorganized territory provided they hunted only for their own food. In 1896, Indian hunting became an issue in Ontario; a general merchant at Sturgeon Falls telegraphed Ottawa, saying:

Today we had some beaver, otter, and musk rats, seized by an officer of the Ontario government under the Ontario game laws, all the Fur seized was caught by the Indians on their reserves and in unorganized townships. The Law provides that they can catch furs for food but the officer contends they cannot sell the fur. . . . We had a letter from Mr. Vankoughnet in 1891 or 92 saying that it was all right to buy from treaty Indians.⁸³

It seems strange that the Indians, who had few sources of income, would not be permitted to sell the pelts; however, who could determine whether they had hunted for food or for

⁸²Canada, Statutes, chapter 20 (1890), section 10, p. 137.

⁸³P.A.C., R.G. 10, file 84,041, Telegram from G. P. Cockburn, December 21, 1895.

profit? The Department tried to change the Indians' way of life to decrease their dependency on game; but wherever the Indians relied on hunting, the Department advised them to obey provincial game laws. The problem was not resolved.

A third problem occurred in Manitoba and the Lake of the Woods region of Ontario when the Department moved to protect Indian fishermen from non-Indian competitors. The Indians, who depended on fish for their livelihood, contended that in these areas where the abundance of fish had attracted commercial non-Indian fishermen, the fish were being depleted. As early as 1880, bands petitioned the government asking for help:

A general desire prevails among the Indian Bands, that a fishery in the neighbourhood of each reservation should be set apart for the exclusive use of the occupants. . . . The rapid diminution of the quantity of fish, caused by the enormous catch of white fishermen who are furnished with vast quantities of nets and other fishing appliances . . . has brought the matter into prominence in Indian Councils of late.⁸⁴

S. J. Dawson brought the matter to the attention of the House of Commons in the spring of 1888. Dawson said that these Indians, adherents of Treaty 3 which he had helped negotiate, had been promised the right to fish anywhere but that the promise soon would be meaningless because commercial fishermen were emptying the lakes.⁸⁵ John A. Macdonald, agreeing that non-Indians should not be fishing as

⁸⁴Canada, Annual Report 1880, p. 21.

⁸⁵Canada, Debates, May 19, 1888, p. 1605, S. J. Dawson.

extensively as they were, promised to see that existing regulations were enforced.⁸⁶ A year later, Dawson's non-Indian constituents voiced their anger at his support of the Indians. An article, including an excerpt from the parliamentary speech of 1888, commented that Smooth Bore, as Dawson was known, cared more for the Indian than for his constituents; the article went on to say that if Smooth Bore carried out his wish, "the white men would be debarred from tasting fish, for the sake of some 3,000 paltry lazy Indians who in many cases are too indifferent to fish for themselves."⁸⁷

The government felt differently. In 1889, Edgar Dewdney, Superintendent General, noted that nearly nine thousand Indians depended on these fisheries:

The number of Indians who are mainly dependent on fishing in the north-eastern part of Manitoba, in Keewatin, the east part of the North-West Territories, and in the western portion of Ontario, is 6,570 souls and the number in Manitoba . . . 2,391.⁸⁸

He said that the Indians justifiably were upset at the prospect of losing the means of supporting themselves:

The only cause of discontent was owing to an apprehension on the part of the large majority of the Indians . . . that the lakes and other waters from which their food supply . . . [is] derived, may,

⁸⁶ Ibid., J. A. Macdonald.

⁸⁷ Rat Portage News, February 22, 1889.

⁸⁸ Canada, Annual Report 1889, p. xxvi, E. Dewdney.

owing to the extensive operation of large fishing establishments . . . cease to furnish them and their children . . . with a sufficient quantity of food to sustain life.⁸⁹

As a result of concern shown by Macdonald, Dewdney and other officials, the federal Department of Fisheries amended its legislation to regulate the quantity fishermen would be allowed to catch; the legislation designated parts of Lake Winnipeg and certain other waters as fishing grounds to be set aside for the exclusive use of Indians. In 1892, the Deputy Superintendent General of Indian Affairs said that these restrictions had helped and were "a cause of great satisfaction to the Indians."⁹⁰

When the Indians obtained exclusive fishing rights to certain waters, sharp protests came from non-Indians. Frank Oliver, Liberal Member of Parliament from Edmonton, wrote the Minister of the Interior objecting to Pigeon Lake, Alberta, being given over to the Hobbema Indians. He said it was wrong that "the interests of the voters who supported them [the government] are ignored on behalf of the Indians."⁹¹ Non-Indians were outraged that they should have to give up anything for the Indians. But the government's protection of Indian fishing grounds was an example of its paternalistic

⁸⁹ Ibid., p. xxv, E. Dewdney.

⁹⁰ Canada, Sessional Papers (No. 14), 1892, p. xxiv, H. Reed.

⁹¹ P.A.C., M.G. 27 II D 15, vol. 26, December 7, 1896. F. Oliver to C. Sifton.

policy which did help make the Indians more independent.

Indeed, the Department's actions in these fishing disputes reflected its economic goals: it wanted to make Canada's Indians self-supporting; it hoped to eliminate the Indians' financial dependence on the Department; it intended to maximize the returns which the Indians derived from the exploitation of their resources. To achieve its goals, the Department intervened in many facets of reserve economic life. It took all the steps it considered necessary to make Indians support themselves. During the 1876-1896 period it emphasized farming; it tried to persuade as many Indians as it could to become farmers and ranchers because it believed that for many Indians this was the only alternative; there was no other way that Indians living on reserves could support themselves. The Indians' resistance to the introduction of severality, their aversion to the routines of farming and their dislike of work they considered demeaning, almost guaranteed that many of them would be indifferent farmers. Nevertheless, even as small marginal farmers they would fulfill the Department's goal; they would support themselves. Even as it continued its drive to make individual Indians self-supporting, the Department maintained firm control of the major reserve resources of land and timber. It believed that it would be unwise to permit the bands to direct the exploitation of these resources because they had not acquired sufficient economic sophistication to withstand the onslaught of non-Indian entrepreneurs.

By 1896, many of Canada's Indians, by one means or another, were supporting themselves; the Department was realizing its goals. However, the restrictions surrounding Indians' economic life in farming, ranching or resource exploitation appear to have created a Procrustean Bed which would prevent the Indians from ever progressing beyond a prescribed point. Had the officials had more faith in the Indians' ability to take risks, to incur losses and to make profits, the tribesmen might have succeeded on their own terms. On the other hand, they might have lost everything and turned to the Department for even more help; this latter possibility probably deterred any officials who considered proposing that the Indians be given economic independence. The government's belief that the Indians were inferior and could succeed only in a very modest way inspired it to enact restrictive legislation. This government legislation and the Department's attitude helped to make the prophesy self-fulfilling.

CHAPTER IX

THE ADMINISTRATION OF DAILY LIFE

ON THE RESERVES

The government and the Department not only managed Indian economic life, but they also interfered in other facets of daily reserve life. Although they concentrated their attention on educating the children and instructing Indian farmers, they wanted all Indians to change, to replace many Indian customs with non-Indian ones; they used moral suasion and legislation to bring about the changes they considered most important. In particular they wanted to improve Indian health, to make the Indians' outward appearance and daily life style resemble that of non-Indians and to introduce non-Indian forms of municipal self-government.

1. Health

The health of reserve Indians was generally poor. Each year the Annual Report contained innumerable gloomy tales of sicknesses on the reserves. In 1891, agents in Nova Scotia wrote: "their health is not good . . . the prevailing element - consumption"; "pulmonary troubles and hemorrhage are, I think getting more frequent among them"; "the past winter was one of much sickness and several deaths occurred, principally from pulmonary disease"; "a large number of

children and some grownup Indians suffered from measles, and afterwards 'la grippe' affected very many . . . from the latter disease a number . . . are in the second and third stages of consumption."¹ In the same year, in Ontario, the most prosperous Indians of all, the Six Nations Iroquois, were described as suffering from a great deal of winter sickness.² In the west, the Indians succumbed to contagious upper respiratory diseases and to others like whooping cough and measles which had devastating effects on them. Generally, the reports show that Indian health was not good.

During the 1876-1896 period, the Department waged an all-out war on smallpox, a disease which had killed a great many prairie Indians in the early seventies. In 1877, 1878 and 1879, it appeared again in widely separated bands across the country.³ In 1880, the Department issued a directive that either a physician or the agent should vaccinate every Indian.⁴ Some tribesmen refused saying, "time enough . . . when there is danger of the disease making its appearance anywhere in the vicinity."⁵ Others, who had recently seen the effects of smallpox, were anxious to be vaccinated; one agent reported that "any prejudice which may have existed among them against vaccination was completely dispelled

¹Canada, Sessional Papers (No. 14), 1892, pp. 41-43.

²Ibid., p. 1.

³P.A.C., R.G. 10, 1879, Letterbook, pp. 82-83.

⁴Canada, Annual Report 1880, p. 33.

⁵Canada, Annual Report 1881, p. 14.

through the effects of the smallpox epidemic last summer."⁶ In 1885, the Privy Council ordered "that all of them and their families shall be vaccinated. The operation should be performed with the least possible delay."⁷ Since Departmental officials could identify all reserve Indians, this could achieve almost total coverage. Some years later when smallpox outbreaks occurred in various parts of Canada among the non-Indian population, the Deputy Superintendent General wrote, "the immunity enjoyed by the Indians as a whole may . . . be attributed . . . to the systematic vaccination practised for many years past."⁸ By 1896, the Department's attack on smallpox had been successful, this vicious disease had been eliminated from the reserves.

Although it was not as successful in its fight against other diseases, the Department did manage to prevent such diseases as typhoid, diptheria and dysentery from becoming prevalent on the reserves. By introducing and enforcing public health regulations to stop the spread of diseases transmitted by impure water or by inadequate waste disposal systems, the Department decreased the incidence of these diseases. Occasionally there were reports of the reappearance of some of them. In 1885, the Deputy Superintendent General noted that an outbreak of diptheria which

⁶Ibid., p. 17.

⁷P.A.C., M.G. 26 A1 (a), vol. 290, November 10, 1885.

⁸Canada, Annual Report 1901, p. xix, J. A. Smart.

had occurred on Pi-a-pot's reserve near Indian Head in southern Manitoba had resulted in a number of deaths. He said that the Indians attributed the disease to "local climactic conditions, [and] fled from the reserve after having set fire to their houses. They then proceeded to hold a 'sun dance' in the vicinity of Qu'Appelle to the terror of the white settlers."⁹ The band refused to return to its original reserve; the Department then "permitted [it] to select another tract of land, upon which they immediately settled."¹⁰ Because of the Department's vigilance, such occurrences were rare.

Problems with public health were much more frequent in the west than in the east because many eastern Indians had long since adapted to sedentary living. In contrast, the prairie tribes found it difficult to accept the Department's rules for sanitation. They had never had to concern themselves with sanitation; they moved so frequently that they simply left their refuse behind them. Once settled on reserves, they had had to be convinced that it was necessary to arrange for the proper disposal of garbage and human waste. The agents worked hard to improve the bands' knowledge and practice of sanitation.

In 1890, the Indian Commissioner wrote that in the North West "all sanitary precautions in the way of cleaning

⁹Canada, Sessional Papers (No. 3), 1885, p. xii.

¹⁰*Ibid.*

up about and within the houses are rigidly enforced and as a consequence, no epidemic, which might have resulted from the neglect of such precautions, has occurred."¹¹ The following year, speaking of the west again, he said, "such sanitary precautions as white-washing houses and gathering and burning garbage about the dwellings are systematically and regularly attended to."¹² The Department's public health rules and its insistence that they be observed undoubtedly protected the Indians from much sickness.

Although the Department's vaccination programs eradicated smallpox and its public health measures decreased the incidence of certain other diseases, a third type of disease remained inpregnable. Contagious diseases, particularly those of the upper respiratory tract, gained a strangehold on the Indian population. Tuberculosis, the disease which in the years after 1896 decimated so many bands, established its hold on the Indian population well before 1896.

There were several reasons that tuberculosis got such a strong grip on Canada's Indians. In the first place, since the world's medical people did not know until the late nineties that tuberculosis was terribly contagious, Indian administrators certainly did not know. Nor did either group know that scrofula and phthisis, hitherto identified as

¹¹Ibid. (No. 12), 1890, p. 166.

¹²Ibid. (No. 18), 1891, p. 136.

separate diseases, were actually forms of tuberculosis. Nor did they know that tuberculosis in any form was spread by contact with the sick or with their sputum. Departmental officials did not know that the sick should be isolated.

In the second place, residential schools proved to be ideal vehicles for the transmission of disease. Children who had contracted tuberculosis before they came to school lived in dormitories, shared wash water, towels and eating utensils with the other children and soon spread the disease. By 1909, the mortality rate among residential school children had become alarming. At Ontario's Shingwauk Home, a long-established and successful school, sixty-six of the two hundred and eight children admitted between 1894 and 1908 had died or been discharged because they were ill; tuberculosis was the disease from which most suffered.¹³ Residential schools, the pride of the Department, became death traps.

Sick children discharged from school were another medium for spreading the disease. They took the disease home and on the reserves the Indians' way of life supplied the final reasons for the rapid spread of tuberculosis. Their houses were so small, dirty and poorly ventilated that the sick contaminated the healthy members of the family. The Indian diet was so deficient in foods necessary for good health that Indians could not withstand the onslaught of

¹³S. H. Blake, Memorandum on Indian Work (Toronto: Bryant Press, 1909), p. 15.

tuberculosis.

Once the Department realized the prevalence and seriousness of tuberculosis, it set out to reduce the incidence of the disease. It began to demand that children have medical examinations before they were admitted to school; a sick child was not admitted. In 1896, Hayter Reed wrote that scrofula, a form of tuberculosis characterized by skin lesions and abscesses had become more prevalent among the children; he said that "the Department had found that it must be guarded in its selection of children . . . and is enforcing a rule requiring new pupils to pass an examination as to health before enrolment."¹⁴ Later, the Department demanded that all schools meet more rigid rules for sanitation, ventilation and general upkeep, but it had not imposed these rules by 1896.

The Department realized that poor housing contributed to the spread of disease on the reserves. It tried to get the Indians to improve their housing. Many Indians still did not live all year in houses; some, in the more remote regions of Quebec, Ontario and the west, led nomadic lives and always lived in tents; others, who had given up the nomadic life, spent the winters in houses and moved into teepees in the spring. Agents wrote that Indian housing consisted largely of small, dirty, poorly ventilated one-room houses with a large number of people living in each

¹⁴Canada, Annual Report 1896, p. cccviii, H. Reed.

house. John Davidson, the agent at St. Regis Quebec, said "the houses in the village are not fit to live in during the winter without more fixing than they seem to care about doing."¹⁵ His comments were echoed by agents elsewhere in Canada. Departmental officials tried to persuade the Indians to give up their teepees and then to build big, substantial houses with root cellars, white-washed walls, board floors and windows.

One of the reasons that the tribesmen in western Canada built small insubstantial houses was their "superstitious fear of inhabiting a house in which a death has taken place. It can readily be understood that with full intention of destroying or abandoning a house . . . an Indian would not feel disposed to spend much labour upon it."¹⁶ A report of a severe epidemic of measles among the Stoney Indians of Alberta noted that the prejudice against inhabiting a building where someone had died had increased the epidemic's toll. The Indian Commissioner had warned the Stoneys of "the danger of exposing themselves to cold after recovery" but the Stoneys had disregarded his advice and as a consequence, "deaths had ensued. The occurrence of these deaths in turn drove the superstitious Indians from their houses into teepees where many more died."¹⁷

¹⁵Canada, Annual Report 1877, p. 26, J. Davidson.

¹⁶Canada, Sessional Papers (No. 18), 1891, p. 135.

¹⁷Ibid. (No. 15), 1888, p. 193.

Sometimes when band members did follow advice and did construct acceptable houses, Departmental officials expressed pleasure. In the 1890 Sessional Papers, Hayter Reed wrote:

In the older agencies [in the west] where the houses were of a class to compare not unfavourably with many of those of the settlers, they are being added to, sometimes the walls being raised, in other cases the mud or thatch roof being replaced by a shingle one, and in others board floors being laid.¹⁸

By 1896, a Departmental inspector reported progress among the Stoneys:

It is some years since I had the opportunity of making a house-to-house visit. . . . I was greatly pleased with the very evident advance they have made towards living, not only in a civilized manner, but, most of them, in great comfort.¹⁹

He said that usually the houses were two stories high, made of spruce logs and had "shingle roofs, floors upstairs as well as downstairs, [were] lined with matched lumber, and [were] divided into apartments."²⁰ The improvement in house construction was matched by corresponding improvements in furnishings and in the care that the Indians took of their homes. Because disease spread much less rapidly in better built, cleaner houses, the government did everything it could to persuade the Indians to build bigger and better homes.

¹⁸ Ibid. (No. 12), 1890, p. 164.

¹⁹ Canada, Annual Report 1896, p. xxxiii, H. Reed. quoted an unnamed western inspector.

²⁰ Ibid.

But even those who had done this remained susceptible to disease because their diets were inadequate. The problem was not confined to one area or to one tribe; Indians across the country ate poorly. Indeed, the agent for the Six Nations Iroquois wrote that among these Indians, who were the most prosperous and advanced of all, "their diet, consisting so largely of pork, hot biscuits and cornbread, is not conducive to health."²¹ Some Indian bands had better diets; agents wrote that some bands produced and ate vegetables, root crops and dairy products. Indians who earned cash incomes could buy food but there was no evidence that the availability of discretionary income improved their diets.

Western bands, dependent on government rations, had even less opportunity for variety in their diet. In addition to game, fish and berries, the Indians ate salt pork, bacon, beef, bannocks made of flour and water and tea; this was an inadequate diet. Gradually, as Departmental officials reiterated the need for dairy products and vegetables, and as the Indians grew more crops and raised livestock, they began to improve their eating habits. In 1890, the Indian Commissioner wrote:

At several of the agencies, there is among a fair proportion an inclination manifested to bake loaf bread in place of bannocks. . . . Milk too . . . is being much more used, not only in its crude form, but in the shape of butter which the wives of the instructors are at pains to teach the squaws to make.²²

²¹Canada, Sessional Papers (No. 14), 1892, p. 1.

²²Ibid. (No. 12), 1890, p. 164.

The Department, in the nineties, concentrated on getting tuberculosis sufferers or those in contact with patients to improve their diet. Hayter Reed wrote:

The majority of deaths among adults result from scrofula and consumption. Among our western Indians . . . pulmonary attacks are common, the Indian being particularly susceptible to those during the state of transition from the wild state to the more advanced civilization and to overcome this efforts are being put forth to get the Indians to ventilate their houses. It is found that fresh meat and the greater use of roots and vegetables tend greatly to improve the condition of those scrofulously inclined.²³

Two years later, the Deputy Superintendent General reported that an improved diet and cod-liver oil were helping the Indians:

The use of vegetables and of medicines, including cod liver oil liberally supplied to those who cannot afford to purchase it is distinctly, if slowly, ameliorating the scrofulous condition.²⁴

The Department provided the cod-liver oil and the medicine. It also employed physicians to look after the Indians' health. Between 1876 and 1896, the number of physicians employed by the Department increased considerably. The figures in table 19, below, are somewhat misleading as the number of physicians employed in 1876 was higher than usual because five were employed to vaccinate the Indians. Although the number of medical personnel paid to look after the Indians did increase in the twenty year period, by 1896

²³Canada, Annual Report 1896, p. xxiv.

²⁴Canada, Annual Report 1898, p. xx.

TABLE 19

MEDICAL PERSONNEL PAID BY THE DEPARTMENT
TO ATTEND RESERVE INDIANS, 1876-1896

	1876	1896
Maritimes	15	8
Quebec	8	3
Ontario	2	18
Manitoba and the North West	2	11
Total	27	47

SOURCE: Canada, Annual Report 1876, pp. 51-75;
Canada, Annual Report 1896, pp. 456-64.

there was still only one medical person to serve approximately one thousand, one hundred Indians.²⁵

During this twenty year period, the Department had acknowledged its responsibility for Indian health; it had almost eradicated smallpox; it had prevented the spread of many communicable diseases; and, it had tried to slow the spread of tuberculosis. However, tuberculosis, a disease rampant among the poor, could not be conquered unless the environment in which it thrived was changed; this was too much to ask of a government which fed its Indians just enough to keep them working and held out little hope that as a group they would ever be more than marginal subsistence

²⁵Canada, Annual Report 1896, p. 442.

farmers. Public opinion which would not sanction the expenditure of public moneys to support programs to change the lives of the non-Indian poor would certainly never allow Parliament to raise the living standard of the Indians. Tuberculosis would continue to be the dread disease of the Indian population.

2. Manners and Mores

To help "civilize" the Indians, the Department attempted to effect changes in their way of life. Officials thought that they could persuade the Indians to adopt many of the manners and mores of non-Indians and to eliminate or modify traditional customs which were incompatible with a "civilized" way of life. Examples from four categories of changes which the Department wanted to effect illustrate the degree to which it interfered in everyday Indian life. It first attempted to change the appearance of Indians and of their homes. Secondly, it taught Indian women new skills and redefined their cultural role. It also tried to make Indian marriage customs and sexual practices correspond to those idealized by Victorian society. And, finally, it sought to suppress the customs and practises it considered detrimental to the Indians' adoption of a "civilized" life style. It wanted to eradicate, among other things, the sun dances, horse stealing and the consumption of alcohol.

To bring about changes in appearance, in dress and in personal and domestic hygiene, the Department chose to

exert its own influence; it chose not to ask Parliament for legislation. In eastern Canada, by 1876, a good many bands dressed in much the same style as their non-Indian neighbours dressed; the men of both groups wore moccasins, shirts and trousers, leather and cloth jackets; the women wore long dresses and shawls. Because both groups dressed alike, eastern agents had no concern over Indians' clothing. But in western Canada, large numbers of unwashed, long-haired Indian men wrapped themselves in blankets; agents were anxious to have them wash, cut their hair and replace their blankets with shirts and trousers. When the Indians did adopt conventional garb, the officials were delighted. In 1889, the Indian Commissioner wrote of "a wonderful improvement in the manner of dress. On some reserves it is no uncommon thing to see a well-to-do Indian dressed in a suit of decent tweed, a shirt, hat and boots, with his hair cut like a white man's."²⁶ The Commissioner insisted that such changes indicated "the gradual disappearance of the [Indians'] strongest prejudices."²⁷

The Department's campaign to convince the Indians of the virtues of personal cleanliness began with programs for the school children. In the residential schools, where the pupils' lives were completely controlled, the children had their hair cut, were given a bath, received a wardrobe of

²⁶Canada, Sessional Papers (No. 12), 1890, p. 164, H. Reed.

²⁷Ibid.

non-Indian clothing as soon as they arrived and they were forced to keep themselves clean throughout their years at school. The Department hoped that the standards of dress and cleanliness learned at school would become life-long habits. In the western day schools, children were introduced to soap and water; by 1890, the Indian Commissioner wrote how successful the introduction had been:

Personal cleanliness is naturally accompanying the change towards civilization. . . . The impetus in this direction . . . had been given by the Department's introduction of towels, soap and water among the day schools on the reserve.²⁸

He said that the childrens' acceptance had so encouraged the Department that it had issued "a little soap and washing tubs through the bands generally."²⁹ The Commissioner knew that even if a few bands accepted these provisions, all bands were not going to be clean; but he did consider a band's adoption of cleanliness a welcome sign of their acceptance of non-Indian ways.

Another sign of acceptance was the Indian women's mastery of new domestic skills. In the 1892 Sessional Papers, the Deputy Superintendent General wrote that the wives of the farm instructors had been teaching the women such new skills as knitting, sewing, milking cows, raising chickens, baking bread, putting up preserves, churning butter.³⁰ All these

²⁸ Ibid.

²⁹ Ibid.

³⁰ Ibid. (No. 14), 1892, p. xxvii.

were things which non-Indian farm wives did to help share the burden of the farm work, to improve the family's diet or to make extra income. The Deputy Superintendent General said:

They [Indian women] are being led to employ themselves in what is not only more profitable to themselves and families, but in what is more becoming to their sex than continuing to be 'hewers of wood and drawers of water' as they all previously were, and too many of them still are.³¹

By 1895, agents on many reserves were commenting on the competency which many women exhibited in their practise of the new skills. The Department's approbation was reflected in the Superintendent General's report. In it he included a quotation from an unidentified agent:

I may also state that the Indian women of this agency are becoming more industrious every year; they knit socks, mitts, gloves and mufflers for their families; they also tan hides for robes for white settlers. The young women make moccasins, while the old women prepare the leather.³²

Indeed, on some reserves a cottage industry seems to have developed; the women were under contract to the Department to supply specified quantities of knitted and leather goods for the children in the neighbouring industrial schools:

³¹Ibid.

³²Ibid. (No. 14), 1895, p. xix.

Where sheep have been introduced, notably at the Assiniboine Reserve, the art of carding and spinning has been taught, and the women . . . in addition to making such articles of knitted wear as were required for their own families, very creditably filled an order to furnish seventy-five pairs of mitts for the children of the Qu'Appelle Industrial school. They made moreover one hundred and fifty pairs of moccasins for the inmates of that institution.³³

By their mastery of these new skills, the Indian women made extra income and improved the domestic lives of their families.

Pleased as it was with the women's progress, the Department continued to be anxious about Indian families; since it believed polygamy to be harmful, it took steps to encourage monogamy. To this end it instructed its agents in 1890 that they were to take action against Indians engaged in polygamous marriages:

In order to encourage a proper regard for the sacred nature of the marriage-tie I have - believing the time is ripe - instructed some of our agents to warn them that in future, if a man marry more than one wife, the annuities will be paid to the women themselves, and not to him.³⁴

The only type of monogamous marriage which the Department sanctioned was the marriage classified as patrilineal by sociologists. In such a marriage, the woman leaves her father and mother to live with her husband and adopt his surname. Children born to the new family take the surname of their father and trace their lineage through him. The

³³Ibid. (No. 18), 1891, p. 135.

³⁴Ibid. (No. 12), 1890, p. 167.

government had codified its sanction of patrilineal descent in the 1876 Indian Act by specifying that only if a child's father was Indian would the child be classified as Indian.³⁵ The government's imposition of patrilinealism overlooked or disregarded the fact that some Indians, most notably the Six Nations Iroquois, were matrilineal. The Iroquois traced a child's descent through its mother and did not consider legitimacy important:

In traditional Iroquois law legitimacy is of minor importance. . . . The mother determined the allegiance of her offspring by virtue of her membership in the clan, not by virtue of marriage to her husband. . . . The superimposed emphasis on legitimacy has actually been somewhat disruptive of social relations . . .³⁶

Impervious to any disruption of social relations within the tribes, the government remained adamant that children of Indian mothers and non-Indian fathers would not have legal status as Indians. It did this in order to make the identification of bona fide Indians easier by establishing a single criterion and allowing no deviations; it also wanted to protect the assets of the bands by limiting the numbers who would be entitled to share them. This law excluded from band life many individuals who considered themselves Indians.

³⁵Canada, Statutes, chapter 18 (1876), section 3, pp. 43-44. See chapter IV for a more complete discussion.

³⁶Annemarie Anrod Shimony, Conservatism Among the Indians of the Six Nations Reserve (New Haven: Yale University Press, 1961), p. 22.

Not content with venturing this far into the social sexual life of the Indians by its insistence on monogamy and patrilinealism, the Department also campaigned to improve the Indians' morals. It encouraged tribesmen to provide separate sleeping areas for each sex. The Departmental officials who had wanted the Indians to build larger houses to slow the spread of disease, thought that in these larger houses "the possession of such sleeping accommodations as enables the separation of the sexes has a most weighty bearing upon the morals of any class of human beings."³⁷ Many agents wrote of the impropriety of everyone sleeping in one room. The Department, while deploring the custom, wisely enacted no legislation to ban the practise; instead, it encouraged the Indians to build larger houses.

A second problem attributed to immorality was the spread of venereal disease on the reserves. Writers in the Annual Reports handled the subject of venereal disease with circumspection. The officials considered it a moral rather than a medical problem. They said that the tribesmen who frequented the non-Indian communities contracted the disease and then infected other Indians on the reserves. The Indian Commissioner thought that the only way to eradicate it would be to keep the Indians from going to the towns:

³⁷Canada, Sessional Papers (No. 14), 1888, p. 191.

A certain class of disease, which unhappily is still too prevalent, cannot be stamped out until Indians can be kept from frequenting the neighborhood of towns.³⁸

He said that this would be difficult to do because the Indians could not be compelled to remain on their reserves. He reported that the Departmental officials were "prosecuting or threatening prosecution under the Vagrant Act, and availing ourselves of such means as exist for making our displeasure towards those who leave without securing passes."³⁹ The Commissioner said that it would be better to keep the Indians away from the towns rather than to charge those who did go to town. He instructed the Department to encourage its agents to tell the Indians that they needed passes to leave the reserves; and that they must have good reasons for town visits in order to get passes. The Department's actions were another indication of its power and of its certainty that it had the right to interfere in any facet of Indian life.

In fact, the Department went beyond life and suggested that the traditional Indian methods of disposing of the dead used in some parts of Canada should be given up. In some western areas, Indians placed corpses in trees or in specific spots out in the open; by 1896 the Deputy Superintendent General was able to say that "the dead are, as a rule,

³⁸Ibid. (No. 12), 1890, p. 107.

³⁹Ibid.

properly buried, instead of being placed on rocks or in trees."⁴⁰ Perhaps the Department thought the traditional way was unsanitary or unChristian; perhaps it really did want the Indians to resemble non-Indians from birth through death.

Certainly the Department worked hard to get the Indians to give up those customs it considered characteristically Indian or incompatible with the pursuance of a non-Indian style of life. The sun dance was one custom the Department wanted to see disappear; its own officials and many churchmen viewed the dances with repugnance and alarm. The sun dances, which took place in mid-summer, were occasions when several hundred Indians gathered for several days to celebrate their tribal identity and to participate in a pagan festival in which the medicine men played dominant parts. A North West police officer described the central ceremony of the dances:

The candidates, partly stripped and painted came forward, accompanied by their female relatives. They were taken hold of by the medicine man, who, with the aid of the women, drove sharp skewers of hard wood through the thick muscles of the breast, secured them to the double tails of a lariat. . . . The young brave . . . threw his weight back upon the lariat until the skewers were torn from the flesh.⁴¹

In 1882, Hayter Reed, then an agent at Battleford, Saskatchewan, discouraged the holding of sun dances in his agency

⁴⁰ Canada, Annual Report 1896, p. xxxiii.

⁴¹ Samuel B. Steele, Forty Years in Canada. Reminiscences of the Great North-West (Toronto: McGraw Hill Ryerson, reissued 1972), pp. 132-33.

because he thought that they were disturbing and destructive:

One cause of unsettling the Indians and taking them from their reserves has been the annual dances, at which all who are in a position to attend come. . . . As they are of heathenish origin and more or less tend to create a spirit of insubordination among the young men . . . I have . . . discountenanced them.⁴²

Churchmen saw that the dances were pagan and opposed them because they believed that they increased the power of the medicine men and discouraged the spread of Christianity.

As a result of the churchmen's attitude and because the Department feared that the Indians who gathered for these dances would become inflamed by the celebrations and might attack non-Indians, Parliament, in 1884, passed an amendment to the Indian Act of 1880 which made the celebration of these dances illegal:

Every Indian or other person who engages in or assists in celebrating . . . the Indian dance known as 'Tamanawas' is guilty of a misdemeanor and shall be liable to imprisonment for . . . not more than six months.⁴³

The government did not impose the new law rigorously; it tried to persuade the Indians to give up the dances and only used the courts as a last resort.

And the Indians needed persuading; they found it hard to forego the sun dances. One reluctant Indian in 1887 sent a petition to John A. Macdonald:

⁴²Canada, Annual Report 1882, p. 50.

⁴³Canada, Statutes, chapter 27 (1884), section 3, p. 108.

Some only of us dance now, and we do not wish to teach others, but when one is seized with the . . . dance he cannot help himself and we believe would die unless he danced. On Saturdays and Sundays we will not dance as this offends the Christian Indians.⁴⁴

However, by 1890, the Indian Commissioner was able to say that "the sun dances have been fewer and less successful than ever" although he did note rather ruefully that "it certainly was a most unfortunate coincidence that the year before, when rain was badly needed and prayed for at the sun dance, it quickly came and the medicine men made a great handle of this among the superstitious."⁴⁵

Heeding the adage that nature abhors a vacuum, the Indian Commissioner decided to fill the empty spot left in the Indians' lives by the disappearance of the sun dances with a Christian festival, the harvest home, "an old English festival celebrating the end of harvesting."⁴⁶ The Annual Reports make no comment about the numbers of bands that embraced the harvest home as a replacement for the sun dance.

Whether or not some other festival replaced the sun dances, the government had been determined that the Indians would give up the sun dances. The Deputy Superintendent General explained, in 1896, how and why the government had

⁴⁴ Forest Lavolette, The Struggle for Survival: Indian Cultures and the Protestant Ethic in British Columbia (Toronto: University of Toronto Press, 1961), p. 57.

⁴⁵ Canada, Sessional Papers (No. 12), 1890, p. 172.

⁴⁶ O.E.D., revised edition (1959), vol. I, p. 870.

suppressed the sun dance and the reason they considered its eradication an important milestone:

The sun dance has become an Indian ceremony almost . . . of the past. For a long time the department's policy has been in the direction of suppressing it by moral suasion, and, step by step, it has been robbed of its most revolting ceremonies, . . . So long as it remained a prominent performance, so long did it keep burning those superstitions which it was sought to eradicate. The abandoning of this dance evidences in no small degree the civilizing influences brought upon the Indians. . . . The 'medicine men,' the guiders of thought and action and the inspirers of fear in all but the very boldest, had to be fought. To win the Indians from such thralldom, and to get them to disregard the influences of generations, required no small amount of courage and skill in management.⁴⁷

The sun dances seem to have epitomized all those things about the Indians which the Department was determined to change; no wonder its officials considered the suppression of the dances an important victory in the campaign to "civilize" the Indians.

The suppression of horse stealing, another practise characteristic of the plains Indians, was not given the same prominence in the officials' reports. Nevertheless, the cessation of horse stealing and the decrease in importance of horses marked the end of the era when horse and buffalo had given the plains Indians prosperity. It was an important milestone in their cultural evolution. The horse had made possible the catching and killing of large numbers of buffalo, the source of the Indians' prosperity; large herds of fast horses had been essential to success. As a result, Indians

⁴⁷Canada, Annual Report 1896, p. xxxii.

fought for, bought, bartered and stole horses. Of course, the need for horses diminished with the buffalo's disappearance; so, too, did the Indians' ability to support large horse herds. But plains tribes continued to long for their herds and to steal horses from each other and from the non-Indian settlers. When he became Indian Commissioner, Hayter Reed insisted that the Indians brand their horses because branded horses could be identified and returned to their owners. The prevalence of branding and North West Mounted Police vigilance caused the decline of horse stealing. The Indian Commissioner, in 1890, was able to report that the practise had decreased "largely due to the vigilance of the North West Mounted Police" but also because the branding "which has now been pretty well effected in spite of considerable opposition, has greatly facilitated the detection of stolen animals and has had a deterrent influence."⁴⁸

Although the Department was anxious to stamp out some Indian customs, it was equally ambitious to deter Indians from picking up undesirable habits such as the drinking of alcohol. From long experience, the Department knew that there were many non-Indians eager to supply alcohol to Indians who were eager to buy it. The government enacted stringent legislation to prevent Indians from getting alcohol. Sections of the 1876 Indian Act prohibited Indians from possessing or drinking liquor, prohibited the sale of liquor

⁴⁸Canada, Sessional Papers (No. 18), 1891, p. 137.

to Indians, and provided punishments for those who sold alcohol to Indians.⁴⁹ During the next twenty years, it introduced a number of amendments to make the laws even stronger. The effectiveness of the government's attempts to control the liquor traffic is recorded in the Annual Reports; agents frequently commented on the Indians' drinking.

Their reports covered the entire gamut from bands whose members had serious drinking problems to bands whose members had taken a pledge of temperance. They did show that a reserve's proximity to non-Indian settlement or to the American border determined the magnitude of the problem the band would have with alcohol. The agent for the Caughnawaga Iroquois reserve reported in 1879 that the central location of the reserve "surrounded by villages and a thickly settled country, and its relative position to Lachine, to and from which a ferry steamer is constantly running" and the proximity of the "terminus of the Caughnawaga and Plattsburg Branch of the Grand Trunk Railway" brought about "the usual evil effects to the Indians of indiscriminate contact with their white brethren."⁵⁰ He said that the Department was having a hard time "suppressing the liquor traffic in the village," but he hoped "that the extreme penalties imposed by law will be rigidly imposed in order that this curse of the Red man

⁴⁹Canada, Statutes, chapter 18 (1876), sections 79-85, pp. 66-85. See chapters III and IV for a detailed description of the legislation.

⁵⁰Canada, Annual Report 1879, p. 11.

may be stamped out."⁵¹ Reliance on the harshness of the law to crush alcohol consumption seems to have been misplaced; one agent reporting on a band living very close to the western town of Portage La Prairie, said that "notwithstanding the strictness of the law in regard to selling liquor to Indians, I am sorry to say that Indian men and women can be seen drunk nearly every day in the week in the town of Portage La Prairie and although in many cases parties have been severely dealt with, still it seems to be no check to parties breaking the law."⁵² A second factor, which affected only a few bands, was the reserves' location near the American border. In eastern Canada, the St. Regis reserve, located on the Quebec-New York State border, had the most serious problem. In 1885, the government decided that if the traffic in alcohol and the drunkenness of the Indians was to be controlled, an agent would have to live right on the reserve so that "when Indians returned to or were found in the village in a state of intoxication," the agent could act promptly "either in the punishment of the Indians . . . or in the discovery and bringing to justice of the parties who sold or gave the liquor to them."⁵³ Undoubtedly proximity to non-Indians or to the American border made it easier for the unscrupulous to carry on the liquor traffic.

⁵¹Ibid.

⁵²Canada, Annual Report 1881, pp. 62-63.

⁵³Canada, Sessional Papers (No. 3), 1885, p. xxii.

Although the Indians' consumption of liquor seems to have been a persistent problem in all regions, it would be misleading to give the impression that all Indians consumed alcohol. A description of the Indians of Prince Edward Island in the 1896 Annual Report said "little fault can be found as to their morality, this being largely due no doubt to the fact that a few years ago they were induced to take a pledge of total abstinence [which] through the efforts of good missionaries and the officials of the Department, they appear to have faithfully kept."⁵⁴ There were other bands who did not drink at all; there were several who had only a few drinking members.

Despite examples of Indian bands for whom liquor was not a problem, for most of them, it was; throughout the 1876-1896 period the suppression of the traffic in alcohol was a constant challenge for the Department. The Deputy Superintendent General, in 1896, said that Indian intemperance was bad both for the Indians and for the Department; that across the country the Indians' conduct had been "all that could be expected, save as regards intemperance, of which there has been a good deal, more particularly in the older provinces and British Columbia"; that the Indian was "much more sinned against than sinning; and, considering his extreme infirmity when exposed to the temptation of drink, it

⁵⁴Canada, Annual Report 1896, p. xxii.

may be a matter of congratulation that he had not given way to a much greater extent than he has."⁵⁵ He noted that it was very difficult to "obtain proof against those miscreants who still persist in clandestinely supplying the Indian with strong drink" but said that the government had prosecuted many, would continue to prosecute and could see some improvement.⁵⁶

Enforcing its temperance laws was only one of the many ways the government interfered in the Indians' lives. It used its assumption of paternal power to justify these intrusions into the Indians' day-to-day lives.

3. Politics

The federal government also enacted legislation to facilitate its intrusion into the Indians' political lives. Before 1876, Indians had provided for themselves the political structure best suited to their needs; this varied from the large, highly sophisticated council of the Six Nations Iroquois to the simple organization of the small, nomadic Maritime Mic Mac bands. Each type reflected the needs and life styles of the Indians; as the economic base of an Indian society changed, the political structure also changed:

One of the most important developments associated with the emergence of horticultural societies is the strengthening of the position of political

⁵⁵ Ibid., p. xxiv.

⁵⁶ Ibid.

leaders . . . the prerogatives of headmen are few in hunting and gathering societies, and these men are obliged to govern by persuasion. Authority is almost totally absent, hence tyranny is virtually impossible. In most horticultural societies the prerogatives of leaders are substantially greater.⁵⁷

But the government of Canada was not content to allow this natural evolution to occur: in the 1876 Indian Act, it introduced its own non-Indian form of band government. Sections sixty-one through sixty-three permitted existing hereditary chiefs to remain in power until they died or were removed by the Department on grounds determined by the Department; they provided for the election of all new chiefs and councillors; they established the minimum and maximum number of officials; they delineated their term; and, they set out their responsibilities.⁵⁸ All bands did not adopt this prescribed form; some chose to retain their traditional form of government.

Even with the guidelines provided by the 1876 Indian Act, Departmental officials often found it difficult to work with the chiefs and occasionally had to avail themselves of the sections of the Act which empowered them to dismiss chiefs and councillors. Particularly in western Canada, the Department needed and set out to gain the co-operation and support of the powerful influential chiefs, leaders like

⁵⁷Gerhard E. Lenski, Power and Privilege (New York: McGraw Hill Books, 1966), p. 138.

⁵⁸Canada, Statutes, chapter 18 (1876), sections 61-63, pp. 61-62.

Crowfoot and Poundmaker. Both these chiefs did co-operate in the beginning. Poundmaker who was described in an 1882 Saskatchewan Herald article reporting the text of a speech he had made to his band persuading them to try to become good farmers, was said to be "an individual of considerable influence . . . and an Indian of no mean intellectual calibre."⁵⁹ However, three years of unsuccessful farming, along with the Department's imposition of reduced rations, brought Poundmaker's band close to starvation and persuaded him that further co-operation would only delay his people's inevitable death. As a result, he joined Louis Riel to fight for his people's future in the 1885 Rebellion. Following the suppression of the rebellion, Poundmaker was imprisoned and, of course, lost his position as chief.

Pi-a-pot, another chief who threatened the nation's security, was removed from office before his seditious plans came to fruition. In 1890, Edgar Dewdney informed John A. Macdonald that Pi-a-pot, a western chief, had responded to Indian trouble in the United States by stirring up Indians in western Canada. He thought Pi-a-pot should be charged and jailed, but said that he was not as dangerous as he might have been because he had lost some of his influence with the other Indians:

He is an old skilled medicine man and if let loose, might create a good deal of disturbance. He had virtually been deposed from his position as chief

⁵⁹ Saskatchewan Herald, January 21, 1882.

for some time, as he was too much of a blackmailer and wanted to get all the proceeds of the Indian industry in his own hands. If he could work up an excitement no doubt he would be a big man amongst them.⁶⁰

Macdonald feared another insurrection and advised Dewdney to take great care, "under the present circumstances you cannot be too careful."⁶¹ Dewdney had Pi-a-pot deposed before he could incite the Indians and become a 'big man' again. The Department could not and would not countenance chiefs who threatened the country's peace.

But chiefs also were removed for "dishonesty, intemperance, immorality or incompetence."⁶² Henry Prince, a Manitoba hereditary chief, lost his title in 1882. He was charged with drunkenness, immorality and the exploitation of his people. The area agent wrote:

The action of the Government in regard to the deposing of chief Henry Prince will have a good effect not only in this reserve but in all the surrounding reserves, as it shows them (something they had hardly believed before) that the Government will and can punish even the highest among them if they do wrong.⁶³

Prince appealed to John A. Macdonald in 1886; he said he had been badly treated and had not had a trial. Departmental officials advised Macdonald that the local agent believed

⁶⁰P.A.C., M.G. 26 A1 (e), vol. 214, E. Dewdney to J. A. Macdonald, December 3, 1890.

⁶¹Ibid.

⁶²Canada, Statutes, chapter 18 (1876), section 62, p. 62.

⁶³Canada, Annual Report 1882, pp. 35-36.

Prince was lucky that he had not had a trial or "he would have gone to the penitentiary for fraudulent drawing of annuity Money."⁶⁴ The agent, who felt that the Department's decision had been fully justified, gave Henry Prince full marks for loyalty and said there was no doubt;

That the stand which Henry Prince took during the first Riel rebellion saved Canada thousands if not millions of dollars, for at that time he had only to lift his hand, and all the Indians in Manitoba would have been on the warpath . . . for his influence as the successor of the great chief Peguis was paramount from Thunder Bay to the Qu'Appelle.⁶⁵

However, the Department could not allow the chief's good record to obscure his criminal activities; he was deposed.

Starblanket, another deposed chief, lost his title because he broke rules which threatened his band's economic progress.⁶⁶ In 1893, this Cree chief was deprived of his title after he had been warned on several occasions dating back to 1889 that he would be deposed if he continued to kill the band's cattle.⁶⁷ The Department encountered great difficulty in its attempts to teach the Indians to care for livestock; they could not accept a chief who persisted in destroying stock. Ironically, two years after Starblanket had been deposed, the Department found that it needed his

⁶⁴ P.A.C., R.G. 10, file 34,600, September 1, 1886.

⁶⁵ Ibid., February 10, 1887.

⁶⁶ Ibid., file 59631.

⁶⁷ Ibid., file 59631, July 11, 1889, March 14, 1893, February 11, 1895.

help to introduce compulsory school attendance laws on his reserve. It promised to reinstate him if he persuaded band members to send their children to school; he did and he was reinstated.⁶⁸

Chiefs were seldom deposed and most carried out their duties adequately. Departmental officials viewed government by chiefs and councillors as an interim and transitional step between traditional band government and elected councils. By 1880, the Department had decided that some bands probably were ready to take this last step in the political process, to replace their chiefs and councillors with elected councils. It asked the Indian agents to assess their bands' ability to cope with such councils. Although the agents expressed many opinions, their responses fell into three categories. First, there were those who considered the Indians totally incapable because of their lack of intelligence, their illiteracy or their nomadic life. Secondly, there were those whose bands refused to consider elected councils either because they believed their illiteracy would handicap them or because they preferred to retain their traditional government. Among this group were the Ontario Six Nations Iroquois who did not want to give up their appointed council of eighty and the Indians of the Carodoc Agency of southwestern Ontario who felt individuals would not have as much power if an elected council represented

⁶⁸ Ibid.

them:

Indians are naturally jealous of each other, and . . . would not like to have their matters entirely left to a representative body, thinking they might have rather much power in their hands, thereby preventing the larger number from having any part in the management of local matters, a privilege they . . . are very fond of using.⁶⁹

Lastly, there were those who believed their bands were ready to participate in municipal government and said that its introduction would be:

A gigantic step towards inculcating and developing the principle of self-reliance and self-government in our dependent aborigines, and the only practical system to adopt calculated to elevate them to the intellectual status of their white brethren.⁷⁰

In Ottawa, Departmental officials read the agents' replies and recommended that the government introduce legislation to establish municipal government in some reserves. John A. Macdonald, on January 28, 1884, introduced Bill 22, "Self Government Among Indian Communities" in the House of Commons. During second reading on February 26, he explained that it provided limited municipal government for some bands; that it would confer on the more advanced bands "certain privileges . . . with the view of training them for the exercise of municipal power."⁷¹ The bill, which was referred

⁶⁹ P.A.C., R.G. 10, file 22155, Carodoc, Ontario, September 25, 1880.

⁷⁰ Ibid., December 1, 1880, Manitoba.

⁷¹ Canada, Debates, February 26, 1884, p. 539, J. A. Macdonald.

to as the Indian Advancement Bill, provided for the election, terms, responsibilities and dismissal of councillors; it also gave the council the right to levy taxes, to spend the money it had raised as well as the proportion of band funds the band was entitled to spend.⁷² This seems to have been the first time that any government was entitled to tax reserve Indians. Once the bill was passed, the Department could allow any approved band to take this step towards greater self-government.

But the western Indian Commissioner, Hayter Reed, thought Indian bands would be better without self-government. In 1892, he advised a band about to move from government by chiefs to government by council, the James Smith Band of Saskatchewan Cree, to do without a council.⁷³ When Departmental officials in Ottawa heard what Reed had done, they reprimanded him. In turn, Reed justified himself. He admitted that "up to a certain stage in the process of their reclamation, Chiefs and Head Men, if of the right character, have a beneficial influence," but said that as time passed and the band settled down to agricultural pursuits, "the Chiefs and Councillors almost invariably prove a hindrance. In order to maintain their influence they are almost compelled to exhibit activity in the direction of opposition to the

⁷²Canada, Statutes, chapter 28 (1884).

⁷³P.A.C., R.G. 10, file 90386-90340, May 14, 1892, H. Reed.

Department."⁷⁴ Reed claimed that these Chiefs and Councillors stood "in the way of personal influence which Agents and Farmers should exert."⁷⁵ He believed that elected councils would cause the relationship to deteriorate:

If . . . permanently appointed Chiefs and Councillors find it necessary for their influence to instigate or countenance opposition . . . the hopes and fears engendered by the system of triennial elections has the most unsettling effect . . . and introduces . . . some of the worst features connected with politics.⁷⁶

The Deputy Superintendent General told Reed that he was wrong, that local reserve government was an important step on the road to enfranchisement, that "the retention of the system of Chiefs and Councillors as representatives of their respective Bands will, . . . not be antagonistic to the eventual accomplishment of the emancipation of the Indians from their present condition."⁷⁷ The Department was determined that non-Indian municipal government would become a feature of reserve life.

The government, in 1885, took another step towards the achievement of the Indians' political emancipation; it gave the federal vote to selected eastern Indians. The Liberal Opposition accused the Conservative government of

⁷⁴Ibid., file 90386-88.

⁷⁵Ibid.

⁷⁶Ibid., file 90340.

⁷⁷Ibid. The Deputy Superintendent General had written across the face of the letter, file 90386.

giving the Indians the vote in order to assure Conservative party wins at the polls and to bring about the defeat of prominent Liberals. In the 1887 federal election, few eligible Indians voted. The Liberal Winnipeg Free Press commented on the failure of the government plan:

The Indian vote has not panned out as expected. Mills and Paterson [prominent Liberals whose seats might have been threatened by Indian voters] have remained untomahawked politically and even the . . . expedient of forging the Queen's name to a proclamation calling on the red man to vote Tory did not work.⁷⁸

The editorialist mocked Macdonald's concern for the Indians:

Sir John loved the Indian as never Indian was loved before. He worshipped the Indian intellect . . . he assigned to him the other virtues with which he has been credited. . . . How whimple-cropt Sir John must feel.⁷⁹

And he said that the Indians not only had refused to vote, but also had asked for a repeal of the legislation which empowered them to vote:

Sir John has now received the unkindest cut of all. Only to think that after all his efforts to make voters of the Indians they refuse to be enlisted among the 'free and enlightened.' And yet such is the case; the Six Nations Indians have petitioned for the repeal of the clause of the Franchise Act. . . . This is cruel indeed.⁸⁰

⁷⁸ Manitoba Daily Free Press, June 21, 1887, "The Indians Won't Vote."

⁷⁹ Ibid.

⁸⁰ Ibid.

The Indians rejected the vote because of a confusion over the meaning of the term "enfranchisement." In the Franchise Bill, enfranchisement meant being empowered to vote; in the Indian Act, enfranchisement meant making the transition from legally-defined Indians to persons; it had nothing to do with the vote. Indians enfranchised under the terms of the Indian Act lost the special privileges and the status accorded to them as reserve Indians and their property became taxable. No doubt when Indians heard of the provision for their enfranchisement in the 1885 Franchise Act, a provision which had nothing to do with their Indian status, they believed that enfranchisement in the Franchise Bill meant the same thing that it did in the Indian Act. They feared that they would lose their Indian status if they voted; as a result they refused to vote.

The provision in the 1885 Franchise Bill which gave selected Indians the vote was only one of the many ways the government and the Department set out to change the Indians' lives in the 1876-1896 period. They believed that these changes were necessary; that they should use education, moral suasion, promises, threats and legislation to bring them about.

The Department tried to improve Indian health because they knew that Indians who were ill could not support themselves and would increase the burden on the Canadian taxpayers. The Department eradicated smallpox by its compulsory vaccination program; it reduced the incidence of

communicable diseases by its insistence that the bands follow approved public health measures; it had little effect in its attempts to control or slow the spread of tuberculosis, a disease endemic among the poor and unresponsive to treatment. Generally, the Department did bring about some improvement in Indian health but the Indians remained very susceptible to many diseases because of their poor diet and housing.

The Department's determination to persuade newly sedentary western Indians to adopt a non-Indian way of life probably reduced the incidence of disease and eased the Indians' transition from nomadic to sedentary living. The Department emphasized the importance of non-Indian clothes, hygiene, houses and furnishings. It taught Indian women new domestic skills. It championed monogamy, separate sleeping quarters for the sexes and the eradication of the most loathsome of social diseases. No doubt some of its pre-occupations reflected a pervasive Victorian attitude to sex and sin which had little relevance to the Indians, but the Department's constant battle to get the Indians to adopt the outward trappings of non-Indian society probably did smooth their transition from one way of life to the other.

As an adjunct to the new non-Indian life style, the Department introduced homogeneous non-Indian forms of local government, first by chiefs and councillors and later by elected councils. Because it saw the Indians' assumption of responsibility for their own local government as a step towards civilization and enfranchisement, it persuaded most

bands to give up their traditional government and adopt the new forms of non-Indian government.

The Department also persuaded, and sometimes forced, the Indians to give up other traditional customs which it felt impeded their acceptance of civilization or their ability to support themselves. It tried to prevent polygamy and horse stealing. It outlawed the sun dances. It forbade Indians to drink alcohol, an unsavoury custom they had picked up from non-Indians. No doubt the Indians suffered when they were deprived of many of their customs; however, the Department believed that they could only be civilized if they gave up their most barbaric customs and continued to insist that the Indians conform to Departmental edicts.

Its insistence on patrilineal descent was interference of another sort; it profoundly disrupted Indian life. The government's classification of Indians according to patrilineal descent, as defined in English Common Law, was ethnocentric and arrogant.

The Department's interference in so many facets of Indian life did bring about changes. In many ways its interference helped the Indians adapt to a new way of life. But its unwillingness to allow the Indians to work out new living patterns, to give up traditional customs and to look after themselves, probably undermined the tribesmen's confidence in their own abilities. The imposition of the law decreeing that only individuals with Indian fathers would be

classified as Indians had far-reaching and disruptive effects on the Indians as a people.

CHAPTER X

CONCLUSION

During the twenty year period 1876-1896 government policies directed towards those Indians living on reserves from the Rocky Mountains east to the Atlantic were racist and paternalistic.¹ During that same period the government's assumption of responsibility for thousands of nomadic western Indians changed the direction and emphasis of government policy. After 1876 Indian policy rested on the assumption that by following the five steps of pacification, containment, paternalistic management, education in practical skills and education in the ways of "civilization," the government would be able to change reserve Indians. It would move them to the point where they, though still inherently inferior, would be able to support themselves and to live like non-Indians. Policy makers also believed that some eastern Indians who had taken these steps would be ready to take a sixth and last step; they would give up their special status and become "enfranchised." Before the assumption of responsibility for western Indians the government had thought that all Indians eventually would be ready to take this last step. During

¹These conclusions may or may not apply to the government's policy towards the Indians of British Columbia who are not discussed in this thesis.

the seventies it became apparent that in the immediate future only eastern Indians would be sufficiently advanced to do so. The government's implementation of its policies was founded on the belief that its goals were worthwhile and attainable; however, although it did partially realize its goals, the government also provided a setting in which it unintentionally protected the Indian culture it had set out to destroy.

Racism was an important determinant of government policy. Policy makers and administrators believed that Indians were different and identifiable because of their "blood." It was indisputable that the Indians belonged to a different race. But those politicians and administrators who said Indian "blood" was different, meant that the Indians' appearance was different; this physical difference they equated with inferiority, with biologically determined inferior brain capacity. Indians and their descendents would continue to be inferior because they would continue to inherit their physical characteristics, blood and limited intellect. The evidence to support the contention that they believed Indians were inferior comes from the Parliamentary Debates and from Departmental reports.

Prominent Conservatives expressed varying degrees of racism. In the 1876 parliamentary discussion of the Liberals' version of the Indian act, Hector Langevin, formerly Minister in charge of the Indians, said, "Indians were not in the same position as white men. As a rule

they had no education; and they were like children to a very great extent. They therefore required a great deal more protection than [than] white men."² Nicholas Davin whose racist 1879 Report on Industrial Schools had been accepted by the Conservatives as the cornerstone of future educational policy, had described the Indian as:

A child, but he is very far from being a child. The race is in its childhood. . . . There is, it is true in the adult the helplessness of mind of the child, the child's want of perspective; but there is little of the child's receptivity; nor is the child's tractableness always found.³

He also saw the Indian as:

A noble type of man, in a very early stage of development. His temperament is for the most part lymphatic. That temperament might or might not be modified by advance in civilization in the course of generations.⁴

Later, as a Member of the House of Commons, Davin continued to express his opinion that the Indian was inferior: "Everyone who knows anything of the Indian knows that although in stature a man, he is in intelligence, a child."⁵

The principal Conservative architect of Indian policy, John A. Macdonald never went to the extremes of some Conservatives in expressions of racist feeling. It is true that he spoke of the Indians as uncivilized, as needing

²Canada, Debates, March 21, 1876, p. 752, H. Langevin.

³Davin, Report, p. 10.

⁴Ibid.

⁵Canada, Debates, July 9, 1884, p. 5543, N. F. Davin.

religious education to make them "better men, and if possible good Christian men"; but, he had committed his government to policies based on the assumption that Indians could be changed, could be "civilized," and that some could even become full citizens; he never once indicated that he did not believe that these goals were attainable.⁶ He maintained his tolerant acceptance of the Indians' way of life. He was constantly aware that it would be difficult to change them. He admitted that "you cannot make the Indian a white man." He agreed with an Indian who had said to him, "we are the wild animals; you cannot make an ox of a deer."⁷ He noted in 1882 that it was improbable that Indians would rapidly begin to live like non-Indians: "Indians are Indians and we must submit to frequent disappointments in civilizing them."⁸ Again he revealed his awareness of distinct Indian cultural characteristics without labelling the Indian as inferior. Although Macdonald did not appear to be a racist, he did introduce racist policies; the 1880 Indian Act, certain amendments to it and the 1879 Report on Industrial Schools. This Report promoted the idea that the teachers would be able to replace the Indian children's "inferior" Indian values with those of the "superior" non-Indian society. On the other hand, during the Commons debate on the 1885 Franchise Bill which proposed giving the vote to Indians, Macdonald, in sharp contrast to

⁶Ibid., May 9, 1883, p. 1107, J. A. Macdonald.

⁷Ibid., May 5, 1880, p. 1991.

⁸Ibid., April 26, 1882, p. 1186.

the extreme racism of others, paid the Indians the highest compliment of comparing them as a race with his ancestors, the Highland Scots. Among his colleagues, Macdonald was an exception; many Conservatives referred to Indians as an inferior people whom they, representing a superior people, had the responsibility of caring for wisely and compassionately.

Liberals too spoke of the Indians as racially inferior. Wilfrid Laurier, speaking in the House in 1886, implied that Indians were inferior when he referred to the North West Métis as springing from European hunters and Indian women, saying, "their character partook of the character of both nations; but in point of education and experience, though vastly inferior to the whites in point of intelligence and adaptability to civilization, they were far superior to the Indians."⁹ Other Liberals seemed to share Laurier's racist views. During the debate on the Franchise Bill, David Mills described Indians as "a class of the population which was notoriously in the rear of the most backward of the white population, no matter what advances they make."¹⁰ P. B. Casgrain said the Indians were inherently unfit: "their natural instincts propagated from race to race, and which in medical terms, is called atavism, are maintained within them in a peculiar way and renders them unfit to become an element of any kind in civilization - unfit to till the land . . . they have kept

⁹Ibid., April 20, 1886, p. 810, W. Laurier.

¹⁰Ibid., May 1, 1885, pp. 1508, 1519, D. Mills.

the defect of their race."¹¹ Perhaps the most extreme statement was made by John Charlton:

These tribes are separate nationalities; they have no pride of country, no desire to promote its interests, and they know nothing about its institutions. They are governed by ignorance and superstition, and are not fit to exercise the high duties, privileges and responsibilities appertaining to free citizens. They are neither independent nor intelligent. They are grovelling barbarians, sunk in the depths of ignorance, and depravity and vice.¹²

Although Members of Parliament spoke in racist terms in the House of Commons, the clearest expression of racism was the government's decision to segregate the Indians on reserves and to confer on them, because of their race, a special legal status. Various sections of the legislation and the government's insistence that enfranchisement should be a difficult process, substantiated charges that the government was racist.

Many parliamentarians and government officials not only saw the Indians as racially inferior but also accepted other stereotyped ideas about them. Some thought of Indians as idle, indolent, dirty, initiativeless beings who needed training and direction to fit themselves into the lowest ranks of the non-Indian working class. Some believed that Indians belonged to a vanishing species and needed special care and help if they were to have any hope of surviving as a people. A larger group viewed Indians as hunters, trappers and food gatherers whose traditional way of life was becoming obsolete and had to be replaced by an agrarian lifestyle. In an age

¹¹Ibid., p. 1518, P. B. Casgrain.

¹²Ibid., p. 1524, J. Charlton.

of evangelistic Christianity many believed that Christians had to bring the pagan Indians into the Christian fold. For the individuals who held these and other stereotyped views of Indians there was no concept of reciprocity, no belief that the dominant culture had anything to learn from the Indians. Whether or not the parliamentarians and officials accepted all or any of these stereotypes they adopted the attitude that the Indians who they considered racially inferior had to be cared for and protected by the Canadian government.

Fortunately for the Indians of nineteenth century Canada, racism went hand-in-hand with paternalism; those who saw Indians as inferior believed that the superior race had a responsibility to protect, teach and improve the inferior race. The paternal assumption of responsibility reflected the Victorian Imperial commitment to carrying the white man's burden. Non-Indians were prepared to shoulder the burden with grace. In 1876, Lawrence Vankoughnet said, "the legal status of the Indians of Canada is that of minors, the Government their Guardians," and that the government's function was "protection" and looking after "their moral welfare . . . [and] the prevention of vice among them."¹³

Racism and paternalism determined the government's attitude towards Canada's reserve Indians but circumstances determined the form of its policies. Successive governments, aware not only of their commitment to paternalism but also of the potential threat of Indians, wanted their relationships with

¹³P.A.C., R.G. 10, file 6886, August 22, 1876. L. Vankoughnet.

the Indians to be peaceful and friendly. In eastern Canada, by 1876, the government had long since come to terms with most of the Indians; it had made treaties, set aside reserves and established peaceful relations. After acquiring the Hudson's Bay Company Territory in 1869, the government had to decide whether to maintain the attitude established in the east; the government knew that it had to remove the western Indians from the path of non-Indian settlement.

The government could exterminate the Indians or it could deal with them peacefully. Extermination had been the fate of some indigenous peoples in North America; the Spanish and the Americans had hunted down native populations in their respective territories. However, for the late Victorian Canadian politicians educated in the tradition of the Queen as the protectors of native peoples in Asia and Africa and with their own feelings of paternalism, extermination was not a viable option. Although a Manitoba Daily Free Press editorial in 1884 half-heartedly raised the issue when it said, "if the Indians cannot be given enough food to keep them quiet, the sooner the suggestion . . . to provide them with cast-off small-pox hospital clothing is carried out the better" there was no serious suggestions that the Indians be killed.¹⁴ Indeed, newspaper editorials said that if the matter was considered solely in economic terms, it would be much cheaper to feed them than to exterminate them.

¹⁴ Manitoba Daily Free Press, May 17, 1884, "Wild Indians."

The Toronto Globe made this point in 1881:

It would be easy to show that to fight the Indians would be vastly more expensive than it is conceivable that to civilize them would be. But we prefer to argue . . . that mercy, duty and Christianity command the whites to treat the Indians in the largest spirit.¹⁵

Referring to the American practice of hunting the Indians, the Globe continued:

We would not have the nation cursed with consciousness that its advance was furthered by the deliberately cruel policy of wiping the red man off the face of the earth. The "only good Indian is a dead Indian" is a diabolical maxim on which we should leave our neighbours south of the line to proceed.¹⁶

Having eliminated the possibility of exterminating them but being unwilling to leave them in the path of settlement, the government's alternative was to meet peacefully with the Indians and to persuade them to accept compensation for their land and to settle them on reserves: pacification was the course the government chose.

Between 1871 and 1877, the federal government signed treaties with the Indians living in areas of western Canada likely to be settled by non-Indians. In Treaties 1 through 5, the Indians gave up their claims to vast territory in return for an annual payment, the provision of some material goods and grants of reserves sufficiently large to give each family of five, six hundred and forty acres. Treaties 6 and 7

¹⁵ Toronto Globe, October 1, 1881.

¹⁶ Ibid.

made with the Cree and Blackfoot respectively, contained similar clauses and also new promises that in times of "pestilence" or "general famine," the government would look after the Indians. Thus the tribesmen relinquished their claims to, and future occupation of, large areas in return for protected reserves, material goods and the promise of additional benefits.

In the years immediately following the signing of the western treaties, the government demonstrated its intention of continuing pacification; its agent, the Department of Indian Affairs, did not force the many bands unwilling to give up their nomadic life to settle on the reserves so long as they remained self-supporting. However, when the game on which these bands depended disappeared and the tribesmen asked the Department for rations, the Department used those rations as a means to get the Indians peacefully settled on their reserves. Initially it merely supplied the hungry plains tribes with food, but then, using the threat that in future it would feed only those Indians who had settled on reserves and were trying to farm, it managed to get most Indians to move to reserves.

By 1878, having pacified the Indians and placed many on the reserves, the Department paternalistically took over the management of the Indians' lives with the intention of achieving three and possibly four goals: the protection of the Indians and their resources from exploitation by non-Indians; the provision of instruction and help which

ultimately would make all Indians self-supporting; the incultation of non-Indian ways which would enable Indians to change and progress to the point where they would resemble non-Indians; and the enfranchisement of the few eastern Indians who had reached the point where they could be assimilated. In order to realize these objectives, the government enacted legislation which defined the reserve Indians, confined them to reserves, restricted their activities and provided for their development in specific ways. This legislation, which legally fastened the stigma of inferiority on the reserve Indians, did so on the basis of race. Once the legislation existed, the government had to establish an ever increasing bureaucracy to impose the laws and to implement government policy. As the government and its administrative arm, the Department of Indian Affairs, took over more and more of the Indians' lives, they found they needed even more detailed laws and an even greater number of bureaucrats in order that they might extend their control.

The government was able to exercise this all-embracing paternalistic policy because the Indians were powerless. Their military power had been broken. They did not pay taxes to Ottawa and, as a result, could not claim as a right representation in government, a right demanded by most residents of democracies. With the exception of a few Indians who had become eligible to vote in 1885, most of them had no vote; therefore, they had no opportunity to exert the political power of block voting. Because they did not control their own

resources, they had no economic power. Having the Indians powerless and collected in convenient management units, the government was able to impose a degree of paternalism not possible with any other segment of society.

The increasingly paternalistic management of Indian life resulted in a tremendous increase in staff and in expenditure which in turn must have given the government many opportunities to use patronage when making appointments, awarding contracts or choosing denominations to operate its schools. It seems to be generally accepted that governments in the nineteenth century did use patronage. Given that this was so, the Indian Department must have provided the government with many opportunities for dispensing patronage. Although patronage is not discussed in this thesis its use undoubtedly influenced government decision making.

With its control over the tribesmen the Department could implement its ambitious programs to change the Indians. Protecting the Indians from non-Indian exploitation, its first object, was not a new field and did not require great changes in organization or attitudes. Instructing the Indians in the art of earning a living, the second objective, was a new field for the Department and one which necessitated the creation of programs and the hiring of employees with characteristics which Departmental employees had not needed before. While the Department was teaching the tribesmen these new skills, it also had to arrange for their provisioning; never before had it undertaken to feed so many for

so long. The third goal, the formal and informal education of adults and children, was not new but the magnitude of educational programs undertaken after 1878 far exceeded anything the Department had done before. As a result of the expansion of the programs, the staff across the country increased rapidly. In western Canada, it increased from three in 1876 to one hundred and sixty-four in 1896. Departmental costs also grew rapidly. The federal politicians knew that they could not allow these costs to continue to increase unless they could assure the Canadian taxpayers that the Department would achieve its goals and then would be able to reduce the costs. Teaching the Indians was a difficult and challenging task but one which the government and the Department had to undertake.

It was a task made even more difficult by the treaty promises which had been made to the western Indians. The government had promised that these Indians would not be allowed to starve; with the exception of 1883 and 1884, it kept its word. For the farm instructors and agents, this pledge meant that they could not say to the Indians that the natural consequences of not working would be starvation because the Indians knew that they would not be allowed to starve. As a consequence of this limitation, the Department, having taught the Indians farming, could not tell the band members to support themselves and could not abruptly withdraw the rations. Instead it encouraged the Indians to farm and it continued to give rations both to those whose

productivity had been good and to those who had merely gone through the motions of growing crops. In contrast to the western non-Indian homesteaders, who, if they did not commit themselves to their farming, faced starvation in the long bleak winters, the Indians who chose not to work very hard could rely on the Department to get them through bad times. The Department insisted that individual Indians had to work, but in farming, where token applications of labour seldom assure a harvest, its promises of rations to offset starvation allowed many western Indians to be marginal farmers. The Manitoba Daily Free Press recognized the truth of this assertion in 1884:

They are thoroughly imbued with the idea that the work world, or the Government, owes them a living, and that they are bound to get it if they only wait patiently . . . all the food and clothing absolutely necessary they count on being able to obtain from the Government and it is the Indian disposition to be content with this.¹⁷

In an effort to reduce its total costs, the Department also introduced controls to stop the reserve Indians from squandering the money they received from the sale of excess production or from material possessions the government had provided as part of the terms of the treaties. Band members, with permission, were allowed to sell excess production in the free market but the agent had some influence over what they bought with the money and would encourage

¹⁷ Manitoba Daily Free Press, June 20, 1884, "Our Indians."

them to eschew frivolities and purchase only necessary commodities. This was done only in the west; eastern Indians were permitted to go their own way as long as they were self-supporting.

Although the Department wanted Indians to support themselves, it was unwilling to allow them to control the exploitation of major reserve resources or to risk their possessions to expand their farming or business operations. The Indian act sections prohibiting the Indians from using reserve land as collateral for credit purchases hampered the economic development of all Indians; it stifled their initiative and prevented them from becoming successful businessmen in the free market economy. The Department felt it had the right to interfere because it was spending such large sums on the reserves and wanted to see the monies well spent.

Despite increasing productivity on the reserves, there was little prospect that the government would ever obtain any revenue from the Indians because the only Indians who paid taxes were enfranchised Indians. There were very few of these and little hope that their number would increase measurably. Once the government had decided to give Indians the legal status of minors and to exempt them from federal taxation, it had committed itself to carrying the costs of Indian administration. Greater productivity might cut down the costs of rations and incidental expenses, but it could not be used to help pay the increased expenses of education and administration.

But, if the Department "civilized" the Indians, it might reduce its costs; "civilized" Indians would require less protection and management than "uncivilized" Indians. "Civilized" Indians were those who, having adopted a sedentary life style, no longer roamed the country but lived like their non-Indian neighbours and supported themselves and their families.

The primary instrument in the "civilization" of the Indians was the school, particularly the residential school. The Conservative government believed that the western residential school program could effect changes in a whole generation of children. In 1883, it embarked on its residential building program as the salvation for the Indians. Schools, both day and residential, taught a European language, mastery of basic academic skills, and, in the case of the residential schools, attitudes, customs and technical skills. The day schools achieved very little because the children attended so infrequently, the curriculum and books were irrelevant and the teachers often were poorly qualified. The residential schools were much more successful; they eased the transition of many western Indians from a nomadic to a sedentary life.

But the work of "civilization" was not left entirely to the schools. Agents on the reserves and other Departmental officials imposed applicable sections of the Indian Act or their own will; they worked hard to get the Indians to adopt non-Indian customs and to give up their own unpleasant,

barbaric and pagan ones.

However, the ultimate step by which the tribesmen would move towards "civilization" was enfranchisement under the terms of the Indian Act. In 1876, the Liberal government had believed that eastern Indians should not remain isolated on their reserves. The government's emphasis on enfranchisement in the 1876 Indian Act underlined its conviction that eastern Indians should join the mainstream of Canadian life. In that year, David Laird, Minister of the Interior, wrote:

[It] is clearly our wisdom and our duty . . . to prepare him for a higher civilization by encouraging him to assume the privileges and responsibilities of full citizenship.¹⁸

In the same year, Lawrence Vankoughnet, Deputy Superintendent General, noted that:

Inducements are more over held out to Indians to take advantage of the provisions made in the law for their elevation from the position of tutelage to that of citizens, and by recent enactments greater facilities for attaining that end are afforded them.¹⁹

Vankoughnet and Laird saw enfranchisement as synonymous with assimilation; enfranchised Indians, whether living on or off the reserve, would adopt the values and way of life of most other Canadians.

¹⁸Canada, Sessional Papers (No. 9), 1876, p. xiii, D. Laird.

¹⁹P.A.C., R.G. 10, file 6886, Memorandum, August 22, 1876, L. Vankoughnet.

But this 1876 strategy of assimilation was to be undermined by the government's previous decision to acquire the North West with its population of thousands of nomadic Indians. Enfranchisement might have been a primary goal of Indian policy in 1876; by 1880, it had been relegated to a minor objective attainable by only few eastern Indians and the government had to concentrate on finding solutions for the problems of western Indians.

Furthermore, the Departmental officials who in 1876 had spoken optimistically of a day when many eastern Indians would be enfranchised, found that their optimism had proved unfounded; by the nineties, very few Indians had indicated any desire to change their legal status. The great majority wished to remain reserve Indians. The Deputy Superintendent General commented in 1895 that he was disappointed that many eastern Indians:

Manifest a lack of desire for further improvement . . . there seems . . . to be too much inclination to take advantage of such exemptions as special legislation has necessarily provided for the protection of Indians in the earlier stages of evolution, and to shrink from assuming the responsibilities of citizenship.²⁰

Although the Department was not able to persuade eastern Indians to apply for enfranchisement, it did bring many eastern Indians to the point where they were sufficiently "civilized" to be eligible for enfranchisement.

²⁰Canada, Sessional Papers (No. 14), 1895, p. xviii, H. Reed.

As it brought the Indians forward stage by stage, the government found that it not only had to supply rations to those who are unable to look after themselves, but also had to use the promise of rations as an incentive to get western Indians to farm. The government did feed and look after those Indians across the country who needed care. As John A. Macdonald said in the House of Commons in 1882, "in the case of apprehended famine the matter is dealt with on the spot . . . when they fall into a state of destitution we cannot allow them to die for want of food."²¹ However, it is true that the government, as an austerity measure, did reduce rations in 1883 and 1884 and did cause many western bands to suffer great hardship, but this was exceptional. Generally, the Department did feed those unable to look after themselves. At the same time, it used rations to get able-bodied Indians to work; it set out to supply just enough to sustain life but not enough for a comfortable existence and it threatened to withhold rations from those who would not work. Hector Langevin, in 1886 in the House of Commons, answered Opposition charges that the Department's rationing policy had forced Indians to participate in the 1885 Rebellion. He said that the Department had had no other option; that it was continuing and would continue its rationing policy because it believed that it was the only way to make the Indians settle down and farm:

²¹Canada, Debates, April 27, 1882, J. A. Macdonald.

How will you compel them to go on their reserve if you do not use some means of that kind. . . . If you do not, by means of rations, compel them to go on their reserves, how will you get them there? Will you send volunteers of this country up to drive them on their reserves. . . . Our desire is to treat the Indians well, to give them as much as is necessary to keep them from starvation, and to make them strong enough to work; but they must work.²²

On the other hand, the Department did not force the Indians to work for it or for other non-Indians, it only wanted them to work their own land in order to feed themselves. After all, the Canadian government could have conscripted Indians to build the railroad instead of importing Chinese labour!

But no matter how pre-emptory the Department's implementation of its programs to "civilize" the Indians might have been, the fact that the Indians were isolated on reserves militated against the realization of the proclaimed goal of assimilation. The Department had said that the Indians would ultimately be "civilized," would replace their traditional culture with non-Indian culture and would become assimilated. By 1896, the Department saw that most Indians living in settled areas of eastern and western Canada had adopted the outward manifestations of non-Indian life. But they also saw that these Indians who had assumed the trappings of non-Indian society intended to retain their identity as Indians.

In fact, the creation and existence of the reserves led the Indians toward isolation not assimilation. In 1890, the Indian Commissioner acknowledged that this was true but

²²Ibid., April 15, 1886, p. 730, H. Langevin.

said that the benefits of reserves outweighed their drawbacks:

No doubt the very system of banding Indians together on reservations mitigates against their conversion into citizens; however a system which will supply every desideratum cannot in the circumstances of the case be devised, and it seems better to keep them together, for the purposes of training them for merger with the whites, than to disperse them unprotected among communities where they could not hold their own, and would speedily be downtrodden and debauched.²³

The Manitoba Daily Free Press commented in 1892 on the contradiction implicit in the idea of reserves as places for transmitting the values of non-Indian society, "nothing could be more irrational and absurd in principle than the system of penning the Indians up within reserves established as far as possible from the centers of civilization."²⁴

This isolation made it difficult for the Indians to perceive, let alone to adopt, the underlying values of non-Indian society. Because of their isolation they saw only the simplest outward expressions of non-Indian culture and they must have had only a limited and imperfect idea of the underlying values. Educators insisted that Indian children did not absorb non-Indian values in the day schools because the influence of their homes far outweighed the influence of the schools. If young, impressionable children could not be taught these values, what could adult Indians learn from the few administrators, clergymen and storekeepers with whom

²³Canada, Sessional Papers (No. 12), 1890, p. 165, H. Reed.

²⁴Manitoba Daily Free Press, August 3, 1892.

they came in contact!

Indeed, the Department seems to have been more anxious to have the Indians live like non-Indians and become economically independent than it was to have the Indians assimilate. The Department's treatment of the prime candidates for assimilation--the aggressive, ambitious young Indians--revealed its ambivalence about assimilation. The Department's insistence that Indians could not homestead in the west contradicted its policy of "civilizing" the Indians so that they would assimilate. It would not allow those Indians who wanted to move out into the non-Indian community and homestead to strike out on their own. If they wanted to farm, they had to fulfill their ambitions on the reserves. The Indian Act enfranchisement legislation provided a second example of the government's contradictory attitude. Enfranchisement, with its several steps and three year waiting period, was a process which would dissuade any but the most determined. It was intended for the élite among eastern Indians. Although the Department believed that many eastern Indians would become sufficiently "civilized" to qualify for enfranchisement, it did not anticipate that western Indians would attain this degree of civilization and it made no provision in the law for their enfranchisement. In reality, the government and the Department wanted all but a few Indians to remain on the reserves.

The general population, if it ever thought about Indians, probably shared the views of many Members of

Parliament and Department officials. Indians were to support themselves in order to reduce the tax burden. The Toronto Globe in 1886 probably expressed many people's feelings when it said that Indians should live like everyone else and no longer receive as much help, "this everlasting coddling and wardship has been anything but a success. . . . The only way to learn how to walk is to walk."²⁵ On the other hand, the population, who may have feared the Indians because of their reputation as wild and savage fighters, wanted the Indians segregated on reserves. This attitude became clear when residential school graduates tried to find employment away from the reserves and found that non-Indians would not hire them.

However, the existence of the reserves and the reserve system did benefit the Indians in at least two ways. First, the reserves helped the tribesmen preserve their identity as Indians in the face of an assault by the technically more sophisticated non-Indian culture. Although they did adopt the external trappings of non-Indian society, the Indians did not internalize the attitudes and values of that society and did retain their own traditional ways. Secondly, the existence of the reserve system protected the Indians from the worst effects of a free market economy. The Department restricted the entry of non-Indians to the reserves, looked after resource exploitation, and prosecuted those who

²⁵Toronto Globe, 1886.

sought to take advantage of the Indians. Had there been no reserves, the band members, for better or worse, would have been caught up in the free market system. This might not have made a great difference to eastern Indians. Many worked on the outer fringes of the economy doing seasonal or marginal work. Their reserves served as gathering places, not necessarily as the focus of their economic lives. In the west, the situation was much different. Without the reserves the Indians would have starved on the prairies or would have been forced into the town slums.

The reserves, while stifling some possibility for economic development, did protect the Indian community. Their culture, long quiescent, has sprung back to a new and revitalized life in the last few years; perhaps without the reserves most of Canada's Indian population would have been so fragmented and dispersed that this twentieth century revival would never have been possible. The racist, paternalistic intervention of the nineteenth century governments intent on changing and "civilizing" the Indians seems to have preserved their culture and enabled it to rise again in the twentieth.

APPENDIX

Department of Indian Affairs Chief Administrative Officers 1876-1896¹

Superintendents General

1876	David Laird
1876-1878	David Mills
1878-1887	Sir John A. Macdonald
1887	Thomas White
1888-1892	Edgar Dewdney
1892-1896	T. Mayne Daly
1896	Hugh John Macdonald

Deputy Superintendents General

1874-1893	Lawrence Vankoughnet
1893-1897	Hayter Reed

Indian Commissioners

1879-1888	Edgar Dewdney
1888-1893	Hayter Reed
1893-1898	Amédée Ammanuel Forget

¹N. O. Côté, Political Appointments, Parliaments and the Judicial Bench in the Dominion of Canada, 1868 to 1896 (Ottawa: Thorburn, 1896); N. O. Côté, Political Appointments, Parliaments and the Judicial Bench in the Dominion of Canada, 1896 to 1917 (Lowe: Martin Co., 1917).

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ABSTRACT

During the twenty year period, 1876-1896, the Canadian government's racist and paternalistic administration of Indian Affairs east of the Rocky Mountains rested on the assumption that by following the five steps of pacification, containment, paternalistic management, education in practical skills and education in the ways of "civilization" it would be able to change reserve Indians. It would move them to the point where they, though still inherently inferior, would support themselves and live like non-Indians. The governments' objectives were changed in the seventies by their assumption of responsibility for the plains Indians. Nevertheless policy makers continued to believe that some eastern Indians who had taken the five steps would be ready to take a sixth and last step; they would give up their special status and become enfranchised.

This thesis examines Department of Indian Affairs' implementation of the government's six steps. In the first section, chapters II and III, pacification of the Indians and the setting aside of reserves set the stage. The second section, chapters III, IV and V, examines the details of the 1876 Indian Act, one of the most significant milestones in the evolution of Indian policy and other legislation which applied to Indians. It then describes the organization and

staff of the Department of Indian Affairs. In the third section, chapters VII, VIII and IX, the implementation of policies affecting Indian education, reserve economic and social life are described and evaluated in terms of the government's enunciated goals.

The Conclusion considers the racism and paternalism of government Indian policies. It then assesses the degree to which the government had realized its goals by 1896 and lays some stress on the point that the government, although enunciating a desire to have Indians assimilate, wanted only a small minority to do so and intended that the majority would remain on their reserves. But by isolating the Indians on the reserves the government protected the Indian culture and allowed it to survive.