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Alexander Morris.
His Intellectual and Political Life and the Numbered Treaties

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**ALEXANDER MORRIS.
HIS INTELLECTUAL AND POLITICAL LIFE
AND THE NUMBERED TREATIES**

by Robert Talbot

**A Thesis submitted to the Faculty of Graduate and Post-Doctoral Studies
in partial fulfillment of the requirements for the Master of Arts degree in History**

University of Ottawa

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ABSTRACT

Alexander Morris (1826-1889) is best remembered for his service as Lieutenant-Governor of Manitoba and the North-West Territories (1872-1877), and for acting as the chief Canadian negotiator for Treaties 3-6 with the Amerindian peoples of western Canada. Ideologically speaking, Morris was a conservative, an imperialist, and a devout Christian. Historians have generally argued that Euro-Canadian officials like Morris failed to appreciate the significance of the treaties and the long-term reciprocal relationship that they entailed for Amerindian peoples. It is argued here, however, that Morris's understanding of the treaty relationship may have been much closer to the Amerindian perspective than previously believed. Over time, and through a series of interactions and intellectual exchanges with Amerindian leaders, Morris was able to transcend his social formation and empathize significantly with their viewpoint.

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INTRODUCTION

The ideological convictions of the individual are, to a significant extent, the product of social formation. The individual's capacity to transcend this social formation, and to think or act outside their time, is a subject of ongoing historical debate. In the case of nineteenth-century treaty-making between Canada and the Amerindian peoples of the North-West, for instance, historians have yet to reach consensus as to how far Euro-Canadian government treaty negotiators like Alexander Morris (1826-1889) were able to understand and empathize with the Aboriginal people they encountered.

Historians have generally argued that treaty negotiations did not produce mutually-understood terms. Given their divergent world-views, the parties held irreconcilable conceptions of the meaning and significance of the treaties and the long-term relationship they entailed. The earliest treaty historiography asserted that the treaties had been made on the initiative of the Euro-Canadians, acting out of a sense of paternalism to protect the allegedly hapless Amerindian population. Until recently, non-Aboriginal historians traditionally portrayed the treaties as tragedies of history; land surrenders in exchange for paltry terms forced on Amerindians by the white negotiators of the Canadian government. Since the mid-1980s, however, ethno-historians, anthropologists, and social historians have emphasized Aboriginal agency, convincingly arguing that the Amerindians were not passive observers at the negotiating circle. Rather, the First Nations used treaty negotiations as a means to secure a promise from government for autonomy and a relationship of reciprocity. Encumbered with an allegedly incompatible world-view, however, Alexander Morris and Euro-Canadian negotiators in general failed to understand the deeper significance of the treaty relationship to which they had committed their government.

The newly established historiography has been crucial in providing an Aboriginal-centred perspective. One difficulty, however, is that it tends to reduce government officials to the category of “classic imperialist.” Moreover, it operates on the assumption that little distinction need be made between the various officials like Morris, as their ideological convictions had limited their capacity to understand Aboriginal people. While the historiography provides the crucial structural and institutional contexts under which government officials operated, it does not capture the particular experiences of the individuals involved in shaping and applying the government’s Amerindian policies. In other words, the unique contributions of certain key actors – and their potential capacity to demonstrate a degree of intellectual flexibility in their encounters with Aboriginal people – remain obscured.

This work will focus on Alexander Morris’s personal understanding of the significance of the treaty-making process and compare his conceptualization of the treaty relationship to that of the Amerindian representatives. Morris served as Lieutenant-Governor of Manitoba (1873-1877) and the North-West Territories (1872-1876) and was the principle Treaty Commissioner for the renegotiation of Treaties 1 and 2 and for the negotiation of Treaties 3, 4, 5 and 6 during his tenure. Over the last two decades, new frames of analysis have emerged in the treaty historiography that better incorporate an Aboriginal understanding of the treaty relationship. The availability of the Aboriginal perspective in the treaty-making process will allow for a more systematic comparison and intertextual analysis with the Euro-Canadian (in this case, Alexander Morris’s) understanding of the treaty relationship. It is argued here that Morris’s understanding of the significance of the treaties may have been much closer to Amerindian understandings than previously believed. This is not to say that all Aboriginal people viewed the treaties in the same manner. Nonetheless, Morris was able to reach a common understanding with a number of the

principle Amerindian negotiators involved in making the treaties.

To help explain Morris's apparent ideological transformation, I aim to show how his world-view and personal convictions developed over time. Beginning with his early life, social formation, and professional and political career, I will analyse the ideological influences that would have informed Morris's understanding of the treaties and his overall view of the North-West before he moved there in 1872. Alexander Morris's ideological formation and his political activities provide a microcosmic insight into the meeting of Canadian ambitions with the realities of the North-West. Morris had been an ardent proponent of Confederation, playing a limited role in achieving the union of 1867. He was a confidant of John A. Macdonald, and intimately shared the latter's vision for the expansion of the country. He was also a long-time advocate for the annexation of the North-West. He is, then, possibly the only Father of Confederation who went West to impose the Fathers' intent and vision – the only one of that collection of well-studied individuals to deal personally and extensively with the Amerindians of the North-West. I will then try to explain how Morris may have understood the treaties he helped negotiate with the Amerindian peoples during his time in the North-West, and how and why he tried to communicate his understanding of the treaties to government and the public. Despite his staunch conservative and imperialist convictions, Morris came to sympathize with the Amerindian peoples so misunderstood by his contemporaries in Ottawa. In the treaty-making process in particular, Morris demonstrated a remarkable ability to understand and even adopt certain aspects of the world-view of Aboriginal people. That he took these principles to heart is evidenced in his approach to the question of treaty implementation, and also his publication of a book on the making of the treaties.¹

¹Alexander Morris, *The treaties of Canada with the Indians of Manitoba and the North-West Territories, including*

A biography of one of the most important actors in the treaty-making process that applies the new frames of analysis now available can contribute to our understanding of the treaty-making process as a whole. By understanding Morris, I hope to discern how he, and perhaps others of his position, might have viewed the treaties. Moreover, Morris's personal intellectual development may shed light on the degree of intellectual flexibility available to other individuals of his social formation. Morris's example could also serve as a reminder of the reciprocal intellectual relationship that existed at various levels of Native-Newcomer relations. Whatever their social formation, newcomers to the North-West, like Morris, did not only project their values and perceptions on others, but in some cases may have been equally informed by the world-views of the individuals they encountered.

I. ALEXANDER MORRIS: HIS PLACE IN CANADIAN HISTORIOGRAPHY

Morris's place in Canadian historiography must be understood within the context of general developments in the field of treaty history. Up until the early 1980s, non-Aboriginal historians continued to overlook the founding principles of the treaties, portraying them instead as tragedies of history –mere instruments of subjugation. In 1932, G.F.G Stanley set the tone of historical analysis that would dominate the next half century:

In the first place they were not really negotiated treaties in the proper sense of the word. The concessions granted to the Indians were never made in deference to the Indians. Discussion was confined to an explanation of the terms.... The fact is that the Indians never understood what was happening.²

Fifty years later, historians still made such generalized assumptions about the numbered treaties. In reading the Treaty 4 (1874) text, for instance, one historian was taken aback by the agricultural implements promised to the Amerindians, and assumed that they had been provided as a way of imposing the white man's way of life on the nomadic Indian: "That these Plains Indians had neither interest in nor tradition of farming seemed to be beside the point. Treaty No. 4 is so similar to all the others concluded in the 1870s that one cannot avoid the conclusion that they were imposed rather than negotiated."³ Such literal readings of treaty text often foster the misleading assumption that the Amerindians were overwhelmingly disadvantaged and largely ineffective negotiators. In short, they overlook Aboriginal agency.⁴

In the mid-1980s, however, Jean Friesen and John L. Tobias put forward two important

²In Jean Friesen, "Magnificent Gifts: The Treaties of Canada with the Indians of the Northwest, 1869-76," *Transactions of the Royal Society of Canada*, series V, vol. I, 1986, p.42.

³John W. Chalmers, *Laird of the West*, (Calgary: Detselig Enterprises Ltd., 1981), pp.47, 40.

⁴See Friesen, "Magnificent Gifts," pp.42-43. See also J.R. Miller, "Owen Glendower, Hotspur, and Canadian Indian Policy," *Ethnohistory* 37, 4 (Fall 1990): pp.386-415, for a discussion of Aboriginal agency in relation to the residential schools system. With regard to the challenges involved in the interpretation of treaty texts, see J.P. McEvoy, "Case Comment: *Marshall v. Canada: Lessons from Wisconsin*," *National Journal of Constitutional Law*,

scholarly articles arguing that the Amerindians had not been passive observers at the negotiating circle, but rather that they had in fact been the driving force of the treaties. Friesen makes a poignant critique of the traditional school:

Men who had for at least a century dealt with the economic demands of the Hudson's Bay Company or American free traders and the political demands of the new nation of the Métis, men who had experienced dislocation, epidemics, and the revolutions of horse and gun, are widely viewed as children in arranging their treaties with these same Europeans.⁵

Instead, Friesen offers the logical consideration that, quite simply, the "Indian leaders took this difficult situation and, in most cases, made the best deal they could." As Tobias explains, "the Cree were both flexible and active in promoting their own interests, and willing to accommodate themselves to a new way of life."⁶ In other words, treaty was a means of adapting to changing circumstances. "[T]hey manoeuvred, stalled, debated, compared offers, and with some success played upon the commissioners' desire to win their friendship and peaceful acceptance of white intrusion into their lands." This willingness to make treaty, to work within the diplomatic framework presented to them, Friesen continues, derived from the Amerindians' political and legal "concept and practice of *reciprocity*," or the entering into of relationships of mutual obligation and benefit in the interest of establishing security.⁷

Making up for past historiographical inaccuracies, however, has resulted in an overcompensation of sorts. Moreover, the new analysis has led to another simplification whereby the Amerindians are now virtually portrayed as the only party in negotiations that really understood the significance of the treaty – the only party that held a desire to secure a

vol.12, (2000-2001), pp.90.

⁵Friesen, "Magnificent Gifts," p.42.

⁶John L. Tobias, "Canada's Subjugation of the Plains Cree, 1879-1885," *Canadian Historical Review*, LXIV, 4, 1983, p.520.

⁷Friesen, "Magnificent Gifts," p.43.

relationship of reciprocity:

An important component of the Indian treaty-making framework was the concept of reciprocity. By offering food and gifts and agreeing to annual payments (the annuities) to the Cree, the treaty commissioners, consciously or not, agreed to mutual obligation of reciprocity. It is apparent that the treaty commissioners did not understand what kind of an agreement they were entering when they signed the treaties.⁸

The Euro-Canadian negotiator, argues Friesen, was “a classic imperialist,” bent on assimilating the Amerindian and fulfilling his self-assumed burden of “Christian duty.”⁹ Curiously, in Friesen as in Stanley, the reader is still required to accept the assumption that the parties simply did not understand each other, and thus held irreconcilable understandings of the meaning of the treaty relationship.

Morris’s position as the chief Crown negotiator, and his subsequent publication of a book on the making and administration of the treaties, have made him something of a lightning rod for much of the criticism aimed at the treaties and the Euro-Canadians responsible for their lacklustre administration. Morris’s book, *The Treaties of Canada with the Indians of Manitoba and the North-West Territories*, published in 1880, remains arguably the most important written primary source for the treaties of the 1870s. It will be discussed in greater detail later in this work. Moreover, in focussing on the poor treaty implementation of the 1880s and later, some historians have operated on the assumption that the treaties, negotiated a decade *earlier*, were themselves inherently flawed, and that the poor implementation that followed was very much an inevitable product of those ‘flawed’ treaties. As such, much of the blame for the failed implementation of the 1880s and later has, by default, been placed at the feet of the Crown

⁸Rob Innes, “‘I Do Not Keep the Lands nor Do I Give Them Away:’ Did Canada and the Plains Cree Come to a Meeting of the Minds in the Negotiations of Treaty Four and Six?” *Journal of Indigenous Thought* 2, no.2 (1999), p.3.

⁹Jean Friesen, “Alexander Morris,” *Dictionary of Canadian Biography*, (University of Toronto / Université Laval, 2000; accessed online at <http://www.biographi.ca/EN/ShowBio.asp?BioId=39842>).

negotiators. By extension, general criticisms aimed at 'the government' have often been applied to its most recognizable figure, Morris. As Lieutenant-Governor and chief Crown negotiator, and given that the most extensive textual records relate directly to him – including archival sources as well as his book – Morris has become the most recognizable figure of that monolithic figure of 'the government,' and thus the target of much of the criticism.¹⁰

The epistemological problem here is that the government was not monolithic. Much has been made of the internal divisions that existed within the various Amerindian groups that signed the treaties. The situation within government was not dissimilar – it included a number of actors of varying backgrounds, varying degrees of experience and familiarity with the North-West, its people and the treaties, and, accordingly, with varying opinions and approaches to treaty negotiation and implementation. Historians need to distinguish between historical actors within government who generally favoured a more faithful implementation of the treaties, like Morris, James McKay, or W.J. Christie, and those who were more inclined to a rather parsimonious negotiation and implementation of treaties, such as J.A.N. Provencher, E.A. Meredith, or David Mills. Much of the historiography has focussed on the lacklustre treaty implementation and policies of the late 1870s and later into the early 20th century – *after* Morris had left the North-West.¹¹ There is relatively less discussion on treaty implementation issues during the 1870s, when important divisions arose within the government over how to best proceed on the issue – divisions that increasingly placed Morris and his position on the margins. Moreover, a closer look at treaty implementation during the mid-1870s – before the notorious Dewdney era – serves

¹⁰See, for instance, Helen Buckley, *From Wooden Ploughs to Welfare: Why Indian Policy Failed in the Prairie Provinces* (Montreal: McGill-Queen's University Press, 1992), pp.32-36; and Treaty 7 Elders and Tribal Council, et. al., *The True Spirit and Original Intent of Treaty 7*, (Montreal: McGill-Queen's University Press, 1997), pp.304-305.

¹¹See, for instance, Kenneth S. Coates and William R. Morrison, *Treaty Research Report: Treaty 5 (1875)*, (Treaties and Historical Research Centre, Indian and Northern Affairs Canada, 1986; accessed online at http://www.ainc-inac.gc.ca/pr/trts/hti/t5/tre5_e.pdf), pp.19.

to draw the distinction between such actors, and helps explain the internal struggle that ultimately resulted in the victory of the more fiscally conservative and parsimonious policy toward treaty negotiation and implementation. For Morris, specifically, his approach to treaty implementation, and how he communicated the importance of the treaties to colleagues in distant Ottawa, helps explain his understanding of the treaties.

This study aims to provide a closer look at one individual involved in the treaty-making process.¹² Morris's understanding of the treaties can be discerned from three research areas. First, a look at his earlier life can help identify Morris's intellectual development and transformation over time. This can serve to trace the development of Morris's appreciation for the treaties, even to the extent of altering his past beliefs and convictions. Second, a new analysis of the treaty negotiations, applying the new frames of analysis, including oral history, can serve to better compare Morris's understanding of the treaties with that of his Amerindian counterparts. Third, an examination of Morris's role in treaty implementation reveals his expanded understanding of the treaties through his actions, including how he explained it to his colleagues.

Alexander Morris is no stranger to the Canadian historiography, but he has seldom been the primary object of study. Few historians have bothered to place his treaty-making years within the context of his earlier life and formative experiences. To be sure, he has appeared in a number

¹²The present work takes some inspiration from Celia Haig-Brown and David A. Nock, eds. *With Good Intentions: Euro-Canadian and Aboriginal Relations in Colonial Canada*, (Vancouver: University of British Columbia Press, 2006). I would suggest that Morris can be counted among those "people of Euro-Canadian ancestry who worked to temper the impact of their more corrupt siblings on the peoples and lands of Canada." As Haig-Brown and Nock explain, "despite initial expectations about 'the Indians,' based on beliefs of cultural hierarchy and stereotypes acquired in formal European and Euro-Canadian schooling, the[se] people ... took the time to listen to, observe, and learn from First Nations and Aboriginal peoples. Assumptions interrupted, they saw Aboriginal cultures, languages, and ways of life as deserving of respect," pp.1-2.

of turn-of-the-century collective biographies.¹³ Additionally, Lila Staples (1928)¹⁴ and R.G. Babion (1945)¹⁵ completed biographical works that provide important information on Morris's career, although they did not focus in any significant length on his dealings with the Amerindian peoples specifically. Both were gushingly positive in their reviews of Morris's life and contribution to Canadian history. "Whether scholarship and political genius came to Alexander Morris from his Scottish forebears, or were gifts from the gods, may be mere conjecture," wrote Staples. "Certain it is he possessed both."¹⁶ Babion called his own study a "pioneer work," but his analysis follows very much the same line as that of his predecessor. Nonetheless, both historians provided important factual information on Morris's educational background, business career, and politics that can help set his other activities within a broader context, and for which the present author is grateful. The most balanced biographical sketch (and the most recent) has probably been that of Jean Friesen's *Dictionary of Canadian Biography* entry. Friesen sets Morris's career within the context of class and financial interests, reminding readers that, while ideologies are derived in part from abstract personal beliefs, they are equally subject to the individual's material circumstances.

The effort here is not to fill a 'gap' in the historiography, but rather to revisit Morris under the new frames of analysis that have been made available to historians in the last sixty years. Namely, advances in the fields of Aboriginal and oral history have served to articulate Amerindian perspectives and understandings of the treaties, making comparative and intertextual analyses of the discourse of Morris and the Amerindian negotiators possible. The language and

¹³See, for instance, Geo. Maclean Rose, ed., *A Cyclopaedia of Canadian Biography: being Chiefly Men of the Time*, (Toronto: Rose Publishing Co., 1886), pp.536-537.

¹⁴Lila Staples, "The Honourable Alexander Morris: the man; his work," *Canadian Historical Association Report*, 1928: 91-100.

¹⁵R. G. Babion, "Alexander Morris: his place in Canadian history" (M.A. thesis, Queen's University, Kingston, 1945).

discourse applied at treaty time by Morris and his Amerindian counterparts, including articulations of the treaty relationship, and the establishment of an atmosphere of trust between the parties, were just as important to the successful completion of the treaties as were the material promises and the hard negotiating tactics applied by both sides. The language and discourse of reciprocity and equality, which often involved the practise of speaking in metaphor, were applied by both parties.

Building on the work of other historians is crucial to this study. Important historical works by Carl Berger, Douglas Owsram, and John C. Weaver,¹⁷ among others, can help place Morris within the larger context of nineteenth-century political and intellectual developments in Canada, the Empire, and the western world in general. The considerable volume of work available on treaty history will also help place Morris within the context of those events and provide the Aboriginal-centred perspective. Some of the most important works include those by Harold Cardinal and Walter Hildebrandt, Friesen, J. R. Miller, Arthur J. Ray, Tobias, and Frank Tough.¹⁸ The present work is certainly not the first to suggest that Morris had sympathy for his Aboriginal counterparts.¹⁹ What makes this study an original contribution to the historiography is

¹⁶Staples, p.91.

¹⁷Carl Berger, *The Sense of Power: Studies in the Ideas of Canadian Imperialism, 1867-1914*, (Toronto: University of Toronto Press, 1970); Douglas Owsram, *Promise of Eden: the Canadian expansionist movement and the idea of the West, 1856-1900*. (Toronto: University of Toronto Press, 1980); John C. Weaver, *The great land rush and the making of the modern world, 1650-1900*, (Montreal: McGill-Queen's University Press, 2003).

¹⁸Works not already cited include Harold Cardinal and Walter Hildebrandt, *Treaty Elders of Saskatchewan: Our Dream Is That Our Peoples Will One Day Be Clearly Recognized As Nations*, (Calgary: University of Calgary Press, 2000); Arthur J. Ray et. al. *Bounty and Benevolence: a History of Saskatchewan Treaties*, (Montreal: McGill-Queen's University Press, 2000); Frank Tough. "Aboriginal Rights Versus the Deed of Surrender: the Legal Rights of Native Peoples and Canada's Acquisition of the Hudson's Bay Company Territory," *Prairie Forum* 17, no. 2 (1992); J.R. Miller, "I will accept the Queen's hand': First Nations Leaders and the Image of the Crown in the Prairie Treaties," in J.R. Miller, *Reflections on Native-Newcomer Relations. Selected Essays*. (Toronto: University of Toronto Press, 2004), pp.242-268.

¹⁹Mary Fitz-Gibbon, for instance, notes that Morris "showed a great understanding and sympathy for the plight of the Indians. For this he gained the respect of all who had contact with him. It was partly through the vision of Alexander Morris that the government of Sir John A. Macdonald was persuaded to establish the North West Mounted Police force in 1873 to bring law and order to the West and to end tribal warfare – thereby preventing the wholesale slaughter that occurred in the United States." In Edmund Morris, *The diaries of Edmund Montague*

the tracing of Morris's intellectual transition that occurred over time and culminated in his experiences in the North-West.

II. EARLY INTELLECTUAL DEVELOPMENT

Early political convictions and identity

From an early age, Alexander Morris demonstrated a keen interest in Canadian politics. He was born into a family of successful Upper Canadian Scottish entrepreneurs and politicians. His father, William, was an affluent merchant and prominent Conservative politician. William and his brother, Alexander, settled in Upper Canada in 1806 in part to pay off debts their father had accumulated while engaged in the “import-export trade between Montreal and Scotland.” William would throughout his life demonstrate great care with his finances – a practise that he would, in turn, impart on his children. The brothers opened a store in Elizabethtown, becoming “two more of those small merchants in Upper Canada who served as middlemen between the mercantile houses of Montreal and the Indians, loggers, and settlers peopling the edge of the wilderness.”²⁰ William served loyalist forces in the War of 1812, and again during the 1837-1838 rebellions, earning some renown for leading a successful charge at the battle of Ogdensburg in New York, in February 1813. Following the war, William and his brother moved to the Scottish military settlement of Perth, the military, judicial, social, and political centre for Lanark County and the Ottawa Valley region. He soon became a justice of the peace, and by 1820 was elected to the Upper Canada House of Assembly as the member for Lanark County – a post he would occupy until 1836, when appointed to the Legislative Council. William’s brother James also enjoyed a successful political career, becoming postmaster-general of the United Canadas. It was at Perth, in the familiar company of other transplanted Scottish settlers, that William decided to

²⁰H. J. Bridgman, “William Morris,” *Dictionary of Canadian Biography*, (University of Toronto / Université Laval,

marry and raise a family. Here, he could make a comfortable fortune in commercial enterprise and frontier land speculation – practises that would, in time, be taken up by his children, and most skilfully by his first son, the young Alexander, born in 1826. The birth was celebrated by friends and family, some having come from as far away as the Scottish Highlands “to drink to the health of the ‘wee young lad.’”²¹

From his youth, Alexander Morris loved the natural abundance and relative quaintness of his home region. It would have been with some heartache, then, that at fifteen years of age he left home for Scotland, at his father’s behest, to receive a higher education. Morris spent two years visiting his mother’s family and attending the prestigious Madras College in St. Andrews, and, later, the University of Glasgow, where he began studying law. In addition to his education, he developed an affinity for his father’s homeland. He visited Scotland’s historic manors and castles and its ancient battlefields, and wandered through the old fortifications of Glasgow, and Edinburgh, “the grey old town ... with its University of historic ruins.”²² The young Alexander excelled at his scholarly pursuits in Scotland.²³ Public speaking, however, proved an early challenge for the self-conscious youth. After reciting one particular passage by Homer before his peers and professors, Morris “felt as if a twenty-four pounder had been taken off his chest.”²⁴ He would come to admire those with the gift of oratory.

While learning of his father’s homeland, however, Canada was never far from his mind. “[T]he project of a General Canadian Confederation was the dream of his boyhood,” wrote one acquaintance. “At an age when most boys are to be found at the skating-rink or in the cricket

2000; accessed online at <http://www.biographi.ca/EN/ShowBio.asp?BioId=38218&query=morris>).

²¹ Archives of Ontario. Fonds F51 – “Alexander Morris family fonds” (hereafter referred to as AO, F51). Reel 4. Memoranda by Edmund Morris, regarding the Morris family, n.d.

²² *Ibid.*

²³ See Babion, pp.8-9.

²⁴ AO, F51. Reel 4. Memoranda by Edmund Morris, regarding the Morris family, n.d.

field, he loved to bury himself in the pages of Lord Durham's 'Report,' or in some of the many works treating of that wonderful, far-away region then nominally known as the Hudson's Bay Company's Territories."²⁵ One of Morris's final assignments at the University of Glasgow was a short paper, entitled "An Incident in the rebellion in Canada in the years 38-9 (*sic*)"²⁶ – a rather sensational account of the Battle of the Windmill, a skirmish between Upper Canadian loyalists and American-backed rebels in November 1838.

The short essay reveals much about the young Morris's intellectual and ideological development up to this point. It demonstrates the extent to which he had internalized the imperialist, anti-American and anti-French-Canadian rhetoric of the day. The essay is equally telling of the insecurities borne by Canada's Anglophone Tories, as they struggled to assert their loyalty in the wake of two rebellions, and stifled under the success of their southern, republican neighbour. From boyhood, Morris held a strong sense of patriotism and loyalty to Britain, coupled with an anti-American sentiment. He was deeply concerned with the country's image and its political future. Morris used the essay to belittle the significance of the rebellion and assert the loyalty of the vast majority of Canadians. "Canada was it is well known," he began,

the scene of a civil war, caused by the machinations of a few designing, discontented men, such as McKenzie, Papineau, Bidwell; who sought their own aggrandizement at the expense of their countries (*sic*) peace. The rebellion, insignificant in itself, would soon have been crushed by the loyal British-hearted Canadians, had not bands of Yankee 'boufers' and reckless villains, reckless Sympathizers, flocked to the assistance of the

²⁵See the 'Editor's Introduction,' in Alexander Morris, *Nova Britannia; or Our New Canadian Dominion Foreshadowed*, (Toronto: Hunter, Rose & Co., 1884), p.vi. These comments would have been made by journalist John Charles Dent. As Dent was fifteen years younger than his subject, this version of Morris's childhood was likely dictated to Dent by Morris himself. See G. H. Patterson, "John Charles Dent," *Dictionary of Canadian Biography*, (University of Toronto / Université Laval, 2000; accessed online at <http://www.biographi.ca/EN/ShowBio.asp?BioId=39595&query=dent>).

²⁶Alexander Morris, "An Incident in the Rebellion in Canada in the Years 38-9," in the Goodwin-Haines Collection, William Lyon Mackenzie Papers, McLaughlin Library, University of Guelph. Submitted to one Rob Buchanan on April 14, 1843, during Morris's studies at Glasgow University.

discontent few, who had forsooth assumed the lofty title of Patriots.

Just cause lay entirely with the loyalists, he insisted, who were determined to defend their territory and property rights. Applying the rhetoric of the militia myth,²⁷ he gave credit to the Anglophone Canadians for fighting off the annexationists and keeping the colony in British hands, and cast doubt on the loyalty of the French Canadians:

Much praise is due to the Canadians for the prompt manner, in which, independent of the military (there was but one regiment in the province) they rose to a man to demonstrate to their misguided brethren – the French population – and more especially to the ‘free and enlightened citizens’ of the New World, that they were not yet tired or ashamed of their Mother country, but were ready to repel (*sic*) any invasion of their rights and territories. The lesson has been, it is believed, an effective one, so that it will probably be long ere the peace of the country is again disturbed, as the policy of the government towards the French Canadians has been quite changed.

The policy to which the young scholar referred was that of the Durham Report: union of the Canadas and eventual assimilation of the troublesome French-speaking population.

In 1843, Morris, now seventeen, returned home from Glasgow with the intention of studying law. His father, however, intended for his son “to follow a business life.”²⁸ But an arranged three-year placement with Thorne and Heward, commission Merchants in Montreal, proved to all concerned that “he was not cut out for this sort of thing and ... he reverted to his original intention of studying law.” Before leaving, Morris spent three months living in a small community north of Montreal to learn French – an ability that would lend itself to future legal practise in the city and, in later years, prove important in dealing with the diverse population of the North-West.²⁹ In 1847, perhaps as a return favour to Morris’s father, a Kingston lawyer

²⁷See Berger, pp.90-93, for a discussion of the militia myth and the loyalist tradition in nineteenth century historiography.

²⁸AO, F51, Reel 4. Memoranda by Edmund Morris, regarding the Morris family, n.d.

²⁹*Ibid.* Babion also remarks on Morris’s three months spent north of Montreal to learn French. See Babion, p.10.

named John A. Macdonald took on the aspiring law student as an articled clerk.³⁰ Morris worked alongside future Premier of Ontario and political opponent, Oliver Mowat. While working for Macdonald, he also took up studies at Queen's College, but "worked so hard his health gave way," and he returned to Montreal.³¹ Undeterred, he began studies toward an Arts degree at McGill University the following year. By 1851, he had completed a law degree and was admitted to the bars of both Canadas.

Morris's legal education contributed to his indoctrination into Canadian conservative politics and provided an outlet for his burgeoning personal ambitions. While at McGill, he studied under William Badgley, a "powerful and effective partisan[] of the institutions of neo-classical liberalism, British immigration, the abolition of seigneurial tenure, and cultural harmony between Canada's two major ethnic groups."³² Badgley had been involved in the court-martial of French-Canadian rebels, "campaign[ed] in favour of legislative union of the Canadas in the wake of Lord Durham's report of 1839, and draft[ed] the Common School Act of 1841 that introduced a centralized, autocratic system of public education for Canada West." He believed firmly in the "expansion of the state's role in securing investment, and unification of the legal institutions of the two Canadas." As a student and apprentice, Morris had taken an active role in this project of centralization, helping draft "Badgley's revisionist 800-article code of criminal law and procedure, and assist[ing] with his principal's work on the Legislative Committee on Railways, Canals, and Telegraph Lines."³³

³⁰Macdonald became closely acquainted with the senior Tory politician, William Morris. See National Archives of Canada (NAC), MG26-A. Prime Ministers' Fonds – John Alexander Macdonald papers. Refer to correspondence between William Morris and Macdonald during May 1847.

³¹Friesen, "Alexander Morris."

³²G. Blaine Baker, "Law Practice and Statecraft in Mid-Nineteenth-Century Montreal: The Torrance-Morris Firm, 1848 to 1868," in C. Wilton, ed., *Beyond the Law: Lawyers and Business in Canada 1830 to 1930* (Toronto: Butterworth, 1990), p.51.

³³*Ibid*, pp.52, 53.

Life in Kingston had also helped expose Morris to the ideas of conservatism, British imperialism, and confederation. In addition to having worked for one of the colony's most prominent conservatives, he also fell in with the short-lived British North American League at its founding convention in Kingston in late July 1849. The League had a profound impact on the ideological development of the impressionable 23 year-old Morris. A number of individuals close to him, including his father, John A. Macdonald, and acquaintances P.M. Vankoughnett and Hugh E. Montgomerie, were prominent in the proceedings and organization of the meeting. The League brought together over one hundred and fifty conservative Anglophone lawyers, politicians, and businessmen from Canada West, Montreal and Quebec City. They were disillusioned by their party's recent electoral defeat, and by the new Reform administration's 1849 Rebellion Losses Bill. The bill promised to compensate anyone not convicted of sedition who had suffered property damages during the 1837-1838 rebellions, regardless of what side they may have supported. The self-proclaimed 'loyal' conservative Anglophone population was outraged by the prospect that their tax dollars could be used to compensate the 'disloyal' rebels. Some saw the bill as proof of the French domination inherent in the ruling Reform coalition of Robert Baldwin and Louis-Hippolyte LaFontaine.³⁴ A series of riots in April 1849 by conservative Anglophone sympathizers had resulted in the violent destruction of the Montreal parliament buildings. Critics alleged that the League "“advocated extreme Toryism and extreme disloyalty and finally threatened to drive the French into the sea.””³⁵

The situation amounted to an identity crisis for the Tories. After decades of maintaining a British presence in North America, they argued, the loyal English-speaking Canadians were

³⁴See British American League, "Minutes of the proceedings of a convention of delegates of the British American League." (Kingston: Chronicle and News, 1849). Copy held at National Library of Canada (NLC).

³⁵Alexander Mackenzie in Cephas D. Allin, "The British North American league, 1849." Paper read before the

being rewarded with British indifference. To make matters worse, Britain's Liberal government had adopted the economic philosophy of Manchester liberalism, which called for free-trade and an end of imperial preference. For Canada's agricultural and fledgling manufacturing interests especially, this spelled disaster. A few individuals advocated "an Union of all the British North American Provinces" as a means to overcome French domination and the country's economic woes. It would create "a large home market for the consumption of agricultural products and domestic manufactures, and ... consolidat[e] the interests and strength of the British population of North America."³⁶

Earlier that year, Alexander Morris and Hugh E. Montgomerie had coauthored an anonymous diatribe against the bill in language that matched the rhetoric of the British North America League. The authors were quick to point out that support for the bill was "all from French districts."³⁷ To them, the Bill was nothing short of a betrayal to that population – primarily British – that had remained "nine tenths" loyal:

The loyal population of Canada had seen insult after insult showered on their heads from the Ministerial Benches in the Legislative Assembly – insults, the grossest and most revolting, added to what they felt to be a tyrannous injustice. These insults ... were heaped upon them, because they had borne arms to uphold the Sovereignty of the Gracious Lady....

While failing to appreciate the circumstances that had led to rebellion, the authors nonetheless assumed the role of apologists for the recent destruction of the Provincial Parliament in Montreal by a conservative mob:

... the occurrence can scarcely be a matter of surprise to those who remember that the British of Montreal had, but eleven short years before, risen as one man to quell a 'foul

Ontario Historical Society, (Toronto: 1915).

³⁶British American League, "Minutes of the proceedings," p.17.

³⁷H. E. Montgomerie and Alexander Morris, *The question answered: "Did the ministry intend to pay rebels?" in a letter to His Excellency the Right Honourable the Earl of Elgin and Kincardine, K.T., Governor General of British North America, by a Canadian Loyalist*, (Montreal: Armour & Ramsay, 1849), p.16.

unnatural Rebellion,' and now ... suddenly found themselves called upon to contribute towards the indemnification of those who had aided and abetted in that Rebellion. Throughout the British population of the Province, the announcement that the Loyal were to be taxed to pay the Rebel was received with universal indignation.³⁸

In closing, the authors took inspiration in quoting the 1841 assessment of British Prime Minister Lord John Russell: “We have only to consider the means of binding Canada more firmly to this country – of developing her resources – of strengthening her *British* population – of defending her territory – and of *supporting and encouraging the loyal spirit of her people.*”³⁹ For Morris and Montgomerie, then, the loyalty of French-Canadians was to be held in suspicion, and Canada’s future would be best secured by the guaranteed political dominance of its British population. Only time would tell what impact such prejudices might have on Morris’s attitude toward the diverse population he was to encounter in the North-West.

The project of a British North American union “to lay the foundations for making this country a great nation upon a solid and enduring basis”⁴⁰ appealed directly to Morris’s sense of patriotism, and he was one of the League’s earliest converts to the idea.⁴¹ By the mid-1850s, Morris clearly saw himself and his peers of the ‘Mercantile Classes’ as the future commercial and political leaders of a great country. He took great pleasure in giving patriotic speeches meant to rally the energies of these future leaders to the cause of building that country:

Let me as a young man call upon my contemporaries in life to remember that as time speeds on and years begin to tell on us and youth ripens into manhood we will find ourselves occupying the position and called to perform the duties which their elders now occupy and perform. Resolve then, future Merchants of Canada, that you will be found sustaining the character of British merchants – intelligent, educated, honourable, independent merchants. Resolve that while sedulously devoting yourselves to your business you will yet find opportunities for strengthening and developing your mental

³⁸*Ibid*, p.16.

³⁹*Ibid*, p.17.

⁴⁰British American League, “Minutes of the proceedings,” p.23.

⁴¹See Alexander Morris, *Nova Britannia; or Our New Canadian Dominion Foreshadowed*, pp.vi-vii.

faculties.....⁴²

Canada was rife with opportunity, and it was up to the young ambitious men of the Mercantile Classes to develop that potential. “Let us push our way up hill then, for in this country in our Parent land, there are no weights to press us down, no obstacles which cannot be overcome by persevering diligence combined with honesty and uprightness.”⁴³ The patriotism of Morris’s youth had blossomed into a self-appointed mission of nation-building. He would soon engage directly in shaping Canada’s legal structure, and make his first forays into political life.

Religious beliefs and moral convictions

Morris’s exposure to Conservative Canadian politics had been facilitated by his education and extra curricular activities while living in Montreal. He inserted himself into that class of lawyers and mercantile and industrial capitalists that dominated the economy and social structure of Canada’s leading city. Many of these individuals were supporters of the Mercantile Library Association of Montreal – essentially a young men’s club for wealthy Anglophones. The association aimed to foster debate and discussion on the pressing topics and various exotica of the day, all as part of a general effort to direct the energies and attentions of the colony’s future leaders away from the unsavoury diversions available to young men in mid-nineteenth century Montreal. By 1848, Morris had been named Vice-President of the association – a position he shared with Montgomerie.⁴⁴ It was here, on the lecture circuit, that he gave expression to the

⁴²AO. F51. Reel 3. Draft of speech: “On Industry and Perseverance viewed in connection with the progressive development of the mental faculties,” n.d, p.56.

⁴³*Ibid*, p.57.

⁴⁴See Mercantile Library Association of Montreal, *Annual Report of the Mercantile Library Association of Montreal, 1847-1848*. (Montreal: Lovell and Gibson, 1848). Copy held at NLC.

development of his religious and moral convictions that he had learned from childhood.

During his time with the Association, Morris developed a great deference for those who displayed oratorical skill,⁴⁵ and a belief in the value of the spoken word, by which “the spirit of inquiry may be enkindled.”⁴⁶ It was perhaps unsurprising, then, that he came to admire the Amerindians’ eloquent manner of speech. Morris saw the “young men’s association” as a means to divert idle time and energies of impressionable young men of the ‘Mercantile Classes’ away from vice and to develop a sound moral character. The association “fortifies their moral principles and gives them a distaste to the ephemeral pleasure of empty frivolity or gay dissipation,” he told his peers.⁴⁷

Alexander Morris was raised to become a faithful member of the Presbyterian Church. His father had lobbied his entire public life for the interests of the Church, most notably for a share in the clergy reserves and in establishing the Church-affiliated Queen’s College, at Kingston. The “clergy reserves for [William] Morris, and for many other Scots,” explains William Morris’s biographer, “were the symbolic battleground in a struggle over whether the British empire would be uninational or binational in character.”⁴⁸ While Alexander Morris’s national identity would remain grounded in the country of his birth,⁴⁹ he would nonetheless come

⁴⁵See, for instance, AO. F51. Reel 3. Draft of speech: “On the Influence of Mercantile Library Associations in elevating the moral and social condition of the Mercantile Classes,” n.d. The date and location of the speech are not mentioned. The handwriting, quality of paper, the nature of the subject, and the type of language, rhetoric, and argumentation, however, strongly suggest that it, along with “On Industry and Perseverance,” was delivered by Morris to the Montreal Mercantile Library Association some time in the early to mid-1850s.

⁴⁶Alexander Morris, “Nova Britannia; or, the consolidation of the British North American provinces into the Dominion of Canada,” lecture given to the Mercantile Library Association of Montreal on March 18, 1858, in Alexander Morris, *Nova Britannia*, pp.3-4.

⁴⁷AO. F51. Reel 3. “On Industry and Perseverance,” pp.49-50.

⁴⁸Bridgman, “William Morris,” *Dictionary of Canadian Biography*.

⁴⁹See AO. F51. Reel 3. Draft of speech: “To Brockville Horticultural Society,” n.d. (likely written in the early to mid-1850s); and Alexander Morris, “Speech at the Annual Dinner on St. Andrew’s Day, given by the Selkirk St. Andrew’s Society,” 1872, in *Nova Britannia*, pp.156-158.

to inherit his father's devotion to the Church. By 1856 he had succeeded his father in becoming a ruling elder of the synod of the Presbyterian Church in Canada. Morris corresponded with other Church leaders in British North America and in Scotland in support of missions, establishing new churches and colleges, and in identifying potential clergymen to fill the necessary posts. By 1857 he had been "elected a member of the Board of Trustees of Queen's College" and had gained a reputation as "the Procurator of the Church" and a man with true "zeal for the Church."⁵⁰ After his father's death, Alexander Morris even inherited the family pew, number 40, at St. Andrew's Church in Montreal.⁵¹ He would remain active in the business of the Church for the better part of his life.

Morris was himself active in supporting missionary work. He helped edit the *Presbyterian*, "a missionary and religious record of the same branch of the Presbyterian Church in Canada," that began publishing in 1848.⁵² In that same year, he became the first editor of the *Juvenile Presbyterian*, a "Missionary record and Sabbath Scholar's magazine."⁵³ Morris's involvement with the magazine is telling of his religious convictions, idealism, and missionary zeal. The journal covered Presbyterian missions to peoples from around the globe, including Sikhs and Hindus from India, Jews in Europe and Turkey, and indigenous people in New Zealand, North America and elsewhere. The overall tone of the magazine was one of genuine concern for the material and spiritual well-being of the children attending the international missions.

Given the impulse to convert, Morris's sympathy for other religions was limited. He

⁵⁰Babion, pp.157, 158.

⁵¹See AO. F51. Reel 1. Sale to the Hon. Wm. Morris of Pew #40 in the Gallery of St. Andrew's Church, Beaver Hall, 20 January 1852.

⁵²Babion, p.13.

⁵³*The Juvenile Presbyterian*, (Montreal: The Lay Association). Copies held at NLC include issues from 1856-1858 and 1861.

referred to “the stern contest between light, civilization and liberty, on the one hand, and the fierce fanaticism and blind hate of the proud Mussulman and the cringing but subtle and cruel Hindoo on the other,” which, Morris insisted, would “still more and more be moulded by the influence of British energy and enlightenment.”⁵⁴ Even other Christian denominations were viewed with suspicion. In the 1850s, Morris actively supported missions aimed at converting French-Canadian Catholics.⁵⁵ The company he kept at the Mercantile Library Association of Montreal was predominantly Protestant, and discussions on religion could often turn to criticizing “the absurd pretension of the Romish Church to infallibility.”⁵⁶ In one episode that is telling of Morris’s religious conservatism, as a member of the association’s executive he helped block its subscription to the *Christian Inquirer*, a Unitarian journal.⁵⁷

Morris’s religiosity extended to a preoccupation with morality. The temptations of mid-nineteenth century Montreal would have been many, including abuse of alcohol or improper sexual behaviour, and the solicitation of prostitution. This especially for wealthy young men of the Anglophone mercantile classes, who had the means to indulge. “It will at once be admitted,” he told a gathering at the Mercantile Library Association, “that young men are placed in circumstances of peculiar temptation when their lot is cast in a city such as this.”⁵⁸ Even the most upstanding of citizens, Morris warned, was susceptible to such vice. To avoid temptation, Morris believed that young men like himself should spurn idleness and dedicate their time and effort to

⁵⁴Alexander Morris, “Nova Britannia,” p.6. This is a reference to the 1857 sepoy rebellions in India.

⁵⁵NAC. MG27-IC8, Alexander Morris fonds. See, for instance, Reel M-68, John Strachan to Alexander Morris, August 18, 1857; George Weir to Alexander Morris, August 28, 1857; and L. Bariden to the Editor of the “Presbyterien” (Alexander Morris), September 25, 1857: “Il ne sera pas sans intérêt pour les membres de votre église qui ont à coeur la conversion des catholiques romains, de lire quelques détails sur l’oeuvre que nous faisons parmi les Canadiens de langue française, qui habitent sur les bords des États Unis, du côté du Canada.”

⁵⁶Mercantile Library Association of Montreal, “Report of the speeches & proceedings at a special meeting of the Mercantile Library Association of Montreal held on Monday evening, April 8, 1850: to take into consideration the action of the board of direction in respect to the expulsion of the ‘Christian Inquirer’ from the news room,” (Montreal: J. Potts, 1850), p.8.

productive pursuits and morally sound hobbies or diversions. He believed that it was incumbent on every man to “make a right use of the time and talents given us.”⁵⁹ “[W]ith ourselves rests humanly speaking our future and ... upon ourselves it wholly depends whether that great work of self-improvement which we owe it as a duty to our maker, to society and ourselves to carry out, is furthered to the extent it might be.”⁶⁰

To this end, Morris glorified the mythical figure of the ‘self-made’ man who overcame disadvantage and circumstance, and through hard work, the rejection of idleness, a desire to learn, and a focussed goal, made something of his life. Morris was particularly enamoured by the great men of history.⁶¹ From an early stage in his career, he aspired to build such a legacy for himself. By contrast, Morris criticized individuals who failed to achieve despite the God-given advantages they possessed, and who instead dabbled in frivolous interests without ever focussing on a singular purpose in their lives. He acknowledged that some individuals were burdened by circumstance and deprivation more than others. But at the end of the day, he argued, individuals under all variety of circumstances had proved capable of uplifting themselves and making something of their lives.⁶² It remained to be seen whether Morris would follow the example of many of his colleagues, and condemn the Amerindian peoples of the North-West for their alleged ‘idleness.’

⁵⁷*Ibid*, pp.9-10.

⁵⁸AO. F51. Reel 3. “On Industry and Perseverance,” p.46.

⁵⁹AO. F51. Reel 3. “On the Influence of Mercantile Library Associations,” p.1.

⁶⁰AO. F51. Reel 3. “On Industry and Perseverance,” p.54.

⁶¹See *Ibid*, pp.5-6.

⁶²See *Ibid*, pp.37.

Early perceptions of indigenous peoples and a love of nature

Alexander Morris demonstrated an early interest in indigenous peoples. This interest stemmed from a combination of religious moralism, paternalistic altruism, and academic curiosity. Morris's earliest interest in indigenous peoples may have originated from a number of different personal experiences. As a youth visiting family in Glasgow, he was particularly struck by his uncle Matthew Cochran, "a silk merchant who in his early years had lived in Peru and had many ancient Indian relics."⁶³ Morris's father, having traded with Amerindians in his early days at Brockville, even employing a few individuals for his own business, would have had his share of stories to tell. Indeed, William's relations with those trading partners left a lasting impression on young Alexander. "[W]e have the Saulteaux where I came from," he would tell Amerindian negotiators at Treaty Number 4, decades later. "They were my friends. I was the son of a white Chief who had a high place among them, they told him they would do his work, they called him Shekeisheik.⁶⁴ I learned from him to love the red man."⁶⁵

Morris's first public lecture, given to the Mercantile Library Association of Montreal at an evening session at the Odd-Fellows Hall in January 1849, was entitled "The North American Indians; their Origin, Customs, and Oratory."⁶⁶ It was, as Friesen has suggested, "an early indication of one of the consuming passions of his later life."⁶⁷ But at this stage in his life, Morris

⁶³AO. F51. Reel 4. Memoranda by Edmund Morris, regarding the Morris family.

⁶⁴Edmund Morris explained: "Grandfather, going to the military settlement on the Rideau with the disbanded troops after the war in 1816, got the Indians to work for him. These Indians of the Ottawa Valley called him The Rising Sun – Shakeishkeik. From him my father learned to have a deep sympathy for the red men." In Edmund Morris, *The diaries of Edmund Montague Morris*, p.115.

⁶⁵He continues: "and it was a pleasant duty and good to my heart when the Queen told me to come among her Saulteaux children and I expect the Crees and the Saulteaux to take my hand as they did last year." Alexander Morris, *The Treaties of Canada*, p.95.

⁶⁶See *Montreal Gazette*, January 17, 1849, p.2.

⁶⁷Friesen, "Alexander Morris," *Dictionary of Canadian Biography*.

could only pretend to have an expansive personal knowledge of the subject. Nervous that his audience might catch on, he approached his uncle, the Hon. James Morris, for advice. James told his nephew “to look his audience in the face and believe he knew more about his subject than any of them.”⁶⁸ Morris’s approach to the topic combined academic curiosity with a limited measure of respect for the people being discussed. “The peculiarity of their customs, and the rich originality of their oratory,” he told his audience, “are subjects in which much information and amusement may be expected.” Morris stated that “[t]he origin of these wandering tribes ... is still involved in considerable doubt and difficulty, and the result of any investigation into the subject must prove of much interest to the public generally.” But he also acknowledged that the Amerindians were “at one time the sole occupants of this extensive region.”⁶⁹ The notion of the Amerindians as North America’s first inhabitants would, in future years, provide Morris with a basis for recognizing Aboriginal title.

As the empires of Europe expanded around the globe and made contact with foreign cultures, the study of indigenous peoples became increasingly fashionable. Popular novels, such as Herman Melville’s *Typee* (1846), and Jean-Jacques Rousseau’s notion of the ‘noble savage,’ served to draw a romantic link between the seemingly utopic lives of indigenous peoples and their close relationship with nature. “For those with such ideas,” explains historian Douglas Owrarn, “the Indian was a natural representative of wilderness life. His nomadic existence and warlike appearance made him a natural symbol of the freedom inherent in a primitive way of life.”⁷⁰ Morris’s speech coincided with the publication of a number of popular works of the day by authors and organizations concerned with the future of the Amerindian peoples, such as

⁶⁸ AO. F51. Reel 4. Memoranda by Edmund Morris, regarding the Morris family.

⁶⁹ *Montreal Gazette*, January 17, 1849, p.2.

⁷⁰ Owrarn, pp.16-17.

James Morgan, Peter Jones, or the Aborigines' Protection Society.⁷¹

Morris's interest in indigenous peoples corresponded with a fascination with the natural world. Morris kept his own garden and found great joy in the "innocent amusement ... simple pure pleasure" of horticulture.⁷² He even linked the love of the natural world with his love of country. More personally, admiring natural beauty was, for him, an escape from the demands of life. Intermittently ill throughout his life, Morris believed that the health of the mind and body were intimately connected. The fulfilment he found in observing the natural world provided a necessary outlet. "[F]or who has not felt a sense of exquisite delight, as he gazed [from] a balcony [on] summer's eve, or a glorious sunset lighting up with golden hues, the glassy waters of some placid stream and presenting a scene of the most exquisite beauty combined with the most perfect repose and tranquility?" he asked members of the Brockville Horticultural Society.⁷³ While an advocate for development, Morris also paradoxically lamented the destruction of natural beauty, however necessary he might have considered it to be:

The farmer [seeks] to get from the soil as speedy a return as may be, in utter disregard of [its] exhaustion, which will be the necessary result. His remorseless axe too, deals destruction among the noble monarchs of the forest. Not one does he spare and soon a smouldering log-heap or a few charred blackened stumps are all that remain to tell the hapless fate which befell the venerable trees. Wide-spreading maples or majestic oaks, which had a wise and judicious discrimination been exerted would, when in process of time, [provided a] solitary break in the almost universal loneliness.⁷⁴

It was perhaps in a similar vein, then, that Morris, like other authors of his time, lamented the weakened state of North America's Amerindian population. This lamentation, however, was reconciled, at least in part, by a perception that the development of natural resources was a

⁷¹See, for instance, Aborigines' Protection Society, *Canada west and the Hudson's Bay Company: a political and humane question of vital importance to the honour of Great Britain, to the prosperity of Canada, and to the existence of the native tribes*, (London: Printed for the Society by W. Tweedie, 1856). Copy held at NLC.

⁷²AO. F51. Reel 3. "To Brockville Horticultural Society."

⁷³*Ibid*, p.7.

⁷⁴*Ibid*, pp.2-3.

necessary step on the road to progress and civilization, and by an equally romantic view of the settler.

Morris's romantic understanding of nature lent itself to a nostalgia that combined admiration and a religious paternalism toward indigenous peoples. In biblical terms consistent with romantic perceptions of the day, he equated the Amerindian state of nature with that of Adam – alone with nature's bounty, blissfully ignorant and unencumbered by the civilizing and potentially corrupting tree of knowledge:

It may be a lingering trace of that better nature ... that primeval state of innocency and bliss, when the first of our race majestic in his likeness to the Creator, dwelt in the earthly paradise – the Garden of Eden 'where out of the ground made the Lord God to grow every tree that is pleasant to the sight and good for food'.... no taste is so generally diffused, so innocent and yet so easy of gratification as the love of plants and flowers.⁷⁵

Morris theorized that civilized man's love of nature was a throwback to his earlier, primeval origins. He believed, somewhat condescendingly that the "innate admiration of the beautiful in nature, which, a living, abiding principle dwells in every heart," was "[c]ommon alike to the untutored savage and to the richly cultivated mind, though differing in degree – all are endowed with the aptness for perceiving and appreciating this sentiment."⁷⁶

While Morris maintained that indigenous people were an interesting and exotic subject for discussion, he depicted them as being deprived. "The manners, the customs, the foibles and the follies of the inhabitants of other lands, who have not been favoured, as we have, but who still remain sunk in worse than midnight darkness, are depicted in lively colours and we depart wiser, if not better men."⁷⁷ In other words, indigenous peoples and their picturesque, aesthetically pleasant customs provided an interesting subject for anthropological study, but

⁷⁵*Ibid*, p.8.

⁷⁶*Ibid*, p.7.

⁷⁷AO. F51. "On the Influence of Mercantile Library Associations," third to last page.

theirs was an example to avoid. Beyond, perhaps, the lessons of a symbiotic relationship with nature, there was little the white man could learn from indigenous peoples that would lead to the improvement of his ways. Rather, it was a burden incumbent on the white man to uplift indigenous peoples through missionary work and teaching.

Despite the apparent condescension, Morris's interest in Canada's Amerindian population was rooted in a genuine concern for their future and well-being. At Treaty Six, in 1876, he told the Amerindian negotiators of his early interest in their people, recalling his first foray into public life:

I have come seven hundred miles to see you. Why should I take all this trouble? [The] reason is a personal one, because since I was a young man my heart was warm to the Indians, and I have taken a great interest in them; for more than twenty-five years I have studied their condition in the present and in the future. I have been many years in public life, but the first words I spoke in public were for the Indians, and in that vision of the day I saw the Queen's white men understanding their duty; I saw them understanding that they had no right to wrap themselves up in a cold mantle of selfishness, that they had no right to turn away and say, 'Am I my brother's keeper?' On the contrary, I saw them saying, the Indians are our brothers, we must try to help them to make a living for themselves and their children.⁷⁸

Moreover, confronting the issues faced by Amerindian peoples first-hand would force Morris to somehow reconcile his love of nature and of "the Indians" with his profound belief in the necessity of development and territorial expansion. Reconciliation would be found in his desire to see them prosper within the framework of this development by providing them with a means to survive. This would emerge as one reason why Morris would advocate so strongly for treaty implementation, to ensure not only that the Amerindian peoples did not hinder development (for this is all that some Government officials were interested in), but that they benefited, reciprocally, from it as well.

III. BUSINESS INTERESTS AND PROFESSIONAL CAREER TO 1872

Land speculation

From an early stage in his career, Alexander Morris dealt heavily in land speculation – a practise inherited from his father. Throughout his life, the buying and selling of lands would provide Morris with a continuing source of wealth, allowing him to live at a level of comfort unknown to most nineteenth-century Canadians. Additionally, Morris's land dealings helped him develop a set of shrewd and often aggressive negotiating tactics – skills that he would later apply at the treaty negotiations. Finally, as Morris developed a greater personal acquaintance with the Canadas' impending land shortage, he became acutely aware of the need to find a new source for national wealth and prosperity. Consequently, he looked increasingly to the agricultural potential of the vast and 'empty' North-West.⁷⁹

Morris's father had made a handsome profit in land speculation. William Morris's preferred strategy was to buy cheap undeveloped Crown land – referred to as 'wild lands' – and sell when the advance of settlement and infrastructure had boosted its value. Such lands were plentiful in 1820s and '30s Upper Canada. Renting out 'wild lands' could be especially advantageous, as tenant farmers increased the value of land by clearing away trees and stones for planting – at no extra cost to William, who remained lawful owner.⁸⁰ By 1851, however, William Morris's health had taken a turn for the worse, and he could no longer manage his own affairs.

⁷⁸Alexander Morris, *The Treaties of Canada*, p.232.

⁷⁹This view emerges most clearly in Alexander Morris's "The Hudson's Bay and Pacific Territories," lecture given to the Mercantile Library Association of Montreal in late 1858, in Alexander Morris, *Nova Britannia*.

Ever the faithful son, Alexander Morris moved into his father's Montreal home to live with him "during his last few years of suffering."⁸¹ Caring for his father also meant gradually taking over the management of his lucrative business affairs. By 1853, Alexander had become an executor of his father's estate, and in 1855, William officially gave his son 'power of attorney' over his affairs.⁸²

Alexander Morris was not new to the practice of land speculation. By the time he had reached twenty-one, the young Morris had been introduced to the land business when his beloved uncle James sold him two hundred acres in Essex County "[t]ogether with all houses, outhouses, woods and waters thereon," for the modest price of ten pounds.⁸³ Alexander Morris paid local men, or 'Agents,' to expand his speculative operations, with each one assigned to a specific collection of townships or counties. He used them to provide advice as to the quality of a given lot and its potential to increase or depreciate in value, keep a record of the tenants living on each plot of land, collect rents and mortgages, and to identify potential buyers and sellers, often negotiating on behalf of Morris or even closing a deal themselves.⁸⁴ This included reporting on improvements tenants made to the land. Having increased its value, the tenant would often have to buy it at a higher price than what Morris had originally paid. He was even more advantaged in his negotiating position as his Agents regularly reported on tenants' temperament, circumstances, and willingness to buy at a favourable price.⁸⁵ Morris also used his Agents to enforce his

⁸⁰See, for instance, AO. F51. Reel 1. John Ferguson to William Morris, 27 January 1852.

⁸¹AO. F51. Reel 4. Memoranda by Edmund Morris, regarding the Morris family. See also reel 2, W.J. Morris to Alexander Morris, 28 November 1856. "[A]ll ... things should be sacrificed to secure our father's comfort," Alexander Morris told his brother.

⁸²AO. F51. Reel 2. Power of Attorney, William Morris to Alexander Morris, 1 March 1855.

⁸³AO. F51. Reel 1. Quit Claim from James Morris to Alexander Morris, 1 December 1847.

⁸⁴See for instance, AO. F51. Reel 1. James Dunlop to William Morris, 9 March 1848.

⁸⁵See also AO. F51. Reel 2. John Booth to Alexander Morris, 20 June 1859; and William Gibbard to Alexander Morris, 1 June 1858.

ownership over the land by controlling the ways in which tenants used the land,⁸⁶ watching for potential trespassers and, on occasion, removing squatters.⁸⁷ Morris expected his Agents to go to court when necessary to assert his title to a given lot, and, when necessary, for the “prosecution of parties for trespassing.”⁸⁸

Asserting clear title to a given plot of land could be rife with costly complications. The histories of title could be complex and difficult to trace. Documentation proving ownership was not always readily available, especially when multiple parties retained an interest in a given lot.⁸⁹ If one party wanted to prove his stake or percentage of title to a given piece of land, he would have to acquire the deed, or search through County records to prove his case. It was not uncommon for disputes to last decades before being resolved, if at all. Frequent unwritten understandings or conditions to agreements added to the complicated histories of land title.⁹⁰ With hundreds of land transactions being made, often on lots that neither father nor son had ever visited, such ‘outside promises’ were difficult to keep track of or verify.⁹¹

In a culture and society ruled by notions of property rights, the inevitable legal wrangling and uncertainty over title made for difficult business. Potential buyers would not purchase land without knowing the history of its title, and owners risked being sued if they sold a plot of land without informing or compensating a party that had a partial interest in the given lot. Society at large, meanwhile, suffered as uncertainty of ownership retarded development. On a very personal as well as practical level, then, Alexander Morris came to believe in the importance of clarity of title, of the ultimate need for agreements to be mutually understood by all negotiating

⁸⁶See, for instance, AO. F51. Reel 2. William Gibbard to Alexander Morris, 23 July 1858.

⁸⁷See, for instance, AO. F51. Reel 2. Copy of letter, Alexander Morris to M.A. Hamilton, 6 January 1859.

⁸⁸AO. F51. Reel 2. William Gibbard to Alexander Morris, 4 May 1858.

⁸⁹Copies of deeds were not consistently produced for each interested party.

⁹⁰See, for example, AO. F51. Reel 3. Joseph Bawden, Kingston, to Alexander Morris, 16 January 1873.

⁹¹See AO. F51. Reel 2. David Campbell to Alexander Morris, 17 March 1857; and R.T. Greene to Alexander

parties, and of the importance of meeting the terms of an agreement. He would act on this principle throughout his career.

The importance of clarity of title and mutually understood terms of a legal agreement could not have been made more clear to Morris than in the personal experience of executing his father's estate. When William Morris died in 1858, Alexander, along with William's old friend, Hugh Allen, was left with the responsibility of dividing the various assets equally among the four Morris children. The earth on poor William's grave had barely settled, however, before his children began bickering over the details of the inheritance.⁹² Alexander Morris's brother-in-law, William Lambe, was unhappy about certain restrictions of access to his wife's share of the inheritance. It seems that William Morris had little faith in the financial aptitude of his son-in-law. Alexander's brothers sided with Lambe and their sister, and what began as a squabble among siblings turned into a three-year legal battle that would be resolved in name only.⁹³ The sad episode served to demonstrate Alexander Morris's willingness and capacity to drive a hard bargain, even when it came to family.

Legal disputes aside, William had left his children with a handsome inheritance. Indeed, valuating the estate was no small task, and Alexander soon found himself contacting various Agents throughout the province to collect from his father's debtors and gather estimates on plots of land in order for the inheritance to be evenly divided among the four children. In all, each of the four children received moneys, stocks and lands valued at 8822 pounds, 11 shillings and 4.5 pence.⁹⁴ With a view to his speculative interests, Morris apportioned for himself more of his

Morris, 25 July 1863.

⁹²As early as November 1858, Alexander Morris was soliciting the costly legal advice of his old colleague, Oliver Mowat, with regard to the will. See AO. F51. Reel 2. Opinion of O. Mowat, 20 November 1858.

⁹³Refer to the various correspondence from Morris's siblings in the 1880s, in AO. F51. Reel 3.

⁹⁴AO. F51. Reel 2. Apportionment of estate of the late William Morris, 5 April 1860.

father's lands than any of the other siblings. The land included lots that had been "debt due ... secured by land." When it had come time to collect, William's son had few qualms.

Not all of Alexander Morris's newly inherited and old properties, however, proved as lucrative as he might have hoped. By late 1855, the last of Upper Canada's good agricultural Crown lands had been bought up, and speculators like Morris increasingly had difficulty in turning a profit.⁹⁵ Those lands that he was able to acquire often turned out to be of limited value and poor accessibility.⁹⁶ Morris found that even the lots of some agricultural value were difficult to sell at a profit. Prospective buyers were interested only in the arable sections of a lot, leaving Morris with the rocky or marshy sections of little value. Much of the land he had inherited from his father had been purchased in recent years in and around the frontier regions of Lanark and Renfrew Counties. The land, reported one Agent,

is of very little value, It is nearly all Rock and the most valuable timber all plundered off. There is no Road by which teams can pass within two miles of it and not likely to be better for years to come as the land for that distance around is all about the same quality and unfit for settlement. And I think if the land were sold at one dollar per acre, the Interest of the money would amount to as much or more than the rise of the land for three generations to come.⁹⁷

The best years of Crown land speculation had come to an end.

The significance of the emerging Canadian land shortage went beyond the interests of a few land speculators. Just as the country had appeared to be recovering from the depressions of the 1830s and 1840s, the land shortage threatened to pull the rug out from its recent economic progress. "Immigration from Europe and the settlement of the wilderness had been the basis of

⁹⁵See Ooram, p.43. By now, the public was becoming aware of the threatening return to recession. Indeed, When Alexander Morris did inquire about buying Crown lots in Upper Canada he often found himself beaten to the punch by competing speculators. See, for instance, AO. F51. Reel 2. Provincial Registrar's Office to Alexander Morris, 19 February 1858.

⁹⁶See, for instance, AO. F51. Reel 2. Grant to Alexander Morris, 8 May 1857; and Grant to Alexander Morris, 15 January 1858.

⁹⁷AO. F51. Reel 2. John Booth to Alexander Morris, 20 June 1859.

trade and prosperity,” explains Owram. “Canada, however, needed not only land but an abundance of it. If it was to attract immigrants from Europe and prevent its own population from emigrating to the United States, it had to be able to offer a surplus of good land at nominal prices.” Morris’s home region felt the land crunch especially: “These counties were on the edge of the shield and residents of the area had to fight a stubborn and often rocky land in order to make a living.”⁹⁸

Morris, then, was acutely aware of the waning potential of the country’s frontier, and of the general threat to its economy. By the mid-1850s, a dependence on wheat, the devastating effects of the wheat mudge, and the problem of soil exhaustion had already taken route in Lower Canada, and were showing signs of spreading to Upper Canada. Though “a Lower Canadian Lawyer [who] should stick to his old musty law books,”⁹⁹ Morris travelled to rural Upper Canada to express to farmers his concern with the Canadas’ agricultural trade deficit with the US, and the devastating corollary effect this would visit on the country’s fledgling industry. Farmers could do their bit, he urged, by adopting practices of crop rotation, and diversification, so as to appeal to British markets, and by buying from local industry and manufacturing, as opposed to their oft-cheaper counterparts south of the border. “A Home market is not to be despised,” he asserted in language that evokes the National Policy of later decades. “Nor harmful to think how systematically we have undervalued ourselves and depreciated our own industry. We have no policy ... [for] a thoroughly Canadian one.”¹⁰⁰

Indeed, the country’s agricultural and manufacturing woes presented a threat not only to Morris’s own investment interests, but to his sense of economic nationalism. He lamented the

⁹⁸*Ibid*, pp.43-46.

⁹⁹AO. F51. Reel 3. Draft of speech: “Thoughts about Agricultural and Manufacturing Interests of Canada,” n.d., Likely written in the mid-1850s, before 1856, p.3. This sentence was originally crossed out.

fact that Canada lagged far behind the US in manufacturing, despite his belief in his country's superior natural potential.

Our country could take a high stand as a Manufacturing country. We have lavish waterpower, we have men of energy and skill, we have aptitude for mechanical pursuits. We have beaten the world in edge tools, but we use them to disfigure our own faces.... We go to other markets for boots and shoes ... and send away hides ... to be manufactured for us and to help to create a home market for American farmers. Living alongside the Great Union we must feel the influence of this policy and no Canadian can go to the States without being struck with the extent of their Manufactures.

Morris called for "a thoroughly comprehensive judicious practical Canadian line of policy adopted such a one as will promote the weal of all the interests of the country.... And then the balance of trade will be no longer so much in favour of the United States."¹⁰¹ He asserted that the young country, only now coming of age with the passing of the first stages of settlement, was ready to mature:

...the whole country is with all its interests on the highroad to manhood and feels as all youths must out of their teens do very independent. In that condition then 'this Canada' is at present and we have begun to boast a little of our progress. Public sentiment has assumed a healthy tone. We feel somewhat of the incipient strength of a people and a national sentiment in a feeling of interest in our resources and a desire to advance and turn them to practical account has arisen. It is right to cherish such a feeling. There is no earthborn sentiment more pure and excellent than patriotism.¹⁰²

Despite his boosterism and wishful thinking, the future of Canada's agricultural and industrial interests, and, by extension, Morris's financial interests and nationalistic vision, remained uncertain.

¹⁰⁰ *Ibid*, pp.8.

¹⁰¹ *Ibid*, p.8.

¹⁰² *Ibid*, pp.3-4.

Legal career

In many ways, Morris's legal work was an extension of his ongoing experiences in land speculation and business. His legal education had imparted a belief in the state's ultimate purpose for fostering growth and development. He gave expression to this belief by lobbying for a legal system conducive to commercial enterprise. Shortly after graduating in law at McGill in 1851, and being admitted to the bars of both Canadas, Morris accepted a partnership in the Montreal firm of Frederick William Torrance. He would remain with the firm for ten years. Torrance was an old acquaintance of Morris's father, having provided him with legal advice on "Ottawa Valley debt litigation."¹⁰³ A member of a well-connected Montreal family, he was also one of the city's leading lawyers. The Torrance-Morris partnership was in essence a commercial law firm, which included the two lawyers, a clerk and bookkeeper, and the occasional law student. Its day-to-day business involved the "service or management of a large portfolio of family business enterprises and investments in the Montreal-based forwarding, retail, transportation, and financial sectors."¹⁰⁴ This included providing legal advice, and drafting legal agreements for commercial enterprise and land speculation. The firm only occasionally engaged in criminal law.

The partnership would prove both profitable and ideologically formative for Morris. Torrance was a like-minded proponent of the Mercantile Library Associations as a vehicle for promoting "legal and institutional changes." He also oversaw the establishment of the Fraser Institute, for which he named Morris a member of the Board of Governors. Torrance started the

¹⁰³Baker, p.55.

institute as “a centre for political literacy and intellectual leadership. His goal was better imbrication of institutional reform into lay consciousness.”¹⁰⁵ Like Morris, Torrance was a “dyed-in-the-wool Presbyterian and Manchester liberal.” He was also a confederationist. Torrance campaigned throughout his career for “a fusion of the laws of Upper and Lower Canada” as part of the larger goal of “standardization of social institutions, business practices, and legal culture.” Soon, the lawyers gained a reputation “as the foremost exponents of commercial law in Canada, patriarchs of the Montreal bar and business community.”¹⁰⁶

The firm concerned itself with creating a business environment of stability that would protect enterprise from problems of liability and uncertainty of ownership. They sought a system of clear, rigidly codified commercial laws that would allow for a more narrow and thus more predictable interpretation. A codified system imported from the legal traditions of Upper Canada, they hoped, would supersede Lower Canada’s old customary law, which had been based on the *Coûtume de Paris*. The latter tended to allow for a more flexible interpretation – an inconvenience for businessmen who preferred operating in an environment in which they could better anticipate legal risks.¹⁰⁷ Torrance and Morris communicated their message to political colleagues and the larger public. “The firm influenced that process of state formation and legal change through pamphleteering, law school lecturing, and publishing in legal and other periodicals,” explains legal historian G. Blaine Baker.¹⁰⁸ The greatest perceived institutional obstacle to a business-friendly legal environment was the old French seigneurial system. From their perspective, the seigneurie was an impediment to development, inefficient, and created an

¹⁰⁴ *Ibid*, p.47.

¹⁰⁵ *Ibid*, p.70.

¹⁰⁶ *Ibid*, pp.55-56.

¹⁰⁷ *Ibid*, pp.46-47, 59-60.

¹⁰⁸ *Ibid*, p.49.

“insecurity of title in Canada East.”¹⁰⁹

Morris’s time spent with the firm would have reinforced his existing convictions, but it also served to expose him to different ideas. Torrance and Morris shared an extensive library that included books on history, religion, and current events, such as a book on slavery in the southern US,¹¹⁰ which, consistent with his Christian humanism, Morris came to view as a “dark blot” of history.¹¹¹ The library was made up primarily of legal reference materials that contained a variety of legal opinions. “[D]eeds and instruments which condense (*sic*) the agreements of men with one another,” read one of the legal opinions collected in the Torrance and Morris reference books,

must be construed according to the true intent and meaning of the parties who make them. To find out this intention is often very difficult: for when agreements are committed to writing, all extrinsic evidence of intention is shut out; and words being the only marks of that intention, it happens that sometimes from the imperfection and poverty of language and sometimes from the barbarous and inaccurate application of it much doubt arises with respect to the ideas which the parties decide by the words they employ to express them.¹¹²

While promoting a rigid, literalist interpretation of land ownership, then, Morris would have also come to understand that contractual agreements could not always be constrained to the written word of a legal document. Such flexibility in this regard would prove central to Morris’s interpretation of the treaties over a decade later.

¹⁰⁹*Ibid.*, p.61.

¹¹⁰See McGill University Archives (MA). MG4166, Container 1, File 00010, “Torrance and Morris Letterbook.” Dates: 1859. The file consists of a book of copies of letters sent by Torrance and Morris in 1859. The book contains a record of the firm’s library collection, and an account of items borrowed, beginning in 1860.

¹¹¹Alexander Morris, “Nova Britannia,” p.6.

¹¹²MA. MG4166, Container 1, File 00008, “Torrance and Morris Commonplace book.” Dates: 1850-1881. See

IV. POLITICAL CAREER AND ADVOCACY OF NORTH-WEST ANNEXATION

Developing the political platform

In 1855, Morris contributed an essay entitled “Canada and Her Resources” to the Paris Exhibition Committee of Canada. The Canadian exhibit – funded by the government at the considerable cost of ten thousand pounds – promoted Canadian industry, resources, and “Canadian interests generally.”¹¹³ Morris’s paper was in essence a propaganda piece aimed at potential investors. He applied descriptive and flowery language and a variety of favourable statistics to depict Canada as a land of advanced infrastructure, commercial development, social and political sophistication, and unlimited economic potential. Morris’s essay won second prize from Governor General Sir Edmund Walker Head, himself an ardent supporter of British American union, and was published for distribution. Jean Friesen called it “[a] plodding, descriptive pamphlet, [that] predicts a glorious future for this ‘fertile British Province.’”¹¹⁴ But the paper reveals as much about Morris as it does his subject. Specifically, it gives a sense of his economic nationalism and his corresponding utilitarian view of the natural world. It was a world-view that increasingly subsumed Morris’s original love for unspoiled nature and his concern for Amerindian peoples. Moreover, the country’s perceived economic successes and future potential validated Morris’s sense of patriotism. Finally, Morris used the essay to consolidate his ideological beliefs and build a profile for himself back home in Canada in anticipation of his first

pp.38-39.

¹¹³Alexander Morris, *Canada and Her Resources: an essay, to which, upon a reference from the Paris Exhibition Committee of Canada, was awarded, by His Excellency Sir Edmund Walker Head, Governor General of British North America, the Second Prize*, (Montreal: B. Dawson, 1855), pp.21-22.

¹¹⁴Friesen, “Alexander Morris,” *Dictionary of Canadian Biography*.

run for political office.

Morris's propaganda piece was fittingly patriotic. He wrote the essay "to contribute his mite to the advancement of his native country" and dedicated it "to THE PEOPLE OF CANADA."¹¹⁵ The author framed his sense of patriotism in imperialistic terms. Mindful, perhaps, of lingering doubts with respect to the colony's loyalty, Morris insisted that Canadians were proud British subjects, and that their British heritage ensured the colony's glorious future. Canadians were "destined yet to be 'a great people,'" he insisted, "on whom is entailed the rich inheritance of our civilization, our freedom, and our glory." It was the Empire's most important colony – "the brightest jewel of the British Crown."¹¹⁶ With a view to eliminating perceptions that Canada was little more than a rugged frontier society, Morris insisted that the colony was home to as civilized a lifestyle as could be found elsewhere in the Empire. He took particular pride in the active and informed citizenry, which had been formed out of a sound educational system, its public press, and a strong tradition of local self-government.¹¹⁷

Morris's pride of country was perhaps most explicit in his loving descriptions of the Canadas' natural bounty. But for this aspiring capitalist, commercial development had become increasingly more important than maintaining the unfettered state of the natural world. The trees of the Ottawa, for instance, were at once beautiful and ready for exploitation: "a luxuriant growth of red and white pine timber, making the most valuable forests in the world, abundantly intersected with large rivers, fitted to convey the timber to market, when manufactured." Canada's "natural products," he assured readers, provided "an almost inexhaustible source of

¹¹⁵Alexander Morris, *Canada and Her Resources*, preface.

¹¹⁶*Ibid*, preface and p.7.

¹¹⁷*Ibid*, see pp.71-82.

wealth.”¹¹⁸ Morris believed that nature’s bounty was a gift from God, given to Man that it might be exploited.¹¹⁹ Indeed, if Morris held a romantic view of the country’s natural beauty, then he held an equally romantic view of industry’s destiny in conquering it.¹²⁰ He pointed to the unspoiled lands of “the western portion of Canada West” as the future of an even greater lumber trade. For all his enthusiasm, Morris was still clinging to the hope that the rugged and rocky shield country held enough promise to ensure the country’s future. His essay never speculated on the agricultural potential of the vast Hudson’s Bay Company territories.

Morris appeared to make little consideration for the colony’s original inhabitants. He did inform his readers about a treaty with the Saugeen Amerindians of Huron County in western Upper Canada, but explained it only in terms of extinguishing Aboriginal title for the purpose of opening the land to settlement.¹²¹ Moreover, the treaty seems to have represented, in Morris’s mind, little more than a profitable land transaction – an extension of the larger legal policy of guaranteeing security of ownership, and nothing more. At the very least, however, he recognized early on that extinguishment of Aboriginal title was a sometimes necessary precursor to settlement.

Morris believed that the first responsibility of the state was to provide a stable, business-friendly environment conducive to commercial development. He promised potential investors that the colonial government was “patriotic and attentive to the commercial and industrial interests.”¹²² Commercial development could not proceed without a proper transportation infrastructure especially. Morris took great pride in describing the country’s existing network of

¹¹⁸*Ibid*, pp.29, 40.

¹¹⁹See especially *Ibid*, pp.51-52.

¹²⁰*Ibid*, p.49. Morris makes similar commentary in his speech “To the Brockville Horticultural Society,” in AO. F51. Reel 3.

¹²¹Alexander Morris, *Canada and Her Resources*, p.37.

¹²²*Ibid*, p.51.

railways and navigable waterways, and envisioned the development of a massive extension of the Ottawa Valley line to the Pacific Ocean. It would open up access to more mining and timber resources, and make Canada Britain's stepping stone to trade with the Orient and the American Midwest.¹²³

The essay contains Morris's first official endorsement of British North American union. "It would be very desirable that free trade in its fullest extent should be established between [the colonies]," he wrote, "as the more their interests are assimilated, and a congeniality of feeling created, the more advantages will their intercourse prove to the whole of these important colonies, whose eventual union is beyond doubt desirable, and in fact is only a matter of time."¹²⁴ Morris's belief in the idea was borne out of an economic ideology. He argued that the economic strengths of one province would compensate for the weaknesses of another, and like other union-minded Tories of the first half of the nineteenth century, Morris believed that the creation of a larger political entity would help Canada extend its credit and capacity for taxation, and alleviate its substantial debt. This would in turn help finance public works, like the railway, and economic development in general. A greater British North America would also provide a meaningful British counterweight to American power on the continent, and offer an object worthy of political pursuit for aspiring young Canadian men of standing, including the twenty-nine year-old Morris himself.¹²⁵ From childhood, Morris had been enamoured by visions of empire, and he now saw an opportunity for building up a mighty arm of that empire in North America.

Inspired, perhaps, by the success of his patriotic essay, and emboldened by his new

¹²³*Ibid*, pp.52.

¹²⁴*Ibid*, p.57.

¹²⁵See Peter J. Smith, "The Ideological Origins of Canadian Confederation," *Canadian Journal of Political Science*,

prominence as an influential lawyer, Morris opted to make his first formal bid for political office that same year. Family, friends, and colleagues had already made the official transition into politics, and so the move was a natural progression in the career of a young man of Morris's circumstances and background. But it was also a sign of his rising personal ambitions and his sense of self-importance. Morris opted to run in Renfrew County, next to Lanark County "of which my father ... was for twenty-four years the faithful representative."¹²⁶

The aspiring politician ran on a platform of commercial development that corresponded with his economic nationalism and personal financial interests. He presented himself to electors "as one whose sympathies and interests are identified with your own." Morris declared that he "possess[ed], as do also several of my relatives, a considerable property" in Renfrew to assert that his own financial well-being depended on the level of economic prosperity of the county. He also reminded voters that he was a native of Lanark County, and of his father's political legacy in the region. Beyond riches and family standing, Morris wished to be perceived as a patriot, and he equated that patriotism with the pursuit of economic development:

...a Canadian by birth and sentiment, I shall, whether in a private or the public capacity to which I aspire, ever consider the advancement of my country in all her interests, as a matter of the highest importance, demanding the earnest co-operation of all true patriots. I shall therefore be found steadily and independently supporting all such measures [that] conduce to the development of the resources, the extension of the industry, the growth of the trade and the promotion of the general prosperity of my native country.

Morris's electoral platform repeated many of the calls for economic development made in his prize-winning essay. The Ottawa territory, especially, he argued, was "deserving of greater attention than [it has] yet enjoyed." He promised voters that as a member of the Legislature he would lobby for government spending to develop the dreamed of Ottawa route to the American

XX:1 (March 1987), pp.19.

¹²⁶Alexander Morris, "To the electors of the County of Renfrew," election poster, (October 1855).

Midwest to promote trade and settlement. In a recommendation that spoke to Morris's land interests, he called for "a further extension of the free grant system ..., and the gradual survey of the great tract lying between this County and Lake Huron."¹²⁷ The office of frontier politician, with access to government knowledge of land values and availability, would have conveniently situated a land speculator of Morris's experience.

Despite his grand schemes and promises, Morris lost his first bid for political office. It would have been a great disappointment, for both Morris and his otherwise politically successful family. Years spent learning the legal trade in Kingston and Montreal had kept him away from his native region and somewhat out of touch with the local electorate. A few years later, Morris declined a second opportunity to run in his father's old political stomping grounds, ostensibly due to "family affairs."¹²⁸ Smarting still from his previous electoral defeat, he was perhaps avoiding what would likely have been another humiliation.¹²⁹ Morris was not completely undeterred. He continued to build a political profile and preached his ideological beliefs at clubs and on the lecture circuit. He would campaign again, but this time on the issue of annexing the North-West.

The movement for annexing the North-West had long been a minor one until 1856, when discoveries about the region's fertility were made public. For Morris, these revelations were significant. In an instant, the country's agricultural woes – and, by extension, his land speculation interests and economic nationalism – appeared to have been answered. By the late 1850s, he could be counted among a small yet influential group of individuals "who continually spoke or wrote of the potential of the West and of the crucial need for Canadian expansion.

¹²⁷*Ibid.*

¹²⁸AO. F51. Reel 4. Memoranda by Edmund Morris, regarding the Morris family.

¹²⁹AO. F51. Reel 2. David Campbell to Alexander Morris, 17 March 1857. "It is a pity you had not been able to visit

Together,” explains Owrap, “they were very quickly able to effect a profound shift in public and official opinion.”¹³⁰

For some, supporting the annexation of the North-West appealed to their patriotic zeal and ideological beliefs, and their desire to secure Canada’s political future. Chief among these boosters was George Brown, future Father of Confederation, and editor of the popular Toronto *Globe*. “A distrust of the monopolistic Hudson’s Bay Company,” explains Owrap, “and a fervent enthusiasm for the spread of British institutions gave the movement a particular appeal to Brown.”¹³¹ More importantly, perhaps, adding a North-Western appendage to Ontario would “ensure the dominance of English Canada and the Reform party.” Another prominent advocate was Philip M. Vankoughnet, a relative of Morris and “President of the Executive Council and a future Commissioner of Crown Lands.” Vankoughnet helped ensure that “the Liberal-Conservatives of John A. Macdonald accepted the idea of expansion, albeit more cautiously.”¹³² Many of these men had a vested economic interest of their own. Allan Macdonell, “the most committed of all these early expansionists,” had applied repeatedly to the Canadian legislature for a Pacific railway charter, though without success. Macdonell went on to form the North-West Transportation, Navigation and Railway Company, “the first substantial commercial attempt to reopen trade with the region.”¹³³ The Brown family was also involved in the Company.

Morris consolidated his place in the movement for North-West annexation and British North American confederation with two successful public lectures given in the late 1850s. The first lecture, entitled “Nova Britannia; or, British North America, its extent and future,” he

Renfrew this winter ... your prospects are apparently not so favorable (*sic*),” warned Campbell.

¹³⁰Owrap, p.39.

¹³¹*Ibid*, p.40.

¹³²*Ibid*, p.40.

¹³³*Ibid*, p.39.

delivered in the familiar setting of the Mercantile Library Association of Montreal, "as part of its special course, on the 18th of March, 1858."¹³⁴ He made an impassioned case for uniting the colonies, and concluded with a section on the annexation of the North-West. His audience was so impressed by the speech that they moved for its publication. Within ten days, some three thousand copies had been sold.¹³⁵ Buoyed by this success, the following year, Morris delivered another lecture, entitled "The Hudson's Bay and Pacific Territories," that focussed solely on describing the vast resource potential of the North-West and calling for its prompt annexation. It too met with a warm reception, and was published.¹³⁶ What becomes apparent in the intensity of Morris's language in the lectures is that his desire to see a united British North America annex the North-West originated in a very personal need to see his national vision completed. "Surely it is a noble destiny that is before us," he told his audience, "and who, as he reflects upon all these things, does not feel an honest pride as he thinks that he too may, in however humble a sphere, or by however feeble an effort, aid in urging on that great destiny?"¹³⁷ Moreover, taking part in this grand scheme provided a means to validate his patriotism and, among other things, lay to rest his nascent inferiority complex vis-à-vis the United States. By extension, the treaties would occupy an important place in the fulfilment of Morris's dream.

Morris's enthusiasm exceeded even that of his earlier propaganda piece. Whereas the somewhat defensive "Canada and Her Resources" had been an attempt to counter the persistent pessimism over the country's economic potential,¹³⁸ Morris's new lectures seized on the new optimism stemming from the discoveries in the North-West. He described British North

¹³⁴Alexander Morris, "Nova Britannia," p.1.

¹³⁵Friesen, "Alexander Morris," *Dictionary of Canadian Biography*.

¹³⁶See Alexander Morris, *Nova Britannia*, p.viii.

¹³⁷Alexander Morris, "Nova Britannia," p.39.

¹³⁸"Our representations at the Universal Exhibitions," explained Morris, had been intended to "dispel[] many a prejudice." Alexander Morris, "Nova Britannia," p.24.

American union as a great patriotic project that would ensure the colonies' survival from absorption by their southern neighbour, and secure for Canada a prominent place in the Empire "and amid the ranks of nations."¹³⁹ In language that foreshadowed the High Imperialism of the 1880s, Morris saw Nova Britannia as one of the pillars of the Empire, the "built up great colonies" or "New Britains in all parts of the habitable globe" that were "destined eventually to be great kindred nations, bound together by the ties of origin and by parental and filial affection."¹⁴⁰ With great detail and an array of favourable statistics, Morris catalogued the colonies' collective economic potential, and asserted that the population would find unity in a common British character and nationality. "Is there not here the germ of a mighty people? Are not these colonies a fitting appanage to the great Empire under whose protection they are being developed? Will they not be, nay I say are they not *now*, a brilliant jewel in the crown of our beloved and gracious Sovereign Queen Victoria, who so worthily graces her throne?"¹⁴¹ Morris foresaw a fusion of races: "Inheriting, as we do, all the characteristics of the British people, combining therewith the chivalrous feeling and impulsiveness of France, and fusing other nationalities which mingle here with these, into one, as I trust, harmonious whole."¹⁴² Having inherited the admirable principles, "national characteristics," institutions, rights, and liberties of the mother country – including, especially, the principle of self-government – a united British North America was destined by Providence to be a great country. With its vast territorial and resource potential, Nova Britannia would be an empire unto itself.¹⁴³

¹³⁹*Ibid*, pp.37-38.

¹⁴⁰Berger sets Morris's lecture within the context of other patriotic speeches of the day: "Long before the surge of imperialism in the late nineteenth century, British North Americans had looked upon the Empire as the vehicle and embodiment of a progressive civilization which was designated by Providence to spread its culture, religion, and political institutions across the face of the earth." See Berger, pp.217-218.

¹⁴¹Alexander Morris, "Nova Britannia," pp.34-35.

¹⁴²*Ibid*, p.49.

¹⁴³*Ibid*, pp.4-7, 28-29.

At the heart of building “the Great Britannic Empire of the North”¹⁴⁴ was the annexation of the North-West. Morris told listeners that Canada needed the arable land of the North-West, lest it continue to lose settlers and potential immigration to the United States or, worse still, lose the entire territory – and the home market that would go with it – to American expansion. To entice his audience, he painted a generous picture of the vastness, natural beauty, resources, and agricultural potential of the North-West.

The great valley of the Saskatchewan should form the subject of immediate attention. ... there is a vast region well adapted for becoming the residence of a large population. Once the Red River settlement is opened to our commerce, a wide field extends before our enterprise; and those who recollect or have otherwise become familiar with the struggles, forty years ago, of the settlers in Western Canada, and the painful, toilsome warfare with which they conquered that rising portion of the Province from the wilderness, will regard the task of colonization as a comparatively light one.¹⁴⁵

For a seasoned land speculator like Morris, the prospect of buying up lots that were completely cultivable and thus 100 per cent saleable must have been enticing. He recounted in romantic language the caravanesque voyage of George Simpson’s 1841 expedition to Fort Edmonton, describing the lush prairie, meadows and forests, and likened it to an endless English countryside.¹⁴⁶ Morris seized on the testimony and statistics put forward by the Hind and McKenzie expeditions as proof “not only [of] its adaptation for settlement, but that it is adapted to take the highest rank as a grazing-country.”¹⁴⁷ It was merely a matter of providing settlers with a means of moving into the territory: “Introduce the European or the Canadian element into the settlement, and in a very few years the beautiful prairies of the Red River and the Assiniboine would be white with flocks and herds, and a large and flourishing centre of civilization, liberty, and progress planted, and another link ... in British territory between the Atlantic and the

¹⁴⁴Alexander Morris, “The Hudson’s Bay and Pacific Territories,” p.88.

¹⁴⁵Alexander Morris, “Nova Britannia,” pp.25-26.

¹⁴⁶Alexander Morris, “The Hudson’s Bay and Pacific Territories,” p.64.

Pacific.”¹⁴⁸

Morris repeated in even stronger terms his conviction that a Pacific railway would make Canada the link or throughway of the empire, connecting Britain with India, Australia, and New Zealand, and, most importantly, China. The new country, he boasted, would be

an English Russia, with free institutions, with high civilization, and entire freedom of speech and thought – with its face to the south and its back to the pole, with its right and left resting on the Atlantic and the Pacific, and with the telegraph and the iron road connecting the two oceans! [S]uch is the vision which is present to us, and to many others ‘to the manner born,’ whose all and whose destiny is here. Let us each and all, then, do our part in our respective spheres, however humble they may be, toward the accomplishment of so noble an enterprise....¹⁴⁹

Even more, the Chinese trade would make Canada rich and serve to eclipse the United States:

“Thus, British America, from a mere colonial dependency, would assume a controlling rank in the world. To her other nations would be tributary; and in vain would the United States attempt to be her rival....”¹⁵⁰ The North-West was the answer to Morris’s prayers – the solution to all of the Canadas’ economic woes identified in his earlier speeches of the decade. The enthusiasm with which he picked up on the idea of annexation as something of a personal mission demonstrates the extent to which Morris saw the North-West as the means for his very own ideological, patriotic, and financial salvation.

Morris attempted to rationalize annexation in religious and moralistic terms. Canada’s motivation for annexing the North-West should “not [be] a mere grasping thirst of territorial aggrandizement, but a large-spirited and comprehensive appreciation of the requirements of the country, and a proper sense of the responsibilities to be assume in regard to the well-being of the native and other inhabitants, and the due development of the resources of the territory.” The

¹⁴⁷*Ibid*, p.66.

¹⁴⁸*Ibid*, p.76.

¹⁴⁹*Ibid*, pp.88-90.

moral argument conveniently extended to the interests of the Canadian Province: "To a large portion of the territory we have an indubitable legal claim; ... all that is adapted for settlement should be placed under the jurisdiction of representative government."¹⁵¹ The opportunity that lay before the country, he argued, was providential, and it was the duty of the country to take what God had provided – the Hudson's Bay Territories was to Canadians what Canaan had been to the Israelites.¹⁵² Even more, it was Canada's duty to help spread British civilization and liberty throughout the world.

Surely it is plain to the most superficial observer that there is an overruling purpose in all this. Surely these English-speaking nations have a mission to discharge to the human race..... [T]his British race, with its energy and intelligence, its political liberty, its freedom of speech and of conscience, and its earnest religious character, is fast disseminating itself throughout the habitable globe.¹⁵³

Morris referred to annexation as a topic of importance to "the friends of civilization everywhere" He claimed to be upholding the rights and considerations of the people who already lived in the country. Red River colony, he asserted, was "a petitioner at the portals of our Legislature for admission to those inherent rights of free self-government which every Briton inherits as a birthright."¹⁵⁴ All British subjects, he continued, had a right to self-government.

The greatest barrier to the spread of civilization, he asserted, was the Hudson's Bay Company. Seizing on recent discontent in Red River, Morris accused the company of trying to hide the region's potential so as to maintain its unethical trade monopoly.¹⁵⁵ He dismissed the Company's Charter of 1670 as a "relic of antiquity" full of "all sorts of right lawyerly phrases,"

¹⁵⁰Alexander Morris, "Nova Britannia," pp.44, 46.

¹⁵¹*Ibid*, p.32.

¹⁵²Alexander Morris, "The Hudson's Bay and Pacific Territories," see pp.52-54.

¹⁵³*Ibid*, pp.55-56.

¹⁵⁴Alexander Morris, "Nova Britannia," pp.28-29.

¹⁵⁵"[O]n the high ground of public justice, ... the continuance of such a monopoly is wholly indefensible. ... [N]either the colonists of Red River nor their stronger brethren of Canada will long consent to see trade stifled and cramped and forced out of its natural channels." Alexander Morris, "The Hudson's Bay and Pacific Territories," p.85.

and asserted that Canada had a superior legal claim to the territory by way of the historic French presence in the North-West.¹⁵⁶ He maintained that “[i]f the charter be invalid, the British Crown would be the sovereign of a large portion.” Title to the land was confused at best: “The words of the grant are vague and indefinite in the extreme.”¹⁵⁷ Morris also appeared to have made a passing reference to the unextinguished Amerindian title.¹⁵⁸ Some fifteen years later, Morris would come to recognize that both the Amerindian peoples, as well as the HBC, had a claim to the land that would have to be settled in order for Canada’s tenuous legal claim to be placed on a more certain footing.

Legal arguments aside, Morris believed that it was simply unjust that the interests of a minor company should take precedence over the “Imperial as well as colonial interest” and that of countless future settlers. “Should such a ‘Paradise of fertility’ as this remain longer locked up? Will the gathering of a few peltries compensate for the withdrawal of such a region from the industry of our race? Assuredly not.”¹⁵⁹ Morris accused the HBC of being unpatriotic, fixated on “its own aggrandizement, as companies generally are,” and even went so far as to suggest that it be dissolved outright. Once “the tenacious grasp of the huge *main mort* of the Hudson’s Bay Company is relaxed,” he declared, “so will these fair Territories stand before us and present to the attention of the human family vast expanses of rich arable country – goodly habitations for the residence of civilized man.”¹⁶⁰ Moreover, it was the country’s moral responsibility to uphold the rights and interests of these future settlers. “Let us hope that henceforth the country will receive that fair play which it evidently deserves, and that colonists will have free and

¹⁵⁶Alexander Morris, “Nova Britannia,” pp.31-32.

¹⁵⁷Alexander Morris, “The Hudson’s Bay and Pacific Territories,” pp.81, 83.

¹⁵⁸“... the [HBC’s] right of exclusive trade with the Indians over what is known as the ‘Indian Territories’ is not disputed, and is at present held under ... [an] Act of Parliament.... This license expires during the present year.” In *Ibid*, p.85.

¹⁵⁹Alexander Morris, “Nova Britannia,” pp.29-30.

unquestioned license to occupy the virgin soil without let or hindrance.”¹⁶¹

Morris’s lectures contained a few passing references to the territory’s original inhabitants, but these were clearly an afterthought to his grand schemes. If anything, Morris, whose first public lecture only a decade earlier had been on “the North American Indian,” described to his new audience a vast territory that seemed virtually empty. “Another great section of the American continent is lying idle, and unoccupied to any extent by civilized life. It has been the home of the roving Indian – the haunt of the buffalo – the huge preserve for the gathering of a few peltries.”¹⁶² Their presence, and economic activities were deemed insignificant – the land was not being used to its full potential, and it was up to the Canadian people to see that it be advanced in such a manner. When mentioned at all, Morris described Amerindians as part of the natural scenery.¹⁶³ He seemed to suggest that the HBC trading relationship with many of the Amerindians was exploitative, and unjust.¹⁶⁴ Morris recognized that removing the authority and trading relationship of the HBC would create a vacuum for the Amerindian population, but argued for its removal nonetheless:

The questions involved in the determination of this matter [the dissolution of the supremacy of the HBC] are grave and important. The rights and the position of the Indians are to be thought of and protected. Still, the fact is obvious and indisputable, that the power of the company, if it continue to exist, must be restrained, and subjected to colonial control; and that, moreover, the rights of colonization and trade, at least in all the habitable territories, must be free and unfettered.¹⁶⁵

Aboriginal rights were an afterthought – a caveat to the larger consideration for the interests of Euro-Canadians. Implicit here was the assertion that the rights and concerns of the majority should take precedence over those of the HBC and the territory’s “roving Indian” population,

¹⁶⁰Alexander Morris, “The Hudson’s Bay and Pacific Territories,” pp.56, 87-88.

¹⁶¹*Ibid*, p.74.

¹⁶²*Ibid*, p.55.

¹⁶³See, for instance, *Ibid*, p.61.

and the assumption that the Amerindians would be moved to less favourable lands to continue their hunting and trapping. In later years, meeting the Amerindian peoples and dealing with them face-to-face would force Morris to confront the questions of Aboriginal rights and concerns, and to reconcile his earlier humanistic and pseudo-academic concern for them with the obsession to conquer and develop the North-West. In time, Morris would come to be more lenient on the land question. He would also come to appreciate the fact that a direct relationship with the Crown was the only possible replacement for the HBC-Amerindian relationship.

In office, 1861-1872

Morris's reputation as a booster for confederation and territorial expansion served him well. In 1861, he made another bid for political office, and won as a Liberal-Conservative in his father's old riding of Lanark South. "[T]he people brought me out without my knowledge and returned me by a majority of upwards of four hundred so that my sphere of influence is widening. I was very reluctant to accept but as it was my father's County ... could not say no."¹⁶⁶ Morris's reputation must have been fairly popular in his hometown of Perth, "the first community outside of Toronto to adopt a public resolution calling for the annexation of the North West."¹⁶⁷ Indeed, his nomination had been brought forward by a coalition of both "Protestant Reformers and Liberal Conservatives." He campaigned as a fiscal conservative, and promised to challenge the government's corrupt and extravagant spending habits. He urged his electorate not to push for the dissolution of the Province of Canada, but rather pledged to lobby

¹⁶⁴See *Ibid*, pp.84, and Ooram, pp.34.

¹⁶⁵Alexander Morris, "The Hudson's Bay and Pacific Territories," p.88.

¹⁶⁶In Friesen, "Alexander Morris," *Dictionary of Canadian Biography*.

for some form of representation by population – which would have favoured the larger Canada West – and to make Ottawa the capital of the United Canadas.¹⁶⁸

Morris's political career in the 1860s saw him drop some of his early radicalism in favour of a less partisan pragmatism, but the goals of Confederation and North-West annexation remained close to his heart. His first speech to the Assembly, in March 1862, addressed the divisive and heavily partisan question of representation-by-population. Morris confessed that his views had softened somewhat on the issue "since he took his seat in the House," and had witnessed first-hand the bitter divisions that persisted on this and other issues. He had been especially impressed by the non-partisan, pragmatic approach taken by one L.T. Drummond – a Rouge from Canada East who had defended rebels of 1838 and later allied with LaFontaine¹⁶⁹ – to help settle the issue of seigneurial tenure. Morris called for a similarly non-partisan approach to help address the 'rep-by-pop' issue.¹⁷⁰ He suggested the answer lay in his old source of inspiration, Confederation, which, he insisted, "would give to the people of each Province the right to manage their own internal affairs, while at the same time managing in common matters of common concern so as to secure the consolidation of the Britannic power on this continent."¹⁷¹ During his early political career, Morris had taken inspiration from other pragmatic political figures of differing backgrounds, such as the Irish Catholic and one-time-Fenian-turned-Confederationist, Thomas D'Arcy McGee. McGee commended Morris's earlier 'Nova Britannia' lecture, and the two became fast friends, even spending their free time rowing

¹⁶⁷Owram, p.47.

¹⁶⁸Alexander Morris, "South Lanark Election! The Nomination!" election poster (1861).

¹⁶⁹See J. I. Little, "Lewis Thomas Drummond," in *Dictionary of Canadian Biography*, (University of Toronto / Université Laval, 2000; accessed online at <http://www.biographi.ca/EN/ShowBio.asp?BioId=39613&query=drummond>).

¹⁷⁰See Alexander Morris, "Speech delivered in the Canadian Assembly during the debate on the Speech from the Throne, on Friday, 28th March, 1862," in *Nova Britannia*, pp.94-96.

¹⁷¹In Babion, p.37.

down the Ottawa River together. Morris was one of the last people to see his friend alive, on the day of his assassination, April 7, 1868, when “poor D’Arcy was shot to death by one of the Fenians, for he had denounced their visionary and wicked schemes.”¹⁷²

As his views softened, Morris quickly developed a reputation as a broker politician, contributing indirectly to the achievement of Confederation. His best-known act of political compromise came in June of 1864, during the height of political instability in the Canadian Assembly that had inhibited legislation and any resolution to the constitutional problems facing the jointly administered Canada West and Canada East. The Macdonald-Taché administration, having come to office only a few weeks earlier, was facing defeat at the hands of a group of Reformers led by George Brown. Morris, friends with both Macdonald and Brown, along with J.H. Pope, another Liberal-Conservative member, helped broker discussions between the two rivals, ultimately leading to the so-called ‘Great Coalition’ that advocated for, and achieved, Confederation. Over the course of the next few years, he quietly urged Macdonald to maintain the coalition “in order that the cause of Confederation could be more rapidly advanced.”¹⁷³ He also came to view the “alliance that so long existed between the Conservatives and French” as being in “the best interests of the Dominion.”¹⁷⁴

Morris made his own contribution to the Confederation Debates in February 1865. He argued that the goals of Confederation and North-West annexation were inextricably linked by the larger objective of creating a country strong enough to resist absorption into the United States. “We have either to rise into strength and wealth and power by means of this union, under the sheltering protection of Britain,” he told his fellow members, “or we must be absorbed by the

¹⁷²AO. F51. Reel 4. Memoranda by Edmund Morris, regarding the Morris family.

¹⁷³Babion, pp.44. Staples also focuses significantly on these events.

¹⁷⁴See Babion, p.63.

great power beside us.”¹⁷⁵ It was, above all, a matter of pride: “We will have the pride to belong to a great country still attached to the Crown of Great Britain, but in which, notwithstanding, we shall have entire freedom of action and the blessings of responsible self-government.”¹⁷⁶ Morris concluded his speech with a lengthy argument in favour of annexing the North-West as part of the larger project of Confederation, returning to a number of the same themes that had by now become his trademark. “[T]he development of the North-West,” he argued, was “necessary for the security and the promotion of the best interests of British North America.” Its resources should be made “tributary to Canada,” lest it be taken over by “American energy and enterprise,” thus terminating any chance for a prosperous, trans-continental British country.¹⁷⁷

After Confederation, Morris continued to lobby for annexation of the North-West. By the late 1860s, annexation had become the defining idea of his political platform, and he was studying every scrap of information on the territory that he could find.¹⁷⁸ In December 1867, Morris made a vigorous defence of Public Works Minister William McDougall’s resolutions calling for “the acquisition of the North-West Territories by the Dominion,” which ultimately passed.¹⁷⁹ The need for annexation and settlement, he argued, was urgent, even desperate:

We have been told, Sir, that we have no need of this country, and that our land in Canada is not yet taken up. But what are the facts? The good lands of Canada have passed from the hands of the Government, and the farmer in our old Provinces is unable to settle his family around him – is unable to acquire land for his sons, except at prices beyond his reach. The result is, that ... our young men are going to people Wisconsin and Minnesota ..., and already the boast of the American Press is that the New Dominion has neither enterprise nor energy enough to occupy the fertile belt, and that the overflow of American settlement from Minnesota and Dacotah (*sic*) will place its ownership beyond the reach of diplomacy.¹⁸⁰

¹⁷⁵Alexander Morris, “Speech delivered in the Legislative Assembly during the debate on the subject of Confederation of the North American provinces,” (Quebec: Hunter, Rose, 1865), p.6.

¹⁷⁶*Ibid.*, pp.14-15.

¹⁷⁷*Ibid.*, pp.12-13.

¹⁷⁸See Alexander Morris, “To the electors of the south riding of Lanark,” election poster (1869).

¹⁷⁹See Alexander Morris, *Nova Britannia*, pp.134.

¹⁸⁰Alexander Morris, “Speech on the Resolutions for the Acquisition of the North-West,” given December 5, 1867,

He elaborated on the country's historical claim, taking inspiration from the French and Jesuit missionaries who had already made the 'fertile belt' their home: "The country is ours by right of inheritance," it was "our manifest destiny."¹⁸¹

Morris acknowledged the issue of Amerindian claims to the territory, but only in passing. He knew, then, that this would have to be dealt with, but, more interested in the question of settlement, he seemed to assume that Amerindian title would be extinguished with relative ease as per the old Upper Canadian treaties. He was more interested in discussing the immediate steps he would take so as to promote the region's rapid development, such as the creation of a rail and steam transportation route connecting it with Canada, and an immediate land survey to begin divvying up the territory. As before, Morris cast doubt on the legitimacy of the HBC claim, saying only what little rights it might have should be promptly bought out.

Two years later, however, Morris took greater notice of the question of Aboriginal rights, during the Red River resistance of the "French Metis" in 1869-1870. "[T]hese obstructions would pass away before a firm and conciliatory course," he told electors, "and a thorough respect for the rights of the present inhabitants of the Red River country, who would come to see that their interests and ours were one and identical." He added that "a wise and kind policy would be pursued towards the Indian population of the North-West. We in Canada could place in proud contrast to the conduct of the American people our dealings with the Indian race during the last fifty years."¹⁸² Laying in contrast the American and Canadian Indian policies would become a favourite tactic for Morris.

in *Nova Britannia*, p.142.

¹⁸¹See *Ibid*, pp.140, 142.

¹⁸²Alexander Morris, "Speech at Perth, on Re-election by Acclamation, after Accepting Office in the Dominion Government, as Minister of Inland Revenue," given in late 1869, in *Nova Britannia*, p.145.

As early as 1867, Morris had begun to fathom a more direct personal role in the region's future development. "[I] would throw open the fertile glades and prairies of the fertile belt, and give actual settlers free grants of land," he said in the House of Commons. "[I] would organize a local government there, and give the people the benefit of a constitutional authority, and so aid them in the great work of colonizing that fertile region."¹⁸³ There were signs that Morris's stature was beginning to rise among Red River residents themselves.¹⁸⁴ To his dismay, the appointment for Lieutenant-Governor of the North-West Territories went first to William McDougall. But Morris got what he considered a just reward¹⁸⁵ for his services when Macdonald appointed him Minister of Inland Revenue in late 1869 – a post he would occupy for two years.

¹⁸³See Alexander Morris, "Speech on the Resolutions for the Acquisition of the North-West," pp.141-142.

¹⁸⁴He was certainly on good terms with John Schultz – one of the militant anti-rebellion leaders of 1869-1870 – before heading West. See NAC. MG27-IC8. John Schultz to Alexander Morris as Minister of Inland Revenue, June 24, 1870: "You have taken a kindly and intelligent interest in our personal affairs.... Men who came here, some with the recollection of unwarranted losses and unjust suffering appreciate keenly a kindness shown to them and you have shown that a Minister of the Crown may retain feelings of humanity, while serving his Country well."

¹⁸⁵See Babion, pp.62-63, 69.

V. LAND SPECULATION AND 'RETIREMENT' IN THE NORTH-WEST

Alexander Morris may not have yet been taking a direct hand in the administration of the North-West, but by 1872, he certainly had a finger in its budding land speculation interests. Morris's land and business interests had been quietly expanding since the late 1850s. His holdings soon came to include a handsome fortune of mining, forestry, and transportation interests north and west into the Ontario frontier.¹⁸⁶ Morris was a shrewd, and oftentimes unforgiving businessman. Joint ventures with family and friends that turned out to be especially lucrative often resulted in disputes over ownership and profit percentages, and Morris did not shy from aggressively pressing his case, even against those closest to him personally.¹⁸⁷

After the Canadian Government bought out the HBC claim to the North-West Territories in 1869, and with the subsequent annexation of the territories and creation of Manitoba, it was only a matter of time before Morris began buying up lots in the region. By early 1873, Morris had already gained a reputation as one of the busier speculators in Winnipeg,¹⁸⁸ and with good reason. As in Ontario, Morris often employed agents to identify potential buyers and sellers, and to manage his various holdings. By January 1873, with the aid of his agents, he had acquired no fewer than ninety-two lots in the city, valued collectively at \$26,000.¹⁸⁹ Among his interests in the province were ten Métis riverlots.¹⁹⁰ In early 1873, Morris withheld his assent from the Manitoba Government's Half-Breed and Grant Protection Act. As Babion explains,

¹⁸⁶See AO. F51. Reels 2 and 3, and Babion, pp.52-57.

¹⁸⁷See AO. F51. Reels 2 and 3, especially correspondence from 1868-1873.

¹⁸⁸See AO. F51. Reel 3. R.J. Cartwright to Alexander Morris. 21 February 1873. "I see you have been speculating in Winnipeg lots."

¹⁸⁹AO. F51. Reel 3. Memorandum regarding property of Lt. Gov. Morris in Manitoba, prepared by G. McMicken, 22 January 1873.

¹⁹⁰See Native Council of Canada, *Native People and the Constitution of Canada: Report of the Metis and Non-Status Indian Constitutional Review Commission*, Commissioner H.W. Daniels, Ottawa: Mutual Press, 1981, p.64.

“[s]peculators [had] bought lands from Half-Breeds at low prices. The bill was designed to cancel all these sales and to give the vendor an action to recover the price.”¹⁹¹

Morris cast his glance on the lands he believed would best appreciate in commercial, as well as agricultural value. In late 1872, he attempted to purchase the southwestern corner of the junction of the Assiniboine and Red Rivers, which lay directly opposite the entrance of the strategic Upper Fort Garry.¹⁹² Around the same time, Morris acquired the southwestern corner of what would become the busy Portage and Main intersection, and promptly set about constructing a series of large buildings. Rents on the land and its various buildings alone would net Morris \$5500 a year.¹⁹³ The lot was the subject of some controversy, however, as the old Council of Assiniboia had reserved in its minutes the right to a section to widen the road “for the public good” – land on which Morris’s new buildings now stood.¹⁹⁴ By this point, Morris held a public office in the province. Nonetheless, he pressed his interests against those of the public, arguing that the old Council’s jurisdiction and “minutes are illegal and ultra veris.” The legal wrangling would endure well into the 1880s.

Morris’s political responsibilities back in Ottawa, meanwhile, had begun to take their toll, and he began exploring options for an early retirement. A move to Manitoba appealed on various grounds. The open air and natural setting could serve Morris’s ailing health. Even more, it would put him in close proximity to his budding land speculation interests. Finally, and most significantly, the move appealed to his old dream of witnessing the realization of the region’s development. “If I must retire,” he wrote Macdonald in May 1871, “I would like you to send

¹⁹¹Babion, p.122.

¹⁹²AO. F51. Reel 3. Memorandum of agreement between Magnus Brown and Alexander Morris, 29 October 1872. Cancelled July 8, 1873. Morris was to buy Brown’s land at Point Douglas for 800 pounds sterling.

¹⁹³AO. F51. Reel 3. Memorandum for Alexander Morris, 22 February 1876.

¹⁹⁴See various correspondence relating to the ‘Drever lot’ in AO. F51. Reel 3, especially Extracts from minutes of the Council of Assiniboine, 15 July 1864.

me to Manitoba as Judge. The work would be light & though an exile, the country has a future & I could be of use.”¹⁹⁵ The Prime Minister eventually granted Morris’s request, and in mid-1872 he and his family moved to Manitoba to begin what could hardly be described as a ‘retirement.’¹⁹⁶

By all accounts, Morris competently fulfilled his responsibilities as Chief Justice of Manitoba’s Court of Queen’s Bench. He soon found that he would have to strike a delicate balance between the oft-feuding segments of the population, including the French and English Métis, the old settler population, and the growing number of recent arrivals from Ontario. “I determined from the hour I entered the province,” he declared, “to know no parties in it, & have steadily maintained that position.” As Friesen explained, “Morris’s goal was to see a peaceful, stable Manitoba based largely on the Ontario model, with an acquiescent and cooperative French population.” As Chief Justice, he wrote, he “quietly enforced ... English practise & English law, ... and have carried with me the French Bar.” During his first year in the province, Morris pushed “for a speedy settlement of Métis land claims to divert support from Riel ... and to provide assistance for the substantial number of Métis he expected would desert Riel for the leadership of the more moderate Pascal Breland.”¹⁹⁷

Owing to this success, in late 1872, Macdonald appointed Morris as Lieutenant-Governor of Manitoba and, the following year, of the North-West Territories as well. The new role would require an even more delicate diplomacy, as Macdonald warned him in December 1872:

I hope that long ere this reaches you your Commission will have arrived, that you will have been sworn in, and that the Ship of State under your skilful guidance will be making

¹⁹⁵In Friesen, “Alexander Morris,” *Dictionary of Canadian Biography*.

¹⁹⁶As Friesen puts it, the task of Chief Justice of Manitoba “would hardly seem suitable for a sick man.” *Ibid.*

¹⁹⁷*Ibid.*

great progress. You are strong enough now [to show] rather a stiff upper lip to Bishop Taché and to ... Mr. Riel. You have got the law abiding and orderly people all in your favor (*sic*), both French and English, and you have 300 good men at your back. You are therefore quite at liberty to steer an independent course, though of course you will have to use more than your usual amount of suaviter in keeping the discordant elements from quarrelling.¹⁹⁸

Morris's responsibilities and achievements in this capacity were many and have been summarized at length by Staples, Babion, and Friesen. As Lieutenant-Governor, he was "responsible for the administration of federal moneys, ... crown lands, and customs, and also [initially] served in a private capacity as Macdonald's own representative."¹⁹⁹ He facilitated the work of an often fractious and inexperienced provincial legislature and cabinet, and sat as head of the Executive Council of the North-West Territories. As he became more sympathetic to the local concerns and interests of Manitoba, and as the provincial government gained in experience, Morris advocated for increased provincial responsibility. This corresponded with his personal belief that local self-government was an inherent right for all British subjects. Morris entertained another old passion during his tenure – education. With much tact he managed to broker the formation of a single university, the University of Manitoba, with the principle Catholic, Anglican, and Presbyterian Churches, thus avoiding the religious divisions that had encumbered Ontario's university formation experience.²⁰⁰ It was, perhaps, an indication that Morris's religious conservatism had softened somewhat by way of his earlier political interactions and his new experiences in a small Red River community that could ill afford bitter religious division. Morris's most significant role as Lieutenant-Governor, however, and the subject of the remainder of the present work, came in Indian Affairs and treaty negotiation.

¹⁹⁸McGill University Rare books collection (MR). MS 837. John A. Macdonald to Alexander Morris, 16 December 1872.

¹⁹⁹Friesen, "Alexander Morris," *Dictionary of Canadian Biography*.

²⁰⁰See Staples, p.97. "But among Governor Morris's accomplishments none is more signal (nor more peculiarly his

VI. ALEXANDER MORRIS AND THE NUMBERED TREATIES

By the time of his 'retirement' in 1872 to the North-West, Morris's fixation on the economic potential of the region had subsumed his earlier concern for its original inhabitants. This was perhaps understandable, given his intense, life-long economic nationalism and the new atmosphere of unabashed optimism that seemed to validate, at long last, that nationalism. In addition, Morris's legal and political career had put him in close contact with the visionaries and nation-builders of the day, fuelling his own dreams of national glory. Moving to the territory he had so long dreamt of seeing annexed, however, would force Morris to reconcile his nationalism with the plight of the Amerindian peoples. During his time in the North-West, the 'Indian question' would become more present in his mind. The more general goal of building a trans-continental empire, so easily conjured up in distant Perth, Montreal or Ottawa, would lose some (though never all) of its presence. As the realities of the Amerindians' plight began hitting home, and as he invested more personal time and energy in the treaty-making process, Morris gained a personal stake in these agreements and in their long-term outcome. The treaties took on a great significance for Morris, and he became increasingly disillusioned with Ottawa as he realized that his colleagues and superiors were not of the same mind.

Morris's old interest in Amerindian peoples had been temporarily subsumed by his fixation with resource development and immigration, but it nonetheless provided him with a starting point for sympathizing with the indigenous peoples he encountered. Morris paid close attention to the language applied in their conversations with him, and especially in treaty negotiations. He often appropriated the symbolism and imagery of his Amerindian counterparts

own) than the bill for the establishment of a provincial university." Staples was a University of Manitoba graduate.

in his attempts to reach an understanding. Moreover, Morris demonstrated a genuine concern for their plight; sympathy turned to empathy. His general goal of seeing the territory settled, and its resources developed, remained ever-present. But he recognized the threat that this goal posed to the future of the Amerindian people whom, in many respects, he had come to admire by the end of his tenure. Morris sincerely hoped that the Amerindian peoples would survive as distinct, self-sustaining communities.

To reconcile his goal of territorial development with Amerindian survival, Morris attempted to integrate the indigenous peoples into that process of development – to make them co-beneficiaries along with the settlers who were sure to enter the country. The treaties were central to this strategy. Morris had come to the North-West with a view of the treaties as but another necessary step in legitimizing Canada's territorial expansion. By the end of his tenure, however, he had come to recognize that they entailed much more than a mere land transaction. While extinguishment of title remained a principle goal of the treaties, Morris came to view them as the basis for a positive, reciprocal relationship between the Crown and the Amerindian peoples of the North-West. In short, it is argued here that Morris's understanding of the significance of the treaties may have been much closer to Amerindian understandings than previously believed.

The treaties must be considered in the context of the diplomatic traditions and the precedents that informed their making. A closer look at the Euro-Canadian and Amerindian diplomatic histories that Morris and his Amerindian counterparts inherited reveals a long-standing practise of reciprocity and equality in treaty-making. Centuries of precedent would have ensured the observance of such practise at the treaties and, more specifically, informed Morris's

approach to treaty-making. In addition to historical precedent, the pressing realities of the day that both sides had to face simply meant that a new relationship of equality and reciprocity was, in fact, of mutual and often urgent interest.

VII. THE AMERINDIAN NATIONS AND THE TREATIES

Amerindian diplomatic history and precedents

The principle of establishing relationships of friendship and reciprocity with outsiders has long been and remains an integral element of the Cree and Ojibwa values systems. As one Treaty Elder recently explained, “[i]t was decided long before the White man arrived that the First Nations would treat the newcomers as relatives, as brothers and sisters. The First Nations had decided that they would live in peace and that they would share the land with these newcomers.”²⁰¹ Historian Stephen Sliwa makes the case that the fluid membership and flexibility of Cree communities, for instance, “allowed for the formation of close relationships, not only among the multi-band organization within their own nation but also with other Aboriginal plains nations, European fur traders and, later, the Métis.” Indeed, “the reciprocal responsibilities and obligations associated with being considered ‘kin’ were far from symbolic.”²⁰² The Cree and Ojibwa of present-day western Canada had developed their own diplomatic traditions of alliance and treaty-making on such a basis countless generations before the numbered treaties. Sliwa explains:

For generations, diplomacy was a means through which the Plains Cree sought to capitalize on opportunities and to cope with change. ...[P]rior to 1870, the Cree had established close relations with a number of Aboriginal plains nations – first with the Blackfoot during the late seventeenth century and later with the Mandan and Assiniboine peoples – as a means of achieving a defined group of self-interest. Consequently, an alliance with ‘the Great Queen Mother’ was a continuation of this practice and represented to the Aboriginal inhabitants of the parklands a wealth of opportunity.²⁰³

²⁰¹In Harold Cardinal and Walter Hildebrandt, *Treaty Elders of Saskatchewan*, p.31.

²⁰²Stephen Sliwa, “Treaty Day for the Willow Cree,” *Saskatchewan History*, 47 (1), 1995, p.5.

²⁰³*Ibid*, p.4.

In his study of the Plains Cree, J.S. Milloy notes that the Cree, Ojibwa, and Assiniboine were being referred to as “the allied tribes” in the mid-eighteen hundreds.²⁰⁴ Historically, the three nations had been allied against a common foe, the Sioux. In the years leading up to the numbered treaties, they once again found common interest as they shifted westward toward Blackfoot territory where the diminishing buffalo remained in significant numbers.²⁰⁵ Amerindian negotiating teams would not be without some internal division as well as inter-tribal division. Nonetheless, it can be said that despite their different cultures and languages, their common history of alliance building, along with the common diplomatic practises and principles, made it possible for these peoples to negotiate in some cases under a single treaty an agreement with the Crown. The shared diplomatic tradition also helps to account for the similarities between the negotiating processes of the treaties in which Morris would be involved (Treaties 3-6).

Centuries earlier, the Amerindian tradition of building relationships of reciprocity played a prominent role in ongoing diplomatic interactions and agreements conducted with European newcomers and, more specifically, the Hudson’s Bay Company.²⁰⁶ The HBC conformed early on to Amerindian diplomatic precedent in the North-West. In 1680, for instance, company officials in London instructed their James Bay Governor to “endeavour to make such contracts wth. (*sic*) the Indians in all places where you settle as may in future times ascertain to us all liberty of trade & commerce and a league of friendship & peaceable cohabitation.”²⁰⁷ Over time, it became commonplace for trading sessions to open with elaborate pomp and ceremony. First, the

²⁰⁴John S. Milloy, *The Plains Cree: Trade, Diplomacy and War, 1790 to 1870*, (Winnipeg: University of Manitoba Press, 1990), p.108.

²⁰⁵*Ibid*, pp.61, 108. For a broader discussion, see also Dale R. Russell, *Eighteenth-Century Western Cree and their Neighbours*, (Hull, Quebec: Canadian Museum of Civilization, 1991).

²⁰⁶See, for instance, J.E. Foster, “Indian-White Relations in the Prairie West during the Fur Trade Period – A Compact?” in Richard Price, ed. *The Spirit of the Alberta Treaties* (Toronto: Institute for Research on Public Policy, 1979). Foster argues that the Amerindians and HBC developed what he terms a ‘compact relationship.’

²⁰⁷In Ray et. al., p.4.

Amerindians would designate a leader to receive a suit of clothing from company officials – given to recognize his authority. Such displays of friendship and mutual respect always closed with the symbolic exchange of gifts and smoking of the peacepipe, a sign of friendship and thanks to the Creator.²⁰⁸ Carried over to the treaty-making of the nineteenth century, the “pipe-stem” or “medicine pipe” ceremony was considered sacred by the Amerindian peoples:

For Aboriginal people, only truth could be spoken by all taking part in this ceremony.for the First Nations, everything that was said once the pipe was smoked would be considered part of the agreement. Once the pipe had been smoked, a spirit of trust and friendship was established, and as a result it was the ‘spirit and intent’ of all the discussions that constituted the agreement, not just the signed document.²⁰⁹

As all the words spoken after the smoking of the pipe were to be considered true, the spoken exchange and the negotiations as a whole were considered part of the agreement, on top of what might be written down.²¹⁰

The Amerindian diplomatic tradition of building alliances of reciprocity and equality carried over into the formalized treaty-making process between Amerindians and the Crown in the nineteenth-century North-West. Laura Peers explains the Ojibwa understanding of alliance-making in terms of the 1817 treaty with the Selkirk settlers of the Red River:

[Ojibwa Chief] Peguis was conforming to traditional Native ideas about alliances, which were based on the metaphor of kinship and involved reciprocal aid, including military aid. Thus, the Ojibwa readily offered assistance to the settlers in the full expectation that they would themselves receive aid from the Europeans some day. ...[Colony administrator] Alexander Ross recalled that ... receiving aid from the Indians “tended to foster kind and generous feelings between the two races.”²¹¹

Indeed, the Ojibwa came to expect military assistance in the event of attacks from the Sioux,

²⁰⁸Andrew Graham, an eighteenth-century HBC officer at York Factory, gives a vivid recollection of one such ceremony. In *Ibid*, pp.7-8.

²⁰⁹Treaty 7 Elders and Tribal Council, et. al., p.305.

²¹⁰For an example of Saskatchewan Treaty Elders’ understanding of the significance of the pipe, see Cardinal and Hildebrandt, pp.48.

²¹¹Laura Peers, *The Ojibwa of Western Canada, 1780 to 1870*, (Winnipeg: University of Manitoba Press, 1994), pp.89-90.

while the settlers were convinced the Ojibwa would, in Ross's words, "aid them in 'bid[ding] defiance to the Yankees." Ojibwa peoples would later negotiate the Robinson Treaties and the Manitoulin Island Treaty with the Crown in 1850 and 1862, respectively.²¹² The time-honoured Amerindian diplomatic traditions and legacies of these preceding treaties would indeed inform the making of the numbered treaties.

Oral record, Amerindian understanding

For the Amerindian peoples, the treaties involved the establishment of a new relationship between Euro-Canadians and themselves, based on the principles of equality and mutual assistance. The version of the treaties conveyed by Saskatchewan Treaty Elders today – only a few generations removed from the events of the 1870s – gives expression to the notions of mutual assistance and equality under the Crown. Elder Simon Kytwayhat invokes a language of kinship not unlike that employed by Morris in the written record of the negotiations:

When our cousins, the White man, first came to peacefully live on these lands with the Indigenous people, as far as I can remember, Elders have referred to them as "kiciwâminawak" (our first cousins). I have heard from my Elders that the Queen came to offer a traditional adoption of us as our mother. "You will be my children," she had said.²¹³

Elder Jacob Bill sums up the treaty relationship, expressing the principles of mutual respect, obligation, benefit, and equality:

It was the will of the Creator that the White man would come here and live with us, among us to share our lives together with him, and also both of us collectively, to benefit from the bounty of Mother Earth for all time to come and for himself so that there is enough for him to make a living from the bounty, but equally with the Indians. That is the

²¹²Alexander Morris briefly discusses these treaties, along with the Selkirk Treaty, and their influence in helping shape the numbered treaties, in *The Treaties of Canada*, pp.13-24.

²¹³In Cardinal and Hildebrandt, p.33.

value and the true nature and spirit and intent of the treaty on both sides, and it's on both for both to benefit.²¹⁴

The late Gordon Oaks, a Treaty 4 Cree Chief, inherited the story of a young, multilingual Cree man named Sewepiton who was present at the negotiations. "Sewepiton understood that it was two nations bargaining. It was one nation asking for the approval and right to enter the land and the other nation agreed but only in exchange for certain rights."²¹⁵ According to Plains Cree oral history, the Amerindian signatories sincerely accepted Morris' gestures for reciprocity: "His words signify a treaty of peace and friendship, and not [simply] the land terms set out in the written treaty."²¹⁶ Elders in Alberta remember the treaty history in similar terms. They too recall that the Amerindian negotiators trusted the word of the Commissioners.

Our Elders and Treaty and Aboriginal Rights research efforts have established that the spirit and terms of the treaties Indian peoples signed was to share the land with the Europeans. In return, Indian peoples were to receive protection for the use of their lands, as well as provision of such services as would enable our survival on smaller territories and alongside European settlers. Indian peoples signed the treaties in good faith. We trusted the word of the 'Great White Father' given to us by his negotiators. We trusted the Commissioners when they promised we could continue to use the lands assigned to the Crown for our traditional economic purposes.²¹⁷

Throughout the negotiations, the Amerindian leadership repeatedly sought verification of Morris's sincerity, to which he repeatedly acquiesced.

Saskatchewan Amerindians in particular have consistently interpreted the treaty relationship not only to be one based on the principles of reciprocity, equality, and trust, but also to have entailed a promise of internal self-government and economic self-reliance flowing therefrom.²¹⁸ According to an Aboriginal perspective, this promise entailed three elements. First,

²¹⁴In *Ibid*, pp.35-36.

²¹⁵Opekokew, "The Nature and Status of the Oral Promises," p.21.

²¹⁶*Ibid*, p.20.

²¹⁷Indian Association of Alberta. "Comments on the revision of the constitution of Canada." (Edmonton: Indian Association of Alberta, 1978). Indian and Northern Affairs Canada (INAC) Library E92 C6542. p.2.

²¹⁸For a pre-*Canada Act* and Section 35 understanding of the numbered treaties, see Federation of Saskatchewan Indians, *Recognition And Entrenchment of Treaty and Aboriginal Rights And Indian Government Within The*

“the authority to make decisions that determine the conditions of our lives,” or a devolution of power. Second, “economic self-reliance,” which, at the time, entailed the promise for a continuation of traditional hunting, trapping, and fishing activities, and the new economic opportunities involved in agriculture. And finally, the establishment of a relationship of reciprocity: “because we share this land with people of other origins, we must forge a new relationship characterized by mutual recognition, respect, sharing and responsibilities.”²¹⁹

Amerindian pragmatic considerations

The Plains Amerindian way of life, especially, underwent drastic change during the second half of the nineteenth century. By the 1870s, the buffalo – mainstay of their economy and way of life – had dwindled to dangerously low numbers. Morris was aware of the impending crisis, and wrote with concern to the Minister of the Interior in 1873 that the “buffalo are rapidly diminishing[.] [The] slaughter is such that within 5 or 6 years few will be left.”²²⁰ Numerous other factors drove the Amerindian leadership to secure a relationship of mutual assistance, including the decline of the fur trade economy, smallpox epidemics, the devastation wrought by an illicit alcohol trade by American free-traders, and the anticipated westward expansion of

Canadian Confederation, (1980), INAC Library, E92 F43; and Delia Opekokew, *The First Nations: Indian Government and the Canadian Confederation*, (Federation of Saskatchewan Indians, 1979). INAC, E92 O64. For an explanation of the historical political application of the Saskatchewan Amerindian interpretation, see Cathy Wheaton, “The Role of Treaties in the History of Saskatchewan Indian Politics, 1910-1992,” *Journal of Indigenous Thought* 2, no.2 (Fall 1999). David M. Arnot offers an holistic explanation of the contemporary understanding of the numbered treaties in Saskatchewan in his *Treaties as a Bridge to the Future: the Saskatchewan Model*, a speech presented to the Twenty-Third Viscount Bennett Memorial Lecture, University of New Brunswick, November 7, 2000, (Saskatoon: Office of the Treaty Commissioner, 2000). See also OTC, “Relationships,” *Treaty Awareness in Saskatchewan*, winter 2003-2004.

²¹⁹See Marlene Brant Castellano, “Education and Renewal in Aboriginal Nations: Highlights of the Report of the Royal Commission on Aboriginal Peoples,” pp.261-276 in Roger Neil. *Voice of the drum: Indigenous Education and Culture*, (Brandon, Manitoba: Kingfisher Publications 2000).

²²⁰Calendar of the Alexander Morris Papers, Ketchison Collection (KC), “Correspondence, 1845-1911,” INAC

Euro-Canadian settlers and Métis.²²¹ As a result, many chiefs and councillors were anxious to sign treaties with the Crown so as to establish a relative stability and secure a new means for survival. The rumoured sale of Rupert's Land to Canada, conducted with little meaningful consultation or compensation, also alerted the Amerindian leadership to the need to act quickly if they hoped to secure a fair deal.²²²

To secure a relative stability and sustainable way of life, the Plains Amerindians turned to their tried instrument of adaptation: treaty-making. As early as 1871, Cree Chief Sweetgrass petitioned the government for treaty:

Great Father, I shake hands with you, and bid you welcome. We heard our lands were sold and we did not like it; we don't want to sell our lands; it is our property, and no one has the right to sell them.... Our country is getting ruined of fur-bearing animals We want cattle, tools, agricultural implements and assistance in everything when we come to settle – our country is no longer able to support us. ... We have had great starvation the past winter, and the small-pox took away many of our people. ... We want you to stop the Americans from coming to trade on our lands ... We invite you to come and see us and to speak with us.²²³

Others among the Amerindian leadership were more blunt: “[D]o not bring settlers and surveyors amongst us,” they wrote, “until a clear understanding has been arrived at as to what our relations are to be in time to come.”²²⁴

It bears reminding that Amerindians were the first to take the initiative in making treaty, and not the Canadian government. Indeed, as of 1873, the Macdonald government had been

Library, Claims and Historical Research collection, B.12. Alexander Morris to Alexander Campbell, 2 August 1873.

²²¹See John L. Taylor, *Treaty Research Report: Treaty Four (1874)*. (Ottawa: Treaties and Historical Research Centre, Department of Indian Affairs and Northern Development, 1987; accessed online at http://www.ainc-inac.gc.ca/pr/trts/hti/t4/tre4_e.pdf).

²²²Delia Opekokew. “Position of the Federation of Saskatchewan Indians in the Confirmation of Aboriginal and Treaty Rights in the Canadian Constitution and/or Legislation,” (Federation of Saskatchewan Indians, n.d.) INAC Library, p.10.

²²³In Arnot, *Statement of Treaty Issues*, p.23. It is important to note that this petition was written with the assistance of W.J. Christie, former HBC officer and a Treaty 4 commissioner.

²²⁴Opekokew, “Position of the Federation of Saskatchewan Indians,” pp.9-10.

proving extremely reluctant to enter into any such obligations west of Portage la Prairie.²²⁵ The call for agricultural implements was also an Amerindian demand, as many believed they would inevitably have to turn to the new farm economy to survive.²²⁶ In the earliest treaty negotiations in the North-West, the government had initially only offered land reserves and cash annuities to the Ojibwa negotiators, but in each instance the Amerindians refused and, “much to Treaty Commissioner Wemyss Simpson’s chagrin, farm animals, horses, wagons, and farm tools and equipment” had to be promised.²²⁷ Similar implements, in varying quantities, would be promised in Treaties 3, 4, 5 and 6, which Morris would negotiate.

²²⁵See KC. “Correspondence, 1845-1911.” August 5, 6, and 14, 1873 communications especially.

²²⁶Although preferring to retain a lifestyle dependent on the buffalo, Plains Amerindians were not necessarily averse to agricultural practise. It bears reminding that at least twenty years before the numbered treaties, some Cree were reported to “till the soil to some extent and raise considerable quantities of maize and potatoes.” See Milloy, p.109.

²²⁷See Tobias pp.521.

VIII. ALEXANDER MORRIS AS TREATY NEGOTIATOR

Alexander Morris often drove a hard bargain in treaty negotiations. That the Amerindian negotiators secured the concessions they did is both a testament to their own negotiation skills and to a negotiating position that was, perhaps, stronger than historians have previously asserted. Moreover, by the early 1870s, Canada was in need of securing friendly relations with the original inhabitants of the North-West. For its part, the Canadian government was anxious to establish order and a measure of authority over a vast region of North America that the North-West Mounted Police had not yet visited. Morris was aware of this reality and of the strategic considerations involved. As such, it should come as little surprise that, despite his often firm negotiating tactics, Morris and the government would ultimately agree to relatively costly treaty terms.

Playing the firm hand in negotiations was nothing new to Morris. He had been doing so for over two decades in his own land speculation dealings, and had acted consistently in this manner, even with his own family members. Even more, Morris was under constant pressure from a cash-strapped federal government to negotiate as modest terms as possible. Indeed, he would take pride in his own ability at keeping the treaty terms within the means of the government. He had also come to appreciate how seriously the Amerindian peoples took any promise that was made at the negotiations. Morris was well aware that the terms agreed to at one treaty would inform the demands of Amerindians of other treaty areas. More significantly, any breach of the terms was considered a breach of faith, thus rendering the treaty null and void and, by extension, creating a threat to the legitimacy of the government's claim on the land and a very real threat to settlement. To this end, Morris was anxious to avoid any promise he did not believe

the government could, or would, deliver on. Morris was especially unyielding on the reserve land question. This was both a reflection of government priorities, and of Morris's own history with land transactions. During the latter half of his tenure as Lieutenant-Governor, however, he demonstrated a certain flexibility as to reserve location, and, occasionally, reserve size, that would seldom be repeated by later administrators.

Credit for the successful outcome of the negotiations must be given in part to Morris. It is suggested here that, over time, Morris became much more conciliatory than the other officials directing treaty negotiation and implementation, and especially more so than Department of the Interior officials in Ottawa. He applied Amerindian ways of speaking, symbolism and concepts of diplomacy in his own speech and explanations of the treaty relationship. Morris evoked the principles of reciprocity, equality, and mutual trust that persist today in Amerindian understandings of the treaty relationship. It is argued here that, despite the limits of his social and ideological formation, Morris better understood the treaty relationship than historians have tended to believe. Indeed, while important misunderstandings did occur between the parties during discussion,²²⁸ what remains consistent between the written and oral records of negotiations is the intended new treaty relationship.

²²⁸Indeed, discrepancies over specific provisions are still topics of contention today. Misunderstandings arose at the Treaty 4 negotiations, for instance, over specific issues such as subsurface rights, the nature of the land surrender, the question of adequate Aboriginal representation at the negotiations, the notion that the Treaty could be renegotiated, and the moneys paid to the HBC. For a more detailed discussion of the differing understandings of specific agreement provisions each party drew from the negotiations, see Taylor, *Treaty Research Report: Treaty Four*; Opekokew, "Position of the Federation of Saskatchewan Indians"; and Opekokew, "The Nature and Status of the Oral Promises in Relation to the Written Terms of the Treaties," p.20: "Mr. Morris adopted the Indian concept of coexistence. He claimed that no one owned the land and alluded to the Queen managing the land on behalf of everyone. In his deliberations," she asserts, "he never referred to the treaty as the vehicle to extinguish the Indian title to the land."

Euro-Canadian diplomatic history and precedents

Morris's approach to treaty-making would have been informed by the precedents of centuries past. The forefathers of the Euro-Canadian signatories of the numbered treaties had developed a compatible diplomatic tradition with indigenous peoples around the world that entailed the principles of equality, reciprocity, and 'fair play.' With some important exceptions, British colonial administrators typically recognized indigenous peoples' title to their land and, eager to secure peaceful relations and what they deemed legitimate Crown sovereignty over the territory, perniciously engaged in treaty-making with their indigenous counterparts. As historian John C. Weaver explains, "[g]overnments and private landhunters alike shared a remarkable attachment to process and form." Moreover, "British recognition of entitlements originated from secular ideals adapted from a humanism of high culture that venerated the rule of law."²²⁹ Morris himself took great pride in British conceptions of justice and the rule of law. Long before moving to the North-West, he too had recognized that, as original inhabitants, Amerindian peoples had an inherent claim to the land.²³⁰

Such practise and principle emerged in the alliance-making process in the pre-revolutionary American colonies, where the British regularly entered into treaties of friendship with their Amerindian counterparts. Among the 176 British colonial American Indian treaties signed from 1607 to 1775, some 111 included major provisions for 'peace,' 'friendship,' 'alliance,' or 'amity,' and so forth.²³¹ In one such treaty in colonial Virginia, a Chief Powhatan

²²⁹Weaver, pp.133-134.

²³⁰Refer to Alexander Morris's "Canada and Her Resources," and "The Hudson's Bay and Pacific Territories," discussed above.

²³¹Dorothy V. Jones, "British Colonial Indian Treaties," INAC Library, Claims and Historic Research collection, X.42, see tables, pp.190-194.

received a “coronation with cloak and crown” from his English counterparts, symbolizing for the latter “the European principle of the hierarchical devolution of authority.” Powhatan returned the gesture “on the principle of reciprocity among equals.”²³² Evidently, the practise of costume-giving had not been completely monopolized by the HBC.²³³ Britain’s Royal Proclamation of 1763 recognized Amerindian title in the hope that “the Indians may be convinced of our Justice and determined Resolution to remove all reasonable Cause of Discontent.”²³⁴ Similar policies would develop across southern Africa, Australia, and New Zealand in the coming decades, suggesting a degree of consistency in British colonial policy.²³⁵

The centuries-old policy and practise that had developed between peoples and across continents continued, largely unadulterated, in nineteenth-century British North America. As the Canadian government attempted to secure the 1869 transfer of Rupert’s Land from the HBC, Colonial Secretary Lord Granville reminded the Canadian governor-general that “the old inhabitants of the Country will be treated with such forethought and consideration as may preserve them from the dangers of the approaching change, and satisfy them of the friendly interest [of] their new Governors.”²³⁶ Accordingly, the terms for the land transfer called for “compensation for lands required for purposes of settlement [to] be disposed of by the Canadian Government in communication with the Imperial Government,”²³⁷ and the government agreed to resolve such matters “in conformity with the equitable principles which have uniformly governed

²³²*Ibid*, p.185.

²³³Indeed, Jesuit Father Joseph François Lafitau found the peacepipe similar in function to the European caduceus: “through a spirit of ancient religion, the sacredness of oaths and the inviolable law of nations are attached [to the peacepipe], in the same way as these things were formerly attached to Mercury’s staff.” In *Ibid*, p.186.

²³⁴Ray et. al., p.34.

²³⁵Weaver, p.142.

²³⁶Ray et. al., p.51.

²³⁷Tough, p.227.

the British Crown in its dealings with the aborigines.”²³⁸ Decades earlier, these “equitable principles” had been put into practise at the Selkirk, Robinson, and Manitoulin Island Treaties. In each case, the Euro-Canadians sought to secure land for Crown ownership and settlement, but only upon first establishing friendly relations with the local Amerindian people. Among other things, the terms of the Robinson Treaties guaranteed the Amerindians’ traditional hunting and fishing practises. These would also be recognized in the numbered treaties. In his recollection of the treaty negotiations, Morris writes about taking inspiration from some of these earlier examples of Canadian-Amerindian diplomacy.²³⁹

Morris’s approach to treaty-making would also have been informed by Treaties 1 and 2. The numbered treaties of Western Canada were distinct from their predecessors. As George F.G. Stanley summarized, they were

more formal, ceremonious, and imposing; the areas to be ceded were larger; and the number of Indians to be treated with more numerous and warlike. Moreover, the early negotiations involved only a simple surrender for cash or annuities, with perhaps, the promise of a reserved area. The later [numbered] treaties contained, not only the details of the cession, but the expressed obligation of the Canadian Government to make provision for the instruction, health and civilization of the native tribes.²⁴⁰

Moreover, the ‘formality’ and ‘ceremony’ of the numbered treaties would involve a specific type of discourse – the discourse of reciprocity. In developing the first two numbered treaties, the government followed the objectives of securing land and friendly relations with the Amerindians, operated in consultation with the HBC, and devolved significant authority to the negotiators.²⁴¹ Even these treaties, despite having to be renegotiated a few years later, had involved some use of the language of reciprocity and kinship in their initial negotiations. “Your

²³⁸Ray et. al., p.51.

²³⁹See Alexander Morris, *The Treaties of Canada*, pp.13-24.

²⁴⁰Cited in Wayne E. Daugherty, *Treaty Research Report: Treaty Three (1873)*, (Treaties and Historical Research Centre, Self-Government, Indian and Northern Affairs Canada, 1986; accessed online at <http://www.ainc->

Great Mother, the Queen, wishes to do justice to all her children alike,” Promised Lieutenant-Governor Adams Archibald. “She will deal fairly with those of the setting sun, just as she would with those of the rising sun. She wishes order and peace to reign through all her country.... She wishes her red children to be happy and contented.”²⁴² In the years to come, Morris would expand on the use of the language of reciprocity in his negotiations with the Amerindians, and take an even greater role in directing the negotiations than had his predecessor.

It bears mentioning here that Archibald’s record in dealing with the Amerindian peoples of the North-West, though observing many of the precedents of British-Amerindian diplomatic relations, had been mixed. Archibald had helped negotiate Treaties 1 and 2 in late 1871, at Lower Fort Garry and at the Manitoba Post, but had left most of the negotiating to Indian Commissioner Wemyss Simpson. During his brief tenure, Archibald had advocated for a faithful implementation of Treaties 1 and 2, but his attitude toward the Amerindians was at times condescending and unsympathetic. Archibald demonstrated little desire to deal firsthand with the Amerindians. He found diplomacy with them to be tiresome, and belittled their concerns. When initially confronted by their requests to make treaty in 1870, he preferred delaying to the next year, citing doubt as to their claims to the land. “Besides,” he confided to then-Secretary of State Joseph Howe, “a treaty with savages to whom time is of no value, can only be made after much talk and great delay.”²⁴³ Morris appeared to have dropped all use of the condescending word, ‘savage,’ by the early 1870s.²⁴⁴ He also demonstrated a much greater appreciation of the fact that

[inac.gc.ca/pr/trts/hti/t3/tre3_e.pdf](http://www.inac.gc.ca/pr/trts/hti/t3/tre3_e.pdf)), p.63.

²⁴¹Ray et. al., see ch.5.

²⁴²In Alexander Morris, *The Treaties of Canada*, p.28.

²⁴³In Wayne E. Daugherty, *Treaty Research Report: Treaty One and Treaty Two (1871)*, (Treaties and Historical Research Centre, Research Branch, Corporate Policy, Indian and Northern Affairs Canada, 1983; accessed online at http://www.ainc-inac.gc.ca/pr/trts/hti/t1-2/tre1-2_e.pdf), p.6.

²⁴⁴In all of his correspondence that the author has read, Morris never applied the condescending word ‘savage,’ as Archibald and a number of Morris’s other colleagues often did. While the word had been part of his lexicon in the

the Amerindians' time was precious, especially in light of their occasionally desperate circumstances.

Archibald and Simpson's handling of Treaty 1 and 2 negotiations left much to be desired. Archibald initially resented having to meet with the Amerindians at two separate locations, but ultimately acceded to the demand out of logistical considerations and as a sign of good will. In the negotiations, he initially failed to properly explain the reserve system, and his negotiating party made a number of promises – pertaining largely to agricultural implements – that they did not include in the treaty text. These would later be known as the 'outside promises.' Simpson, meanwhile, was responsible for implementing the treaty promises. After the treaties had been signed, he resolved that the Amerindians should not be given any promised agricultural implements until the government decided that they were ready to cultivate. His response to the inevitable complaints of unmet treaty promises was to avoid the Amerindians altogether by spending the better part of the year living in Ottawa.²⁴⁵

As early as February 1872, shortly after the signing of the treaties, the Amerindians began forwarding their complaints via James McKay and directly to the Lieutenant-Governor. Archibald complained about Simpson's absence from the country and his subsequent mishandling of treaty implementation. He argued that the government should fulfill its obligations toward the Amerindians, if for nothing else than the strategic considerations in maintaining their friendship and trust. Archibald's complaint to Howe was driven by an additional motive: he "complain[ed] that the Indians were bringing their grievances to him even though he had no authority or responsibility for dealing with them."²⁴⁶ Archibald wanted

1850s, he had certainly dropped it by the early 1870s.

²⁴⁵See Daugherty, *Treaty One and Treaty Two*, pp.14.

²⁴⁶*Ibid.*, p.14.

someone else to fulfill the task, going so far as to suggest that, if Simpson was unwilling to live in Manitoba, he should at least have a representative who could meet with the Amerindians and field their complaints. Moreover, Archibald had failed to fully appreciate why the Amerindians preferred dealing with the office of the Lieutenant-Governor over that of officials of the Department of the Interior. Morris, by contrast, would come to appreciate both the diplomatic and the pragmatic reasons for insisting on a direct relationship with a representative of the Queen.

Cross-cultural understanding

With each passing experience of treaty negotiation, Morris's approach became increasingly informed by the Amerindian peoples themselves. Morris attempted to explain his position in language consistent with Amerindian understandings of the principles of reciprocity and equality. According to Morris, the whites and Indians were entering into agreement to coexist peacefully, as equals, under the sovereignty of the Queen (Great Mother), whose authority had been mandated by God (Creator or Great Spirit): "Who made the earth, the grass the stone, and the wood?" he asked at the Treaty 4 negotiations.

The Great Spirit. He made them for all his children to use, and it is not stealing to use the gift of the Great Spirit. The lands are the Queen's under the Great Spirit. ... In this country, now, no man need be afraid. If a white man does wrong to an Indian, the Queen will punish them.²⁴⁷

Morris and the Amerindian leadership also outlined the agreement of reciprocity in kinship terms: "The red and white man must live together," said Morris, "and be good friends, and the

²⁴⁷Alexander Morris, *The Treaties of Canada*, pp.102, 109.

Indians must live together like brothers with each other and the white man.”²⁴⁸ Cree Chief Kakuishmay (or Loud Voice), also at Treaty 4, acknowledged this coming together in a trust relationship: “We see the good you wish to show us. ... Let us join together and make the Treaty; when both join together it is very good. ... Just now the Great Spirit is watching over us; it is good, He who has strength and power is overlooking our doings.”²⁴⁹

Morris’s symbolic use of kinship language corresponded to the traditional Amerindian understandings of kinship. According to the Cree doctrine of *wâhkôhtowin* – an unwritten code of conduct – the symbolic relationship of mother and child (i.e. the Queen and her subjects) is based on “the principle of mutual respect which entailed the reciprocal duties of nurturing, caring, loyalty, and fidelity.” Family members, or brothers and sisters (i.e. the Queen’s white and red children) hold “relationships regulated by the laws of kinship, which recognized the close yet separate and independent existence of each and which provided for the principle of non-interference.”²⁵⁰ Thus, the Great Mother represents the state, under whose sovereignty the whites and Indians, although remaining independent from each other, are to coexist in a relationship of mutual assistance. “The Queen cares for you and for your children,” Morris explained, “and she cares for the children that are yet to be born. She would like to take you by the hand.” The new relationship was to last forever, maintained and renewed annually through the symbolic gift of five dollars for every Treaty Indian. “[W]e are ready to promise now to give five dollars to every man, woman and child, as long as the sun shines and water flows.”²⁵¹ Morris would have learned the significance of the annuity when the Amerindians of Treaties 1 and 2 had begun refusing their annuity on the principle that the treaty had been broken when the government failed to meet

²⁴⁸*Ibid*, p.109.

²⁴⁹*Ibid*, pp.115, 117.

²⁵⁰Cardinal and Hildebrandt, p.34.

the 'outside promises.'

Morris and the other Euro-Canadian negotiators held true to the time-honoured practise of gift-giving at each treaty. The Amerindians of the North-West had, on several different occasions, refused to receive such presents or cash gratuities from the Government before making a treaty, as they believed doing so might bind them to certain conditions or commitments that they had not yet agreed upon.²⁵² Only after the making of a treaty were the presents and cash gratuity accepted. "If you shake hands with us and make a treaty," Morris promised,

we are ready to make a present at the end of the treaty, of eight dollars for every man, woman and child in your nations. We are ready also to give calico, clothing and other presents. We are ready to give every recognized Chief, a present of twenty-five dollars, a medal, and a suit of clothing.²⁵³

Morris came to understand the significance of such gifts, the likes of which had been exchanged at diplomatic encounters with indigenous peoples throughout the preceding centuries, by both French and British officials. The annual salary and suits of clothing, he later explained, made the chiefs and their counsellors "in a sense officers of the Crown." The medallions, he continued, were given "in conformity with an ancient custom, and are much prized and cherished by the Chiefs and their families":

On one occasion a young Chief was decorated in my presence with the old King George silver medal, by one of the band, to whom it had been entrusted for safe keeping by the young man's father, who was a Chief, with the charge that on the boy's coming of age, it would be delivered over to him.²⁵⁴

One side was engraved with the image of an Amerindian chief and a Euro-Canadian official, with right hands clasped (signifying friendship and the compact of treaty), the sun shining in the

²⁵¹Alexander Morris, *The Treaties of Canada*, pp.92-93.

²⁵²See, for instance, Reverend George McDougall's report to Alexander Morris, 23 October 1875, in Alexander Morris, *The Treaties of Canada*, p.173.

²⁵³Alexander Morris, *The Treaties of Canada*, p.93.

²⁵⁴*Ibid*, p.286.

background (signifying eternity), and a hatchet buried in the ground (signifying peace).²⁵⁵ The other side of the medallion depicted an engraving of Queen Victoria. The medallions held a genuine symbolic significance for Euro-Canadians as well as Amerindians.²⁵⁶

²⁵⁵ Medallion image and interpretation available in Cardinal and Hildebrandt, pp.25-42. Interestingly, Jones also writes that "burying the axes" is an old Iroquois term for 'making peace.' See Jones, p.187.

²⁵⁶ Upon learning that by an apparent misunderstanding the Treaties 1 and 2 Amerindians had been given medallions made of lesser metals, an indignant Laird promptly had them replaced with silver medallions. Chalmers, p.56.

Treaty 3

Treaty 3, signed in October 1873 at the North-West Angle, was significant for the treaty-making process as a whole, as it would set the approximate terms for the future treaties along with the renegotiation of Treaties 1 and 2. For Morris, this first experience with treaty-making would prove formative, as he learned firsthand about the diplomatic traditions and negotiating prowess of his Amerindian counterparts. He approached the negotiations with a firm hand – a practise with which he was well acquainted, and which the tough negotiating skills of the Chiefs and his position as an official of the government demanded. In terms of discourse, having long been interested in the Amerindian peoples' languages and customs, Morris attempted to meet the Amerindians on their own terms by applying, to the best of his abilities, the language of reciprocity.

Much of the analysis here (and for Treaties 4, 5, and 6) draws significantly from the record of treaty negotiations as they appear in Morris's *The Treaties of Canada with the Indians of Manitoba and the North-West*, in large part because it remains the only written record of such an extent for the early numbered treaties. The validity and reliability of this source are discussed in detail in a later chapter. It bears mentioning here, however, that this source, more than any other, helps capture Morris's perspective, which remains the primary subject of interest of the present work.

Negotiations in the Lake of the Woods area had been something of an outstanding issue since 1870. With the beginning of the construction of a road-waterway passage, directed by chief engineer Simon J. Dawson in 1869, the region was to become a crucial link between Canada and

the North-West. It was also through this region that the future Canadian Pacific Railway would inevitably have to pass. As such, good relations with the local Saulteaux were necessary. In 1870, the Canadian government had become especially anxious to secure the safe passage of troops being sent to help quell the Red River Rebellion, led by Métis leader Louis Riel.

The Saulteaux had no interest in interrupting the passage of Canadian troops, but refused the diplomatic overtures made by Wemyss Simpson at Fort Frances in mid-1870 and again in 1871 and 1872. They preferred to wait and see how the government treated the Amerindians in Manitoba before making any commitments of their own. "We want to see how the Red River Indians will be settled with and whether the soldiers will take away their lands – we will not take your presents, they are a bait and if we take them you will say we are bound to you," declared the Chief of the Fort Frances band.²⁵⁷ Moreover, the Saulteaux deemed Simpson's treaty terms exceedingly parsimonious. The Woodland Saulteaux on the American side of the border had secured far better treaty terms.²⁵⁸ Both Simpson and Archibald believed that the government should not expend more than the absolute minimum in securing a treaty, as they considered the land to be of little agricultural value.²⁵⁹ Even more, Simpson's lack of diplomatic tact could not have proved conducive to successful negotiations. Simpson had long considered the Saulteaux "with obvious distaste, [commenting] that they had refused Christianity, were extremely filthy in their habits, and like all Indians were incapable of gratitude."²⁶⁰ Neither Archibald nor Simpson "gave credence to the Indian point of view, if indeed the Indian point of view was fully comprehended or appreciated."²⁶¹ Additionally, the Saulteaux insisted on negotiating with a

²⁵⁷In Daugherty, *Treaty Three*, p.7.

²⁵⁸*Ibid.*, pp.18-19.

²⁵⁹*Ibid.*, p.9.

²⁶⁰*Ibid.*, p.6.

²⁶¹*Ibid.*, p.10.

representative of the Crown, which Simpson was not.²⁶²

The Woodland Saulteaux desired a treaty in anticipation of the gradual encroachments resulting from the construction of the Dawson road. But from their perspective, they had little reason to rush into an agreement on terms they considered unsatisfactory. The livelihood of most was based on trapping and fishing, and while the supply of game and the state of the fur trade had suffered somewhat by the early 1870s,²⁶³ they had not been nearly as adversely affected by the decline of the buffalo as had been the peoples of the plains. Nor was there any immediate threat of mass immigration, given the limited agricultural promise of most of their lands.

Dawson, who demonstrated more sympathy to the Saulteaux perspective than Simpson and Archibald, lobbied the federal government to consider much more generous treaty terms if it ever hoped to secure a treaty that included the cession of Amerindian title. He also recommended that this time, the negotiations be attended by the Lieutenant-Governor of Manitoba. Alexander Campbell, the Minister of the Interior, instructed Morris to travel to the North-West Angle in the fall of 1873 and make a treaty. The Privy Council approved a maximum payment of \$15 per person, along with a maximum annuity of \$7. Morris was strongly urged to keep the payments to a minimum, even as low as \$3 if possible, so as to avoid complaints or additional demands from the Amerindians of Treaties 1 and 2, and of future treaties.²⁶⁴

Treaty 3 would involve something of a learning process for Morris. Indeed, he was given little instruction beyond the issue of the payments and annuities. The maximum size of the reserves to be granted (1 square mile per family of five) was only communicated a few days before Morris left for the Angle, and the policy as to the granting of schools was unclear. The

²⁶²Brian Walmark makes this point in his "Alexander Morris and the Saulteaux: the Context and Making of Treaty Three, 1869-1873." (M.A. Thesis, Lakehead University, 1994), p.85.

²⁶³See Daugherty, *Treaty Three*, pp.12.

only instruction Morris did receive from the Department was “that because the cash payment and annuities had been raised, presents such as agricultural implements should not be granted.”²⁶⁵

Dawson and the newly appointed Indian Affairs commissioner, J.A.N. Provencher, would also serve as Treaty Commissioners.²⁶⁶

The treaty opened with great pomp and ceremony. Where Simpson had a dislike for dealing with the Amerindians, Morris approached the opportunity of making a treaty with some enthusiasm and curiosity. “On arriving, the Indians, who were already there, came up to the house I occupied, in procession, headed by braves bearing a banner and a Union Jack, and accompanied by others beating drums,” he reported. “They asked leave to perform a dance in my honor (*sic*), after which they presented to me the pipe of peace.”²⁶⁷ If he had not already been aware of it, then, Morris would learn for himself that this was no mere land transaction, but rather the entering into of a new relationship between the Crown and the Saulteaux people that would entail responsibilities and obligations on both sides.²⁶⁸ For his part, Morris made a point of appearing in an equally impressive manner befitting the symbolic significance of his office and of the treaty to be undertaken. He brought along a small military contingent from Lower Fort Garry – after the practise of Archibald – and on the advice of Dawson. Dawson explained the importance of the display:

[The Indians] feel and know that the treaty is a matter of the greatest importance to them, and when they see the Commissioners coming unattended, as they have so far done, to treaty with them, and observe the utmost parsimony, manifested even in dealing them out a few days rations, as has hitherto been the case, they are led to the belief that the

²⁶⁴*Ibid*, p.20.

²⁶⁵*Ibid*, p.22.

²⁶⁶James McKay, Robert Pither, and Molyneux St. John were also in attendance.

²⁶⁷Report of Alexander Morris, 14 October, 1873, in Alexander Morris, *The Treaties of Canada*, p.47.

²⁶⁸Indeed, the treaty was a serious matter to the principle Saulteaux negotiator, Chief Mawedopenais: “We would not wish that anyone should smile at our affairs, as we think our country is a large matter to us.” Morris agreed: “I quite agree that this is no matter to smile at. I think that the decision of today is one that affects yourselves and your children.” In Alexander Morris, *The Treaties of Canada*, p.60.

Government of Canada attaches but little importance to negotiations which are to them the gravest moment.²⁶⁹

Morris found the presence of the troops extremely useful, as they helped prevent the illegal trade of alcohol and “exerted a moral influence which contributed to the success of the negotiations.”²⁷⁰

Pomp and circumstance aside, Morris approached the negotiations with a typical firmness. His first action had been to refuse the Amerindians’ request for a change of location from the Angle to Fort Frances. “I felt that the yielding to the demand of the Indians in this respect, would operate injuriously to the success of the treaty.”²⁷¹ He gave the Amerindians an ultimatum to meet him at the Angle, as scheduled, and they acceded.

Morris would quickly learn, however, that the Saulteaux were equally resolute. Once assembled at the Angle, they responded to Morris’s show of resolve by making the Commissioners wait while they convened among themselves to develop a common negotiating position. Moreover, the Saulteaux were determined to ensure their “physical and cultural survival,” and to improve their “material well-being.” As J.E. Foster explains, “[o]ne strategy underlined the need for an alliance with the white; the other strategy suggested the hard bargaining of horse-traders in the market-place.”²⁷² Throughout the course of the negotiations, Morris would be forced to bend on several issues.

The negotiations were difficult from the start. The Saulteaux opened the negotiations on October 1 with a demand for compensation for the Dawson road. Morris stated that he had a much more general project in mind, “that he had come as a representative of the Queen and the

²⁶⁹In Daugherty, *Treaty Three*, pp.21-22.

²⁷⁰*Ibid.*, p.22.

²⁷¹Report of Alexander Morris, 14 October, 1873, in Alexander Morris, *The Treaties of Canada*, p.47.

²⁷²In Daugherty, *Treaty Three*, p.29.

Government of Canada to treat for their land and settle all other matters, past and future.”²⁷³ The Amerindians reminded Morris that he was in “Indian’s country, not the white man’s,” and after conferring among themselves, agreed to hear what Morris had to say. Morris and the commissioners, meanwhile, had resolved that the Saulteaux would likely accept no less than a \$5 annuity. He made this offer, in addition to a one-time \$10 per person payment, \$20 annuities for Chiefs and Councillors, and reserve lands amounting to 1 square mile per family. Unimpressed, the Chiefs made their own counterproposal, “being the demand they have urged since 1869.” Morris estimated the demands, which included much-increased payments, annuities, and a variety of agricultural and domestic implements, at the cost of \$125,000 annually. “I at once peremptorily refused.” Morris tried to pressure the Chiefs into accepting his terms, imploring them to think of their children’s future, and asserting that if the treaty were to fail, the blame would rest squarely with them: “If we do not succeed today I shall go away feeling sorry for you and for your children that you could not see what was good for you and for them.”²⁷⁴ But the Chiefs were unmoved: “The spokesmen ... informed me that the Chiefs, warriors and braves were of one mind, that they would make a treaty only if we acceded to their demand.” Morris threatened to end the conference immediately, and to “treat [separately] with those bands who were willing to treat.... This brought matters to a crisis,” he recalled.²⁷⁵

At this point, divisions within the Saulteaux leadership began to show – divisions that Morris was ready to exploit. Despite pressure from his colleagues, Chief Ka-Katche-way of the Lac Seul band came forward to state his willingness to treat, but not without making additional

²⁷³ *Ibid*, p.30.

²⁷⁴ *In Ibid*, p.32.

²⁷⁵ Report of Alexander Morris, 14 October, 1873, in Alexander Morris, *The Treaties of Canada*, pp.48-49.

demands for a schoolmaster, seed, agricultural implements, and cattle.²⁷⁶ The Lac Seul Chief was soon joined by another, Chief Blackstone. The new circumstances greatly strengthened Morris's hand. Expressing his desire "to treat with them as a nation," and suggesting some willingness to consider the question of schools and agricultural implements, Morris urged the other chiefs to take an additional day to make council among themselves. The chiefs reluctantly agreed.²⁷⁷

The turning point in the impasse appears to have come at this council, during which the Chiefs were later joined by four Métis advisors familiar with both the government and the *Saulteaux*, including James McKay and John Nolin. The Métis were "men of their own blood," recalled Morris, who gave the Amerindians "friendly advice."²⁷⁸ The Métis were crucial to the success of the negotiations. "[Y]ou owe the treaty much to the Half-breeds," Mawedopenais told Morris, when all was said and done. "I know it," replied Morris. "...I am proud that all the Half-breeds of Manitoba, who are here, gave their Governor their cordial support."²⁷⁹ Morris expressed his newfound appreciation for the Métis in his official report: "I have much pleasure in bearing testimony to the hearty cooperation and efficient aid the Commissioners received from the Metis (*sic*) who were present at the Angle, and who, with one accord, whether of French or

²⁷⁶There is reason to believe that Morris had been counting on the Lac Seul Chief to come forward. As Daugherty points out, "there is every indication that Morris had prior knowledge of the attitude of this particular chief and the people he represented. An unsigned document ... dated October 1, 1873, apparently recounts an address to or a conversation between Chief Ka-Katche-way and Morris." According to the document, "He is prepared on the part of himself and people he represents to enter into a Treaty with the Government on the terms [that] may be proposed. His Band, he says, have little farms on English River about a day's journey below the outlet of Lac Seul, and that they are particularly anxious to get things necessary for these farms." See Daugherty, *Treaty Three*, p.34. As the author notes, this "information placed Morris in a very powerful negotiating position." Morris noted that he had known all along that the *Saulteaux* were not as unified as they had presented themselves.

²⁷⁷Report of Alexander Morris, 14 October, 1873, in Alexander Morris, *The Treaties of Canada*, pp.48-49. See also, Daugherty, *Treaty Three*, pp.34-35.

²⁷⁸Report of Alexander Morris, 14 October, 1873, in Alexander Morris, *The Treaties of Canada*, p.49.

²⁷⁹In Alexander Morris, *The Treaties of Canada*, p.74. Brian Walmark deals extensively with the role of the Métis in the negotiations of Treaty 3. See Walmark, pp.93. Walmark also gives a thorough account of Morris's handling of Métis issues and the Manitoba Métis land question in particular during the first year of his tenure as Lieutenant-Governor. See Walmark, pp.64. Morris was anxious to prevent the Métis from being swindled out of their land allotments by speculators, but a number of his recommendations were not followed by policy-makers in Ottawa.

English origin, used the influence which their relationship to the Indians gave them, to impress them with the necessity of their entering into the treaty.”²⁸⁰

While the Saulteaux leaders were convening, Morris and the commissioners decided to raise the cash payment to \$12, and to offer certain agricultural implements, including cattle and seed, along with an annual sum of \$1,500 for ammunition and twine for fishing nets. They also offered schools for those bands that requested them. The offer of schools was consistent with Morris’s strong belief in the value of education, and with his own personal love for learning. When the negotiating parties reconvened the next day, the Chiefs welcomed the new offer, but it took five more hours of negotiations to resolve additional demands and concerns of the Chiefs. The Chiefs’ long list of demands included a \$50 annuity, medal, “official suit of clothing,” and a flag for themselves and their headmen, “suits of clothing every year for all the bands,” free passage on the future railway, a treaty provision banning alcohol on reserve lands, assurances that they would not be conscripted in war, assurances that those responsible for implementing the treaty would be held to account, treaty status for relatives living in the United States, assurances as to reserve locations and mineral rights, the inclusion of a number of resident Métis families in the treaty, the employ of Nolin as Indian Agent, and, finally, the removal of HBC claims on their reserve lands.

Morris conceded on a number of these items in an attempt to meet the Chiefs halfway. He refused the annual “clothing ... for all the bands,” the Chiefs’ \$50 annuity, and the free passage on the railway, the latter which he did not have the authority to grant. Morris offered to give “presents of clothing and food ... at the close of the treaty,” agreed to write the alcohol ban provision into the treaty text, assured them that “the Queen was not in the habit of employing the

²⁸⁰Report of Alexander Morris, 14 October, 1873, in Alexander Morris, *The Treaties of Canada*, p.51.

Indians in warfare,” and that “[t]he ear of the Queen’s Government will always be open to hear the complaints of her Indian people, and she will deal with her servants that do not do their duty in a proper manner.”²⁸¹ As to reserve lands, Morris promised “that enquiry would be made into the matter” of HBC claims in the vicinity of Fort Frances, but he did not commit to an outcome, promising only that justice would be done to both the Amerindians and the HBC. He also told the Saulteaux that they would have mineral rights on their reserve lands, but not on Crown land. Provencher promised that the reserves would be selected in consultation with the Amerindians, and include those lands already under cultivation. Morris told the Saulteaux that members of their bands living in the United States had up to two years to return to the Canadian side and be considered part of the treaty. He also promised to recommend that resident Métis identified by the Amerindians “should be permitted the option of taking either status as Indians or whites.”²⁸² Finally, Morris promised to provide the Chiefs and headmen with the official suits of clothing, flags, and medals. After reaching an understanding on these several items, the final text of the treaty was written out, and then explained to the Saulteaux “in Indian by the Hon. James McKay.” The negotiating parties made their final remarks and signed the treaty, after which the payments were made and provisions distributed, bringing an official end to the proceedings.

The experience had been both physically and emotionally exhausting for Morris. The last day’s negotiations had been especially taxing. Morris later confided to Macdonald that he had been left with “a bad headache after spending the whole day till seven o’clock ‘in a crowded tent full of tobacco and Indian smells.’”²⁸³ Morris’s daughters, along for the experience, also found

²⁸¹In Alexander Morris, *The Treaties of Canada*, p.72.

²⁸²Report of Alexander Morris, 14 October, 1873, in Alexander Morris, *The Treaties of Canada*, p.50. It bears mentioning that not all of these items made their way into the treaty text, although they were included in Morris’s report and in the transcribed proceedings submitted to the Department of the Interior in Ottawa.

²⁸³In Babion, p.113.

the elements trying: “the lizards were so numerous they were afraid to sleep in the tents & spent the night in the carriages.”²⁸⁴ Morris was understandably relieved at the treaty’s conclusion, but also proud of the accomplishment: “The negotiation was a very difficult and trying one, and required on the part of the Commissioners, great patience and firmness,” he recalled. “On the whole I am of opinion that the issue is a happy one.”²⁸⁵ With significant assistance from Dawson and the Métis, Morris had succeeded where Simpson had twice failed, and peacefully secured a crucial section of territory for the domain of the Canadian government on terms he deemed acceptable.

The completion of the treaty had been the result of hard bargaining, but the outcome was also due in part to the language of reciprocity applied by Morris and the other Commissioners. Dawson, the man most familiar with the people of the region, opened for the Commissioners by “reciprocat[ing] the expression of pleasure used by the Chiefs through their spokesman.” He hoped that the treaty would “fix permanently the friendly relations between the Indians and the white men.” Applying kinship terms, he described the Queen as the “Great Mother,” and the “Governor” as “representative of Her Majesty.”²⁸⁶ When he gave his own opening address, Morris also attempted to explain the treaty relationship in kinship terms: “We are all the children of the same Great Spirit, and are subject to the same Queen. I want to settle all matters both of the past and the present, so that the white and red man will always be friends.”²⁸⁷

As Dawson had anticipated, Morris’s position as representative of the Queen was important to the Saulteaux. Moreover, the perceived authority of his position, and of his direct

²⁸⁴Edmund Morris, *The diaries of Edmund Montague Morris*, p.45. Fitz-Gibbon, ed., notes that Christine van Koughnet Morris, the oldest of Morris’s daughters, signed Treaty 3, and suggests that Elizabeth Cochran Morris, the second eldest, was likely present at Treaty 3. See p.61, endnote 98.

²⁸⁵Report of Alexander Morris, 14 October, 1873, in Alexander Morris, *The Treaties of Canada*, p.51.

²⁸⁶In Alexander Morris, *The Treaties of Canada*, pp.55-56.

²⁸⁷*Ibid*, p.58.

link to the Crown, lent credence to his use of the language of reciprocity and kinship. "We think it a great thing to meet you here," Mawedopenais, Chief of Fort Frances and principle spokesman for the Saulteaux told Morris. "What we have heard yesterday, and as you represented yourself, you said the Queen sent you here, the way we understood you as a representative of the Queen." He challenged Morris to use this authority to grant them their initial terms. "We have understood you yesterday that Her Majesty has given you the same power and authority as *she* has, to act in this business; you said the Queen gave you her goodness, her charitableness in your hands." Mawedopenais added that the land was theirs by right, under the Great Spirit. Morris was forced to clarify his position: "I wish to tell you that I am a servant of the Queen. I cannot do my own will; I must do hers. I can only give you what she tells me to give you. I ask you not to turn your backs on what is offered to you, and you ought to see by what the Queen is offering you that she loves her red subjects as much as her white." Morris reminded the Chief that the annuity would be given forever: "what I offer you is to be while the water flows and the sun rises." Mawedopenais repeated Morris's expression, asserting that he wanted assurances that his community would have the means to sustain itself long into the future: "Our hands are poor but our heads are rich, and it is riches that we ask so that we may be able to support our families as long as the sun rises and the water runs."²⁸⁸

Gaining the Chiefs' trust and establishing a dialogue of reciprocity did not come easily, however. Chief Powhassan, who acted as an assistant spokesman, cast doubt as to Morris's authority and wisdom when he refused the Saulteaux's initial negotiation offer: "We understood yesterday that the Queen had given you the power to act upon, ... and that the riches of the Queen she had filled your head and body with, and you had only to throw them round about; but it

²⁸⁸All citations in *Ibid*, pp.60-61.

seems it is not so, but that you have only half the power that she has, and that she has only half filled your head.” Morris had to once again clarify his position – he had only the authority to give what had been decided for him. “You can understand very well; for instance, one of your great chiefs asks a brave to deliver a message, he represents you, and that is how I stand with the Queen’s Government.” An atmosphere of trust, however, was still wanting: “The white man has robbed us of our riches, and we don’t wish to give them up again without getting something in their place,” replied Mawedopenais.²⁸⁹

The subsequent impasse, and the government’s newly strengthened bargaining position provided Morris with another opportunity to attempt to establish an atmosphere of trust. Mawedopenais challenged Morris to show his “power” and “the most liberal terms that you can give us.” It was at this point that most of the discussion as to the treaty relationship occurred. Morris explained the government’s new offer, and couched it in terms that, he hoped, would express his good will and distinguish this agreement from any past transgression that might have contributed to the Amerindians’ distrust.

I hope we are going to understand one-another today. And that I can go back and report that I left my Indian friends contented, and that I have put into their hands the means of providing for themselves and their families at home. [W]e are anxious to show you that we have a great desire to understand you – that we wish to do the utmost in our power to make you contented, so that the white and the red man will always be friends. This year, instead of ten dollars we will give you twelve dollars.... I wish you to understand we do not come here as traders, but as representing the Crown, and to do what we believe is just and right. We have asked in that spirit, and I hope you will meet me in that spirit and shake hands with me today and make a treaty forever.²⁹⁰

Here, the themes of trust, equality, and justice are evident. The \$2 added to the one-time gratuity,

²⁸⁹All citations in *Ibid*, p.61. The Saulteaux had reason to suspect the alleged good will of the “white man,” and the promises of government officials – not only from their own experience, but also from what they had heard with regard to the unkept ‘outside promises’ and poor treaty implementation in general of Treaties 1 and 2. See, for instance, pp.72 and 74.

²⁹⁰*Ibid*, pp.66-67.

along with the additional promise of certain implements, had contributed to a turning point in negotiations.

But Morris's words, and his expression of the treaty relationship, may have contributed significantly to the change in perception of the Amerindian negotiators. Madewopenais cautiously accepted Morris's overture: "Depending upon the words you have told us, and stretched out your hands in a friendly way, I depend upon that." The Chief proceeded to make additional demands on Morris's compromise offer, but his speech became more cordial, at times deferent, and at times alluding to or reminding Morris of the promise of good will that had been made. A trust had begun to build. When, on the issue of Métis membership in the treaty, Morris promised to "recommend what you wish to be granted," Mawedopenais reminded him of the trust relationship that was now being established, and that he was taking Morris at his word to follow through by lobbying on their behalf: "I hope you will not drop the question; we have understood you to say that you came here as a friend, and represented your charitableness, and we depend upon your kindness. You must remember that our hearts and our brains are like paper; we never forget."²⁹¹

Mawedopenais sought assurance that those responsible for administering the treaty would be both trustworthy and familiar with the treaty's proceedings. "I begin now to see how I value the proceedings," he told Morris.

I have come to this point, and all that are taking part in this treaty and yourself. I would wish to have all your names in writing handed over to us. I would not find it to my convenience to have a stranger here to transact our business between me and you. It is a white man who does not understand our language that is taking it down. I would like a man that understands our language and our ways. We would ask your Excellency as a favor (*sic*) to appoint him [Nolin] for us.²⁹²

²⁹¹*Ibid*, p.69.

²⁹²*Ibid*, p.71.

Morris agreed that Nolin would be a good choice and that he would recommend his appointment. Mawedopenais also wanted assurance that those responsible for the treaty's implementation would be held to account. Morris promised that it would be so, and that the Amerindians would always have some means of recourse in such situations.²⁹³

By the treaty's end it appeared that a trust and common understanding had indeed been achieved.²⁹⁴ The Chief had obviously been moved by Morris's cordiality and manner of speech:

You have come before us with a smiling face, you have shown us great charity – you have promised the good things; you have given us your best compliments and wishes, not only for once but forever; let there now forever be peace and friendship between us. I will tell you one thing. You understand me now, that I have taken your hand firmly and in friendship. I repeat twice that you have done so, that these promises that you have made, and the treaty to be concluded, let it be as you promise, as long as the sun rises over our head and as long as the water runs.²⁹⁵

Mawedopenais's concluding statement brought the treaty to a close, as he declared for the first time the cession of the lands and his acceptance of the treaty, in addition to his acceptance of the friendship that Morris had offered:

Now you see me stand before you all; what has been done here today has been done openly before the Great Spirit, and before the nation, and I hope that I may never hear anyone say that this treaty has been done secretly; and now, in closing this Council, I take off my glove, and in giving you my hand, I deliver over my birthright and lands; and in taking your hand, I hold fast all the promises you have made, and I hope they will last as long as the sun goes round and the water flows, as you have said.

Morris then took Mawedopenais's hand, and in language expressing a genuine desire to establish

²⁹³“All the promises that you have made me,” said the Chief, “the little promises and the money you have promised, when it comes to me year after year – should I see that there is anything wanting, through the negligence of the people that have to see after these things, I trust it will be in my power to put them in prison.” To which Morris replied: “The ear of the Queen's Government will always be open to hear the complaints of her Indian people, and she will deal with her servants that do not do their duty in a proper manner.” In *Ibid*, p.72.

²⁹⁴It was important to both parties that they understand each other fully. Dawson assured the Saulteaux that they would have answers both during and after the treaty: “When we arrange the general matters in question, should you choose to ask anything, I shall be most happy to explain it, as I am here all the time.” *Ibid*, p.56. Later into the treaty, Mawedopenais declared to Morris: “Why we keep you so long is that it is our wish that everything should be properly understood between us.” To which Morris replied: “That is why I am here. It is my pleasure, and I want when we once shake hands that it should be forever.” *Ibid*, p.72.

²⁹⁵*Ibid*, pp.72-73.

a lasting friendship, stated: "I accept your hand and with it the lands, and will keep all my promises, in the firm belief that the treaty now to be signed will bind the red man and the white together as friends forever."²⁹⁶

The observer from the local newspaper, the *Manitoban*, transcribing the proceedings, remarked that the treaty had succeeded in large part because of the dignity with which it had been conducted.²⁹⁷ "One very wonderful thing that forced itself on the attention of everyone was the perfect order that prevailed throughout the camp, and which more particularly marked proceedings in the council." Despite the difficulty of the negotiations, "there was no petulance, no ill-feeling evinced; but everything was done with a calm dignity that was pleasing to behold, and which might be copied with advantage by more pretentious deliberative assemblies." The completion of the treaty was followed with celebration. Before departing, Morris "presented an ox to the nation, and after it had been eaten a grand dance was indulged in."²⁹⁸

After the treaty, Morris recommended implementing the treaty promises as soon as possible. He advised making Nolin an Indian Agent, as had been requested, recommended an inquiry be made into the issue of HBC lands on reserves, and called for a speedy identification of reserves in consultation with the Amerindians. For this task, he recommended Dawson out of consideration for his knowledge of the land and its people. It was clear to Morris that the Saulteaux had the first claim to the land: "no patents should be issued, or licenses granted, for mineral or timber lands, or other lands, until the question of the reserves has been first adjusted," he told the Minister of the Interior.²⁹⁹

²⁹⁶*Ibid*, p.75.

²⁹⁷He attributes the success of the negotiations to Morris's firmness, the latter's threat of negotiating with individual chiefs, the role played by the Métis, and to the tact of Mawedopenais and Powhassan. See *Ibid*, p.74.

²⁹⁸*Ibid*, p.76.

²⁹⁹Report of Alexander Morris, 14 October, 1873, in Alexander Morris, *The Treaties of Canada*, p.52. He presumably made this suggestion on the basis that the Amerindians might desire lands that had mineral value, but

Morris also learned of the great significance the Chiefs placed on the suits, flags and medals that they had requested. "They asked that the Chiefs and head men, as in other treaties, should get an official suit of clothing, a flag, and a medal, which I promised," Morris reported. He was particularly struck by the significance the leadership placed on the medals: "Mawedopenais produced one of the medals given to the Red River Chiefs, said it was not silver, and they were ashamed to wear it, as it turned black, and then, with an air of great contempt, struck it with his knife." As one observer recalled, "The result was anything but the 'true ring,' and made every man ashamed of the petty meanness that had been practised." Morris was equally moved: "I stated that I would mention what he had said, and the manner in which he had spoken."³⁰⁰ Mawedopenais had insisted that only silver medals "shall be worthy of the high position our Mother the Queen occupies."³⁰¹

ultimately officials in Ottawa would make policies to the contrary. See Daugherty, *Treaty Three*, pp.42.

³⁰⁰Report of Alexander Morris, 14 October, 1873, in Alexander Morris, *The Treaties of Canada*, p.50.

³⁰¹In Alexander Morris, *The Treaties of Canada*, p.74.

Treaty 4

Buoyed by his success at Treaty 3, Morris increasingly implicated himself in the treaty-making process. The Plains Cree west of Manitoba, especially, had for some time been lobbying for a treaty. For his part, Morris believed it was crucial to Canadian interests that a treaty be signed to establish legitimate sovereignty across the 'fertile belt.' He had been lobbying Ottawa for a treaty since early 1873, but without success.³⁰² Macdonald had not been keen on extending the responsibilities of the cash-strapped government. He preferred to wait for the demand for settlement to increase before making any treaty.

The country was far from secure. Illicit American traders had established fortified posts across the Canadian prairie and were effectively in a state of open warfare with the Plains Amerindians. This had become especially apparent after the Cypress Hills Massacre of 1873. Morris was also gravely concerned that the United States army would be compelled to pursue its Siouan adversaries, who had retreated across the Canadian border into Assiniboine, Ojibwa, and Cree territory. "General Green in St. Paul asked if Americans would be allowed to pursue Sioux across line," Morris told Campbell. "[I] am not an alarmist but impress upon government the magnitude of the question."³⁰³ Later in the year, he warned that "we are exposed to constant eruptions of American desperadoes; [the] matter was likely to lead to serious trouble and possible Fenian invasion."³⁰⁴

Moreover, Canada's claim to sovereignty over the lands west of Manitoba was uncertain at best. As Simpson had warned in 1871, making treaties in the North-West was, in some cases,

³⁰²See various correspondence from early 1873 in KC. "Correspondence, 1845-1911."; and Lieutenant-Governor's Collection (LG), 1872-1877, INAC Library, Claims and Historical Research collection, B.13.

³⁰³*Ibid.*, to Alexander Campbell, August 11, 1873.

“essential to the peace, if not the actual retention, of the country.”³⁰⁵ Amerindian-Métis relations were also at times tense as the two groups competed for the remaining buffalo. Settlement in the ‘fertile belt,’ then, was deemed a peaceful strategy to maintain a measure of stability in the west,³⁰⁶ but little could be accomplished before order had actually been established. Morris and other officials began lobbying Ottawa for the establishment of a military police force in the North-West.³⁰⁷ Securing Canadian sovereignty and the safe establishment of any such force and the necessary infrastructure, however, would first require the acquiescence of the Amerindian inhabitants.

Indeed, many Euro-Canadians believed the Amerindians would actively disrupt government plans if good relations were not established through treaty. By the early 1870s, this had already proved to be the case. The Yellow Quill Ojibwa, for instance, had refused passage to settlers attempting to move west of Portage la Prairie, posting a notice on a church door warning other parties “not to intrude on their lands until a treaty was signed.”³⁰⁸ Plains Amerindians regularly threatened to interrupt geological surveys and telegraph lines for similar reasons. It also bears reminding that the indigenous population across the North-West was still vastly superior in numbers to the non-Aboriginal population. Apprehensive about this reality, Morris speculated that the Plains Amerindians “could place 5000 mounted armed warriors in the field” – far more than the government of Canada could muster on short notice.³⁰⁹ In the words of NWMP Colonel French, “the only moral force that could be brought to bear would be an assurance that the

³⁰⁴*Ibid.*, December 10, 1873.

³⁰⁵In Alexander Morris, *The Treaties of Canada*, p.168.

³⁰⁶See LG, 1872-1877, communications from 8 January 1874.

³⁰⁷See, for example, KC. “Correspondence, 1845-1911.” James McKeagney to John A. Macdonald, 1 May 1873.

³⁰⁸Tobias, p.520. See also Opekokew, “Position of the Federation of Saskatchewan Indians,” p.10.

³⁰⁹KC. “Correspondence, 1845-1911.” Alexander Morris to Alexander Campbell, 2 August 1873.

Government purposed having a Treaty with the Crees at some definite period.”³¹⁰ With a hope that the new federal Liberal administration would prove more receptive to this reality, Morris communicated the urgency of the situation to David Laird, the new Minister of the Interior, in December of 1873:

Prompt steps necessary when season permits for enforcement of law in North West; we have Police Force and small Battalion; Privy Council have not yet fully realized the magnitude of the task; force now here is inadequate; steps have not been taken hitherto with a view to enforcement; ... last summer a party of Americans shot 30 Indians; American outlaws have fortified posts in our territory and carry on illicit trade; there are no less than six forts of United States traders; have already recommended treaties; I could not leave my duties here; measures should be taken to punish perpetrators of the Indian massacre, suppression of liquor traffic and reinforcement of law and order; the difficulties Canada has assumed have never been fully appreciated by Government or People.³¹¹

The new prime minister in Ottawa, Alexander Mackenzie, responded personally to Morris’s communication, indicating a shift in government policy and a mandate to treat with the Amerindians of the fertile belt: “Quite appreciate difficulties of your position; have discussed Indian question; never doubted our true policy was to make friends of them even at a considerable cost; hope new administration may realize expectations.”³¹² Indeed, this as-of-yet unestablished friendship was of crucial interest to both Euro-Canadians and Amerindians. Having finally convinced his government of the urgency of the situation, Morris travelled to Fort Qu’Appelle in September 1874 to negotiate a treaty with the Plains Cree and Ojibwa.

Treaty 4 would differ from its predecessor in many respects. At the Angle, Morris had the luxury of dealing with a single cultural-linguistic group, the Woodland Saulteaux, and with a single representative Chief who had the backing of his people. At Qu’Appelle, there would be

³¹⁰Opekokew, “Position of the Federation of Saskatchewan Indians,” p.10.

³¹¹KC. “Correspondence, 1845-1911.” Alexander Morris to David Laird, 4 December 1873.

two cultural-linguistic groups: the Plains Cree and the Saulteaux. Divisions arose between the nations, and within the group of Saulteaux present at the negotiations. Even more, the Chiefs were extremely reluctant to negotiate on behalf of the bands who were not present at the negotiations. The greatest concerns and controversies, which occupied the bulk of the discussions, centred on the HBC. The Amerindians, and especially the Saulteaux from the Fort Qu'Appelle area, refused to discuss treaty terms before resolving these questions. On this issue, and in negotiating the specific treaty provisions, Morris proved, for the most part, unyielding. Not wanting to mislead his Amerindian counterparts, he was reluctant to promise anything he knew the government could or would not deliver. Instead, he built on his experiences at Treaty 3 the previous year by focussing on establishing a trust and an open and frank dialogue between the parties, and on elaborating on his understanding of the treaty relationship. In doing so, Morris once again employed concepts of kinship, reciprocity and equality in an attempt to convince the Amerindians of the Crown's benevolence and sense of justice. It was only after such assurances that the Chiefs ultimately signed the treaty.

As at Treaty 3, Morris was joined by two other Treaty Commissioners. David Laird, the new liberal Minister of the Interior, appears to have played a limited role in the Treaty negotiations. A Prince Edward Islander, he had little experience with Indian Affairs or the North-West. Morris had suggested that a member of the Cabinet be present at the negotiations, likely with a view to "enable the [Privy] council better to appreciate the character of the difficulties that have to be encountered in negotiating with the Indians."³¹³ In the coming years, Laird would

³¹²*Ibid.*, Alexander Mackenzie to Alexander Morris, 6 December 1873.

³¹³Report of Alexander Morris, 17 October, 1874, in Alexander Morris, *The Treaties of Canada*, p.83. See also Taylor, *Treaty Four*, p.8.

prove, on balance, more sympathetic than his colleagues in Ottawa with respect to the plight of the Amerindians³¹⁴ and helpful to Morris's lobbying for treaty implementation. The other Commissioner, W.J. Christie, was a retired HBC officer who had spent decades in the field, dealt personally with numerous Amerindian groups, and had become fluent in a number of the indigenous languages. Christie doubtless brought to the Euro-Canadian negotiating team some grasp of the centuries-old diplomatic relationship that had formed between the company and its Aboriginal trading partners.³¹⁵ Morris had initially opposed Christie's appointment on the grounds that "it was important to emphasize the distinction between the Government and the Company."³¹⁶ But in time, Morris and Christie would develop a positive working relationship as they both pressed the government for treaty implementation. It was not until a few weeks prior to the Treaty that Morris decided he would himself join the Commissioners. Ultimately, the three men decided that Morris should act as the principal negotiator, "owing to my previous experience with the Indian Tribes and my official position as Lieutenant-Governor of the North-

³¹⁴Like Morris, Laird wrote of the precedents of earlier treaties, acts, and experiences with the HBC that helped inform the making of the numbered treaties. See David Laird, "Our Indian Treaties," *Historical and Scientific Society of Manitoba*, February 23, 1905, INAC Library, Claims and Historical Research collection, X.53, pp.3. Biographies consulted on Laird include: Andrew Robb, "David Laird," *Dictionary of Canadian Biography* (University of Toronto / Université Laval, 2000; accessed online at <http://www.biographi.ca/EN/ShowBio.asp?BioId=41625&query=laird>); Henry James Morgan, ed., *The Canadian Men and Women of the Time: a Hand-book of Canadian Biography of Living Characters*, second edition, (Toronto: William Briggs, 1912), p.628; and William Cochrane, ed., *The Canadian Album. Men of Canada; or, Success by Example, in Religion, Patriotism, Business, Law, Medicine, Education and Agriculture*, vol.III (Brantford, Ontario: Bradley, Garretson & Co., 1894), p.429. Lending a nod to the influence of the HBC's diplomatic legacy, he wrote that "[i]n nearly all the Treaties the Indian Commissioners were greatly assisted by the active influence of the Hudson's Bay Company's officers in the Territories," Laird, p.7.

³¹⁵For biographies on Christie, see Rose, pp.561-563; Irene M. Spry, "William Joseph Christie," *Dictionary of Canadian Biography* (University of Toronto / Université Laval, 2000; accessed online at <http://www.biographi.ca/EN/ShowBio.asp?BioId=40153&query=christie>); and *The Canadian Biographical Dictionary and Portrait Gallery of Eminent and Self-Made Men*. Ontario Volume. (Toronto: American Biographical Publishing Co., 1880), pp.208-211. Christie, by virtue of his experience in the company, would have inherited the 'corporate knowledge' of treating with the Amerindians, and advised Morris and Laird accordingly, as he did during the post-treaty era.

³¹⁶Taylor, *Treaty Four*, p.8.

West Territories.”³¹⁷ In other words, Morris and his colleagues had come to appreciate the symbolic significance of his office.

The treaty began poorly, with disagreements over protocol. Morris did not receive the type of reception that he had come to expect from his experiences at the North-West Angle. Initially, the principle Chiefs of the Saulteaux refused to even meet with the Commissioners, sending messengers instead. The significance of the apparent snub was not lost on Morris, as he complained to Otakaonan (or the Gambler), a spokesman for the Fort Qu’Appelle area Saulteaux: “I held out my hand but you did not do as your nation did at the Angle. When I arrived there the Chief and his men came and gave me the pipe of peace and paid me every honor (*sic*). Why? Because I was the servant of the Queen.”³¹⁸

The Fort Qu’Appelle Saulteaux had refused to begin any negotiations until certain outstanding issues with the HBC were resolved. Specifically, they had been upset by the HBC’s survey of land in and around its post. More generally, they disputed the legitimacy of the £300,000 sale of the North-West Territories to Canada by the HBC. For their part, the Cree and other Saulteaux were reluctant to enter negotiations until their colleagues from Fort Qu’Appelle were prepared to do so. Indeed, the outcome could very well have been violent otherwise, if not for the presence of the small militia force.³¹⁹ Discussions with Otakaonan opened up somewhat when the negotiating tent – originally placed on disputed HBC-claimed lands – was moved to more ‘neutral’ ground, but his band’s differences with the HBC continued to inhibit negotiations. “The Company have stolen our land,” declared Otakaonan.³²⁰

Morris asserted that the land belonged to the Queen under the Great Spirit, and to her

³¹⁷Report of Alexander Morris, 17 October 1874, in Alexander Morris, *The Treaties of Canada*, p.80.

³¹⁸Alexander Morris, *The Treaties of Canada*, p.96.

³¹⁹See Report of Alexander Morris, 17 October, 1874, in Alexander Morris, *The Treaties of Canada*, p.82.

predecessors, one of whom had given the HBC special trading rights – it was an assertion not fully accepted by the Amerindian negotiators. The Queen, Morris tried to explain, had determined that the HBC's dominance over the North-West was “not just, neither to the white nor the red man,” and decided to “govern the country herself.” So as to compensate the Company for the previous rights that were now being removed, he continued, the Queen had granted them the land in and around their posts.³²¹ Otakaonan complained that the rationale behind the Company's land claim survey around its post had never been explained to his band, and that the Company had ignored their protests when the survey was conducted: “The Company have no right to this earth, but when they are spoken to they do not desist [from their surveys], but do it in spite of you.” Morris promised to investigate the matter, saying that “whatever number of acres the Queen has promised to the Company at this post, they will receive no more and no less.” Otakaonan then suggested that the land had never been the Queen's to give in any case:

These Indians you see sitting around report that they only allowed the store to be put up. That is the reason I was very glad when I heard you were coming. The Indians were not told of the reserves at all I hear now, it was the Queen gave the land. The Indians thought it was they who gave it to the Company, who are now all over the country. The Indians did not know when the land was given.

Otakaonan implored Morris to use his authority to resolve the matter: “I know that you will have power and good rules and this is why I am glad to tell you what is troubling me.” But Morris would promise nothing more than to verify that the surveys did not exceed the permitted amount. Morris was careful to distinguish the government from the company. “This Company, I have told you is nothing to us, it is nothing to the Queen, but their rights have to be respected just as much

³²⁰In Alexander Morris, *The Treaties of Canada*, p.101.

³²¹“They had their forts, their places of trade where they raised cattle and grain, and she told them they could keep them, and she will no more break with them than she will with you.” *Ibid*, pp.102-103. Morris described the proposed Indian reserves in the same way: “if she gives you reserves they will be yours and she will let no one take them from you unless you want to sell them yourselves.” *Ibid*, p.104.

as those of the meanest child in the country.”³²² Unmoved, Chief Pasqua then stated that his people wanted the £300,000 that had been paid to the HBC. This Morris flatly refused, explaining that it, along with the HBC land reserves, had been given as compensation by the Queen for the rights that had been taken away from the Company.

The negotiators reconvened two days later, at which point Morris hoped to finally move on to discussing the treaty terms. Otakaonen stated that he wanted a provision in the treaty that would oblige the Company to continue trading, but limit it exclusively to the posts. “I cannot say yes to that,” Morris replied, “they have the same right to sell goods anywhere that you have.” When Otakaonen continued to insist on this point, the negotiations nearly broke down. The Cree Chief, Kakuishmay (or Loud Voice), expressed a desire to discuss terms, but Chief Côté, of the Fort Pelly Saulteaux, sensing an impasse, threatened to leave: “I do not think anything will go right.”³²³ He was unprepared to discuss any question of land cession without further consultation with his band. Frustrated and physically exhausted,³²⁴ Morris tried to pressure the Amerindians into negotiating by threatening to leave and by repeatedly reminding them that, in light of the impending disappearance of the buffalo, if they failed to make a treaty and adopt agriculture as a new means of economic self-sufficiency, they would be jeopardizing their own future and that of their descendants. Any blame for failed negotiations, he asserted, would be laid squarely at their feet.³²⁵

Discussions over the precise treaty terms were brief. The Chiefs expressed their desire to have the same terms as those reached at the Angle. After conferring among themselves, Morris

³²²All above citations in *Ibid*, pp.104-105.

³²³*Ibid*, pp.111-112.

³²⁴There is reason to believe that Morris might have fallen ill before or during the proceedings, see *Ibid*, pp.100, 112, and 115.

³²⁵See *Ibid*, pp.112.

and the Commissioners accepted, even though it would mean conceding to a \$12 gratuity per person, as opposed to the \$8 they had originally offered. Kamooses, a Fort Qu'Appelle Saulteaux Chief, asked for larger annuities, and for the removal of all debts to the HBC, but Morris refused. Despite these disagreements, the Chiefs signed the treaty, however reluctantly, "after having been assured that they would never be made ashamed of what they then did."³²⁶ The Treaty ended very much as it had begun – without celebration or ceremony.

Yet, for all the disagreement, the treaty contained elements of exchange that suggested the entering into of a relationship of reciprocity and that, at heart, this was the desired outcome of all parties. For his part, Morris made an even greater use of kinship terms, and of the discourse of reciprocity and equality than he had at Treaty 3. His opening comments, for instance, explained the treaty in kinship terms:

The Queen has chosen me to be one of her Councillors, and has sent me here to represent her and has made me Governor of all her Territories in the North-West. The Queen loves her Red children; she has always been friends with them; she knows that it is hard for them to live, and she has always tried to help them in the other parts of the Dominion. Last year she sent me to see her children at the Lake of the Woods. I took her children there by the hand, and the white man and the red man made friends forever.³²⁷

Morris also evoked the presence of the Great Spirit – a practise he had doubtless learned from the Amerindian negotiators³²⁸ – so as to lend legitimacy and solemnity to the process, and to emphasize the openness and honesty with which the parties, including himself, were expected to speak. "I wanted you to meet me here today because I wanted to speak to you before the Great

³²⁶*Ibid*, p.123.

³²⁷*Ibid*, p.89.

³²⁸Morris also used a number of other expressions and manners of speech that appeared to have been consistent with those of his Amerindian counterparts. The expression "rubbed out," for example, was used by Mawedopenais at Treaty 3, and then by Morris at Treaty 4 in reference to providing a Treaty text that would preserve the promises made. Both Morris and a number of Amerindian negotiators repeatedly used the expression, "my ears are open." These examples suggest a conscious effort on Morris's part to speak after the manner of his Amerindian colleagues.

Spirit and before the world.”³²⁹ Chief Cheekuk (the Worthy One), although anxious about the question of representation, would later express a similar sentiment. “My ears are open to what you say. Just now the Great Spirit is watching over us; it is good, He who has strength and power is overlooking our doings. I want very much to be good in what we are going to talk about, and our Chiefs will take you by the hand just now.”³³⁰

Morris continually tried to gain the Amerindians’ trust. He promised not to deceive them by simply telling them only what he thought they wished to hear: “I would like to give you pleasure but I cannot do wrong; we won’t deceive you with smooth words. We will tell you the simple truth what we can do and what we cannot do.”³³¹ Morris repeatedly implored the Amerindian negotiators to speak openly about their concerns, and insisted that he wanted to deal with the legitimate representation of the people. He was particularly interested in hearing from the elders.³³² This was partly in order to lend legitimacy to the proceedings, but also an attempt to demonstrate that the Government desired transparent negotiations: “...when we asked the other chiefs here we wanted to speak with them about the lands at their places. Why? Because we did not want to do anything that you would not all know about, that there might be no bad feelings amongst you. We wanted you to be of one mind and heart in this matter, and that is the reason you are here today.”³³³ Whereas at Treaty 3, Morris had threatened to deal separately with other chiefs when talks broke down, at Treaty 4, he insisted on dealing with all of the Chiefs present.

Morris repeatedly tried to convince the Amerindians of the Queen’s good will and kindness, and that she had their best interest in mind. “[S]he would like you to learn something

³²⁹Alexander Morris, *The Treaties of Canada*, p.90.

³³⁰*Ibid*, p.116

³³¹*Ibid*, p.112.

³³²“Let us hear the voice of the people. Let us hear the voice of your old wise men.” *Ibid*, p.110.

³³³*Ibid*, p.113.

of the cunning of the white man. When fish are scarce and the buffalo are not plentiful she would like to help you to put something in the land; she would like that you should have some money every year to buy things that you need.”³³⁴ He spoke of the equality that would exist between the Queen’s subjects, or ‘children.’ “You are the subjects of the Queen, you are her children, and you are only a little band to all her other children. She has children all over the world, and she does right with them all. She cares as much for you as she cares for her white children.”³³⁵ Morris insisted that the Queen wanted her red children not to disappear, but to flourish and increase in number. The treaty relationship, he promised, was to last forever, and benefit future generations. Reminding them of the efforts that had been made to prosecute the Americans responsible for the Cypress Hills Massacre of the previous year, Morris promised that, unlike in the United States, they would have the Queen’s protection against alcohol and criminals, and that justice would be done equally to both whites and Indians. “In this country, now, no man need be afraid. If a white man does wrong to an Indian, the Queen will punish them. [I]f the Indians prove he did wrong, he will be punished. ... and it will be the same if the Indian does wrong to the white man. The red and white man must live together, and be good friends, and the Indians must live together like brothers with each other and the white man.”³³⁶

The Amerindians shared a similar desire for an outcome that would foster a reciprocal coexistence. Despite the reoccurring disagreements, Otakaonen responded to Morris’s overtures by expressing the good will and larger objectives of his own people.

There are different kinds of grass growing here that is just like those sitting around here. There is no difference. Even from the American land they are here, but we love them all the same, and when the white skin comes here from far away I love him all the same. I am telling you what our love and kindness is. This is what I did when the white man

³³⁴*Ibid*, p.92.

³³⁵*Ibid*, p.94.

³³⁶*Ibid*, p.109.

came, but when he came back he paid no regard to me how he carried on.³³⁷

Otakaonen repeatedly insisted that his band was not rejecting the possibility of a treaty, but rather that they wanted outside matters that were “in the way” to be dealt with first, and assurances that justice would be done with respect to the HBC. “I do not push back the Queen’s hand. Let this be cleared up.”³³⁸ For his part, the Cree’s Kakuishmay expressed his desire that a treaty be made. “I would not be at a loss, but I am, because we are not united – the Crees’ and the Saulteaux – this is troubling me. I am trying to bring all together in one mind, and this is delaying us. If we could put that in order, if we were all joined together and everything was right I would like it. I would like to part well satisfied and pleased. I hear that His Excellency [Morris] is unwell, and I wish that everything would be easy in his mind. It is this that annoys me, that things do not come together.”³³⁹

When the negotiations were on the verge of collapse, Morris reminded the Amerindians of the personal sacrifice that he had made in order to secure a treaty, and of his personal desire to see the treaty completed:

I think I understand you. We do not want to separate in bad feeling, or to avoid any trouble in coming to an understanding with you; because I do not believe that if we do not agree it will ever be my good fortune to endeavor (*sic*) to do so again.
The Chief said I was not very well, yet I am here. Why? Because the duty was laid upon me. I was afraid of the journey; but when a Chief has a duty to do he tries to do it, and I felt that if I could do you any good, as I believed I could, I ought to be here. I tell you this, trust my words, they come from the heart of one who loves the Indian people, and who is charged by his Queen to tell them the words of truth.³⁴⁰

The following day, the Chiefs expressed a willingness to treat. Kakuishmay reiterated his openness to the proceedings, and implored his colleagues to do the same: “We see the good you

³³⁷ *Ibid*, pp.100-101.

³³⁸ *Ibid*, p.104.

³³⁹ *Ibid*, p.112.

³⁴⁰ *Ibid*, p.115.

wish to show us. If you like what we lay before you we will like it too. Let us join together and make the Treaty; when both join together it is very good.”³⁴¹ Kamooses, a Fort Qu’Appelle Saulteaux Chief, was also concerned about representation. He asked Morris for assurances that all would receive the benefits of the treaty, including those not present. Moreover, Kamooses sought assurances that the agreement would entail a reciprocal existence with their white ‘cousins,’ the most important element of treaty. He put the question directly to Morris:

Kamooses: Is it true that you are bringing the Queen’s kindness? ... Is it true you are going to give my child what he may use? Is it true you are going to give the different bands the Queen’s kindness? Is it true that you bring the Queen’s hand? Is it true you are bringing the Queen’s power?

Morris: Yes, to those who are here and those who are absent, such as she has given us.

Kamooses: Is it true that my child will not be troubled for what you are bringing him?³⁴²

Only upon receiving the assurance that “The Queen’s power will be around him” did the Chief and the other Amerindian negotiators move on to the specific provisions of the treaty, eventually agreeing to sign after the terms had been discussed.

Despite the lack of the type of celebration that had occurred at Treaty 3, Treaty 4 was not without some symbolic exchange. Each session began with “the formal handshaking, which ceremony they repeat at the beginning and close of every interview.”³⁴³ At the end of the treaty, the Commissioners presented the Chiefs and Councillors with official suits and silver treaty medals, the latter’s significance Morris having come to appreciate at Treaty 3. Morris also promised to provide each Chief with a flag, apparently having come to appreciate the symbolic authority that these items bestowed upon those who carried them, in the eyes of the Chiefs and Euro-Canadian officials alike. “You see the flag there,” he had stated earlier during the

³⁴¹ *Ibid*, p.115.

³⁴² *Ibid*, p.118.

³⁴³ Report of Alexander Morris, 17 October 1874, in Alexander Morris, *The Treaties of Canada*, p.81.

proceedings, “then know that we are the Queen’s servants.”³⁴⁴ Having seen the significance Mawedopenais had attributed to the Treaty text the previous year, Morris and the Commissioners had resolved to provide each Chief with a copy. It would stand not only as a symbol of the compact being made, but also as a means to ensure that future generations, on both sides, would be held accountable to the promises made: “we have had the treaty written out, and we are ready to have it signed, and we will leave ... with any Chief you may select ... a copy written out on skin that cannot be rubbed out and put up in a tin box, so that it cannot be wet, so that you can keep it among yourselves so that when we are dead our children will know what was written.”³⁴⁵

It bears mentioning here that the treaty text itself included elements of the principles of reciprocity, equality, and trust, that had been communicated during the proceedings, and that remain consistent with the treaty relationship as understood by Treaty elders. Similarly, the only record of the treaty terms and negotiations written from the Amerindian perspective makes reference to guarantees for Amerindian health, well-being, and economic prosperity.³⁴⁶ Moreover, under certain interpretation, the treaty text is consistent with the three elements found in the Aboriginal perspective.³⁴⁷ First, “the authority to make decisions that determine the conditions of our lives,” or a devolution of power, can be linked to the following provision in the treaty text:

[The Chiefs promise] that they will maintain peace and good order between each other, and between themselves and other tribes of Indians and between themselves and others of Her Majesty’s subjects ... and that they will assist the officers of Her Majesty in bringing to justice and punishment any Indian offending against the stipulations of this treaty, or infringing the laws in force in the country....³⁴⁸

³⁴⁴Alexander Morris, *The Treaties of Canada*, p.102.

³⁴⁵*Ibid*, pp.122-123.

³⁴⁶See the discussion of the Pasqua Pictograph, “Historic pictograph is First Nations view of treaty talks,” Canadian Broadcasting Corporation, 22 February 2007, (online at <http://www.cbc.ca/canada/saskatchewan/story/2007/02/22/pasqua-pictograph.html>).

³⁴⁷Refer to Castellano, pp.261-276, discussed above.

³⁴⁸“The Qu’Appelle Treaty, Number Four,” (Treaty 4 text), in Alexander Morris, *The Treaties of Canada*, p.333.

Like the Euro-Canadian elected officials who represent their own people under the Crown, so do Amerindian chiefs become officers of the Crown, continuing to represent and make laws on behalf of their constituents, and ensuring the shared values of peace, order, and good government flourish in their respective autonomous communities. Second, “economic self-reliance” is entailed in the promise for a continuation of traditional hunting, trapping, and fishing activities, and in the new economic opportunities detailed in the treaty text, such as school education and agriculture. Finally, the treaty text is replete with language suggesting the intended “new relationship” that Amerindian groups have continued to lobby for:

...it is the desire of Her Majesty to open up for settlement, immigration, trade ... a tract of country ... and to obtain the consent thereto of Her Indian subjects inhabiting the said tract, and to make a treaty and arrange with them, so that there may be peace and good will between them and Her Majesty and between them and Her Majesty’s other subjects, and that Her Indian people may know and be assured of what allowance they are to count upon and receive from Her Majesty’s bounty and benevolence.³⁴⁹

Their authority now flowing from the Crown (mandated by God or the Creator), the Amerindian leadership now have a duty toward the equally autonomous Euro-Canadian peoples – now partners, or brothers, under the Crown – to ensure a reciprocal, positive inter-community relationship. Additionally, the text refers to the Amerindians and the Queen as two “contracting parties,” suggesting under certain interpretation a formalized equality of the two parties.³⁵⁰ Christie referred to the treaty as “a covenant between them and the Government.”³⁵¹ Similar

³⁴⁹*Ibid.*, p.330.

³⁵⁰For such an interpretation, see Opekokew, “Position of the Federation of Saskatchewan Indians,” p.10. Significantly, the contemporary Aboriginal understanding of the intent of the treaties and the treaty text itself continue to be invoked in favour of expanded Aboriginal rights and self-government. Wheaton also explains that the treaties “are very central to the drive of Indian nations within Saskatchewan. ...[T]here exists a marked difference between the Indian political activity in Saskatchewan and in non-treaty areas of Canada. In non-treaty areas of Canada, the emphasis is instead placed on Aboriginal rights and this explains some of the discord between the FSIN and the Assembly of First Nations during certain time periods. ...[T]reaty obligation recognition was often described as radical.” See pp.13-14.

³⁵¹Report of W.J. Christie, 7 October 1875, in Alexander Morris, *The Treaties of Canada*, p.86.

terms were written into the other treaties negotiated by Morris.³⁵²

Morris had, along with the other Commissioners, overseen the writing of the treaty text. How far he understood and internalized these principles is difficult to say with precision. Yet, his approach to the administration of Indian Affairs (discussed below) suggests that, over time, and with increasing contact with the Amerindian leadership, Morris came to better appreciate their points of view.

³⁵²The texts of these treaties are also available in Alexander Morris, *The Treaties of Canada*.

Treaty 5

Treaty 5 differed in some respects from its predecessors. To begin with, there were only two Commissioners, Morris and James McKay, leaving Morris with even greater leeway in negotiations and in writing the treaty. Instead of meeting the Amerindians of the region at one fixed location, as in previous treaties, Morris travelled directly to some four different communities on a two week, one thousand-mile journey around and beyond Lake Winnipeg.³⁵³ Moreover, the terms of Treaty 5 were somewhat less generous than those of previous treaties. This reflected the government's perception that much of the land itself was unsuitable for cultivation, and thus of less value. Laird accordingly instructed Morris to offer a \$5 gratuity, and 160 acres per family, as opposed to the \$12 and square mile that had been granted at Treaties 3 and 4. He also instructed Morris to identify the reserves during his trip.³⁵⁴

Unfortunately, no transcription of proceedings was made for Treaty 5, as at Treaties 3, 4, and 6. The only written record of the making of the treaty is Morris's official report, along with subsequent correspondence. Some important information can be gleaned from this text, and, as Morris's reports for Treaties 3, 4, and 6 were generally consistent with the transcribed proceedings – proceedings which were in each case, transcribed by someone other than Morris – there is little reason to believe that the information included was necessarily inaccurate or doctored.³⁵⁵ In his other reports, Morris did not shy from including the negative as well as the positive.

³⁵³ “[E]very arrangement was made to secure the utmost economy in effecting the treaty,” he recalled, “and yet to give satisfaction to the Indians concerned.” Alexander Morris to David Laird, Minister of the Interior, October 11, 1875, in Alexander Morris, *The Treaties of Canada*, p.151.

³⁵⁴ Coates and Morrison, pp.12.

³⁵⁵ Indeed, much of the sequence of events recorded in these reports and correspondence are corroborated by the diary of Captain Hackland of the *Colville*, the vessel that ferried Morris and his party around Lake Winnipeg. See

The Ojibwa and Swampy Cree of the region generally welcomed the prospect of a treaty, and trusted the promised benevolence of the government. Their hunting and fishing grounds had not been as adversely affected as those of their plains kinsmen, and the threat of mass immigration was not immediately present. But the decline of the HBC and of the fur trade left some looking for alternative employment and means of survival. One band from Norway House, for instance, desired a treaty, so as “to escape from starvation and cannibalism and to adopt the means employed by the white man to preserve life, by disturbing the soil and raising food out of the ground.”³⁵⁶ Many others were likely encouraged by influential missionaries to sign the treaties.³⁵⁷

For his part, Morris believed that “[t]he necessity for [the Treaty] had become urgent.” Not only were portions of the region suitable for settlement – indeed, Icelandic settlements were already in the process of being established – but, as Morris explained, “until the construction of the Pacific Railway west of the city of Winnipeg, the lake and Saskatchewan River are destined to become the principal thoroughfare of communication between Manitoba and the fertile prairies in the west.”³⁵⁸ Morris had accordingly lobbied Ottawa for a treaty, having himself received reports and delegations of Amerindians requesting a treaty. Laird had initially proposed securing the adhesion of these people to Treaty 1, but Morris insisted that a new treaty was necessary. Despite growing concerns about mounting costs in all areas of government expense, the Department of the Interior gave its approval. Morris had, after all, “expected that fewer than

Hudson's Bay Company Archives (HBC), E.52/1, “Gilbert Spence Hackland Diary,” 1875.

³⁵⁶Coates and Morrison, p.9.

³⁵⁷See Alexander Morris to David Laird, October 11, 1875, in Alexander Morris, *The Treaties of Canada*, p.152.

³⁵⁸Alexander Morris, *The Treaties of Canada*, p.143.

200 families would be included in this new accord.”³⁵⁹

Morris appears to have thoroughly enjoyed his trip aboard the *Colville*, the paddle-wheeled vessel that carried the delegation across the lake. Morris brought his two eldest daughters, Christine and Elizabeth, along for the journey.³⁶⁰ The expedition was in some respects a voyage of ‘discovery,’ as government knowledge of the region was relatively limited. Despite the region’s limited cultivability, Morris reported on its promise with the eye of an optimistic land speculator, remarking, in terminology reminiscent of his “Canada and Her Resources” essay, on its mining, navigation, and forestry potential, even going so far as to anticipate large settlements along the south-western shore especially. As at previous treaties, Morris negotiated with what he believed to be the government’s best interests in mind. Nevertheless, he was accommodating on certain points, and available evidence suggests that, for the most part, the treaty was completed amicably, and with the corresponding ceremony and celebration.

Morris’s strategy for negotiations was to entice the Amerindians by discussing the proposed treaty terms first, and then to broach the more difficult question of reserves second. In each case, this strategy bore “satisfactory results.” Berens River was the first stop on the voyage, and the Commissioners received a warm welcome. “[T]he Indians greet[ed] us with volleys of firearms,” Morris reported with enthusiasm. Treaty negotiations were held in a Wesleyan Mission schoolhouse operated by one Reverend Young, and lasted seven hours, going late into the night. “The question of reserves was one of some difficulty,” Morris wrote, “but eventually this was arranged, and the Indians agreed to accept our offer, and the indenture of treaty was signed by the Chiefs and headmen.”³⁶¹ McKay and the Hon. Thomas Howard, acting as a

³⁵⁹Coates and Morrison, p.10.

³⁶⁰See Edmund Morris, *The diaries of Edmund Montague Morris*, Fitz-Gibbon’s endnote 98, at p.61.

³⁶¹Alexander Morris to David Laird, October 11, 1875, in Alexander Morris, *The Treaties of Canada*, pp.147-149.

secretary and paymaster, closed the meeting by paying out the “present of five dollars per head, provided in the treaty.” At Norway House, where the arrival of the *Colville* was similarly greeted with a ‘feu de joie’ from the hosts, Morris and McKay met a resident Christian band and a band of “Pagan Indians” from Cross Lake. “I made an explanation of the object of our visit in English, and the Hon. James McKay in the Indian dialect. The Indians gratefully accepted the offered terms, and we adjourned the conference to enable them to consult as to reserves.” The Christian Chief returned to Morris and expressed the desire of some of his followers to relocate south to the Grassy Narrows on Lake Winnipeg, so as to “obtain a livelihood by farming and fishing,” in light of their having lost employment from the HBC. Mindful of the “proposed Icelandic settlement there,” Morris and McKay suggested Fisher River instead – forty miles north of Grassy Narrows, which the band accepted. Morris recommended that those who remained should, in lieu of a reserve, “retain their present houses and gardens.” For their part, the Cross Lake band desired a reserve at their present location, and the Commissioners agreed. After these agreements were made, the treaty appears to have been concluded with due ceremony and celebration. “The treaty was then signed and the medals and uniforms presented. The Chiefs, on behalf of their people, thanked Her Majesty and her officers for their kindness to the Indian people, which I suitably acknowledged, and the payment of the presents was commenced We left that day at half-past three amidst cheering by the Indians and a salute of fire-arms.”³⁶²

Negotiations at Grand Rapids a few days later were somewhat more difficult, and Morris would have to compromise. “After a lengthy discussion the Indians agreed to accept the terms, and we then entered upon the difficult question of the reserves.” In a situation not unlike that put forward by the Fort Qu’Appelle Saulteaux a year earlier, the band insisted that much of the land

³⁶²*Ibid*, p.148.

claimed by the HBC post be included in their reserve. Morris's position on this matter was essentially unchanged: "we explained whatever had been promised the Company would be given just as promises made to them [the Amerindians] would be kept." The band persisted, however, and Morris promised to inquire into the matter to ensure that the HBC post lands had been allocated lawfully. The people wanted their reserve to include both the south, and north shores of the river, the latter being where they had made their homes. Morris normally favoured allocating reserve lands where the people wished, and especially if they had already begun to build upon or cultivate the land in question. In this instance, however, he kept the government's best interests in mind. The north shore being more strategically important for controlling transportation and communications along the river and adjacent portage, and being better suited for a town-site, Morris suggested that the band relocate to the south shore. Initially, "[t]hey objected, that they had their houses and gardens on the north side of the river," but acceded to the request on the grounds of good faith, and "if a small sum was given them to assist in removing their houses, or building others." Recognizing the band's benevolence, Morris and McKay agreed to the compromise offer, "believing it to be alike in the interests of the Government to have the control of so important a point as the mouth of the great internal river of the Saskatchewan, and yet only just to the Indians, who were making what was to them so large a concession to the wishes of the Commissioners."³⁶³

Morris and McKay extended the number of people and the territory covered by the treaty beyond what had originally been approved by the Minister of the Interior. This was done in part to ensure that the geographical area corresponded with "the lands claimed by the Saulteaux and Swampy Cree." The new boundaries also incorporated the rights of those who had signed at

³⁶³*Ibid*, p.149.

Norway House, whose traditional territory, Morris learned, extended beyond the originally proposed treaty area. Moreover, the Commissioners had been persuaded to meet the request of additional bands that demonstrated a desire to enter the treaty. On their journey home, the *Colville* encountered another group at Dog Head Point, where the Commissioners were again greeted with a *feu de joie*. The Amerindians, led by Thickfoot, had caught wind of the Commissioners' mission, and "had been waiting to see us." They were anxious to sign the treaty: "Thickfoot said he had cattle and would like to have a place assigned to his people on the main shore, where they could live by farming and fishing. We suggested Fisher River to them, which they approved of. Eventually we decided on paying these Indians – took Thickfoot's adhesion to the treaty." The meeting ended cordially. "Thickfoot expressed gratitude for the kindness of the Government, and his belief that Indians of the various Islands and of Jack Head Point would cheerfully accept the Queen's benevolence and settle on a reserve." Given the ad hoc extension of the treaty area, Morris and McKay agreed that extensive work would have to be completed in the next year to secure the necessary adhesions to the treaty.³⁶⁴

Despite the lack of a transcription of the proceedings, Treaty 5 appears to have been completed with all the symbolism of reciprocity and equality of its predecessors. Ceremony played a role in the negotiations, including the customary "distribution of ... the clothing, and medals, as given to the chiefs and headmen,"³⁶⁵ as at Treaties 3 and 4. These items bore significance for both sides: "I then presented the medals and clothing to the Chiefs and Councillors," Thomas Howard reported a year later when implementing the treaty, "with which they were greatly pleased, and having congratulated them upon wearing the Queen's uniform,

³⁶⁴*Ibid*, pp.150-151.

and having in return been heartily thanked by them for what had been done, I proceeded to pay them.”³⁶⁶ The treaty text, which Morris claimed to have fully explained through McKay, contained symbolic language of reciprocity and equality similar to that of earlier treaties.

Negotiations were difficult at times, but the atmosphere on both sides was amicable, even deferential. The Grand Rapids band, for instance, must have been impressed by Morris’s words. They had agreed to relocate to the south side of the Saskatchewan in part because “the Queen’s Government were treating them so kindly.”³⁶⁷ During his journey, Morris took every opportunity to leave the *Colville* and confer with the Amerindians when the occasion arose.³⁶⁸ Indeed, he was well remembered by those Amerindians that government officials Howard and J. Lestock Reid met on their journey to secure adhesions and make treaty payments the following year. At Norway House, for instance, Reid reported that “there was a very hearty and apparently sincere expression of gratitude, on the part of all the Indians present, for the liberality extended to them, and a general and spoken wish that their thanks be conveyed to the Queen’s Representative in this Province for his kind interest in their welfare.”³⁶⁹

Morris advocated a speedy implementation of the treaty promises, including adhesions, the laying out of reserves, and the procurement of the promised agricultural implements. He took noticeable pride in the accomplishment the following year when Howard and Reid secured the adhesions to the treaty. “The having obtained the assent of the whole of the Indians within the region treated for so far, is a most satisfactory feature of the year’s operations,” he reported to the Minister of the Interior.³⁷⁰ Morris had by now clearly begun to develop a personal attachment

³⁶⁵*Ibid.*, p.151.

³⁶⁶Thomas Howard to Alexander Morris, October 10, 1876, in Alexander Morris, *The Treaties of Canada*, p.163.

³⁶⁷Alexander Morris to David Laird, October 11, 1875, in Alexander Morris, *The Treaties of Canada*, p.149.

³⁶⁸See HBC. E.52/1.

³⁶⁹J. Lestock Reid to Alexander Morris, October 14, 1876, in Alexander Morris, *The Treaties of Canada*, p.167.

³⁷⁰Report of Alexander Morris, 17 November, 1876, in Alexander Morris, *The Treaties of Canada*, p.153.

to the completion of the treaties and to the fulfillment of the government's promises. Morris's personal connection to the treaties would achieve its completion with the negotiation of his last treaty, Treaty 6.

Treaty 6

Treaty 6 was something of a milestone for Alexander Morris. He knew that it would likely be his last, and was determined not to leave the task to anyone else. "I undertook [the] arduous and responsible duty, knowing that my connection with the North West was about to cease, because I believed that, from my relations with the Indians, I was more likely to succeed than a stranger and because further, I was of opinion from my own experience that it was very undesirable that the new Lieutenant Governor, whoever he might be, should take part in the negotiation of a Treaty which he would be called upon to administer."³⁷¹ Whereas in Treaties 3 and 4, it had been uncertain as to who would negotiate for the government, there seemed to have been no question that Morris would take on the role. "Your large experience and past success in conducting Indian negotiations," wrote Laird, "relieves me from the necessity of giving you any detailed instructions in reference to your present mission."³⁷²

The negotiations of this treaty were also significant for Morris because they mark the highest level of development and articulation of his understanding of the treaty relationship. The negotiations also revealed the level of anxiety that he had developed with regard to the Amerindians' future and survival. Moreover, the sources available for documenting these negotiations are more extensive than for any of the preceding treaties. They include the lengthiest transcription of proceedings to date, and the most detailed report of treaty negotiations ever prepared by Morris – a sign of his growing appreciation for the significance of the treaties and of the proceedings themselves. Even more, Peter Erasmus, the interpreter selected by the

³⁷¹NAC. RG10. Vol. 3636, file 6694-2. Alexander Morris to the Minister of the Interior, 27 March 1877.

³⁷²John Leonard Taylor, *Treaty Research Report: Treaty Six (1876)*, (Treaties and Historical Research Centre, INAC, 1986; accessed online at http://www.ainc-inac.gc.ca/pr/trts/hti/t6/tre6_e.pdf), p.9.

Cree, also had his version of the proceedings recorded, providing another contemporary perspective on the making of the treaty, as well as a means of verifying Morris's version of events against another standard. With a few notable exceptions, Erasmus's recollection of the proceedings was significantly consistent with that reported by Morris and recorded by his secretary, Dr. A.G. Jackes.³⁷³

Treaty 6 is significant in and of itself because of the specific terms of the agreement. Morris's strategy in negotiations was to deal firmly with those who opposed the treaty, and to accommodate insofar as possible the more moderate elements of the Amerindian leadership. It would have been presumed by Laird that Morris would negotiate terms similar, if not identical, to those of Treaty 4, and to the best possible advantage of the government's ever-shrinking coffers. Yet, Treaty 6 included additional concessions that went beyond what had originally been anticipated – they were the most generous terms yet offered by the government. These terms were doubtless a result of the negotiating tactics employed by the Cree leadership, as well as to the general circumstances of the country, and the perceived value of this section of the 'fertile belt.' But they also speak both to the increasingly accommodating attitude Morris took in his approach to Amerindian demands, and to his evolving understanding of the broader implications and commitments that the treaty relationship entailed.

The people of the region, primarily Cree (along with some Assiniboines, Chipewyans, and Saulteaux), had been calling for a treaty since 1871. W.J. Christie, who had been working for the HBC in the region at the time, warned that if promises were not made for a treaty, the result might be violence and a protracted "Indian war," spelling disaster for the HBC, any current

³⁷³Irene Spry makes this point in her introduction to Peter Erasmus, *Buffalo Days and Nights*, as told to Henry

or future settlement, and for the Amerindians themselves. He recommended that Canada send “a force to protect whites or Indians,” and “the making of some treaty or settlement with the Indians who inhabit the Saskatchewan District.”³⁷⁴ Disaster was averted only when Christie provided the Amerindian leadership with some “little presents” and provisions, and when he agreed to write a letter to “His Excellency Governor Archibald, our Great Mother’s representative at Fort Garry.” Sweet Grass, listed as the “Chief of the Country,” stated his demand for a treaty to the Lieutenant-Governor. He disputed the legitimacy of the HBC’s ‘sale’ of Rupert’s Land to Canada, and called for agricultural assistance and “provision for us against years of starvation” in light of the impending disappearance of the buffalo. Sweet Grass also wanted the Crown to protect his people against illicit American traders, and to act as an arbiter between Amerindian nations.³⁷⁵

Sweet Grass’s colleagues expressed a similar desire for treaty. Kihewin (The Eagle) expressed the good will of their people and the desired relationship of reciprocity: “Let us be friendly. We never shed any white man’s blood, and have always been friendly with the whites, and want workmen, carpenters and farmers to assist us when we settle. I want all my brother, Sweet Grass, asks.” The Little Hunter wanted recognition of his authority: “You, my brother, the Great Chief in Red River, treat me as a brother, that is, as a Great Chief.”³⁷⁶ As John Taylor has explained, the Cree “were worried about smallpox (which they knew derived from Europeans) and the probability of starvation because of the visible diminution of the buffalo, their sole

Thompson, (Calgary: Glenbow-Alberta Institute, 1976), pp.xxv-xxvi.

³⁷⁴See W.J. Christie memorandum, 13 April 1871, in Alexander Morris, *The Treaties of Canada*, pp.170-171.

Among other things, Christie had warned that a possible gold-rush would suddenly swamp the region with prospectors from Montana, and result in violence. Morris had long held a distaste for the destructive effects and general disorder and lawlessness that frequently resulted from such activities.

³⁷⁵“We made a peace this winter with the Blackfeet. Our young men are foolish, it may not last long.” In W.J. Christie memorandum, 13 April 1871, in Alexander Morris, *The Treaties of Canada*, pp.170-171.

³⁷⁶*Ibid*, pp.170-171.

support.”³⁷⁷ They were equally apprehensive about Canadian and Métis encroachments on their land.

Apprised of the situation when he took office, Morris had been lobbying for a treaty in the region since December 1872, along with the North-West Council,³⁷⁸ but the government insisted on a gradual policy of treaty-making, “as the territory was required.”³⁷⁹ In March 1874, Morris forwarded an alarming report by one Charles N. Bell, warning that the Cree, many on the verge of starvation, were beginning to believe that no treaty would be made, and that settlers would simply “come and occupy their country.” They were also upset by the HBC surveys taking place around the trading posts – not unlike what had been the case at Treaties 3-5. Bell warned that sending telegraph construction and surveying parties “into Indian country before any treaties had been concluded was doing a great deal of harm. ‘There will certainly be trouble with the Plain Crees if word is not sent early to inform them of treaties to be made with them in the coming summer.’”³⁸⁰ Métis dissatisfaction added to the tension. As Taylor explains, “They too were worried about the food supply. Lack of any visible government concerned them as well. They feared that settlement would drive them from their lands.”³⁸¹

Without a mandate for a treaty, Morris recommended that, at the very least, a force be sent to ensure the safety of the HBC post at Fort Carlton. In 1875, the government ordered Colonel French of the NWMP to take a small force of 50 men, but upon his arrival, he too resolved that a treaty was necessary. Fellow soldier Selby Smyth provided a poignant explanation of the situation:

³⁷⁷Taylor, *Treaty Six*, p.5.

³⁷⁸See Alexander Morris, *The Treaties of Canada*, p.171.

³⁷⁹Taylor, *Treaty Six*, pp.5-6.

³⁸⁰*Ibid*, pp.6-7.

³⁸¹*Ibid*, p.6.

The question of the Indian action regarding their prohibition against any Government works geological or telegraphic being carried on until their Treaty is made, requires neither the interference of Military or Civil power – but merely the presence of someone armed with authority to conclude a satisfactory treaty which they say has been so long promised they can no longer rely on promises only – but decline permitting their country to be made use of by Government officials until the treaty becomes a fact. I am sure it is a subject to be regretted that this was not effected before government operatives appeared in their country, which would have prevented any misunderstanding, as I am informed the Indians are perfectly civil in their conduct towards the persons they have stopped.

“After a great deal of telegraphing to Laird,” Morris finally obtained approval to send resident missionary Reverend George McDougall to inform the Amerindian peoples of the region that a treaty would indeed be negotiated at Forts Carlton and Pitt the next summer.³⁸²

Morris appears to have relished the opportunity of making one more treaty. He had insisted on assuming the responsibility, both because he considered it his personal duty, and because he did not trust leaving the task to anyone of less experience. This in spite of the difficulty of the journey and his ever-questionable health.³⁸³ Nonetheless, the journey to Forts Carlton and Pitt had proved rewarding to a man with a love for the open air and the great nature-
scape. As they travelled, Morris took note of the beauty of the countryside and its potential for future agriculture. He described the view upon arriving, from a hilltop occupied by his tent: “The view was very beautiful: the hills and the trees in the distance, and in the foreground, the meadow land being dotted with clumps of wood, with the Indian tents clustered here and there to the number of two hundred.”³⁸⁴

Morris must have considered it important to teach his children about treaty-making. He had brought his oldest daughters, Christine and Elizabeth, to learn about treaty-making at

³⁸²All above citations, *Ibid*, p.8.

³⁸³“I was suffering from illness on my return,” he wrote. NAC. RG10. Vol. 3636, file 6694-2. Alexander Morris to the Minister of the Interior, 6 February 1877.

Treaties 3 and 5.³⁸⁵ It was now the turn of his twin daughters, Eva and Margaret, “then young girls,” to witness the proceedings at Treaty 6. “At the Indian Treaty made by my father,” recalled Edmund Morris, years later, “the Crees named them (Eva) Tabis Roo Amikook – Equal to the Earth, [and Margaret] Tabis Roo Kiyick – Equal to the Sky. They called my father Kitchiokimow – the Great Chief.” The Cree gave the young girls “each an elk tooth which was good medicine & was to bring them good luck.”³⁸⁶ In later years, Edmund, a painter, would himself take inspiration from his father’s experiences and develop a deep sympathy and interest in the Aboriginal peoples of the North-West.³⁸⁷

The journey had also been disconcerting, providing Morris with a firsthand view of the change and devastating effects wrought by the disappearance of the buffalo. “As I came here I saw tracks leading to the lakes and water-courses, once well beaten, now grown over with grass,” he told the Amerindian negotiators. “I saw bones bleaching by the wayside; I saw the places where the buffalo had been, and I thought what will become of the Indian.”³⁸⁸ These observations were sure to influence Morris’s sympathies in negotiating the treaty terms.

The negotiations leading to the signing of Treaty 6 were protracted and difficult. Morris arrived at Fort Carleton on August 15, 1876, where the terms would eventually be decided. After a few days delay, while Amerindian leaders conferred among themselves, and following the preliminary introductions and ceremony, Morris took several hours to explain the treaty terms, which were essentially the same as at Treaty 4. They were not entirely well received. While a number of the Amerindian negotiators had expressed their desire to reach an understanding, they

³⁸⁴Report of Alexander Morris, 4 December 1876, in Alexander Morris, *The Treaties of Canada*, p.182.

³⁸⁵See Fitz-Gibbon, in Edmund Morris, *The diaries of Edmund Montague Morris*, p.45, and p.61, endnote 98.

³⁸⁶Edmund Morris, *The diaries of Edmund Montague Morris*, p.116.

³⁸⁷Alexander Morris’s brother, William J. Morris, also appears to have taken an interest in Amerindian peoples, having learnt Ojibwa and spent some time in Manitoba. See Legislative Library of Manitoba, Heritage Files, A. Morris file. Obituary of William J. Morris, 20 March 1907.

considered Morris's initial proposal parsimonious. They knew that better terms had been offered in the United States. Moreover, they were doubtless aware of the difficulties other bands had in attempting to transition to agriculture, and anticipated that the greatly diminished buffalo hunt would not be sufficient to sustain them during that difficult transition.

In short, the Amerindian leadership wanted reassurances of assistance as they attempted to take up the new way of life. Chief Poundmaker expressed this concern to Morris, hoping that he would guarantee a permanent fiduciary relationship between the Crown and his people:

We were glad to hear what you had to say, and have gathered together in council and thought the words over amongst us, we were glad to hear you tell us how we might live by our own work. When I commence to settle on the lands to make a living for myself and my children, I beg of you to assist me in every way possible – when I am at a loss how to proceed I want the advice and assistance of the Government; the children yet unborn, I wish you to treat them in like manner as they advance in civilization like the white man.³⁸⁹

Morris, however, was concerned that the Chiefs were requesting daily rations, which, in addition to being expensive and logistically impossible, would lead to “idleness.” For the moment, he also appeared to maintain the belief that ongoing hunting would supplement the transition to agriculture. Seeing that Morris had misunderstood, the Amerindian negotiators clarified that what they wanted was assistance only in case of famine, disease, and pestilence, or in case their initial efforts at farming failed or took longer than expected to succeed.³⁹⁰

Morris began to understand his Amerindian counterparts. In terms consistent with Poundmaker's wish for a long-lasting fiduciary relationship, Morris explained that this was an unwritten part of the treaty relationship, and, in any case, a simple policy of good government that should be demonstrated to all peoples:

³⁸⁸ Alexander Morris, *The Treaties of Canada*, p.233.

³⁸⁹ *Ibid*, p.210.

³⁹⁰ *Ibid*, pp.210-213.

I have told you that the money I have offered you would be paid to you and to your children's children. I know that the sympathy of the Queen, and her assistance, would be given you in any unforeseen circumstances. You must trust to her generosity. Last winter when some of the Indians wanted food because the crops had been destroyed by grasshoppers, although it was not promised in the treaty, nevertheless the Government sent money to buy them food, and in the spring when many of them were sick a man was sent to try and help them. We cannot foresee these things, and all I can promise is that you will be treated kindly, and in that extraordinary circumstances you must trust to the generosity of the Queen.³⁹¹

Cree Chief Mistawasis welcomed Morris's words, but remained concerned: "it is in case of any extremity, and from the ignorance of the Indian in commencing to settle that we thus speak; we are as yet in the dark; this is not a trivial matter for us. We were glad to hear what the Governor was saying to us and we understood it, but we are not understood, we do not mean to ask for food for every day but only when we commence and in case of famine or calamity."³⁹² Moreover, the Chiefs were wary of not having any such promise of a fiduciary responsibility written into the treaty text itself.³⁹³ The parties convened, still without agreement.

The Chiefs presented their own counter-proposal on August 23, 1876. In putting forward their position, Chief Teeteequaysay reminded Morris of the good will they had constantly shown the white population, and trusted that this would be reciprocated in turn.³⁹⁴ Among other things, the counter-proposal included an increase in cattle and other animals, an increase in agricultural implements and other supplies, "provisions for the poor, unfortunate, blind and lame," schoolteachers and missionaries, timber rights, "liberty to change the site of the reserves before

³⁹¹*Ibid*, p.211.

³⁹²*Ibid*, p.213.

³⁹³Erasmus later explained that Mistawasis instructed him to ensure that all that was promised during negotiations was written into the treaty text. See Erasmus, p.254.

³⁹⁴"When we look back to the past we do not see where the Cree nation has ever watered the ground with the white man's blood, he has always been our friend and we his; trusting to the Giver of all good, to the generosity of the Queen, and to the Governor and his councillors, we hope you will grant us this request." In Alexander Morris, *The Treaties of Canada*, p.215.

the survey,” exemption from military service, and “a free supply of medicines.”³⁹⁵ Morris did not begrudge the new demands, but he expressed his apprehension over the implications that the more favourable terms would have on the previous treaties. “You think only for yourselves,” he told the negotiators, “we have to think of the Indians all over the country, we cannot treat one better than another, it would not be just.”³⁹⁶

Despite these apprehensions, Morris was sympathetic to the case the Amerindian negotiators had made. “Often when I thought of the future of the Indian my heart was sad within me,” he told the Chiefs.³⁹⁷ His report to Ottawa revealed a similar sentiment:

They saw the buffalo, the only means of their support, passing away. They were anxious to learn to support themselves by agriculture, but felt too ignorant to do so, and they dreaded that during the transition period they would be swept off by disease or famine – already they have suffered terribly from the ravages of measles, scarlet fever and smallpox. It was impossible to listen to them without interest, they were not exacting, but they were very apprehensive of their future, and thankful, as one of them put it, ‘a new life was dawning upon them.’

He had been particularly struck by the story of the Cree Chief at White Fish Lake, James Senum. His people had already made attempts at cultivation despite their meagre means to do so, going so far as to pull the plough by their own strength, and using hoes made of “roots of trees.”³⁹⁸ Saddened as he was by the story, the tenacity and determination demonstrated by such bands made Morris optimistic that the Amerindian peoples could have a future, if provided with the means to do so – this at a time when many observers assumed that the Amerindians were fated to disappear.³⁹⁹ Like the Chiefs, Morris believed that agriculture and education, along with special hunting rights, would provide the means for both immediate sustenance and long-term stability.

³⁹⁵For a complete list, see Report of Alexander Morris, 4 December 1876, in Alexander Morris, *The Treaties of Canada*, p.185.

³⁹⁶Alexander Morris, *The Treaties of Canada*, p.207.

³⁹⁷*Ibid*, p.204.

³⁹⁸Report of Alexander Morris, 4 December 1876, in Alexander Morris, *The Treaties of Canada*, pp.185, 191.

³⁹⁹See R.G. Moyles and Doug Owram, *Imperial Dreams and Colonial Realities. British Views of Canada, 1880-*

It was in this context that Morris understood and explained the purpose and utility of the reserves. He assured the Amerindian negotiators that they would have a say in selecting their reserves, which would be protected from the settlers and squatters that were sure to flood the country in the coming years. For their part, the Chiefs who accepted the treaty recognized the importance of identifying reserve lands early on.⁴⁰⁰ Morris did not, however, envision the reserves as a place of forced confinement, as would prove the case in later years. "The Government will not interfere with the Indian's daily life, they will not bind him," he promised. "They will only help him to make a living on the reserves, by giving him the means of growing from the soil, his food."⁴⁰¹ While using the reserve as a location for permanent residence and agricultural purposes, he assured the Chiefs and Councillors that they would be at liberty to leave their reserves, and to continue hunting and fishing on Crown lands.⁴⁰²

After consulting with Christie and McKay, Morris presented his compromise offer. It was the most expansive offer that had ever been put forward by the government. "I do this because you seem anxious to make a living for yourselves, it is more than has been done anywhere else," Morris explained. He had come to accept the Amerindian view that anything less would be unjust. But he was equally aware that the new terms might prove a hard sell to his contemporaries in Ottawa. "I must do it on my own responsibility, and trust to the other Queen's councillors to ratify it."⁴⁰³ In recognition of the inadequacy of the original treaty terms, the new offer included an increase in both the agricultural implements and the amount of livestock (although not to the amount put forward by the Amerindian negotiators), as well as a promise of

1914, (Toronto: University of Toronto Press, 1988), pp.167.

⁴⁰⁰"The reason I want to select my reserve is, that I do not want to be cramped up by settlers." Wahtahnee, in Alexander Morris, *The Treaties of Canada*, p.243.

⁴⁰¹*Ibid*, p.241. Morris makes similar remarks in his December 4, 1876 report to Ottawa.

⁴⁰²See *Ibid*, pp.204.

⁴⁰³*Ibid*, p.217.

\$1000 worth of provisions per year for three years as the Amerindians transitioned to agriculture. Most significantly, the offer included treaty provisions for medical supplies and assistance in times of pestilence and famine. The last item proved to be the turning point, Morris later recalled, as the principle Chiefs Atakakoop and Mistiwasis and their followers agreed to sign the treaty. In the days to follow, these new terms would also be accepted by the Willow Cree band of Chief Beardy at Duck Lake, and by the influential Cree Chief Sweet Grass and his followers at Fort Pitt.

Despite the apparent display of solidarity in demanding better terms and signing the treaty, the Amerindian leadership had been rife with division. A significant minority continued to distrust the government's intentions, and maintained that the terms remained unfair. Some rejected agriculture, preferring instead to retain their current mode of life. Additionally, younger and aspiring Chiefs and Councillors may have hoped to build their own profiles by opposing the treaty.⁴⁰⁴ Morris's hope was that the older, more pragmatic-minded leadership would succeed in persuading the young and ambitious leaders to accept the treaty. "The main body of the Crees were honestly disposed to treat," he recalled, "and their head Chiefs, Mistowasis and Ahtukuhkoop (*sic*), shewed sound judgment, and an earnest desire to come to an understanding."⁴⁰⁵ Morris developed a tremendous respect for these "men of intelligence" during the negotiations. They were "anxious that the people should act unitedly and reasonably."⁴⁰⁶ Throughout the negotiations he implored his audience to listen to these 'wise' and respected leaders – a tactic he had similarly applied at Treaty 4. Whenever the Amerindians asked for more

⁴⁰⁴On this last point, see the report of Reverend G. McGougall, 23 October 1875, in Alexander Morris, *The Treaties of Canada*, p.173.

⁴⁰⁵Alexander Morris, *The Treaties of Canada*, p.176.

time to deliberate among themselves, Morris was more than willing to accede in the hopes that the extra time would help the moderate Chiefs persuade their colleagues. Church and Métis officials, including Pierre Levallier and James McKay, also played a crucial role during informal discussions outside of negotiations. Peter Erasmus, also a Métis, was invited into the councils of the Amerindians, and although ostensibly neutral, his explanations and clarifications of the treaty terms did much to reassure council members and the senior Chiefs alike.⁴⁰⁷ Morris's trust in the abilities of the senior Amerindian leadership would prove well placed.

While accommodating the moderate leadership as far as he believed possible, Morris nevertheless dealt firmly with those who opposed the negotiations. The influential Cree Chief Poundmaker made a poignant criticism of the treaty: "This is our land! It isn't a piece of pemmican to be cut off and given in little pieces back to us. It is ours and we will take what we want." Morris was "visibly shaken" by this statement, and the apparent concurrence displayed by a number of the Amerindians present.⁴⁰⁸ Poundmaker was skeptical of Morris's compromise offer. He argued that the terms remained inadequate, and insisted that his people would need instruction in agricultural practise if they were ever to succeed. In the same vein, Joseph Thoma, of the Battle River Amerindians, asserted that the terms, which, he noted, were similar to those of the North-West Angle, did not reflect the immense value of the land being given up at Treaty 6. "I hold out a full hand to you," Morris replied, "and it will be a bad day for you and your children if I have to return and say that the Indians threw away my hand. I want the Indians to understand that all that has been offered is a gift, and they still have the same mode of living as

⁴⁰⁶Report of Alexander Morris, 4 December 1876, in Alexander Morris, *The Treaties of Canada*, p.184.

⁴⁰⁷See *Ibid*, p.196; and Erasmus, pp.245.

⁴⁰⁸Erasmus, p.244.

before.”⁴⁰⁹ Concerned that they might not reach any agreement at all, Thoma’s superiors repudiated his remarks, and acceded to the new terms. Nuswasoowahtum, the leader of a small delegation of Saulteaux from Quill Lake, had perhaps the harshest words for Morris and the treaty terms:

all along the prices have been to one side, and we have had no say. He that made us provided everything for our mode of living; I have seen this all along, it has brought me up and I am not tired of it, and for you, the white man, everything has been made for your maintenance, and now that you come and stand on this our earth (ground) I do not understand; I see dimly today what you are doing, and I find fault with a portion of it; that is why I stand back; I would have been glad if every white man of every denomination were now present to hear what I say; through what you have done you have cheated my kinsmen.⁴¹⁰

Morris’s response to this position was equally biting. “I will not sit here and hear such words from the Chippewas. Who are you?” Morris was indignant that this group of Saulteaux, whose ancestors had migrated from Ontario into the North-West only within the last few hundred years, asserted that other newcomers had no right to the land. “You come from my country [Ontario] and you tell me the Queen has cheated you; it is not so. You say we have the best of the bargains; you know it is not so.”⁴¹¹ Needless to say, the delegation did not sign the treaty. Fortunately for Morris, Poundmaker and the Quill Lake Amerindians represented a minority, and their influence among the other leadership could be measured accordingly.⁴¹²

While hard negotiations were central to the treaty’s successful outcome, ceremony and symbolism also played a crucial role. Morris, bedecked in his own blue Lieutenant-Governor’s uniform, presented himself as the Queen’s symbolic representative and messenger, as at previous

⁴⁰⁹Alexander Morris, *The Treaties of Canada*, p.221.

⁴¹⁰*Ibid*, pp.223-224.

⁴¹¹*Ibid*, p.224.

⁴¹²Poundmaker ultimately signed the treaty, but with great reluctance and, according to Erasmus, resentment. Some

treaties. He noted that his escort of one-hundred red-coated NWMP also played an important symbolic function – as he put it, an “emblem and evidence of the establishment of authority in the North-West.”⁴¹³ Erasmus also recalled that the government’s use of pomp and pageantry, especially with the reputation and display by the NWMP, did much to “establish in the minds of the tribes the fairness and justice of government for all the people regardless of colour or creed.” Additionally, the universal concept of the “benefit of the majority” embodied by the NWMP allowed for a mutual understanding of the benefits of common governance under a single authority.⁴¹⁴

The Amerindians also observed their own ceremonial proceedings, and many Chiefs greeted Morris with great deference. His greeting at Fort Pitt was especially “affectionate,” where Sweet Grass put his arms around Morris’s neck and gave him “a fraternal kiss on either cheek.”⁴¹⁵ At both Carlton and Pitt, the Amerindians performed a number of ceremonies before Morris. As Erasmus explained, “these ceremonial practices had a deep significance to the tribes and can only be explained as a solemn approach to a vital and serious issue for discussion.”⁴¹⁶ The most important of these ceremonies was that of the smoking of the peacepipe. The Indian Association of Alberta described the significance of the ceremony:

[A]ccording to Indian tradition, religious formalities are as important and as significant as the subject of the matter at hand, whatever that subject may be. It is an Indian custom to conduct those formalities before undertaking any matters of importance. The purpose of this tradition is that the Indians have utmost and absolute belief in the sacredness of the

of the main dissenters were not even from the Treaty 6 area, including an unnamed Chipewyan. See Erasmus, p.246.

⁴¹³Report of Alexander Morris, 4 December 1876, in Alexander Morris, *The Treaties of Canada*, p.196.

⁴¹⁴As Erasmus explained, “The chief and his councillors administered the laws for their band and the tribe recognized the necessity for rules governing individuals who at times broke the rules set by their leaders for the benefit of the majority. That, in my opinion, is what made possible the successful role that this small Force played in the progress of settlement of one country.” Erasmus, p.227.

⁴¹⁵Alexander Morris, *The Treaties of Canada*, p.229.

⁴¹⁶He continues: “Few people realize that those so-called savages were far more deeply affected and influenced by their religious beliefs and convictions than any comparable group of white people, whose lip service to their religion goes no deeper than that.” Erasmus, p.240.

pipe. In the presence of the pipe, only the truth must be used and any commitment made in its presence must be kept. In that sense, then, the only means used by the Indians to finalize an agreement or to ensure a final commitment was by use of the pipe.⁴¹⁷

As Taylor explains, "The Indians laid the work they were about to undertake at the feet of the Great Spirit who was both in the world and above all mankind. The commissioners participated in this action by receiving the pipe with them."⁴¹⁸

Some historians have suggested that Morris did not grasp the importance of the pipe ceremony, but a closer look at the proceedings suggests that such a misunderstanding was unlikely. First, the ceremony was remarkably similar to that performed in previous decades and centuries during the fur trade. Through his constant interaction with members of the HBC, Morris had become familiar with the old diplomatic traditions that had existed between the company and the Amerindian nations.⁴¹⁹ Second, Morris appears to have demonstrated a solemnity and familiarity with his role in the ceremony by this point, having already gone through the process at least once, at Treaty 3, and possibly on other occasions thereafter. In his discussions with the Chiefs and Councillors, he associated the ceremony as an important part of their treaty-making practises.⁴²⁰ Jackes's description of the event also suggests Morris approached it with the requisite solemnity:

As they approached his tent, the Governor, accompanied by the Hon. W.J. Christie and Hon. Jas. McKay, Commissioners, went forward to meet them and to receive the stem carried by its bearer. It was presented first to the Governor, who in accordance with their customs, stroked it several times, then passed it to the Commissioners who repeated the ceremony. The significance of this ceremony is that the Governor and Commissioners

⁴¹⁷Taylor, *Treaty Six*, p.10.

⁴¹⁸*Ibid*, p.11.

⁴¹⁹See, for instance, Alexander Morris, *The Treaties of Canada*, p.285.

⁴²⁰"When I went to North-West Angle I met the Chippewa nation.... I told them the message from the Queen, and what she wished to do for them; in all four thousand Indians accepted the Treaty.... The next year I went to Qu'Appelle and saw the Crees and Chippewas, and there five thousand understood us and took our hands. Last summer I went with Mr. McKay to Lake Winnipeg, and there all the Swampy Crees accepted the Queen's terms. Now I have stroked the pipe with your brothers at Carlton as with you." *Ibid*, pp.233-234.

accepted the friendship of the tribe.⁴²¹

Morris certainly considered the ceremony significant enough to report on it in detail to officials in Ottawa. In his book, Morris later described the “national stem or pipe dance” and the other “ceremonies which attended” the opening of the treaty discussions as “imposing” and “very impressive and striking.”⁴²² Moreover, Morris knew that anything spoken of in the slightest way as a promise would be taken as writ by the Chiefs. Throughout all of the proceedings, from Treaties 3 through 6, Morris was careful to avoid statements on which he knew he would not be able to deliver.

Treaty 6 was particularly replete with symbolic language and imagery. Morris had by now come to appreciate the utility and the deep significance of the language of kinship and reciprocity – he used it to establish a trust between himself and the Amerindian negotiators, and to explain the treaty relationship as he understood it. “I had ascertained that the Indian mind was oppressed with vague fears,” Morris recalled, “they dreaded the treaty; they had been made to believe that they would be compelled to live on the reserves wholly, and abandon their hunting, and that in time of war, they would be placed in the front and made to fight. I accordingly shaped my address, so as to give them confidence in the intentions of the Government, and to quiet their apprehensions.”⁴²³ As Taylor explains, Morris “placed the discussions within a context which appealed to the deity and placed on the line the honour of the non-Indian people who would, through the office of the monarch, make treaty with Her Majesty’s Indian subjects.”⁴²⁴ After the pipe ceremony at Fort Carlton, Morris opened up the negotiations by invoking the presence of

⁴²¹*Ibid*, p.198. See also pp.183, 230.

⁴²²See *Ibid*, p.179, and Report of Alexander Morris, 4 December 1876, in *Ibid*, p.182.

⁴²³*Ibid*, p.183.

God (or the Great Spirit) to assert an openness to the proceedings, and, applying kinship terms, described the equalitarian relationship between whites and Indians:

I shake hands with all of you in my heart. What I say and what you say, and what we do, is done openly before the whole people. You are, like me and my friends who are with me, children of the Queen. We are of the same blood, the same God made us and the same Queen rules over us. As the Queen's chief servant here, I always keep my promises.⁴²⁵

The treaty was to last forever, he promised, and to the benefit of future generations.⁴²⁶

Following the pipe ceremony at Fort Pitt, Morris offered an optimistic view of the future and the treaty relationship, using language that evoked the imagery of the two-row wampum of reciprocal coexistence between Euro-Canadians and Amerindians. Morris described this symbolic understanding of the treaty relationship in his official report, bringing it to the attention of his colleagues in Ottawa:

After the conclusion of these proceedings I addressed them, telling them we had come at their own request, and that there was now a trail leading from Lake Superior to Red River, that I saw it stretching on thence to Fort Ellice, and there branching off, the one track going to Qu'Appelle and Cyprus Hills, and the other by Fort Pelly to Carlton, and thence I expected to see it extended, by way of Fort Pitt to the Rocky Mountains; on that road I saw all the Chippewas and Crees walking, and I saw along it gardens being planted and houses built. I invited them to join their brother Indians and walk with the white men on this road.⁴²⁷

From Morris's perspective, one purpose of the treaties was to bring the Amerindians under the Queen's governance.⁴²⁸ Morris already referred to them as subjects of the Queen, but the treaties

⁴²⁴Taylor, *Treaty Six*, p11.

⁴²⁵Alexander Morris, *The Treaties of Canada*, p.513.

⁴²⁶"What I trust and hope we will do is not for today or tomorrow only; what I will promise, and what I believe and hope you will take, is to last as long as that sun shines and yonder river flows. You have to think of those who will come after you, and it will be a remembrance for me as long as I live, if I can go away feeling that I have done well for you. I believe we can understand each other...." *Ibid*, p.202.

⁴²⁷Report of Alexander Morris, 4 December, 1876, in *Ibid*, p.190. See also *Ibid*, p.234.

⁴²⁸"The instructions of the Queen are to treat the Indians as brothers, and so we ought to be. The Great Spirit made this earth we are on. He planted the trees and made the rivers flow for the good of all his people, white and red; the country is very wide and there is room for all. It is six years since the Queen took back into her own hands the government of her subjects, red and white, in this country; it was thought her Indian children would be better cared for in her own hand. This is the seventh time in the last five years that her Indian children have been called together

were a means of legitimating their position under the Crown.

Some authors have dismissed the type of symbolism applied by Morris (and by the Amerindian negotiators) as “flowery language” that had been used so as to avoid discussions of the real ‘hard’ issues.⁴²⁹ But over the course of the negotiations, Morris appears to have been understood by the Amerindian leadership, and to have won their confidence. “I was told the Governor was a good man,” said Atakakoop before an agreement had been reached, “and now that I see him I believe he is; in coming to see us, and what he has spoken, he has removed almost all obstacles and misunderstandings, and I hope he may remove them all.”⁴³⁰ The Eagle, one of the Chiefs at Fort Pitt, Morris reported, told his colleagues “not to be afraid, and that I was to them as a brother, and what the Queen wished to establish was for their good.” Sweet Grass, upon signing the treaty, expressed a similar trust in Morris’s promises, and a genuine desire to establish a relationship of reciprocity between whites and Indians: ““May the white man’s blood never be spilt on this earth. I am thankful that the white man and red man can stand together. When I hold your hand and touch your heart, let us be as one; use your utmost to help me and help my children so that they may prosper.”” Similar examples of reciprocal language by the Chiefs can be found throughout the reports and the transcript of negotiations.⁴³¹ For one Chief, at least, Morris’s words effected an entire change of perspective: “I am glad of the goodness of the great Queen,” stated Seekahskootch (The Cut Arm). “I recognize now that this that I once

for this purpose; this is the fourth time that I have met my Indian brothers.” Alexander Morris, *The Treaties of Canada*, p.231.

⁴²⁹See, for instance, Buckley, pp.33. While criticizing Morris for “attempting to imitate the poetic gifts” of the Amerindian negotiators, Buckley nonetheless acknowledges that “Governor Morris impresses us as a man who genuinely liked Indian people and wished to help them.” Buckley, p.35.

⁴³⁰Alexander Morris, *The Treaties of Canada*, p.213.

⁴³¹In Report of Alexander Morris, 4 December 1876, in Alexander Morris, *The Treaties of Canada*, p.191. Sweet Grass’s language and imagery in the transcribed proceedings are strikingly similar to that applied by Morris. See *Ibid*, at pp.236-237. See also Chief Little Hunter’s comments, in *Ibid*, p.238.

dreaded most is coming to my aid and doing for me what I could not do for myself.”⁴³² Still others used the opportunity to remind Morris that the treaty relationship involved mutual sacrifice and reciprocal aid.⁴³³

Erasmus similarly remarked on Morris’s ability to reach the Amerindian leadership with his message of reciprocity. Erasmus was initially suspicious of the government party and disliked some of its membership, but he was ultimately won over by the Lieutenant-Governor. James McKay had initially been hostile to the prospect of an additional interpreter, perhaps out of consideration for his brother, John, who had been hired to translate for the government. Morris, however, recognizing Erasmus’s talents, the trust placed in him by the Cree, and their insistence on his presence, asked him to interpret the government’s words as well. After a few words of reconciliation over glasses of brandy, Erasmus accepted Morris’s offer. For his part, Erasmus had come to recognize Morris’s difficult position, between the demands and occasional opposition of the Amerindians on the one hand, and Ottawa’s insistence that the terms be kept as inexpensive as possible on the other. “I thought to myself, ‘A boxer sent into the ring with his hands tied.’”⁴³⁴ Erasmus described the moment that he and much of the Amerindian leadership came to trust Morris and his message, on the second day of negotiations:

The Governor went on to explain that unless certain lands were set aside for the sole use of the Indians, the country would be flooded with white settlers who would not give the Indians any consideration whatever. He made references to other areas where settlement was growing very fast. Morris’s speech and explanation were couched in simple terms for the understanding of the Indian people. His manner held a sincerity that was most effective in impressing his audience. Knowing the Indians as I did, I could see that they were receiving the message with a growing understanding of its purpose.

Standing at the Governor’s table I was able to observe the reactions of some of the listeners. I felt that Big Child and Star Blanket were both convinced of the fairness and justice of the terms explained to them by the speaker. I had an increased confidence in

⁴³²*Ibid*, p.238.

⁴³³See *Ibid*, p.243.

⁴³⁴Erasmus, p.245.

my interpretations, my sympathies transferred to the Governor's side, and my early animosity to the party was completely gone. The translations came to my tongue without effort.⁴³⁵

It bears pointing out here that Morris's manner of speaking proved easy to translate for the experienced interpreter.

Atakakoop and Mistawasis made the case for pragmatism to their colleagues. Their eloquent appeals repeated a number of the points that Morris had mentioned in his opening remarks, and demonstrated a trust in his words. As Erasmus recalled, "Indian eloquence had full play that day."⁴³⁶ Indeed, their comments merit citation at length. Like Poundmaker, The Badger, and those opposed to the treaty, Mistawasis lamented the passing of the buffalo and "the loss of the ancient glory of our forefathers." But he appealed to the council to consider the pragmatic needs of the future:

I speak directly to Poundmaker and The Badger and those others who object to signing the treaty. Have you anything better to offer our people? I ask, again, can you suggest anything that will bring these things back for tomorrow and all the tomorrows that face our people? I for one think that the Great White Queen Mother has offered us a way of life when the buffalo are no more.⁴³⁷

Mistawasis had been especially concerned by what future lay in store for the Cree if they left themselves open to the same attacks and illicit trade by American traders that had devastated the once powerful Blackfeet. He, for one, welcomed the equalitarian justice and protection being offered by the Crown:

The Great Queen Mother, hearing of the sorrows of her children, sent out the Red Coats. ...the cutthroats and criminals ... immediately abandoned their forts.... It was the power that stands behind those few Red Coats that those men feared and wasted no time in getting out when they could; the power that is represented in all the Queen's people, and we the children are counted as important as even the Governor who is her personal speaker.

⁴³⁵ *Ibid.*, p.245.

⁴³⁶ *Ibid.*, p.246.

⁴³⁷ *Ibid.*, p.247.

The Police are the Queen Mother's agents and have the same laws for whites as they have for the Indians. I have seen these things done and now the Blackfoot welcome these servants of the Queen Mother and invite her Governor for a treaty with them next year. I for one look to the Queen's law and her Red Coat servants to protect our people against the evils of the white man's firewater and to stop the senseless wars among our people.⁴³⁸

Attempting, perhaps, to dissuade the younger council members, Mistawasis implored his colleagues to renounce violence and think of the future, comparing their situation with that of the Amerindians in the United States, as Morris had so often done: "There is no law or justice for the Indians in Long Knives' country."⁴³⁹

Atakakoop also renounced the violence of the past. He emphasized instead the inevitable disappearance of the buffalo and the need to find a new mode for self-sufficiency. He focussed on the hard reality that was soon to be, with the inevitable arrival of settlers. Like Morris, he seemed to believe that his people would need to identify protected reserves before mass immigration could create conflict and leave them without any means of survival. The time to strike a deal, he argued, was at hand. He repudiated those who sought to delay the inevitable only to ultimately weaken their position:

There are men among you who are trying to blind our eyes, and refuse to see the things that have brought us to this pass. Let us not think of ourselves but of our children's children. We hold our place among the tribes as chiefs and councillors because our people think we have wisdom above others amongst us. Let us show our wisdom by choosing the right path now while we yet have a choice.

For my part, I think that the Queen Mother has offered us a new way and I have faith in the things my brother Mistawasis has told you. The mother earth has always given us plenty with the grass that fed the buffalo. Surely we Indians can learn the ways of living that made the white man strong I will accept the Queen's hand for my people.⁴⁴⁰

The words of Mistawasis and Atakakoop persuaded most of those present. "After I had retired to our tent," Erasmus later recalled, "I lay awake thinking of the things spoken by the two chiefs,

⁴³⁸ *Ibid*, p.248.

⁴³⁹ See *Ibid*, pp.248-249.

⁴⁴⁰ *Ibid*, pp.249-250.

and marvelled at the confidence they both felt in the fairness of the justice carried out by this slender arm of the Queen Mother.” Many of the Amerindians, Erasmus explained, had been especially impressed by the promises of protection and equalitarian justice, as exemplified by the government’s attempts at bringing two American traders to justice for the murders of a number of Assiniboine at the 1873 Cypress Hills Massacre.⁴⁴¹

Morris had been careful to distinguish between American and Canadian Indian policy. He genuinely believed in the superiority of British justice, and the difference between Canadian and American Indian policy served to reinforce this conviction. Morris insisted that the principle of “friendship between the British, and the Indians” had been a longstanding tradition in their diplomatic histories.⁴⁴² More importantly, the comparison between the countries’ Indian policies clearly placed Canadian justice in a more favourable light, and helped dissuade from the occasionally superior treaty terms being negotiated in the United States. Morris was well aware that the Amerindians had been greatly impressed by the effect of the NWMP in establishing security and discouraging illicit trade, and by the tenacity of the Canadian government in its attempts to bring the perpetrators of the Cypress Hills Massacre to justice. Accordingly, he repeatedly reminded the Amerindian leadership of this record. The NWMP, he insisted, would be friends, or colleagues, of the Chiefs under the Crown. “Our Indian Chiefs wear red coats, and wherever they meet the police they will know they meet friends.”⁴⁴³ The NWMP were there to maintain order and equalitarian justice, not to oppress the Amerindians: “no man has a right to kill another in cold blood, and we will do all we can to punish such. The good Indian need never

⁴⁴¹*Ibid*, pp.250-251.

⁴⁴²He took inspiration from the example of Isaac Brock and Tecumseh who, during the War of 1812, had “fought side by side as brothers.” He asserted that good relations between the Six Nations and the Queen persisted, as the Crown had assisted the Amerindians in ‘old Canada’ to take up agriculture and schooling. See Alexander Morris, *The Treaties of Canada*, pp.200-201.

⁴⁴³*Ibid*, p.234.

be afraid; their lives will be safer than ever before. Look at the condition of the Blackfeet. Before the red-coats went, the Americans were taking their furs and robes and giving them whiskey – we stopped it, they have been able to buy back two thousand horses.”⁴⁴⁴

As at previous treaties, the signing of Treaty 6 ended in ceremony. After each of the signings at Forts Carlton and Pitt, Morris provided the Chiefs with medals, representing and commemorating the agreement, uniforms and flags, which afforded recognition for the Chiefs and Councillors as officers of the Crown, and copies of the treaty, so that the promises made would not be “rubbed out.”⁴⁴⁵ He described the role of the Chiefs as he saw it, as well as the symbolic significance of the medals, flags, and uniforms:

Chiefs ought to be respected, they ought to be looked up to by their people; they ought to have good Councillors; the Chiefs and Councillors should consult for the good of the people; the Queen expects Indians and whites to obey her laws; she expects them to live at peace with other Indians and with the white men; the Chiefs and Councillors should teach their people so, and once the Queen approves a Chief or Councillor he cannot be removed unless he behaves badly.

The Chiefs and headmen are not to be lightly put aside. When a treaty is made they become servants of the Queen; they are to try and keep order amongst their people. We will try to keep order in the whole country.

I have said a Chief was to be respected; I wear a uniform because I am an officer of the Queen, the officers of the police wear uniforms as servants of the Queen. So we give to Chiefs and Councillors good and suitable uniform indicating their office, to wear on these and other great days.

I have always been much pleased when Indians came to me and showed me medals given to their grandfathers and transmitted to them; now we have with us silver medals that no Chief need be ashamed to wear, and I have no doubt that when the Chiefs are gone, they will be passed on to their children. In addition each Chief will be given a flag to put over his lodge to show that he is a Chief.⁴⁴⁶

Morris’s understanding of the Chiefs’ role as officers of the Crown, and of the relative autonomy of the Amerindian communities, was consistent with his long-held belief in local self-

⁴⁴⁴*Ibid*, p.240.

⁴⁴⁵See *Ibid*, p.208.

government.

A number of Chiefs welcomed the recognition of their offices by the Crown, as it provided a stability of leadership in otherwise turbulent times.⁴⁴⁷ As such, the medals and uniforms held much significance for the Amerindians, who wore them to Morris's farewell. Before departing for Fort Pitt, Morris reported, "the whole band, headed by their Chiefs and Councillors, dressed in their uniforms, came to Carlton House to pay their farewell visit to me. The Chiefs came forward in order, each addressing me a few remarks, and I replied briefly. They then gave three cheers for the Queen, the Governor, one for the Mounted Police, and for Mr. Lawrence Clarke, of Carlton House, and then departed, firing guns as they went."⁴⁴⁸ The Chiefs, in their closing remarks, reaffirmed "their good will to the white man." Morris, for his part, expressed his gratitude for the reasonableness they had shown throughout the treaty. "[H]e was glad to hear that they were determined to go to work and help themselves: he hoped their Councils would always be wisely conducted, and that they would do everything in their power to maintain peace amongst themselves and with their neighbors (*sic*); he hoped the Almighty would give them wisdom and prosper them."⁴⁴⁹

As at previous treaties, Morris took great pride in the finalized agreement. One senses that he felt that he had contributed to his own legacy as a nation-builder by way of the treaties. Moreover, his parting words were not without some self-congratulation: "Now, I have only to say farewell," he said at Fort Carlton. "[W]e have done a good work; we will never all of us meet again face to face, but I go on to my other work, feeling that I have, in the Queen's hands, been

⁴⁴⁶*Ibid.*, pp.206-207.

⁴⁴⁷See G. Macdonald to Alexander Morris, 23 October 1875, in *Ibid.*, p.173.

⁴⁴⁸Report of Alexander Morris, 4 December 1876, in Alexander Morris, *The Treaties of Canada*, p.187.

instrumental to your good. I pray God's blessing upon you to make you happy and prosperous, and I bid you farewell."⁴⁵⁰ The address was followed with a general cheer from the Crees, and the session closed.

More importantly, perhaps, Morris had by this time developed something of a personal connection with the treaties. Negotiations at all the treaties had often been both emotionally and physically exhausting for Morris. Making this, his final treaty, had proved somewhat lamentful for Morris. "Indians of the plains, I bid you farewell," he declared in his parting address at Fort Pitt. There was a genuine sincerity in his words: "I never expect to see you again, face to face. I rejoice that you listened to me, and when I go back to my home beyond the great lakes, I will often think of you and will rejoice to hear of your prosperity. I ask God to bless you and your children. Farewell."⁴⁵¹ Morris recognized that the treaty had been a momentous event, for both sides. "I rise with a glad heart; we have come together and understood each other.... I feel that we have done today a good work; the years will pass away and we with them, but the work we have done today will stand as the hills."⁴⁵² Moreover, taking in the setting and solemnity of the negotiations, smoking the pipe with his Amerindian counterparts, looking them in the eyes and putting his own reputation on the line by making promises on behalf of the Crown – all these things had served to make the treaties a very personalized experience. By taking such a direct role in the process, Morris had developed his own personal stake in their success.

In his report to the Government, Morris pointed to the necessity of a speedy implementation of the treaty promises, and gave specific instructions as to how they could be carried out. He even took measures of his own while in the field during negotiations. "I was

⁴⁴⁹Alexander Morris, *The Treaties of Canada*, pp.224-225.

⁴⁵⁰*Ibid*, pp.222-223.

⁴⁵¹*Ibid*, pp.241-242.

agreeably surprised to find so great a willingness on the part of the Crees to commence to cultivate the soil, and so great a desire to have their children instructed," he reported with enthusiasm. "I requested Mr. Christie to confer with the Chiefs while the payments were going on, as to the localities where they would desire to have reserves assigned to them, and with few exceptions they indicated the places, in fact most of them have already commenced to settle." Morris recommended that the treaty promises be promptly carried out. "It is, therefore, important that the cattle and agricultural implements should be given them without delay. ...provision should be made for forwarding these as soon as the spring opens. I think it probable that cattle and some implements could be purchased at Prince Albert and thus avoid transportation." Morris also recommended that the Government immediately meet "[t]he universal demand for teachers," and was hopeful that the Churches would meet the request for missionaries: "the cry of the Indian for help is a clamant one."⁴⁵³ Following through on his promise to report Amerindian concerns over the buffalo, Morris recommended that immediate action be taken to implement laws for the animals' preservation. He pointed out to the Minister of the Interior that his administration of the North-West Council had already developed a plan of action: "had our regime continued we would have passed a statute for their preservation. I commend the matter to the attention of our successors as one of urgent importance."⁴⁵⁴

Morris also urged the Department of the Interior to meet a number of Amerindian demands that he had refused to promise during the negotiations. This was telling of Morris's precarious negotiating position, between the demands of the Amerindians, and those of the Government that he was obliged to uphold. While sympathizing with the Amerindians' requests,

⁴⁵²*Ibid*, p.237.

⁴⁵³Report of Alexander Morris, 4 December 1876, in Alexander Morris, *The Treaties of Canada*, p.194.

⁴⁵⁴*Ibid*, p.195.

he had refrained from making any promises he did not know he could keep. “[T]hough I did not grant the request,” he told the Minister,

I thought the desire of the Indians, to be instructed in farming and building, most reasonable, and I would therefore recommend that measures be adopted to provide such instruction for them. Their present mode of living is passing away; the Indians are tractable, docile and willing to learn. I think that advantage should be taken of this disposition to teach them to become self-supporting, which can best be accomplished with the aid of a few practical farmers and carpenters to instruct them in farming and house building.⁴⁵⁵

Morris had even intervened on behalf of a band from Battle River, near Fort Pitt, securing the free agricultural assistance of a local settler.⁴⁵⁶ At various points during the treaty, some Chiefs had also asked for assurances that lands occupied by the Métis would be recognized. Morris had no mandate to make guarantees to the Métis, so he could do no more than say that he would report the request to the Government. This he did, and with a strong recommendation that measures be taken not only to protect Métis lands, but to assist them in agricultural practise as well, as they were equally affected by the devastation of the buffalo, and maintained a strong influence among the local Amerindian population.⁴⁵⁷ This was not the first, nor the last time that Morris would lobby in private for the requests of the Aboriginal people – including those requests that he had ostensibly rejected. In short, Morris’s approach to treaty implementation would prove even more generous than his approach to treaty negotiation.

⁴⁵⁵*Ibid.*, p.194.

⁴⁵⁶See Alexander Morris, *The Treaties of Canada*, pp.242-244.

⁴⁵⁷See Report of Alexander Morris, 4 December 1876, in Alexander Morris, *The Treaties of Canada*, p.195.

IX. ALEXANDER MORRIS AS INDIAN AFFAIRS ADMINISTRATOR

Alexander Morris's efforts within the bureaucracy and behind the scenes in favour of meaningful treaty implementation were consistent with the promises that he had made at the treaty negotiations. Moreover, Morris's actions in treaty implementation spoke to his understanding of the broader significance of the treaties, his respect for the Amerindian peoples, and to his personal desire to see the treaties succeed. In dealing with Chiefs and Councillors who came to visit him, Morris had to tread a delicate course of diplomacy between their demands and those of the government. As per the treaty negotiations, when it came to treaty implementation, he was always careful to avoid promising anything he did not know could be provided. His confidential correspondence with the Department of the Interior in Ottawa, however, betrayed a much more flexible understanding of treaty implementation.

Moreover, Morris's approach to the administration of Indian Affairs, including the negotiation of the numbered treaties and their subsequent implementation, was determined by two factors. First, by the interests of the Canadian state; as a matter of personal patriotism, and as part of his sense of responsibility as a public servant to secure an efficient, cost-effective administration. Second, and increasingly over time, by his understanding of the Amerindians' concerns and interests. From the beginning, Morris demonstrated a comprehension of the political climate of the country, and at the very least, a rudimentary understanding of Amerindian diplomacy. As an administrator, he was ready to listen to his advisers on the ground and reported all news he deemed important, both good and bad, to Ottawa. Morris was no 'yes man' – he did not shield Department officials from what others might have deemed trifling inconvenience. As he became acquainted with the various groups of Amerindian peoples of the North-West, Morris

developed a rapport with them that was unmatched by officials in distant Ottawa, and even by many officials in the North-West. This rapport was due in large part to the symbolic and historical importance that Amerindian leaders placed in the Lieutenant-Governorship itself, as a direct representative of the Crown. But it was also Morris's interactions with the Amerindian leadership that helped him develop a greater understanding of the perspectives, interests, and concerns of the Amerindian peoples of the North-West.

As Morris's sympathies with the Amerindian point of view increased, so too did his frustration with the bureaucracy in Ottawa. Throughout his time in the North-West, Morris advocated for a faithful implementation of the treaties. He argued that the government should, at the very least, uphold its promises as written in the treaties. This was drawn from Morris's legal background and experience with land title – he knew that any breach of the treaties would threaten the legitimacy of Canada's claim over the territory. He also came to appreciate that the Amerindians themselves saw any failure to implement the treaty promises as a breach of the agreement. More importantly, perhaps, Morris's personal reputation was at stake – he was determined to uphold the promises he had personally made to the Amerindian leadership.

Moreover, Morris came to advocate for a faithful implementation of the *spirit* of the treaties. He frequently argued that unwritten promises and understandings, from specific agricultural implements to general principles of reciprocity and mutual assistance, should be upheld along with the written promises – it was to him a simple matter of justice. To this end, the 'outside promises' of Treaties 1 and 2 had a significant impact on Morris's understanding of the Amerindian view of the treaties and the treaty promises. The reluctance of Department officials in both Ottawa and Manitoba to meet these promises would be a major source of frustration. To remedy what he considered an inefficient and ill-informed direction in Indian Affairs

administration, Morris advocated for more centralized authority and competent staffing, but with limited success. As his frustration grew – a frustration that can be measured over time in the tone of his correspondence – Morris responded by intervening in treaty implementation on a more frequent basis. His approach to treaty implementation was increasingly at odds with Ottawa, and by 1876, the Department had begun taking steps to diminish Morris's role in Indian Affairs administration.

Taking on the role of Indian Affairs administrator

As Lieutenant-Governor, Morris was inevitably implicated in the administration of Indian Affairs. This flowed from a combination of historical precedent and the symbolic importance attached to the office. Moreover, Amerindian leaders consistently preferred dealing with the highest-ranking government official available to them, and with someone who could claim a direct link to the Queen.⁴⁵⁸ By late 1872, Morris had already set out his recommended policy for the administration of Treaties 1 and 2. This was to be the foundation of principles on which he would advocate throughout his tenure. “[T]he Government should maintain constant communication with these Tribes,” he wrote Secretary of State Joseph Howe, “and see that all the provisions of the Treaty are rigidly carried out. [I]t is of the first importance to retain the Confidence and maintain the friendliest relations with the Indians.”⁴⁵⁹ All promised farming and other implements, he continued, should be promptly delivered, reserves identified, and schools provided upon request. Even more, it was crucial that the parties understand each other and maintain a constant contact.

⁴⁵⁸See, for instance, Walmark's discussion of the Treaty 3 Sauteaux, pp.51.

As to future treaties, Morris was anxious that they be negotiated, both for strategic reasons, and in order to maintain the credibility of the Canadian government. Morris had heard that the Sioux in the United States had delivered tobacco to the Cree and Sauteaux across the border in Canada, and wholly understood its significance. Moreover, he was concerned that if Canada did not secure an alliance with the Amerindians of the plains in the Saskatchewan, that the American Sioux would. As such, he recommended that Canada act quickly to ally themselves with the peoples on their side of the border, and make treaty. Open communications and sound diplomacy were in order:

The Indians in the plains were, as I am informed, told that they would receive a visit last Summer from the Commissioner, to prepare the way for a Treaty, but this was not carried out, and as the Indians look for the rigid performance of promises, they should be complied with as speedily as possible. I believe that they can be retained in close alliance and friendship, by treating them fairly, kindly, and justly. They should be advised by men they trust, of the real meaning of the Boundary Survey, and explanations should be given them as to the intended Railway Surveys, and all stipulations of the Treaties should be scrupulously carried out. To attain these ends I would propose that there should be a resident Indian Commissioner here, who should be a good business man.... competent to draw up Treaties, attend to matters of account, etc., etc.⁴⁶⁰

Having already developed an appreciation for the significance of the practise of gift-giving, Morris recommended that the government provide a sum of cash to the Commissioner to annually visit the various Amerindian groups and provide them with presents to maintain their alliance. The Commissioner, he continued, should have two assistants: French and English Métis familiar with the dialects of the region and trusted by the Amerindians.

To this end, Morris recommended the Honourable James McKay for the position, himself an English 'halfbreed' capable of speaking Sauteaux, Siouan, and Cree. He was, Morris assured Howe, an individual "who has great influence with the Indian Tribes, and who gives largely to

⁴⁵⁹NAC. RG10. Vol. 3586, file 1137. Alexander Morris to Joseph Howe, 13 December 1872.

⁴⁶⁰*Ibid.*

them of his own means, having done so in one year alone, to the extent of \$1500.”⁴⁶¹ While Morris would ultimately have to settle for a political appointment out of Ottawa in the Honourable J.A.N. Provencher, McKay would nonetheless prove to be one of Morris’s closest advisors and confidants in the years to come. While Morris’s policy for the negotiation and administration of treaties was perhaps an enlightened one, he did not yet fully appreciate that, due to the symbolic significance his office, he would have to take a direct, personal role in treaty-making, and, later on, bring about the fulfilment of the treaty promises.

Problems with Provencher

Appointed Indian Commissioner in February 1873, J.A.N. Provencher’s duties included overseeing the survey of reserves and the distribution of annuities, agricultural implements, cattle, and other items promised under Treaties 1 and 2. By June 1873, however, Morris had already found fault with the administrative setup of Indian Affairs and with the new Indian Commissioner in particular. Morris wrote Minister of the Interior Alexander Campbell to express his concerns.

The letter revealed much about Morris’s early perceptions of the importance of his position, authority, and the challenges of the North-West. He did not take Indian Affairs management lightly: “The Indian question is, I am sorry to say, a very large one, and one that will tax the best skill of the Government to solve satisfactorily.”⁴⁶² Moreover, the government could ill-afford to leave the responsibilities to a mediocre administrator. Morris, normally a man of calm words, voiced extreme frustration with Provencher. The Indian Commissioner was

⁴⁶¹*Ibid.*

difficult to get a hold of, did not consult Morris on issues of importance, and repeatedly failed to reply to Morris's queries. Moreover, Morris was beginning to appreciate the symbolic significance of his office. "The present working of Indian affairs is very unsatisfactory to me. The Indians will always see 'the head chief,' and look upon me, as Sir John phrased it in one of his letters, as 'the central figure,' but I have no control over the Commissioner, do not know what he is doing or what he may have said to the Indians on subjects they interrogate me about, and thus a conflict of statements may ensue."

Morris had been particularly agitated by what he considered Provencher's poor handling of a band of Sioux who had moved from the United States to the vicinity of the fledgling settlement at Portage la Prairie. All too aware of the violent relations between Sioux and Americans south of the border, and fearful that they might attempt to persuade their brethren in British territory to similar effect, Morris was adamant that the Sioux who had recently moved to Canada would have to be handled with tact and sensitivity. Moreover, while acknowledging that the Sioux had no territorial claim to make a treaty, Morris still believed they should be dealt with fairly, assisted and given a reserve, both out of 'humanity,' and for strategic reasons. As such, he became understandably frustrated when Provencher failed to follow his advice and attend a scheduled meeting with McKay and the Sioux at Portage la Prairie, to help identify land for a reserve. Morris had by now developed a strong respect for McKay, including his knowledge of the Sioux language, having recommended that Provencher take him along to the Portage: "I need not point out how improper it is to break such an appointment as this, especially with such a tribe," Morris told Campbell.⁴⁶³

Provencher had only been on the job a couple of months when Morris began receiving

⁴⁶²NAC. RG 10. Vol. 3605, file 2903. Alexander Morris, 23 June 1873, to Alexander Campbell. 'Confidential.'

complaints as to his conduct. Chief Henry Prince, from a band of Saulteaux north of Winnipeg, appealed directly to the office of the Lieutenant-Governor as representative of the Queen, with whom his people had signed their treaty. He complained that Provencher had failed to provide promised agricultural implements for his band, who were anxious to begin farming. Prince had felt insulted by Provencher's conduct and insensitivity to Amerindian customs and diplomacy. He even went so far as to suggest that Provencher had irritated the Sioux in a similar manner.⁴⁶⁴ Prince's remarks were corroborated by Archdeacon Abraham Cowley, who knew the Christianized band intimately. Cowley appealed to Morris as man with a reputation for respecting the Amerindian people more than the average official: "Possibly Mr. Provencher thinks of our Indians as savages to whom time is of small value. If so, then all the more serious the error of his plan. My dear Governor, I earnestly beseech You never allow us to be again forced into conflicting contact with the Powers that be."⁴⁶⁵

Morris, it seems, was inclined to side with the band of Saulteaux over his colleague, and dutifully sent along their correspondence to Campbell. This incident only confirmed his misgivings about "the Indian management here." Moreover, Morris was concerned that Provencher would only follow the failings of his predecessor, Simpson: "This sort of thing cannot go on, and we are really with Provencher, as compared with his predecessor, 'out of the frying pan, into the fire.'" Morris continued: "I feel my position very embarrassing. Provencher has avoided me ever since he came here, and I have no right to direct him, though I see things going wrong, and yet am held responsible by the Indians."⁴⁶⁶ It was an impossible situation, with Provencher's word against that of the Saulteaux band. Understanding that he had no other option

⁴⁶³*Ibid.*

⁴⁶⁴NAC. RG 10. Vol. 3598, file 1356. Chief Henry Prince to Alexander Morris, 23 June 23 1873.

⁴⁶⁵NAC. RG 10. Vol. 3598, file 1356. Abraham Cowley to Alexander Morris, 23 June 1873.

but to work with Provencher, Morris insisted to Campbell that he should sit on any Board that might oversee Indian Affairs management. Further, he requested that Campbell instruct Provencher "to act with me and under my advice."⁴⁶⁷ It was a sign of things to come, as Morris, in consideration of the shortcomings of his colleague, would increasingly take it upon himself to intervene in the administration of Indian Affairs and to help bring about the implementation of the treaty obligations.

The structure of Indian Affairs administration

Provencher was not the only source of difficulty for treaty implementation. Throughout Morris's tenure, Ottawa's policy was one of fiscal restraint. Among other things, the Department of the Interior encouraged its officials in the North-West, including Provencher, to deliver as few implements and provisions as possible – often without regard to the amounts promised in the treaties – and to supplement small amounts of cash for more costly treaty implements. Senior departmental staff often chided officials on the ground for being too 'generous' in distributing agricultural implements and annuities, and demonstrated reluctance in approving reserve lands selected by the Amerindians.

There were also logistical difficulties. The huge expanse of the territory made for costly and time-consuming transportation. Getting the promised annuities and agricultural implements to the many scattered bands, or sending officials to help identify reserve lands was no simple task. This was compounded by the fact that Indian Affairs in Manitoba and the North-West Territories was grossly understaffed. It was equally difficult for the Amerindians to travel

⁴⁶⁶NAC. RG10. Vol. 3598, file 1356, Alexander Morris to Alexander Campbell, 26 June 1873, 'Confidential.'

hundreds, or even thousands of kilometres to see Provencher or Morris, especially when they were busy hunting, trapping, or seeding. Finally, ultimate decision-making authority, especially on items that required funding, lay with the Minister of the Interior in distant Ottawa. Issues requiring immediate action were often delayed by a months-long approval process.

In order to address these many challenges, Morris would lobby throughout his tenure for a more efficient structure to the administration of Indian Affairs in the North-West. His recommendations were shaped by a combination of the practical considerations, past experience in managing his own land speculation interests, and a desire to place the troublesome Provencher under his authority. Moreover, Morris wanted to centralize decision-making authority in Manitoba, so as to bypass the delays caused by referral to the Ottawa bureaucracy. He became increasingly convinced that Department officials simply did not appreciate the situation on the ground in the North-West, and the need for more liberal spending. As he became more personally attached to the treaties through the negotiation process and his constant interactions with the Amerindian leadership, he grew less inclined to leave the direction of treaty implementation to anyone else.

From an early date, Morris had found the administrative setup for Indian Affairs in the North-West “eminently unsatisfactory.” The system he had inherited upon his appointment as Lieutenant-Governor consisted of a “Board of Indian Commissioners for Manitoba and the North-West Territories,” which set policy and oversaw administration. The Board was made up of Morris, Provencher, and the Chief Lands Officer of Manitoba.⁴⁶⁸ Among other things, Morris felt overworked, and, while prepared to offer advice from time to time, and to negotiate the

⁴⁶⁷ *Ibid.*

occasional treaty, he was not yet inclined to take a direct hand in the day-to-day administration of Indian Affairs and treaty implementation. Morris wanted the Board abolished, and for the North-West Council – “a body comprised of intelligent and representative men” who understood the local circumstances – to set policy and run the administration of Indian Affairs. This arrangement would put Morris in charge of major decision-making as the top executive of the Council, and place the troublesome Provencher officially under his authority, if not under his direct supervision.⁴⁶⁹ Another central feature of Morris’s plan was to increase staff on the ground and separate the implementation of existing treaties from the negotiation of new treaties. The practise of having a single Indian Agent (Provencher) and an officer make treaty payments over the whole territory, for instance, was simply unrealistic. “[A]nd besides,” Morris wrote the David Laird, the Minister of the Interior, “it is not just to compel a band of Indians to come and return, in some cases 100 miles to receive the small gratuity of \$3 per head.”⁴⁷⁰ Morris advocated for the “employment of the Metis (*sic*) as Indian agents”⁴⁷¹ – an idea supported by the Manitoba government. Such a move would have been seen as a meaningful diplomatic gesture by both the Amerindians and the Métis.

Morris gave very specific recommendations as to how treaty implementation was to be managed efficiently. “I regard it as of vital importance that the existing Treaties should be carried out to the letter,” he told Laird. The Chief Indian Agent, assisted by a good accountant, would have the sole responsibility of overseeing treaty implementation. Morris then drew from his experience managing his own land speculation, in which he had paid local individuals to oversee his interests in the far-flung reaches of Ontario. The Chief Indian Agent would have sub-

⁴⁶⁸NAC. RG10. Vol. 3605, file 2946, Report of Alexander Morris to the Minister of the Interior, 24 January 1874.

⁴⁶⁹*Ibid.*

⁴⁷⁰*Ibid.*

Agents “appointed to him,” not appointed *by* him, so as to ensure a check on the appointment process. The sub-Agents would each carry out the treaty provisions in a given district. They would be responsible for visiting each reserve – or a location predetermined in agreement with the band – once a year and “make the payments to them, report as to the state of the schools where established, see to the distribution of grain, agricultural implements, ammunition, twine, and any other articles promised in the Treaties.” The Chief Agent would supervise the sub-agents, and, with the assistance of his accountant, “have charge of the receipt of all monies, and the distribution of these through the sub-agent to the Indians.”⁴⁷²

It is interesting to note here that Morris’s instructions would have the funds kept out of the hands of the sub-Agents in as far as possible. Nor would the sub-Agents be free to act independently with the given bands – there would be a mechanism for accountability allowing the bands some recourse over their respective sub-Agents. The Chief Agent would be obliged to visit each sub-Agent semi-annually, and “from time to time, to visit any Indian Band who might bring any grievance before him, or whose condition he might desire to ascertain.”⁴⁷³ This last recommendation was likely inspired by Morris’s recent experience at the North-West Angle, where he had promised Chief Mawedopenais that those responsible for treaty implementation would be held to account.⁴⁷⁴ Morris did not envision the much more invasive system, developed after his tenure, in which each band would have a resident Agent appointed to it, to effectively run its affairs and screen decisions made by the band council.

Morris urged that the delicate process of “[e]ffecting new treaties” should be tasked to only the most competent individuals, and completed by 1875. Not trusting Provencher’s

⁴⁷¹NAC. RG 10. Vol. 3605, file 2903. Alexander Morris, 23 June 1873, to Alexander Campbell. ‘Confidential.’

⁴⁷²NAC. RG10. Vol. 3605, file 2946, Report of Alexander Morris to the Minister of the Interior, 24 January 1874.

⁴⁷³*Ibid.*

diplomatic skills, Morris's new system would guarantee that the Chief Indian Agent would play no role in negotiating treaties, and be restricted to the duties of implementing existing treaties. Instead of making the Board responsible, Morris recommended that "three special Commissioners ... be appointed from time to time, as occasion may arise, for negotiating each Treaty." Morris believed the responsibility could only be entrusted to individuals who understood the Amerindian peoples and the local context: "Fitting men for such a duty could be found among the members of the North West Council or elsewhere in the country here; men of good business habits, familiar with the Indian character, and some of them with the languages."⁴⁷⁵

Morris's recommendations received official approval from the Privy Council in March 1874,⁴⁷⁶ but problems persisted. It would take years for the changes to come into effect.⁴⁷⁷ The Board, for instance, was not immediately abolished. Even more, Morris's suggested structure of administration failed to address the problem of spending authority having to be approved in faraway Ottawa. On April 21, 1874, for instance, Morris and the Indian Board had requested that authority be given for the early payment of the annuities for Treaty 2, to be paid in May (as opposed to the planned July), so as to provide the bands with the opportunity to purchase seed in time for cultivation. Morris and Provencher had to wait over a month for the reply from Deputy Minister Edmund Allen Meredith. Meredith acquiesced to the early payment, but refused Morris's request for an additional \$2500 for purchasing "seed grain or potatoes to be made to the

⁴⁷⁴See above, and Alexander Morris, *The Treaties of Canada*, p.72.

⁴⁷⁵NAC. RG10. Vol. 3605, file 2946, Report of Alexander Morris to the Minister of the Interior, 24 January 1874.

⁴⁷⁶NAC. RG10. Vol. 3605, file 2946. Order-in-Council, 9 March 1874.

⁴⁷⁷Identifying Indian Agencies and Agents involved a lengthy process. See, for instance, NAC. RG10. Vol. 3616, file 4511; and Vol. 3639, file 7415. Morris's recommendations occasionally met with resistance from other officials who were more concerned with railway development and the interests of settler communities.

other Bands of Treaty No.1.”⁴⁷⁸

Herein lay the problem: Ottawa was not cognizant of the practical difficulties facing administrators in Winnipeg, and as such, often refused expenditures that local officials like Morris deemed necessary. When the Department of the Interior did approve spending, by the time the corresponding between Ottawa and Fort Garry had been completed it was often too late for officials in Manitoba to act. Arranging meeting times with the various bands, and handing out the annuities took considerable time and planning. In other words, by the time they received their annuity (from the often procrastinating Provencher, no less) to buy seed, the Amerindians would find themselves well into June, or even into July.⁴⁷⁹ If anything, spending controls would tighten as a result of Provencher's poor bookkeeping and alleged embezzlement of Indian Affairs funds.⁴⁸⁰ It was on these grounds that in April 1875 Meredith cancelled Provencher's access to a \$100,000 credit that had been available for making rapid purchases for Indian Affairs administration.⁴⁸¹

In June, Morris requested that full authority for Indian Affairs management be transferred to Manitoba, with an expanded role for the Lieutenant-Governor. On a personal level, the treaties had become too important for Morris to leave their completion and carrying out to other officials who were either less competent, like Provencher, or, like Meredith and others in Ottawa,

⁴⁷⁸NAC. RG10. Vol. 3609, file 3325, E.A. Merideth to Alexander Morris, 18 May 1874. Authorities in Ottawa insisted that spending lay strictly within the express written terms of the treaty.

⁴⁷⁹See NAC. RG10. Vol. 3609, file 3325. By May 28, 1874, Provencher had received the spending authority. Until then he had been under instructions from Ottawa to not spend more than the money at hand. Provencher was obliged to return all funding left over at the end of the year that had been earmarked for annuities. Had he been allowed to carry over the funding to the next year, Provencher could have avoided delay on paying the next year's annuities. See Vol. 3610, file 3456.

⁴⁸⁰In early 1875, Meredith sent one of the Department's own officials, Rob Sinclair, to report on Provencher's management of Indian affairs expenditures. According to Sinclair, Provencher was continuing to grossly mismanage spending on Indian Affairs in Manitoba, miscalculating purchases for treaty implements, and often spending more than Sinclair deemed necessary. He even went so far as to suggest that Provencher might be embezzling money. Unsurprisingly, Sinclair recommended tightening spending controls on Provencher. See NAC. RG10. Vol. 3621, file 4719, Rob Sinclair to the Minister of the Interior, 2 April 1875.

incognizant of Amerindian diplomatic traditions and the realities on the ground. Moreover, Morris's years in Manitoba had convinced him that the Amerindians of the North-West would settle for nothing less than a direct relationship with an official representing the Crown, and not just the Department of the Interior. Unlike his predecessor, Archibald, Morris appeared to have welcomed the close rapport he developed with the Amerindian leadership over the years.⁴⁸²

Early in his term, Morris had been reluctant to implicate himself directly in Indian Affairs management. But by mid-1875, he wanted to be placed in a position of direct authority and supervision of both treaty negotiation and treaty implementation. This would allow Morris to bypass Ottawa and its conservative fiscal policies in much of the decision-making, and to address issues that the Department of the Interior had long neglected.⁴⁸³ Morris's new recommendations would effectively place him at the top of the administrative pyramid:

I regard the dealing with this subject as of such vital importance that if placed in a position of proper authority thereon, I would not now object the move, especially in view of my diminished sphere of labour and of duty, and if the place for the appointment of resident Indian Agents in the bounds of the several Treaties be adopted, to serve as chairman of an Indian Board, having the supervision of the [existing and future] Treaties.... I would propose that the Board should be composed of the Lieut. Governor, the Chief Indian Agent, and one other person to be selected on my recommendation, and to possess familiarity with the character of the Indian Tribes, influence with them, and other necessary business qualifications. The Board should be clothed with power of supervision over the Agents and should also fix the times and places of payment of the several Bands of Indians and assign to the Chief Agent and sub agents, the Bands whom they should respectively visit from time to time....

All questions relating to the carrying out of the Treaties with regard to which any difficulty might arise should come before the Board. Tenders for supplies to the Indians

⁴⁸¹See NAC. RG10. Vol. 3621, file 4719. E.A. Meredith to J.A.N. Provencher, 22 April 1875.

⁴⁸²NAC. RG10. Vol. 3622, file 5013, Alexander Morris to the Minister of the Interior, 18 June 1875. "My experience during the past two and a half years has been that the Indians will invariably pass by the subordinate officers of the Indian Department and come with their requests or grievances to the Lieut. Governor.... It will be impossible to prevent their doing this, nor would it be wise to attempt to do so, as the position of Lieut. Governor gives that officer greater influence with them, than any other can elicit, and a courteous reception and kindly hearing from him always gratifies them."

⁴⁸³*Ibid.* In this letter Morris also urges action on the Treaties 1 and 2 'outside promises,' "which the Indians allege with so much persistency ... and which have led to so much dissatisfaction amongst them." Referring to a despatch of March 16, 1874, Morris remarks with some impatience that "I have frequently called attention to this subject."

should be referred to the Board for approval before acceptance.

I think that if such a plan was adopted, that the delays arising from a reference to Ottawa of matters of detail would be avoided and a firm and prompt administration of Indian Affairs would be obtained.⁴⁸⁴

Whereas the first Indian Board had been purely advisory, the new Board would take on an executive role. It would also finally place Morris in a direct position of supervision over Provencher's handling of treaty implementation. Morris would have to wait eight months for a decision on his recommendations. In the meantime, while continuing to lobby for formal recognition of his authority, he informally took on an ever-increasing role in Indian Affairs administration.

Morris and the Sioux

One of Morris's immediate concerns with regard to Indian Affairs management had to do with the Sioux near Portage la Prairie in Manitoba. The status of the Sioux in Manitoba was uncertain, as they had only recently moved to the province as refugees from the United States. As such, they had no territorial claim upon which to make a treaty. Despite this, Morris demonstrated an initial leniency in comparison to Provencher and his colleagues in Ottawa when it came to the Sioux, advocating initially that they be granted a modest reserve of land, and, later, that the federal government provide them with assistance for farming and temporary sustenance.

Morris's reasons were both strategic and humanistic. As early as November 1872, Morris and the North-West Council had called for a reserve at the junction of the Assiniboine and Little Saskatchewan rivers, at a safe distance from the United States, Canadian settlers, and the Saulteaux – occasional enemies of the Sioux. As Morris explained to his colleagues in the Privy

Council, “it is extremely questionable whether it would be good policy, or consistent with humanity to insist upon the Reserve being in such proximity to the American Territory, ... [and] those who are still hostile to them.”⁴⁸⁵ From the beginning, then, Morris took a measure of pity with the Sioux refugees, especially in relation to the treatment they had received in the United States.

Strategically, Morris was concerned, on the basis of reports from the field, that the Sioux, if not treated generously, might resort to violence in their desperate state, attacking settlers newly arrived from Ontario. They might even threaten the important HBC post of Fort Ellice, or ally with their Sioux brethren in the United States.⁴⁸⁶ To this end, Morris suggested that some kind of force be created, possibly made up of a local militia, including Métis volunteers.⁴⁸⁷ It was the first conceptualization of what would eventually become the NWMP. Moreover, Morris was equally concerned that the Sioux on the American side of the border might destabilize the entire region from Manitoba to the Cypress Hills, persuading not only their Sioux brethren in Canada to ally with them in war against the Americans, but also agitate the Saulteaux and Cree. Indeed, some of the reports Morris was receiving from officials on the ground were cause for real alarm.⁴⁸⁸ In this context, it is unsurprising that Morris would be so upset at Provencher’s early bungling of an incredibly delicate situation.

For his part, Morris was careful to follow a cordial diplomacy with the Sioux,⁴⁸⁹ readily

⁴⁸⁴*Ibid.*

⁴⁸⁵See NAC. RG10. Vol. 3583, file 1128. Alexander Morris to Alexander Campbell and Joseph Howe, November 1872.

⁴⁸⁶See NAC. RG10. Vol. 3611, file 3679. Alexander Morris to the Minister of the Interior, 13 July 1874.

⁴⁸⁷See NAC. RG10. Vol. 3600, file 1567. Alexander Morris to the Secretary of State for the Provinces, 21 March 1873. Another part of Morris’s strategy was to send Pascal Breland to the Fort Ellice area, to suggest treaty with Cree and Assiniboines in order to “quiet those tribes” – Morris did not want to risk their agitation while the Sioux posed a threat. Canada needed their friendship and goodwill.

⁴⁸⁸See NAC. RG10. Vol. 3602, file 1848. Archibald Macdonald of the HBC post, Fort Ellice, to Alexander Morris.

⁴⁸⁹See, for instance, NAC. RG10. Vol. 3613, file 4049.5, Alexander Morris’s report of a meeting at Qu’Appelle with

receiving the “recognised chiefs of the Sioux nation,” such as Young Chief, at Government House when they visited Fort Garry, and observing the practise of gift-giving upon each occasion.⁴⁹⁰ James McKay, who could speak the Sioux language and was on good terms with the Portage Sioux, was normally present as an interpreter on such occasions. Morris and McKay managed to reach an understanding of sorts with the band. As these Sioux had been living on the British side for twelve years, Morris promised them a reserve near Portage la Prairie, and promised to forward their requests for agricultural implements along to Ottawa. In exchange, he “impressed upon them the necessity for their being orderly and quiet, told them that they must on no account trouble the settlers or the other Indians, and must go at once on to their reserve lands – all which they promised.” Morris sealed the exchange by providing the chiefs and councillors with gifts. Impressed by the band’s demonstrated work ethic, and their good relations with the settlers of Portage la Prairie, Morris was optimistic that, if properly assisted, “the Band will settle down and become useful.”⁴⁹¹

Such matters normally would have fallen to Provencher, but Morris took it upon himself to help identify potential reserves and lobby Ottawa on behalf of the Sioux. After some additional persistence, by late August, Morris got approval from Ottawa for a reserve and implements. The approved reserve, however, was to be located on the western shore of Lake Manitoba – not at the junction of the Little Saskatchewan and Assiniboine rivers as the Sioux had desired, and as Morris and the North-West Council had recommended.⁴⁹² Additionally, the promised implements were late in arriving. By January 1874, Morris found himself once again

a party of Sioux from Wood Mountain, 16 September 1874. “The Queen wishes to be good to you though you are not her children,” Morris told them.

⁴⁹⁰NAC. RG10. Vol. 3603, file 2118. Alexander Morris to the Minister of the Interior, 10 January 1874.

⁴⁹¹NAC. RG10. Vol. 3603, file 2118. Alexander Morris to the Secretary of State for the Provinces, 7 June 1873.

⁴⁹²See NAC. RG10. Vol. 3605, file 2905. Alexander Morris to the Minister of the Interior, 4 August 1873. See also Vol. 3603, file 2118, “Copy of a Report of a Committee of the Honorable (*sic*) the Privy Council, approved by His

being visited by the Sioux – anxious to have their desired reserve and the means to begin cultivation – and having to persuade a new government in Ottawa to meet the commitments that had been made the previous year.⁴⁹³ Morris met with the Portage Sioux in mid-1875 to finalize the location of their reserve, at the river junction as they had requested.

Morris's report on this meeting to the Minister of the Interior is significant, as it reveals his understanding of how the reserve system was to function, and the future security he hoped the Amerindians might one day enjoy.⁴⁹⁴ The subject of the reserves would be of much controversy after Morris's departure. Unlike the officials that would succeed his office and function in later years, Morris did not envision a system in which the Amerindians would be forcibly confined to their reserves. The Sioux, he explained to his superior, had come to believe that "they would be confined on it and would not be able to hunt. I succeeded in removing the erroneous impression, and caused them to be assured that while the Reserve was to be their home, they would be at liberty to hunt and fish, and their men could in the ploughing and harvest season, hire out their labour, taking care to plant and harvest their own crops." Moreover, the reserve would provide them with a safe place to live, and would be but one means for making a living. He concluded his report: "I am very sanguine, that the Sioux can be induced to combine growing crops, with the pursuit of game, fur bearing animals and fishing, and eventually, to adopt the habits of civilization."

While it has been argued elsewhere that the ultimate objective of Canadian Indian policy was assimilation, Morris did not envision such an extreme scenario in which the Amerindian

excellency the Governor General in Council on the 13th August 1873."

⁴⁹³See NAC. RG10. Vol. 3603, file 2118, Alexander Morris to the Minister of the Interior, 10 January 1874, See also Vol. 3613, file 4048, Alexander Morris to the Secretary of State, 31 October 1874.

⁴⁹⁴NAC. RG10. Vol. 3609, file 3289, "Fort Ellice Agency - General correspondence regarding an agreement reached between the government and the Sioux. 1874-1875." The file includes a transcription of discussions between Morris and the Sioux in 1875. The section of Morris's report is undated, but is likely from Spring or Summer 1875.

peoples would 'disappear into the rest of society.' Morris's reference to hunting and fishing suggests that he believed that the Amerindians could and should be allowed to continue their traditional practises, simultaneously as they adopted new ones. In this sense, 'the habits of civilization' was perhaps applied as more of an economic term. In his correspondence of this period, Morris applied the term 'civilization' synonymously with that of a largely sedentary existence in which agriculture could be taken up. Additionally, his understanding of the reserve system, in which bands would continue to exist as distinct communities, with a measure of self-administration, would have run counter to any assimilationist objectives.

Morris came increasingly to empathize with the plight of the Sioux refugees. He was impressed by their sincere attempts at agricultural practise and by their Christianization. Consistent with his understanding that the Amerindians would not be forcefully confined to their reserves, he proved sympathetic when they expressed their intent to refrain from moving immediately to the reserve – contrary to Ottawa's wishes and the wishes of some local residents:

They [the Sioux] said as they had no means of living there this winter and no farm produce, they would remain in the settlement for the winter, earning what little money they could by cutting hay and working for the farmers and eking out a living by catching fish at Lake Manitoba.... I thought their views reasonable and could not in the circumstances urge them to go to the Reserve this autumn.⁴⁹⁵

Morris recommended that Ottawa provide funding for an agriculturalist to assist the Portage Sioux during their first years of cultivation. Consistent with his understanding that they would be at least partially self-administering, he believed that this supervision should only be temporary, to terminate when the Sioux no longer needed any such direction in their agricultural practise. It was important to Morris that such an individual be both a successful farmer, and familiar with the band. He was confident that, given the right tools and know-how, the Amerindians would

⁴⁹⁵NAC. RG10. Vol. 3623, file 5068. Alexander Morris to the Minister of the Interior, 10 August 1875. See also

become self-sufficient.

By this stage of his tenure, Morris had developed a generally accommodating approach to the negotiation of reserve locations, provisions, implements, and other forms of assistance with Amerindian groups, including the Sioux. Morris had been especially impressed by the character and resilience of the Sioux leadership.⁴⁹⁶ At the very least, then, he was almost always willing to meet with the various Chiefs and Councillors. Provencher, by contrast, remained somewhat aloof, and was much more likely to blow off the Amerindians' complaints and concerns.⁴⁹⁷

As Morris became more sympathetic to the plight of the Sioux and insistent that they be provided with the necessary means to become self-sufficient, his views increasingly diverged from those of officials in Ottawa as well. When in early 1876 Deputy Minister Meredith expressed his anxiety at the Lieutenant-Governor's handing out of provisions and presents to the Portage Sioux,⁴⁹⁸ for instance, an exasperated Morris found himself having to explain and defend the time-honoured practise of gift-giving. He reminded Meredith that Ottawa would do well to avoid the folly of American Indian policy when it came to the Sioux – a sentiment he had expressed three years earlier. Morris's response to the Deputy Minister betrayed his frustration:

Their importance [the Portage Sioux] is magnified far beyond their number, by their relation to the Sioux in the United States, who cost the American Government so much in the maintenance of troops, and with whom a constant warfare is waged. The Sioux in Canada can be made valuable subjects, but when times of poverty such as now visit the Province, it will be necessary to aid them. I adhere to my policy of settling them on Reserves, and by a small aid, enabling them to become settlers of the soil, and that policy will be the cheapest and best for the Dominion. With regard to the small presents I give

Morris to the Minister, 9 September 1875.

⁴⁹⁶See NAC. RG10. Vol. 3625, file 5493. Alexander Morris to the Minister of the Interior, 11 October 1875; Vol. 3625, file 5494. Alexander Morris to the Minister of the Interior, 11 October 1875, including enclosed letter from Morris to Sioux Chiefs, by care of Christie; and Vol. 3627, file 5957, Alexander Morris to the Minister of the Interior, 17 February 1876. "... it is very important that these wandering Bands should be ... placed in a position to become, as I believe they will do, a self sustaining community...."

⁴⁹⁷See, for instance, NAC. RG10. Vol. 3623, file 5068. Alexander Morris to the Minister of the Interior, 1 July 1875.

⁴⁹⁸Meredith was concerned that the Sioux should not become dependent on the provisions Morris had given them. NAC. RG10. Vol. 3623, file 5045, E.A. Meredith to Alexander Morris, 3 February 1876.

them, I did so, in conformity with a custom prevailing here, descending from the Hudson Bay Company's rule, and apart from that, as a matter of simple humanity.⁴⁹⁹

Such correspondence and exasperation of tone on Morris's part was typical as he neared the end of his term.⁵⁰⁰

The local context of having to deal with the Sioux, then, had greatly influenced Morris's changing perception of Indian policy. Unlike some of his colleagues, Morris came to appreciate the initiative shown by Amerindian groups in their desire to take up agricultural practise. Morris's 'generosity' in dealing with the Sioux was demonstrative of his sympathies with the plight of Amerindian peoples, and of his genuine desire to see them succeed as self-sustaining, independent communities, and to integrate (and not assimilate) within the larger Canadian politic. Morris's approach to dealing with the Sioux had repeatedly put him at odds with Provencher and the keepers of the federal purse strings in Ottawa. The challenge of treaty implementation would further inform Morris's view of Indian Affairs administration.

Implementing Treaties 1 and 2: the 'outside promises'

The earliest treaty implementation challenge that Morris had to face involved the so-called 'outside promises' of Treaties 1 and 2, signed in 1871. The 'outside promises' consisted of

⁴⁹⁹NAC. RG10. Vol. 3623, file 5045, Alexander Morris to the Minister of the Interior, 25 February 1876.

⁵⁰⁰Some officials proved more helpful than others. While various officials in Ottawa scrutinized and criticized Morris for his alleged generosity, David Laird, Minister of the Department of the Interior, and one of the Indian Commissioners who negotiated Treaty 4 with Morris – a man who had actually been to the North-West and witnessed firsthand some of the challenges the region faced – would eventually approve of a number of Morris's recommendations with regard to the Sioux. Requests forwarded by Morris for changes to reserve locations, as well as additional provisions for the Sioux during this period, were often approved. Laird also acquiesced to terms that Morris negotiated with the Sioux to entice them to "remove as early as possible this year to the new Reserve," including \$800 worth of additional cattle and farm implements. See NAC. RG10. Vol. 3623, file 5068, David Laird to Alexander Morris, April 26, 1876. Morris personally made arrangements to procure farm implements and oxen for the Sioux. See this file, Frank Decker to the Minister of the Interior, 2 August 1876.

a series of items that the Amerindian leadership insisted had been included in the negotiations with Archibald and Simpson, but had not been written down in the treaty texts. The root of the miscommunication lay between the then-Lieutenant-Governor and the interpreter, the latter apparently having promised more than what was said. Even more, Archibald and Simpson had made different promises. As a result, Amerindians party to the treaty had begun to voice strong complaint by late 1872 that the treaty as they understood it was not being fulfilled. Some refused their annuities to signal their rejection of the treaty.⁵⁰¹

The government was reluctant to acknowledge the outside promises. First, the new Canadian Dominion was indebted, facing a severe economic recession, and had few sources of taxation. Ottawa did not welcome the prospect of having to add a number of expensive provisions to treaties that had already been signed. Second, officials in Ottawa and, to an extent, at Fort Garry, were concerned that acknowledging the promises would only encourage more demands from the Amerindian leadership. Finally, the Euro-Canadian legal tradition after which the treaty text was based depended heavily on a literal interpretation of the written word of the law, and not the context surrounding negotiations or the intent of the parties. Morris was himself a product of this legal tradition, but would come to adopt a certain flexibility in his interpretation of the treaties.

In time, the 'outside promises' dilemma would go a long way in informing Morris's outlook on treaty-making and treaty implementation, and his perception of the Amerindian understanding of the treaties. Ultimately, he would come to sympathize significantly with the Amerindian peoples he believed had been short-changed in the making of those treaties.⁵⁰²

⁵⁰¹NAC. RG10. Vol. 3598, file 1447. Report from Indian Agent Molineux St. John, 24 February 1873.

⁵⁰²Morris was not the only public official to voice concern over the terms of the treaties. See NAC. RG10. Vol. 3604, file 2202. J.A.N. Provencher to the Minister of the Interior, 16 July 1873. Provencher remarks that some

Despite his initial reservations about becoming overly involved in the administration of Indian Affairs, he would take it upon himself to personally renegotiate the two treaties and to ensure that the promises were carried out. Morris's views would increasingly diverge from those of the Department of the Interior in Ottawa, leading to bureaucratic infighting and, ultimately, Morris's removal from treaty implementation altogether. This experience, perhaps more than any other, captures the transformative effect that the treaty-making process had on Morris. The precedent of the 'outside promises' led Morris to appreciate the importance that there be full, mutual understanding during negotiations, and the importance of having a capable interpreter. Moreover, as he came to appreciate that the government-Amerindian relationship entailed a fiduciary responsibility that went beyond a rigid reading of the treaty terms, he was forced to reconcile government financial considerations and the 'letter-of-the-law' world-view engendered by his legal background and previous life experience, with the growing empathy he began to develop for his Amerindian colleagues. Ultimately, Morris would call for a reading of the treaties that, while respecting the letter of the law, also allowed for a more generous interpretation of the treaty relationship.

Morris took up the cause of the 'outside promises' slowly, suggesting a gradual change in his mindset. Many of the difficulties facing the Treaty 1 and 2 Amerindians had been exacerbated by the poor administration of Provencher. Morris attempted to mitigate this problem by intervening on a more regular basis, but with mixed results. In March 1874 he reported to Ottawa on the destitution of the Amerindians near Lower Fort Garry, owing to the failure of their fishery and crops, due to a grasshopper plague. Morris suggested to the Department that

members in the House of Commons had criticized the paltry terms of the treaties (1 and 2).

annuities be given early in April, and that additional flour, pemmican, and funds for seed be provided. His efforts met with early success, as the government approved \$1000 and early annuities.⁵⁰³

Instead of promptly carrying out the approved instructions as per the responsibilities of his office, however, Provencher delayed. Over a month later, he was writing Ottawa to question whether the amount of money to be spent had indeed been approved – something that a quick look at his records or a short communication with Morris certainly would have confirmed. Provencher also applied an obstinately literal interpretation of the treaty text to question whether the Amerindians should be given seed for potatoes, as this was not explicitly included in the treaty, despite having himself acknowledged that, given the circumstances, root crops were far more likely to succeed and avoid the ravishes of the grasshopper than would grain, which *was* included in the treaty text. Provencher also delayed on the grounds that he did not know exactly which families living among the band were under the treaty. He maintained that Ottawa's policy was to provide the agricultural implements strictly to treaty Indians. The inevitable result of this constant referral to Ottawa was further delay and discouragement for the Amerindians, who had made honest efforts to commence cultivation. The only discretionary action Provencher did take was to provide the Amerindians with less implements than had been approved by Ottawa: "I curtailed, considerably, the number or rather ration of ploughs for which it was authorized to make requisition," he reported with a sense of accomplishment.⁵⁰⁴

Morris's frustration with the situation was evident. "[T]heir want is very great indeed," he telegraphed Laird on April 25, 1874. A week later his tone betrayed even greater urgency:

⁵⁰³See NAC. RG10. Vol. 3607, file 3008, Reports of Alexander Morris, March 1874.

⁵⁰⁴See NAC. RG10. Vol. 3607, file 3008, J.A.N. Provencher to the Minister of the Interior.

“can no help be extended them - answer.”⁵⁰⁵ The Department stonewalled Morris’s requests for assistance. Deputy Minister Meredith pointed out that the Amerindians already received over \$14,000 in annuity payments and challenged Morris to identify where in the text of Treaty 1 it was promised to provide such extra seed. It was at this point that Morris invoked the outside promises for the first time, referring to a number of dispatches by Archibald and St. John in which the promises had been referred to. Morris also argued that since the white population was being “aided by local govt (*sic*),” it would be hypocritical not to extend such assistance to the Amerindians. To be sure, the letter of the treaty text had perhaps been carried out, but with the destruction of the crops, the Amerindians required additional seed. Moreover, the spirit of the treaty relationship – of mutual assistance – should be carried out on the basis of good faith and compassion.⁵⁰⁶ Incidents of such difference of approach between Morris on the one hand, and Meredith and Provencher on the other abound in the historical record. Each one contributed to Morris’s growing conviction that the spirit of the treaties was not being faithfully carried out.

Morris learned firsthand of the many grievances of the Treaties 1 and 2 Amerindians through the constant visitation of Chiefs and Councillors to Fort Garry. The records of Morris’s encounters with the Amerindians of Treaties 1 and 2, and with Yellow Quill in particular, are significant in tracing his understanding of the Amerindians he met, his capacity to communicate with them, and the extent of his sympathy for them. In July 1874, in what would be the first of many encounters to come, Morris spent four hours discussing the outside promises with Chief Yellow Quill and a number of his band members, from the vicinity of Portage La Prairie. Yellow Quill insisted that his reserve was not as large as what had been promised at the treaty. Despite

⁵⁰⁵NAC. RG10. Vol. 3608, file 3192, Alexander Morris to the Minister of the Interior, 25 April 1874, and 5 May 1874.

⁵⁰⁶It bears mentioning here that many of the people living at St. Peters were Métis, but, unlike Provencher, Morris

the corroborative testimony of James McKay and St. John, Morris remained wholly unsympathetic, arguing that, according the written terms of the treaty, the band had in fact received more than they were technically due on a per-family basis.⁵⁰⁷ On the land question, then, Morris was as much a stickler for the 'letter-of-the-law' as he had been in his own private dealings in land speculation. In short, land and the priority of encouraging settlement remained paramount.⁵⁰⁸

Morris proved more sympathetic, however, when Yellow Quill brought up the "other things promised and not given to them." In his report to the Minister, Morris acknowledged the likelihood that certain promises may indeed have been made, and that they should be kept, regardless of whether they had been written down, in order to retain the trust of the Amerindians:

These I found were what I have of late referred to as the outside promises made at Treaty 1 and 2 viz. seed grain, implements, etc. I found the Indians of all the Bands claim the fulfilment of these promises and you have already been furnished with corroborative testimony as to them. I would strongly urge a decision by the Government with regard to this question, as the harm that arises from the Indian mind being impressed with the belief that the white has broken his promises is very great, spreading as it will do through all the tribes.⁵⁰⁹

In other words, Morris had begun to sympathize with the Amerindians, but not on every item (viz. the land question).

This was only the beginning of the change in his outlook on the treaties. Yellow Quill also made reference to the better terms of the North-West Angle treaty, and that "at the Treaty he was told that all the Indians were to be treated alike." The Chief went on to complain that the food provisions being provided had been meagre, especially when assembling to collect the

did not split hairs as to who should receive the seed, recognizing that all of the community were in need.

⁵⁰⁷NAC. RG10. Vol. 3611, file 3730, Alexander Morris to the Minister of the Interior, 24 July 1874.

⁵⁰⁸When Yellow Quill came to visit Morris a year later, clearly upset that little had been done to address the 'outside promises' in the time elapsed, Morris proved as unyielding on the land question as he had the year before. See NAC. RG10. Vol. 3611, file 3730, Alexander Morris to the Minister of the Interior, 22 June 1875.

⁵⁰⁹NAC. RG10. Vol. 3611, file 3730, Alexander Morris to the Minister of the Interior, 24 July 1874.

annuity, and that it was increasingly difficult to keep his people fed. He also pointed out that those who periodically missed the annuity payments did not receive back payments. On these various issues, Morris promised only to report Yellow Quill's various complaints to the Minister of the Interior. In his private correspondence with Laird, however, Morris demonstrated some sympathy. It was both unjust to penalize the Amerindians for their nomadic lifestyle, and to break the annual practise of reaffirming the treaty relationship. "I think that there is no good reason why the arrearages of payment should not be paid," he wrote. "The Indians had a roving life and though they may be a couple of years absent in the plains, they always return, and naturally look upon the non-payment of the money as a breach of faith." Through his interactions with Amerindian leaders like Yellow Quill, Morris also came to appreciate the symbolic significance of the medals and suits worn by the chiefs, and of the flags.⁵¹⁰

While Morris had only partially agreed with Yellow Quill's viewpoint, he was nonetheless wholly impressed by him. "I have given you at some length the views of this very intelligent chief, who was much dissatisfied, but left me in a more contented frame of mind," he reported to the Department. "The result of the interview was to impress me with the absolute necessity of having a decision come to as to how the outside promises are to be dealt with." While not yet advocating a revision of Treaties 1 and 2, Morris believed that the core problem lay with the administration of the treaties and the inefficacy of having one Indian Commissioner

⁵¹⁰See *Ibid.* At his meeting with Morris, Yellow Quill refused to accept the flag, uniform and medal for himself and his councillors. Morris understood this as the Chief's rejection of the treaty and his position as an official of the Crown. "I asked him why, and he said because the promises were not kept. I told him he was under the flag and ought to have it and ought to take the coat given by the Queen. He declined, however, until I told him he was acting very badly and thus throwing back my hand when I offered it to him. He immediately disclaimed any intention of shewing disrespect to the Queen's servant and then said he would accept the coats and flag and would take the medal, though he was ashamed to wear it as it was base metal." Morris demonstrated some understanding, however, promising to procure silver, as opposed to pewter, medals. He remarked that the chiefs at Treaty 3 had reacted in the same manner to their medals. "I hope that this small concession may be made. The Indians attach great importance to them and I am constantly shewn the King George medals, which have been handed down as objects of great

– an official in whom Morris held little confidence, no less – responsible for providing the annuities, farm implements, and reserves for all of the many treaty bands in the North-West.⁵¹¹

Despite his initial position on the size of the Yellow Quill lands, Morris periodically demonstrated flexibility when it came to the reserves. Moreover, he was often impressed by the dignity and intelligence of certain chiefs, and persuaded by them to accede to their demands. In one such incident, Morris was visited during Treaty 4 negotiations by Chief Mekis, the leader of a band of Saulteaux from the Riding Mountain area, and party to Treaty 2. The band wanted to change the location of their reserve, “to where their grandfathers lived,” in another area of Riding Mountain.⁵¹² The band also used the occasion to raise the issue of the outside promises, and to point out the many discrepancies between the terms of Treaty 2 and of the new treaty being negotiated at Qu’Appelle. This was a shrewd move on Mekis’s part, considering the presence of other Amerindians who were about to sign a new treaty with the understanding that the government would act in good faith. Morris was wholly won over by Mekis’s argument. “They trusted to the Queen’s goodness to do this, as the land they had given up was good land and they had always been orderly and well behaved,” he reported to the Secretary of State in October 1874. “I would suggest that inquiry should be made as to the propriety of acceding to their request for a change of the location of the Reserve.... The Band of Indians in question struck me as more than ordinarily intelligent, and are very well disposed. They are desirous to cultivate the soil on the Reserve, if it is changed.” Morris also repeated Mekis’s concern with regard to the outside promises.⁵¹³

value.”

⁵¹¹*Ibid.*

⁵¹²NAC. RG10. Vol. 3613, file 4042. Report of a conversation between Alexander Morris and Chief Mekis, 21 September 1874.

⁵¹³NAC. RG10. Vol. 3613, file 4042. Alexander Morris to the Secretary of State, 17 October 1874. The change in reserve location was ultimately approved. See same file, Order-in-Council, 12 April 1875.

While Morris may have proved somewhat accommodating with regard to the outside promises, his colleagues – even those who had lived and worked in the North-West – were not always so. Both Laird and Provencher proved considerably less sympathetic with the complaints of Henry Prince, a Chief well-respected by Morris. Prince reported that white men had begun cutting down trees on his reserve land, but Laird and Provencher dismissed his complaint out of hand, asserting that he had no proof. Morris would have at least insisted on verifying the claim. It bears mentioning here that, in their dealings with Prince, Provencher and Laird appeared less inclined to speak in the type of language that Morris normally used with the Amerindians – a language in which he used terms of kinship and other turns of phrase with which the Amerindians were familiar.⁵¹⁴ In one incident in mid-1874, members of the Brokenhead Reserve visited Laird to demand clothing, animals, tools, and other implements under the outside promises, and to complain that the land allotted them was of poor quality. Laird, though better disposed than some officials in Ottawa, refused to acknowledge the outside promises, saying only that he could give them what was written in the treaty. Instead, he referred them to Provencher, in what would surely be an unending circle of bureaucracy. Dealing with that unsympathetic figure, they would doubtless have to appeal again over the head of the administrator, and return either to Morris, or to Laird himself. Laird instructed the Amerindians to attempt cultivating first, then to report back and see if they might be so fortunate as to receive further provisions and implements.⁵¹⁵

Sure enough, after the unsuccessful meeting with Laird, the Brokenhead Amerindians

⁵¹⁴See NAC. RG10. Vol. 3613, file 4057, "Correspondence regarding complaints from the Indians of St. Peter's Reserve about unfulfilled treaty obligations and lack of communications with the Commissioner, among others. 1874," various correspondence.

⁵¹⁵See NAC. RG10 Vol. 3613, file 4056, Report of a meeting of Indians with the Minister of the Interior, 15 August 1874.

turned to Morris, sending emissaries to visit him at Fort Garry in January 1875.⁵¹⁶ As had become his usual practise in such cases, Morris provided a detailed report of all the complaints and issues raised by the Amerindians with whom he had held conference. Among other things, they were upset that a promised schoolhouse had not been provided, and that houses they had built and land they had cultivated before the treaty had not been included in their reserve. Morris could only promise that he would bring their complaints before the Minister.

More privately, however, the local context of the outside promises had a real impact on Morris's thinking. Moreover, he had come to appreciate that the Amerindians never forgot the pledges made to them, and that the promises would have to be upheld to maintain their good will, the legitimacy of the treaties, and their willingness to stay bound to those agreements. In his correspondence with Laird, Morris's position was clear and forceful, betraying his growing impatience with Ottawa's slow decision-making. "I take the opportunity of again earnestly urging that a speedy decision may be arrived at, with regard to the [outside promises]," he wrote. "I am of opinion that so fertile a source of discontent and complaint should be considered and steps taken to set the matter finally at rest."⁵¹⁷ Morris had to wait four months for a formal (and altogether negative) reply to his inquiry.⁵¹⁸ While Ottawa remained content to drag its feet on this potentially expensive question, Morris proved the only high-ranking official intent on a speedy resolution. Without spending authority, he had little capacity to act beyond the reports he continually submitted to the Department. Morris could have just as easily not bothered to convey every instance of complaint, knowing that the general message had been transmitted to Ottawa.

⁵¹⁶NAC. RG10. Vol. 3615, file 4412, Alexander Morris to the Secretary of State, 29 January 1875.

⁵¹⁷*Ibid.*

⁵¹⁸See NAC. RG10. Vol. 3615, file 4412. Reply of the Department of the Interior to Alexander Morris, 19 May 1875.

Indeed, officials were beginning to tire of the Lieutenant-Governor's persistence.⁵¹⁹ Nonetheless, he continued to report on each of the Amerindian emissaries from Treaties 1 and 2, and to lobby for action on the outside promises.⁵²⁰ His reports grew in their detail, and his language became increasingly impatient with Ottawa's inaction on the outside promises and the general question of the administrative setup of Indian Affairs.⁵²¹

In August 1875, Morris's continued lobbying finally paid off. The Privy Council approved a review of Treaties 1 and 2, and Morris set off to conduct the negotiations.⁵²² James McKay, who was fluent in Saulteaux and had been present at the original negotiations of Treaties 1 and 2, accompanied Morris and proved instrumental to the success of the renegotiation. Most bands appeared to welcome the new terms being offered them by the government, which entailed provisions similar to that of Treaty 4, including an increased annuity from \$3 to \$5. The Yellow Quill band, however, proved reticent when Morris met with them at Round Plain on the Assiniboine. Specifically, they maintained their claim that their reserve was neither of the size promised to them, nor in the exact location that they had desired. Morris proved once again reluctant to yield on the land question, relying again on a literalist interpretation of the treaty text.

The negotiations soon reached an impasse. Yellow Quill, under pressure from his more militant councillors, expressed the band's displeasure with Morris in a rather blunt letter: "They

⁵¹⁹See various correspondence from the Department of the Interior to Alexander Morris in NAC. RG10. Vol. 3621, file 4767.

⁵²⁰See, for instance, NAC. RG10. Vol. 3621, file 4767. Alexander Morris to the Minister of the Interior, 5 July 1875.

⁵²¹"I was called upon on the 3rd inst by Kay-ta-hi-gannass, chief of the Band of Indians beyond Lake Manitoba on the Waterken River," read one such report in July 1875. "He came to complain that the promises made when Treaty No. 2 was entered into were not being kept though four years had passed. ... of which, you have, so often heard.... I heard him patiently, and told him I would report what he said to the Government. He then left after thanking me for listening to him. I earnestly trust, that this season will not be allowed to pass without steps being taken to settle this long difficulty, and to secure a more thorough administration of Indian affairs, by the appointment of sub-agents under effective control, and the adoption of other measures." NAC. RG10. Vol. 3621, file 4767. Alexander Morris

did not come to see you, you came to see them, and if he chooses to come and speak to them again, he can come if he chooses.”⁵²³ To break the impasse, Morris resolved to “deal firmly with them.” He accused the band of insulting both himself and the Queen, and threatened to end the negotiations. Yellow Quill and his councillors promptly returned to the table. “I accepted their apology and then proceeded to practical business,” Morris reported with satisfaction, “the whole tone and demeanour of the Indians being changed having become cordial and friendly.” For his part, Morris moderated his position on the issue of reserve location, especially after the band’s claims were corroborated by McKay:

They appealed to Mr. McKay whether the Reserve was not promised to be on both sides of the river, and he admitted that it was. I promised to state their claims as to the [size of the] Reserve, but told them it would not be granted, but that I would change the location of the Reserve as it had been selected without their approval and would represent their views as to its locality and as to crossing the River, the navigation of which, however, could not be interfered with.⁵²⁴

While avoiding a promise with the Amerindians to enlarge the reserve, Morris privately recommended to the Department that it be extended somewhat so as to at least correspondence with the written terms of the treaty. Having secured the first concession, the band tentatively accepted the new treaty terms. As Morris pointed out, the conclusion of the negotiation was especially important given the larger strategic considerations at play. “I regard the result as satisfactory, as I left the band contented and you are aware of their intimate relations with the Plain Indians and the difficulties their messages to Qu’Appelle, that the White Man had not kept his promises, caused us, and it is very important that they should be satisfied.”⁵²⁵ Morris had learned just how crucial it was to keep the Amerindians in good faith, lest he jeopardize his own

to the Minister of the Interior, 5 July 1875.

⁵²²NAC. RG10. Vol. 3624, file 5217-1. Alexander Morris to the Minister of the Interior, 10 August 1875.

⁵²³*Ibid.*

⁵²⁴*Ibid.*

personal reputation with the very men he had come to respect and risk having them spread rumours that the Government was not to be trusted.

In addition to his compromise offer for Yellow Quill, Morris recommended concessions for other bands. He repeated his position that “the arrears due to Indians who have not yet received their annuities should be paid in full at once.”⁵²⁶ Morris also recommended that the White Muds, a small band of Saulteaux without status, be recognized and provided a reserve and assistance under the treaty. In a similar vein, Morris called for the recognition of a distinct group within the Yellow Quill band who chose to follow the Saulteaux leader Young Chief, also known as Short Bear. While Yellow Quill had long ago been appointed by the HBC, Young Chief retained the hereditary title of Chief.⁵²⁷ It would have been convenient to recognize only Young Chief and not Yellow Quill – the latter having proved difficult in negotiations, while the former had been more accommodating. Indeed, deposing troublesome Chiefs would become a common practise among Indian Agents after Morris’s tenure ended. Morris, however, had come to accept the Amerindians’ right to select their own leadership, whether through the preferred method of elections, or, if necessary, through traditional hereditary practise.

Almost predictably, approval and implementation of Morris’s recommendations and the new treaty terms met with delay from Ottawa. The only decision the Department made before 1876 was that Amerindians who failed to take up permanent residence on the reserve would not be paid the cash gratuity and the annuities.⁵²⁸ This ran counter to promises Morris had made during negotiations. By October 1875, he was writing the Department once more to urge in very

⁵²⁵*Ibid.*

⁵²⁶He continues: “but that a period of two years should be fixed for those bona fide members of the Band to come in and be paid and that after that they would only receive one years payment.” *Ibid.*

⁵²⁷*Ibid.*

⁵²⁸See NAC. RG10. Vol. 3624, file 5217-1, Reply of the Department of the Interior to Alexander Morris, 4 October 1875.

strong language the fulfilment of the new treaty promises “to the letter.” Morris had given his word and that of the Privy Council. He reported, however, that some Amerindians had questioned whether they could be trusted. Now, with the year almost out and the new promises not yet fulfilled for some bands, he was concerned that he was being made a liar in the eyes of the Amerindians. Morris took this dilemma very seriously. Instead of waiting on Ottawa, he began writing Provencher directly with instructions to provide what had been promised under the new terms.⁵²⁹

With limited results, Morris continued to lobby well into the next year for the fulfillment of the new treaty terms, arguing both on the principle of good faith, and out of consideration for the government’s reputation in future treaty negotiations. By April 1876, Meredith had reluctantly approved Morris’s recommendation that Yellow Quill be allowed to select a new reserve. He refused, however, to recognize the White Mud Amerindians as a separate band and to grant their reserve, arguing that their numbers did not warrant it. “In no case ... are Indians to ... settle on any fresh lands in that neighbourhood,” he told Morris. Betraying a growing impatience with the Lieutenant-Governor’s persistence, Meredith curtly reiterated the Department’s position on the arrears: “I do not see any sufficient reason to depart from the rules already laid down on this subject which were fully explained to you in my letter of the 4th October last.”⁵³⁰ The following month, Meredith refused Morris’s request to “have funds advanced on special warrant” to implement the new treaty terms in time for seeding.⁵³¹ As a result, many Amerindians would be delayed yet another year in their efforts to cultivate and

⁵²⁹See NAC. RG10. Vol. 3621, file 4767, Alexander Morris to the Superintendent of Indian Affairs, 27 October, 1875.

⁵³⁰NAC. RG10. Vol. 3624, file 5217-1. Reply of the Department of the Interior (likely authored by E.A. Meredith) to Alexander Morris, 26 April 1876.

⁵³¹NAC. RG10. Vol. 3624, file 5217-1. Alexander Morris to E.A. Meredith, 22 May 1876. Meredith’s reply indicates that the funds would not be made available until July.

begin to doubt both Morris's sincerity and the good intentions of the government.

While waiting for authority to follow through on the promises made the previous year, Morris carried on with finalizing the agreement with the Yellow Quill, White Mud, and Short Bear bands in late June 1876. He described the encounter as a "very difficult negotiation," conducted under equally difficult conditions.⁵³² He applied a firm-handed strategy of divide-and-conquer, asking each of the different groups to put forward their positions separately:

I took this course as I had ascertained that the plan of Yellow Quill's headmen was to make no settlement this year, and that they had induced the other Indians to agree to act in that way. I accordingly so shaped my opening speech, and my dealing with the Indians, as to defeat this project, by securing the support of Short Bears (*sic*) and the White Mud Indians, which I succeeded in doing, though Yellow Quill's spokesmen taunted the others, with having broken their agreement.⁵³³

In spite of Meredith's instructions of April 1876, Morris had promised, "under the discretionary powers I possessed," to establish reserves at the behest of the White Mud and Short Bear bands, so as to secure their support for the new treaty terms. Following this, Yellow Quill and his Councillors reluctantly signed the final agreement, but only once Morris agreed to their demand "to select a Reserve higher up the River Assiniboine." Morris also agreed to recommend that their councillors be paid as headmen, as per Treaties 3-5: "It will be difficult to explain why the difference is made," he told Laird, "and it will secure in every Band, men who will feel that they are officers of the Crown and remunerated as such." Given the history of miscommunication

⁵³²NAC. RG10. Vol. 3624, file 5217-1. Alexander Morris to the Minister of the Interior, 8 July 1876. "Owing to the prevalence of heavy rain," Morris complained, "the roads were in so bad a condition, that I was four days in reaching the Long Plain, while we were also subjected to inconvenience and expense by the detention of the provisions owing to the same cause. Added to my other discomforts, was the presence of mosquitoes in incredible numbers, so that the journey and the sojourn at the Plain were anything but pleasurable." It bears mentioning here that Morris believed it a good thing that these various logistical difficulties were overcome and the meeting location reached, as he found the Amerindians' food supply had begun to run out during the wait. Moreover, while later administrators like Edgar Dewdney would apply starvation tactics to force holdout bands to sign the treaties, such action was never a consideration for Morris. For the difficult conditions under which Morris travelled, see also Vol. 3624, file 5217-1. Alexander Morris to David Laird, 23 June 1876.

⁵³³NAC. RG10. Vol. 3624, file 5217-1. Alexander Morris to the Minister of the Interior, 8 July 1876.

surrounding Treaties 1 and 2, it was important to Morris that the terms of the new agreement be clearly understood by both sides. As at Treaty 6, he had his own interpreters and interpreters selected by the Amerindians read out the written settlement of the outside promises clearly.⁵³⁴ Morris was careful to personally write up the new terms, in part to finalize the agreement, but also to ensure that a record would be available to hold the government and future administrators to account.

As per tradition, Morris sealed the agreement by distributing the symbolic medals and suits of clothing, and by paying out the promised increased annuities. Yellow Quill reciprocated the gesture. "The Chiefs and Councillors suits of clothing were then distributed, Yellow Quill and his headmen having hitherto refused to accept either medal or coats, but now taking them. Yellow Quill then presented me with a skin coat, and said that he parted with the other Indians as friends, and that there would be no hard feelings." Morris concluded his report by remarking that, for the first time, all of the chiefs and councillors ended with him on friendly terms. The departure was not without a pomp and ceremony that Morris clearly enjoyed: "the Indians assembled near my waggon (*sic*) and gave three cheers for the Queen and three for the Governor, and I then drove off, amid a salute of fire arms from all sections of the encampment."⁵³⁵

Morris did his utmost to keep the White Mud, Short Bear, and Yellow Quill bands in good faith. His first action was to secure a speedy approval of the new agreement and permission to identify the new reserves. Morris had grown increasingly sympathetic to the bands. He had been especially impressed by the trust the Short Bear and White Mud bands had continued to place in him, and by their diligence in beginning to cultivate the soil.⁵³⁶ "I see no reason, why

⁵³⁴*Ibid.*

⁵³⁵*Ibid.*

⁵³⁶See NAC. RG10. Vol. 3624, file 5217-1. Report of J. Lestock Reid, attachment in Alexander Morris to the

their desire, should not be complied with," he told the Minister of the Interior.⁵³⁷ Persuaded, Laird approved Morris's recommendations and put them before the Privy Council in July 1876.⁵³⁸ In the meantime, Morris had instructed Surveyor J. Lestock Reid to consult with the Yellow Quill, White Mud, and Short Bear bands to identify their reserves.⁵³⁹ In October, Short Bear called on Morris to enquire why "the implements and cattle they are entitled to under the Treaty as revised" had not been provided. Not trusting to Provencher's assurances that "he gave 'Short Bear' what they were entitled to under the Treaty," Morris took matters into his own hands and instructed Reid "to report to me what implements and cattle he finds to be in the possession of the three Bands." Morris attempted to reassure Short Bear of his sincerity by presenting him with a medal.⁵⁴⁰

Around this time, Morris also met personally with Yellow Quill and his Councillors to resolve a dispute about their reserve size. Morris once again refused the band's request for a significantly larger reserve. Only after a delicate diplomacy, with McKay acting as interpreter at the band's request, did Morris achieve an understanding. "After a protracted interview I succeeded in getting them to comprehend what extent of land they would receive. The Chief and Councillors agree to point out the locality and assist Mr. Reid in its survey." Once having been reassured that the Councillors would be paid as headmen, "They left me satisfied and I hope may remain so, as it is important to have the difficulty finally settled."⁵⁴¹

Minister of the Interior, 14 July 1876. "I would mention in conclusion," Reid wrote, "that 'the Short Bear,' and the Chief of the White Mud Band expressed the utmost satisfaction and regard for the manner Your Excellency saw fit to settle the difficult question in connection with their lands, etc."

⁵³⁷NAC. RG10. Vol. 3624, file 5217-1. Alexander Morris to the Minister of the Interior, 14 July 1876.

⁵³⁸See NAC. RG10. Vol. 3624, file 5217-1, David Laird to Alexander Morris, 24 July 1876, and, this file, Report of the Minister of the Interior on the settlement of the outside promises, July 1876.

⁵³⁹See NAC. RG10. Vol. 3624, file 5217-1. Report of J. Lestock Reid, attachment in Alexander Morris to the Minister of the Interior, 14 July 1876.

⁵⁴⁰NAC. RG10. Vol. 3624, file 5217-1. Alexander Morris to the Minister of the Interior, 23 October 1876.

⁵⁴¹*Ibid.*

By mid-November 1876, Reid and the bands had finally succeeded in identifying the locations of all three reserves. Reid and Morris agreed that the reserves be larger than the official entitlement, so as to make up for the portions that were muskeg.⁵⁴² Reid's report included a letter from Yellow Quill, thanking Morris for his persistence in seeing that he got his reserve, as promised. Morris was moved, having finally established a trust with this most reluctant of bands after more than a year of difficult diplomacy. Yellow Quill's letter, Morris wrote with pride, had been "dictated by himself and expressed in his own words, tendering me the best wishes of himself and his people, intimating his intention to remain on the Reserve and asking for the articles promised by Treaty No. 1 as revised by me."⁵⁴³ He forwarded Reid's report to the Department of the Interior – complete with the locations of the proposed reserves and the list of outstanding treaty implements – for final approval.⁵⁴⁴

For Morris, resolving the outside promises had been one of his greatest challenges and personal accomplishments in the North-West. "The settling of this matter," he wrote, "is a source of much satisfaction to me, as it closes a very troublesome controversy, which has occupied much of my time and has been more difficult to deal with than the negotiations which resulted in Treaties with large bodies of the Indians."⁵⁴⁵ Moreover, Morris had come to understand the North-West beyond the narrow perspective of exploitative potential; with the interests of old Canada, the settler and the capitalist purely in mind. Deeply engaged in the local context as he was by 1876, the interests of the Amerindians took on a new primacy in Morris's thinking. It was through this lens that Morris would urge the approval of the bands' reserve selections and of the

⁵⁴²See NAC. RG10. Vol. 3624, file 5217-1. Report of J. Lestock Reid to Alexander Morris, 15 November 1876, including a letter from Yellow Quill to Alexander Morris, 2 November 1876. Reid also reported on the number of implements they and the Short Bears had received, as Morris had requested.

⁵⁴³NAC. RG10. Vol. 3624, file 5217-1. Alexander Morris to the Minister of the Interior, 6 December 1876.

⁵⁴⁴NAC. RG10. Vol. 3624, file 5217-1. Alexander Morris to the Minister of the Interior, 6 December 1876, including a forwarded report by J. Lestock Reid.

implements they were due under treaty – not from the perspective of the interests of the settler or the capitalist, but largely from the perceived perspective of the Amerindians.⁵⁴⁶

The fruit of over a year's diplomacy and labour was not to be. In October 1876, a new Minister of the Interior, David Mills, was appointed to replace the outgoing David Laird, who took on Morris's previous responsibilities as Lieutenant-Governor of the North-West Territories. Whereas Laird had demonstrated at least some level of understanding of the unique challenges of the North-West (having accompanied Morris in the making of Treaty 4), Mills was not altogether sympathetic. Earlier in the decade he had been a "key player" in winning the Ontario-Manitoba boundary dispute for the senior province. During his tenure as Minister of the Interior, he would prove reluctant to relinquish self-government to the North-West. Even more, Mills was especially sensitive to the country's financial crisis, having served as chair of "the select committee established to investigate the depression" since January 1876.⁵⁴⁷ Moreover, Mills had no previous experience, nor contextual knowledge of the affairs of the North-West and of the various Amerindian bands. It is perhaps unsurprising, then, that he would prove unenthusiastic when faced with the financial demands of the expensive Indian Affairs portfolio. In December of 1876, Deputy Minister Meredith advised Morris of the government's reversal of its approval of the Short Bear and Yellow Quill reserves. They had decided instead to set aside the lands for the use of the HBC, the Public School Endowment, and future settlers.⁵⁴⁸

⁵⁴⁵*Ibid.*

⁵⁴⁶*Ibid.* "I think it an appropriate selection," he told the Minister of the Yellow Quills' proposed reserve, "combining the advantage of a Fishing Lake and also hay wood and farm lands, while it is about eighty miles distant from Portage la Prairie, in itself a benefit to the Indians, who are thereby, to a certain extent, removed from the temptations to indulge in the use of intoxicating liquor which besets them in the vicinity of white settlement." On immediate approval of both the reserves and implements: "It is desirable as the reserve question has at length been decided on that the promises of the Treaty should be finally fulfilled at as early a date as possible."

⁵⁴⁷Robert C. Vipond, "David Mills," *Dictionary of Canadian Biography*, (University of Toronto / Université Laval, 2000; accessed online at <http://www.biographi.ca/EN/ShowBio.asp?BioId=41057&query=mills>).

⁵⁴⁸NAC. RG10. Vol. 3624, file 5217-1. Deputy Minister of the Interior to Alexander Morris, 29 December 1876.

Morris was livid. He pointed out to the new Minister of the Interior that none of these new concerns had been raised by the previous Minister, Laird, who had authorized the surveys for the reserves. He referred Mills to a variety of correspondence, dating back from Archibald in 1871, in order that Mills might come “[t]o understand the difficulties that I encountered,” the complex history of the situation and the difficulty at which agreement with the Amerindians had finally been met.⁵⁴⁹ Morris’s letter betrayed a certain suspicion that the government was pleading ignorance of its previous commitments in order to once again shirk its treaty responsibilities: “The difficulties, as to the Reserves of these Bands have been reported to the Privy Council by my predecessor and myself, at various times during the past five years, and have been constantly kept under consideration,” he reminded Mills. If anything, Meredith, who had been serving in the department for several years, should have known better than to feint ignorance. Morris continued: “when, under the instructions of your predecessor and in the public interests, undertaking a difficult and delicate negotiation, altogether without and beyond my functions of Lieutenant Governor, I have succeeded in adjusting the difficulty, it is anything but satisfactory to be met with questions, which ... should have been asked last April.”⁵⁵⁰

But for Morris, there were larger issues at play than mere administrative incompetence. The issue had become very personal for him. Morris had made the commitment for the reserves on the understanding that he had the authority to do so, and was now being told that he had had no such authority. Reneging once more on Treaties 1 and 2 would ruin the Amerindians’ trust in both the government and himself – a trust he had worked hard to establish:

I must urgently urge that the Reserves should be confirmed. It will be impossible to satisfy the Indians that they have been justly dealt with, if they are set aside, and the dissatisfaction will spread through the whole Tribes and work trouble. At Qu’Appelle,

⁵⁴⁹NAC. RG10. Vol. 3624, file 5217-1. Alexander Morris to the Minister of the Interior, 19 January 1877.

⁵⁵⁰*Ibid.*

this Reserve question of Yellow Quill's was a stumbling block, and this winter round the camp fires, I have no doubt the story is told, that the Whites have treated Yellow Quill justly.⁵⁵¹

Even more, giving in to the argument that the HBC was entitled to a portion of the new reserves under the terms of the 1869 sale of Rupert's Land would only encourage the Company to lay claim to land in *all* reserves, and paint the undesirable picture of a government that favoured the interests of the HBC over those of its Amerindian allies. "I have to express my gravest apprehensions of the disturbing results that will follow throughout the entire Indian Treaties, if the claims of the Hudson's Bay Company to one twentieth of the land, within them, is raised," Morris warned, recalling his experiences at Treaty 4.⁵⁵²

Moreover, Morris lobbied for the reserves on the grounds that the Treaties should take both legal and moral precedence over all other claims. "The Privy Council are bound by Treaty, to give these Indians Reserves," he told the Minister. The Amerindian claim to the land, he argued, preceded that of the School Reserves and the settlers. "As to the sales, homestead and preemption rights," Morris continued, "I attach little importance to these. The Treaty of 1871 provides that 'if there are any settlers within the bounds of any lands reserved by any Band, Her Majesty reserves the right to deal with such settlers as she shall deem just so as not to diminish the extent of Land allotted to the Indians.'"⁵⁵³

Morris knew full well that the agreement made with the HBC had preceded the numbered treaties. But in the absence of a legalistic argument, he appealed to a moral one – something his old legal training would not have emphasized. "[I]t would only be right that they [the HBC]

⁵⁵¹*Ibid.*

⁵⁵²*Ibid.* "At Qu'Appelle, the position of the Company and the hostility of the Indians towards them, cost the Commissioners four days of discussion, before they were able to quiet the Indian mind. If this question is entertained with regard to the Reserves in question, it must arise with regard to the other Reserves, and will inevitably lead to trouble and difficulty."

⁵⁵³*Ibid.*

should be assigned other lands in lieu of that, to which they might be entitled within the Reserve ... and I have no doubt, but that the Company would cheerfully accede to the assignment.”⁵⁵⁴ In other words, he knew that it would require Parliamentary action to overrule the 1869 agreement in favour of the treaties if the HBC were to refuse a compromise. Morris knew that it was a matter of political will, and he had begun to resort to the emotive appeal as a kind of last resort.

Morris’s defence of the resolution of the outside promises gave expression to a shift in mindset that had been taking place since his arrival in the North-West. Before moving to the region, Morris had enthusiastically seen the North-West above all as a means to fulfill his patriotic vision of settlement and development. Annexing the North-West was, as he had put it, Canada’s ‘birthright.’ Now, however, Morris saw the Amerindians as having the first claim to the land. Moreover, he had begun to see the North-West in terms of Amerindian priorities, even, as is the case here, asserting precedence over the interests of the settler, and of the new, Euro-Canadian communities whose future development he had once so enthusiastically anticipated. The new communities were now viewed by Morris as a potential threat to the future of the Amerindian peoples. He remained keen on seeing the North-West developed, but his focus now was to mitigate the collision of cultures that might ensue.

Morris’s lengthy appeal to the Department did not have the desired effect. Mills’s reply of February 6, 1877 simply restated his earlier position and flatly refused the reserves that had been promised the previous year. Morris wrote back immediately. The vast majority of Morris’s correspondence had, up to now, been written in the typical Victorian style: subtle in language and reserved in tone. In this instance, however, the Lieutenant-Governor wore his emotions on his sleeve. Morris reminded Mills that his predecessor, Laird, in approving Morris’s earlier

⁵⁵⁴NAC. RG10. Vol. 3624, file 5217-1. Alexander Morris to the Minister of the Interior, 19 February 1877.

actions, “had when here, personal cognizance” of the local situation, which Mills did not. Morris was appalled by the lack of respect being demonstrated both to the Amerindians and to the treaties:

[I] am not surprised at [the] tenour [of your letter], when you state, at the outset, that you do not deem it necessary ‘to enter into any inquiry, as to the origin of the negotiation with those Indians,’ such knowledge being, in my judgement, absolutely essential to a proper appreciation of the position, and a right adjudication of the matters in issue, between the Crown and the Indians.⁵⁵⁵

Morris had come to understand that there was more to the treaty than the mere document – there was an entire process, complex negotiations, and the entering into of a relationship of mutual trust and reciprocity. It was the solemn duty of administrators to live up to that relationship and to the commitments of their predecessors.⁵⁵⁶ Morris further refuted the argument that “the Reservation for Indians, should not include lands, which have been set out for settlement” and already surveyed, by arguing that it had been unjust for the government to conduct the surveys *before* the treaties.⁵⁵⁷ This was the land “where these Indians had always lived,” he reminded Mills. Here, Morris’s recognition of Aboriginal title emerges clearly, as does his perception that laying claim to the land, prior to reaching any agreement with the actual inhabitants and legitimate claimants, was inherently unjust, and even illegal. It was a far cry from his previous assertions, only fifteen years earlier, that the North-West belonged to Canada by right.

⁵⁵⁵*Ibid.*

⁵⁵⁶*Ibid.* “Now Sir, I protest against your thus ignoring the responsibility of the Minister of the Interior, with regard to these Reserves, and placing it upon me, because you had full information that these Reserves, were assigned and surveyed, under the direct authority of the Minister of the Interior. True, you were not then that officer, but you cannot avoid responsibility for the acts of your predecessor, as under our system of government, there is not only a continuity of office, but a solidarity of responsibility.”

⁵⁵⁷*Ibid.* “[I]n consequence of your disinclination to make any inquiry into the origin of the negotiations, which led to the Reserves in question ... you fail to perceive that the action of the Government is the cause of the necessity, which has arisen for these Reserves being selected in surveyed lands. The Queen and Privy Council, entered in the year 1870 (*sic*), into Treaty obligations, to assign these Indians a Reserve, as an equivalent for the surrender, by them, of their title to the lands of the Province of Manitoba. At that period, the lands in the Western part of the Province, where these Indians had always lived, were not surveyed, and the difficulty you invoke has been directly caused by the action of the Government in surveying the lands, before having arrived at an adjustment of the dispute with the

Morris balked at the Minister's assertion that new Reserves could be chosen out of the "ample" unsurveyed lands in the north. Morris was intimately aware that any such unsurveyed lands would most likely be of poor quality and relatively uncultivable. While Mills and others preferred a policy of removing Amerindians to lands that would be of little attraction to potential settlers, Morris was strongly of the opinion that the Amerindians should be allowed to settle, insofar as possible, in places that best suited their interests. To this end, he tended to advocate for lands that would be well wooded and with good cultivable land, but also accessible to lands suited to hunting and trapping, so as to ease the transition to agricultural practise. Above all, Morris reminded Mills, it was their right to settle on such lands: "The extent of such lands in the Territories is aside from the question, and has no bearing on it whatever, as the Treaty obligation is to set off the Reserve within the Province of Manitoba." If nothing else, Morris argued that changing reserve locations would be completely demoralizing for the Amerindians, who, with honest effort, were struggling to make the painful and difficult transition to a sedentary and agricultural lifestyle. Laying this moral issue at the Minister's feet, he informed Mills that the Amerindians had already started building houses and cultivating, and "that their eviction will be a necessary consequence of your present decision."⁵⁵⁸

Exasperated, Morris appealed directly to the Privy Council and over the head of the Minister, in whom he had clearly lost all confidence. "This matter is so important," he told Mills, "and your action will have so disturbing an effect on the Indian mind, regarding it, as they will do, as a breach of Treaty obligations, that I have deemed it my duty, to call the attention of the Privy Council thereto, being persuaded, that ... the results will be disastrous and destructive of the confidence which the Indian tribes now repose in the Canadian Government." Morris did not

Indians, as to the locality of their Reserve."

shy away from expressing his anger and frustration to Cabinet.⁵⁵⁹ The officials of the Department, he explained, had belittled a matter of deep significance: “I regard [this] as no mere Departmental matter,” he began, “but as seriously affecting the relations of the Government towards a large and influential Band of Saulteaux Indians, who maintain the closest and most intimate relations with the Indians of the Western Plains.” Morris repeated a number of the above legal and practical considerations contained in his appeals to the Minister, but his emphasis was clearly on the principle of justice: “when the question is one of carrying out the obligations of the Crown, as stipulated in a Treaty with the Indians, no light difficulties ought to be allowed to prevent the fullest compliance with the provisions of the Treaty.” Anything less, he continued, would be considered a “breach of faith” by the Amerindians. “As the good faith of the Crown is involved, I have been compelled to address you and can only express my earnest trust, that the Privy Council will consider my representations.”

Morris’s appeal to higher powers fell on deaf ears. The matter was left to the Department of the Interior, and while Morris continued to lobby for recognition of the promised reserves, Meredith and Mills did not alter their position. Morris was met again by Yellow Quill and two of his councillors in June 1877, anxious to know whether their reserve had been confirmed, as they had already begun to plant crops and farm.⁵⁶⁰ Yellow Quill and his councillors also requested additional timber lands for their reserve. An exasperated Morris refused, going so far as to threaten to have the councillors removed from their posts. It was an unusual tactic for Morris, but a sign of his growing exhaustion and frustration, caught as he was between the demands of the Amerindians, and those of the fiscally conservative federal government. Nonetheless, he

⁵⁵⁸*Ibid.*

⁵⁵⁹NAC. RG10. Vol. 3624, file 5217-1. Alexander Morris to the Secretary of State, 19 February 1877.

⁵⁶⁰NAC. RG10. Vol. 3624, file 5217-1. Alexander Morris to the Minister of the Interior, 1 June 1877.

forwarded Yellow Quill's demands to the Department, pointing out that "[i]f the Hudson's Bay Company's lots and the School sections are to be retained in this Reserve, which would be very unadvisable, then it would be well to meet the Band's views. this should be done without delay as settlers are beginning to go into the region in question." Morris's report included Yellow Quill's demands for the implements promised under the new treaty terms, and he reiterated the larger strategic considerations at play. But Morris did not press the issue much further (as he had often done in the past), perhaps having little faith that he would receive any constructive response.

Indeed, Meredith had grown tired of Morris's constant reports of unfulfilled treaty promises. "I need not again refer to the legal impediments to the confirmation of this Reserve," he replied, restating his earlier position as to HBC, settler, and school lands. In any case, a compromise with the HBC could not be achieved. The Company, Meredith told Morris, was maintaining "that they have a right to one twentieth of the lands reserved for the use of the Indians wherever these lands come to be disposed."⁵⁶¹ In this context, the Department of the Interior, lacking all political will, could conveniently assert that the issue was beyond their control. Ultimately, the problem was left unresolved, only to exacerbate into the next decade.⁵⁶²

Implementing Treaties 3-6

Implementing the treaties that Morris signed proved equally difficult. The logistical problems facing the implementation of Treaties 3-6 mirrored those of Treaties 1 and 2, but were

⁵⁶¹NAC. RG10. Vol. 3624, file 5217-1. Reply of the Department of the Interior to Alexander Morris, 12 June 1877. Likely authored by E.A. Meredith.

⁵⁶²See, for instance, NAC. RG10. Vol. 3624, file 5217-1. Henry A. Sturton, a settler in the vicinity of the Yellow

compounded by the even greater distance from the supply and management centre at Fort Garry. Additionally, similar disagreements arose between Morris and Ottawa as to how much should be spent on treaty implements. Disagreement over the implementation of Treaties 5 and 6 in particular intensified as Morris took on an increased role in directing treaty implementation from late 1875 to early 1877. The Lieutenant-Governor's differences with his colleagues in Ottawa ultimately led the Department of the Interior to have Morris removed from his position of influence and pushed to the margins of Indian Affairs administration as a mere symbolic figurehead. Nonetheless, Morris continued to dutifully report on the grievances of the Amerindian Chiefs through to the end of his tenure, even after his authority to act had been significantly reduced.

Chiefs, Councillors, and their supporters began to voice complaints early on over unfulfilled treaty promises, including a lack of reserves, provisions, and agricultural implements.⁵⁶³ They came to Morris in part because of his position as the principle treaty negotiator and representative of the Crown, but also because of his growing reputation of sympathy for the Amerindians. In June 1875, for instance, Anglican clergyman Robert Phair voiced the desire of the Fort Francis and Rainy River bands for agricultural instruction in their language. He appealed directly to Morris, “[k]nowing the interest your Excellency takes in the Indians and believing the matter will have your consideration.” While it had not been explicitly written into the treaty text, Morris forwarded the request to the Minister of the Interior, presenting it as wholly reasonable: “In the United States, I understand that a farmer and carpenter

Quill reserve, to David Mills, 19 March 1878. See also following notes and correspondence in this file.

⁵⁶³See, for instance, NAC. RG10. Vol. 3604, file 2790, various correspondence from Alexander Morris to the Minister of the Interior, July 1874.

are sent to the Reserves to instruct the Indians settled thereon. Trusting you will give the matter your full consideration.”⁵⁶⁴

Morris’s personal relations with Amerindian leaders had grown ever closer during this period. This emerges in Morris’s increasingly detailed reporting of his meetings with the Chiefs and Councillors – a practice not always shared by his colleagues. Around the same time of Phair’s plea, Morris was visited by “Kee-ta-ka-pi-nais, the old hereditary chief of the Ojibbeway (*sic*) Indians, from Fort Francis.”⁵⁶⁵ Morris was particularly impressed by the Chief: “Kee-ta-kay-pi-nais, is the recognized principal chief of the Saulteaux, and being struck by his apparent extreme age, I asked him his age, and he replied that he was ninety eight, or as he put it holding up two fingers – two years less than 100.” Keetakaypinais had come to reaffirm the treaty relationship that had been arrived at the previous fall, and to state his intention to establish peaceful relations with the Sioux – once enemies of the Treaty 3 area Saulteaux – who had settled in Manitoba:

He stated, that he called to inform me, that his people had sent him, to see me; that we had been as brothers at the North West Angle, and they wished to know if it was true that there was peace in this country. He said that I had told them to live at peace with all the other Indians, and that they had obeyed me, and that in consequence of my wishes, in that regard, his people had sent him, to go and see the Sioux Indians, and smoke the pipe of peace with them.

Morris was pleased by the Chief’s peaceful intentions, and accordingly met his request for a flag and uniform – the symbols of authority that marked leaders as treaty chiefs and councillors, and as officers of the Crown. “The Chief asked me, for a uniform and flag, that the Sioux might see that he was a chief.”⁵⁶⁶

⁵⁶⁴NAC. RG10. Vol. 3623, file 5067. Alexander Morris to the Minister of the Interior, 5 July 1875, letter from Robert Phair attached.

⁵⁶⁵NAC. RG10. Vol. 3624, file 5127. Alexander Morris to the Minister of the Interior, 19 July 1875.

⁵⁶⁶*Ibid.*

Morris became similarly implicated in the implementation of Treaty 4, as several Amerindian messengers from the Qu'Appelle region came to him requesting cattle and implements for the farms they had started.⁵⁶⁷ Morris began advising W.J. Christie, who had been officially tasked with Treaty 4 implementation. "I have consulted, and taken the advice of Governor Morris on all matters relating to the purchase of Supplies ... etc," Christie reported to Laird, "and I have received every assistance from his Honor (*sic*) to enable me to carry out [the treaty promises]."⁵⁶⁸ Like Morris, Christie advocated delivering the promised agricultural assistance to Amerindians who were cultivating the soil as soon as possible. Laird, unfortunately, was not impressed by the amount of implements that Christie and Morris had decided the Treaty 4 Amerindians were due. "You have far exceeded your own estimate of supplies," he complained to Christie. "Can you not do with less flour and oxen.... [Parliamentary expense] vote will not cover expense."⁵⁶⁹ Christie defended his estimates by stating that Morris had deemed Christie's original estimates "as being far below" what was needed.⁵⁷⁰

By mid-1875, there were signs that the Department of the Interior was beginning to adopt an even more stringent fiscal policy. Officials in the North-West were pressured to spend less on food supplies and provisions during meetings with Amerindians, including at treaty time. By now, the Department had also adopted an official policy of giving agricultural implements and cattle only to those bands they believed intended to use them, regardless of what had been promised.⁵⁷¹ By mid-1876, Laird adopted a new policy whereby certain implements promised under the treaties could only be given out by explicit permission of the department,⁵⁷²

⁵⁶⁷See NAC. RG10. Vol. 3622, file 5007. Alexander Morris to David Laird, 10 July 1875.

⁵⁶⁸NAC. RG10. Vol. 3622, file 5007. W.J. Christie to the Minister of the Interior, 16 July 1875.

⁵⁶⁹NAC. Vol. 3622, file 5007. David Laird to W.J. Christie, 27 July 1875.

⁵⁷⁰NAC. RG10. Vol. 3622, file 5007. W.J. Christie to E.A. Meredith, Deputy Minister of the Interior, 28 July 1875.

⁵⁷¹See, for instance, NAC. RG10. Vol. 3622, file 5007. Departmental instruction to W.J. Christie, 27 July 1875.

⁵⁷²See NAC. RG10. Vol. 3635, file 6587. David Laird to J.A.N. Provencher, June 1876.

contributing to further bureaucratic delays and breaches of the treaty promises.

To ensure that these new policies would be followed, the Department began to limit Morris's power of appointment for implementation duties and treaty adhesions.⁵⁷³ In June 1876, he was instructed that new hirings would have to follow the criteria now established by Meredith. Previously, Morris had tried to place other individuals whom he felt could understand and sympathize with Amerindian peoples in a position to implement the treaty promises – distributing provisions, implements, and annuities, and helping the bands identify reserve lands. Such individuals included W.J. Christie and Angus McKay, a Métis.⁵⁷⁴ Among other things, McKay pointed out the government's hypocrisy in demanding that the Amerindians prove their abilities in agricultural practise *before* being given the necessary implements to do so. Shortly after Mills's ascension to the office of Minister of the Interior in late 1876, McKay's contract of employment with the Department was terminated, despite Morris's best efforts to defend him. This could hardly have come as a surprise, however, as over a year before, Christie had been replaced in his Treaty 4 responsibilities by more parsimonious agents. Christie complained bitterly that Meredith, unlike Morris, had no grasp of the local situation.⁵⁷⁵

One of Christie's replacements, Surveyor William Wagner, demonstrated a complete impatience and lack of understanding when dealing with the Amerindians. Where Morris judiciously reported on every grievance of the Amerindians, even when disagreeing with them, Wagner proved wholly dismissive. He complained of the "foolishness of the Chief," and described their concerns only as "too ridiculous to mention." Wagner took the liberty of

⁵⁷³See NAC. RG10. Vol. 3635, file 6587. E.A. Meredith to Alexander Morris, 26 June 1876. The discussion is in relation to Treaty 5.

⁵⁷⁴For a closer look at Angus McKay's handling of treaty implementation, see NAC. RG10. Vol. 3632, file 6379, Angus McKay to EA Meredith, 18 August 1876. See also Vol. 3622, file 6379, various correspondence.

⁵⁷⁵See NAC. RG10. Vol. 3622, file 5007. E.A. Meredith to W.J. Christie, 3 August 1875; E.A. Meredith to W.F. Forsyth, 3 August 1875; and W.J. Christie to E.A. Meredith, August 12, 1875.

withholding provisions and implements that had previously been ordered by Christie, convinced that instead of being used they would be sold off. He also decided not to include the location of the homes the band had built as part of the reserve land. Where interaction with the Amerindian peoples came to positively affect the perception and understanding of some individuals, like Morris, and convince them of their desire to learn agricultural practise, Wagner's experiences with the Amerindians of the Treaty 4 area appeared only to have hardened his prejudices. "The desire of the Indians, wherever I have surveyed, to get their Reserves located in the woods confirmed me in my belief that from this and the next generation no hope can be entertained that the red man will entirely devote himself to agriculture."⁵⁷⁶

Wagner's example spoke to a larger problem. By operating on the assumption that *all* Amerindians would be inclined to sell what they received under the treaty, government officials inhibited those bands that were indeed anxious to begin cultivation. Even then, bands that sold their cattle or implements likely did so to avoid starvation, and not necessarily out of an unwillingness to take up agricultural practise. Moreover, reports like Wagner's could only contribute to the perspective in Ottawa – already inclined to cut allegedly frivolous costs – that many Amerindians were given to 'idleness' and thus would fail in agricultural practise.

Indeed, when it suited government interests, readings of the treaties became more rigid. Only the precise amount and type of seed, for instance, was to be provided. At the same time, the Department adopted its stricter policy on annuities and arrears.⁵⁷⁷ By contrast, the Department adopted a more lax reading of the treaty texts when it proved convenient. Promised wagons for certain chiefs, for instance, were supplemented with cash instead. The policy of fiscal rigidity

⁵⁷⁶NAC. RG10. Vol. 3632, file 6418. Report of William Wagner to the Minister of the Interior, January 1876.

⁵⁷⁷See various correspondence, Vol. 3632, file 6260. "Gen. corres. re arrangements to be made for supplies, clothing, presents, etc. for the proposed Treaty 6 at Fort Carlton, SK. 1876-1877."

would only be exacerbated by the arrival of Mills.⁵⁷⁸ In sum, the Department of the Interior had begun to abandon the intent and spirit of the treaties, taking complete control over treaty implementation policy, and failing to heed the concerns of the Amerindians as Morris had so often done.

Over the course of his last two years as Lieutenant-Governor, Morris would increasingly protest against what he perceived to be a breaking of the treaties and the treaty relationship. Part of the relationship that Morris would come to defend was a direct link between the Amerindians and the Crown, embodied in the office of the Lieutenant-Governor. From an early date, Morris had argued that, at the very least, the Department should abide by a strict reading of its obligations under treaty. He would find that the government hardly stood up to such commitments, let alone to the commitments that a more generous interpretation of the treaties would imply. By 1876, Morris would come to favour such an interpretation of the treaty relationship.

The new policies from Ottawa put a strain on Morris's relations with Amerindian leaders whom he had only recently succeeded to befriend. While making his own urgings to the Department in private correspondence that greater 'generosity' would be necessary, when dealing directly with Chiefs and Councillors, Morris could only act within the limits of his immediate resources, and promise what he knew the Department was now willing to provide. This necessitated a level of particular firmness on Morris's part. He reported on one such meeting with "Wa-wa-se-cap-po, chief of the Fort Ellice Band of Sauteaux," from Treaty 4, in October 1875. Among other things, Morris wrote,

He wanted a supply of provisions, for the winter and said that he could not live without. I replied, that he must live as he had done before, that he had the same right of hunting as

⁵⁷⁸See, for instance, NAC. RG10. Vol. 3634, file 6435; and Vol. 3634, file 6436.

before and had in addition a large sum of money paid to his Band, and that the Government did not intend to and could not support all the Indians, but that they must make a livelihood for themselves.

Despite the air of firmness, Morris “gave him ... a small quantity of the surplus stock of provisions which remain from those provided for Treaty No. 5, and he left expressing himself satisfied.” Morris also privately recommended accommodation on the question of Waywaysecapo’s reserve location.⁵⁷⁹

In addition to his increasing sympathy on the issue of reserve location and the Amerindians’ desire to have their reserves quickly identified, Morris developed some flexibility with chiefs’ demands for larger reserves. Such was the case when, in July 1876, Morris was met by the Treaty 5 Chief of the Berens River band, Jacob Berens. The band had already established a positive rapport with the Lieutenant-Governor. Morris had previously acted on a complaint against Provencher in 1874,⁵⁸⁰ and even supported the band’s recommendation for a local Justice of the Peace the following year.⁵⁸¹ The Chief was anxious to have his promised agricultural implements provided and his reserve confirmed, which Morris urged upon the Minister of the Interior. The band also wanted to add hay-growing land to their reserve. Knowing that he was not authorized to give them more land, Morris told the Chief that they would have to give up an equal portion of the existing reserve in order to secure the new lands. Privately, however, he told Laird that the request for more land was “a reasonable one.... [T]he region in which they live is a very uninviting one, with swamps, rocks and only patches of good soil.”⁵⁸²

⁵⁷⁹NAC. RG10. Vol. 3625, file 5489. Alexander Morris to the Minister of the Interior, 23 October 1875.

⁵⁸⁰See NAC. RG10. Vol. 3609 file 3230, Reverend E.R. Young to Alexander Morris, 18 March 1874.

⁵⁸¹See NAC. RG10. Vol. 3636, file 5732. Alexander Morris to the Minister of the Interior, 18 December 1875.

⁵⁸²NAC. RG10. Vol. 3636, file 6765. Alexander Morris to the Minister of the Interior, 12 July 1876, In a similar vein, Morris had responded to Berens’s concerns about HBC claims on their land by asserting that, if legitimate, they would have to be respected. Morris recommended to Laird, however, that the government settle privately with the HBC so as to remove their claim from the band’s preferred reserve location. Morris had already begun to sympathize with the Amerindian leadership on this issue, having encountered it in his efforts to implement the new

In June 1876 Morris took it upon himself to arrange for the completion of the adhesions to Treaty 5 and to have the annuities paid to those who had signed the previous year – a responsibility that normally would have fallen to Provencher. Morris did not take the treaty adhesions lightly. Their completion, he wrote, required the sensitivity of a competent diplomat.⁵⁸³ He instructed Thomas Howard and J. Lestock Reid, who had been selected by Meredith for the task, to treat the adhesions like “new Treaties.”⁵⁸⁴ As such, Morris was conscious that necessary expenses should not be spared in securing treaty adhesions and the legitimacy of the treaty as a whole.⁵⁸⁵

Indeed, financing the adhesions and early implementation of Treaty 5 required something of a fiscal juggling act on the part of Morris. The Department had originally delegated \$14,660 to Provencher for the Treaty 5 annuities, but Morris was not convinced that this would be enough. In order to have the annuities properly paid out, Morris scrounged from every corner, borrowing from traders and the HBC to secure the additional \$7,000 required by Howard and Reid to complete their task. This would not be the only time that Morris would borrow from local individuals, banks, or even from his own pocket,⁵⁸⁶ to see the treaties properly implemented. In order to reimburse the traders and the Company, Morris used money that had been earmarked for the yet-to-be negotiated Treaty 7.⁵⁸⁷ It was a shrewd move, as Ottawa would have little choice but to replenish the Treaty 7 funds if it wanted to ensure a successful negotiation and a peaceful settlement of one of the country’s most volatile regions. Morris would indeed get approval for

Treaty 1 and 2 promises.

⁵⁸³NAC. RG10. Vol. 3635, file 6587. Alexander Morris to the Minister of the Interior, 7 June 1876.

⁵⁸⁴NAC. RG10. Vol. 3635, file 6587. Alexander Morris to Thomas Howard and J. Lestock Reid, July 14, 1876.

⁵⁸⁵NAC. RG10. Vol. 3635, file 6587. See various correspondence between Alexander Morris and David Laird, July 1876. Morris succeeded in securing an additional \$500 for adhesions from a reluctant Laird.

⁵⁸⁶See, for instance, NAC. RG10. Vol. 3636, file 6694-2. Alexander Morris to the Minister of the Interior, 3 May 1876.

⁵⁸⁷See NAC. RG10. Vol. 3638. File 7139. Alexander Morris to the Minister of the Interior, 13 October 1876.

the \$7000, but Department officials were not impressed. On Rob Sinclair's insistence, all future funds for the administration and implementation of Treaty 5 – and, subsequently, Treaty 6 as well – would be placed under the explicit authority of Provencher, who was more likely to follow the Department's policies.⁵⁸⁸ In a rather ironic twist, then, Sinclair was more content having Provencher – whose bookkeeping he had once deemed disastrous – doling out annuities than Morris, given the latter's alleged generosity. Put otherwise, the Department was more prepared to lose money to inefficiency, rather than lose it to meeting its treaty promises, so long as the former was cheaper.

By mid-November, Howard and Reid had completed their work. Morris had reason to be pleased. The final cost of their trip, \$21,576, vindicated his earlier efforts to secure greater funding.⁵⁸⁹ More importantly, he reported, the duo had successfully “secure[d] the adhesion of the Indians who had not been met with when Treaty No. 5 was concluded,” and had paid annuities to those who had signed the previous year.⁵⁹⁰ Howard and Reid had also provided details of the Amerindians' preferred reserve locations. Morris recommended a speedy laying out of the reserve lands. The best person to do so, he wrote the Department, would be someone the Amerindians could trust – an individual who had been involved in treaty negotiations and discussions with them. Despite the previous disagreements over annuity costs, the Department acquiesced to Morris's recommendation that Reid fulfill this task.

While Morris's increased intervention in Treaty 5 implementation sparked some controversy, the Treaty 6 terms would create yet another serious point of contention between Morris and the Department. When they read the treaty text, officials in Ottawa were unpleasantly

⁵⁸⁸See NAC. RG10. Vol. 3638. file 7139. Memo, Rob Sinclair, 14 October 1876. See also following correspondence in this file.

⁵⁸⁹NAC. RG10. Vol. 3638, file 7305. See Indian Branch Memorandum, 30 November 1876.

surprised by the several items that had been added beyond the terms of previous treaties. A Department memorandum, likely authored by Deputy Superintendent General of Indian Affairs, Lawrence Vankoughnet, detailed the many “onerous provisions” contained in the treaty terms.⁵⁹¹ These included the additional farm implements, and monies to assist in the early years of transition to agricultural practise. Vankoughnet was especially livid over the famine and pestilence clause in the treaty, “a provision which is wholly new.”

This stipulation the undersigned regards as extremely objectionable, tending, as it will, to predispose the Indians to idleness, since they will regard the provision as guaranteeing them protection against want, and they will not be inclined to make proper exertions to supply themselves with food and clothing, thereby largely increasing the expenditure imposed upon the country in the management of its Indian affairs.

On Vankoughnet’s advice, the Department promptly sent Morris a letter chastising him through his superior, the Governor General, and demanding an explanation for the “onerous provisions.”⁵⁹² “It cannot be doubted that this stipulation as understood by the Indians, will have a tendency to predispose them to idleness,” read the letter. The Department also confronted Morris with the larger implications that the Treaty 6 terms would have in relation to the existing treaties: “It is to be feared, too, that the publication of the terms of this Treaty may render the Indians heretofore negotiated (*sic*) with dissatisfied with the less favourable terms which have been secured to them, and make those still to be treated with more exacting in their demands than they otherwise would have been.”

The treaty document had not arrived in Ottawa until January 1877⁵⁹³ – it was not until

⁵⁹⁰NAC. RG10. Vol. 3638, file 7305. Alexander Morris to the Minister of the Interior, 17 November 1876.

⁵⁹¹NAC. RG10. Vol. 3636, file 6694-2. Indian Branch Memorandum, 31 January 1877. See also, in this file, Lawrence Vankoughnet, Deputy Superintendent General of Indian Affairs, to the Superintendent General of Indian Affairs, 12 February 1877.

⁵⁹²NAC. RG10. Vol. 3636, file 6694-2. Department of the Interior to Alexander Morris, 1 March 1877. See also, in this file, Lawrence Vankoughnet, Deputy Superintendent General of Indian Affairs, to the Superintendent General of Indian Affairs, 12 February 1877.

⁵⁹³See NAC. RG10. Vol. 3636, file 6694-2. Morris had sent the treaty to Ottawa via express post, for safety.

then that officials learned of the additional provisions that had been included in the text. Why Morris had not informed officials of the treaty terms earlier – via telegraph, for instance – is unclear. Given the many difficulties he had in securing funding for other treaty implementation matters, it seems unlikely that he would have assumed the Department would grant a quick acquiescence had they known of the treaty terms. “I must do it on my own responsibility, and trust to the other Queen’s councillors to ratify it,” he had told the Chiefs at Treaty 6.⁵⁹⁴ In all likelihood, then, Morris delayed so as to force the government’s hand. Indeed, despite believing that “some of the provisions being exceedingly objectionable and such as ought not to have been made with any race of savages,”⁵⁹⁵ Vankoughnet, Meredith, Mills and the Department as a whole had little choice but to recommend the treaty’s ratification: “the Mischiefs which might result from refusing to ratify it might produce discontent and dissatisfaction, which ... would prove more detrimental to the Country than the ratification of the objectionable provisions referred to.”⁵⁹⁶

As an official independent of the Department, Morris could not be held to account for the “onerous” and “objectionable” actions he had taken. Indeed, he defended the treaty in strong and unapologetic language that might have had a lower-ranking official removed from their post. Morris’s reaction was a personal one. He was indignant at the ungrateful attitude the Department displayed toward his treaty-making efforts. More importantly, his vigorous defence of the treaty terms revealed perhaps more than any other document the overall understanding that he had by now developed of the treaty relationship, and his exasperation with those colleagues who failed to understand the treaties. He told the Minister that there was a world of difference between the

⁵⁹⁴Alexander Morris, *The Treaties of Canada*, p.217.

⁵⁹⁵NAC. RG10. Vol. 3636, file 6694-2. Indian Branch Memorandum, 31 January 1877.

⁵⁹⁶NAC. RG10. Vol. 3636, file 6694-2. Order-in-Council, 10 February 1877.

point of view of a local official, like himself, and someone unfamiliar with the region and its people:

I undertook an arduous and responsible duty, knowing that my connection with the North West was about to cease, because I believed that, from my relations with the Indians, I was more likely to succeed than a stranger and because further, I was of opinion from my own experience that it was very undesirable that the new Lieutenant Governor, whoever he might be, should take part in the negotiation.⁵⁹⁷

Morris defended the increased quantity of agricultural implements contained in the treaty on the grounds that it “was not only justified by the circumstances, but was right and proper.” Morris reminded Mills of the moral obligations involved in negotiating fair terms: “We were seeking to acquire their country to make way for settlement, and thus deprive them of their hunting grounds, and their means of livelihood.” In the spirit of reciprocity, it followed that the Crown should make substantial financial sacrifices of its own. Morris’s rationale borrowed heavily from “the well founded representations of the Indians.” He explained the Amerindians’ apprehensions over making the difficult transition to agricultural practise, citing the specific example of James Senum’s band “dragging the plough through the ground by their own strength.”

If they were going to overcome these challenges, he argued, the implements being distributed under *all* of the treaties would have to be much more generous. Morris understood that, from the Amerindian point of view, it made little sense to take up agriculture without certain guarantees for success. The onus was on the Crown to convince them that it was worthwhile. “I have been convinced for sometime,” Morris revealed, “that if we are to succeed in inducing the Indians to cultivate the soil, the provisions of the former Treaties are not sufficiently liberal with regard to implements and cattle to accomplish the desired end.”⁵⁹⁸ Moreover, Morris hardly seemed bothered by the fact that the Amerindians of the other treaties now had grounds to

⁵⁹⁷NAC. RG10. Vol. 3636, file 6694-2. Alexander Morris to the Minister of the Interior, 27 March 1877.

demand better terms. Given his view that the old treaty provisions were inadequate, and his previous tactics in Treaty 5 implementation, it is more likely that Morris had designed to once again force the government's hand.

Morris had long ago come to learn that treaty terms could not be imposed on the Amerindians. At each treaty, he explained to the Minister, the Commissioners had had to make discretionary decisions and compromises of their own to meet the specific needs and demands of the diverse peoples of the North-West, and "to obviate the failure of the Treaties."⁵⁹⁹ Morris maintained that he had always done his utmost to negotiate terms that both the government and the Amerindians could accept. Moreover, what he understood far better than his colleagues was the fact that the Amerindians had been under no obligation to make a treaty. Indeed, they could have demanded better terms, or could even have walked away from the table but for a combination of self-interest, pragmatism and, more importantly, good faith.⁶⁰⁰ "Our Canadian Indians are fully aware ... of the much more liberal terms granted by the American Government to the Indians, when Treaties are made with them," Morris wrote, "and my only wonder is that the Indians made the Treaty at all."

He was quick to point out that the government had been in great need of securing the good will of the Amerindian peoples, and that they would not have signed the treaty but for the promise of general assistance during times of famine and pestilence. Morris cited "the uneasiness

⁵⁹⁸ *Ibid.*

⁵⁹⁹ *Ibid.* "I would call your attention to the fact that in dealing with the Indian people, the Commissioners away from all opportunity of obtaining advice must act at times largely on their own responsibility and deal with the emergencies which arise. There is, moreover, no cast iron form of Treaty which can be imposed on these people. I have taken the leading part in negotiating Treaties Nos. 3, 4, 5 and 6, and in revising Treaties Nos. 1 and 2 and have encountered on all these occasions difficulties which the Commissioners overcame but which they were able to deal with only by assuming responsibility and at the moment without hesitation making stipulations to obviate the failure of the Treaties."

⁶⁰⁰ *Ibid.* "It was the knowledge that similar terms had been previously granted to the American Indians that led to the demands of the Crees for food and clothing, carpenters and blacksmiths, etc. and it is much to their credit that when

of the Indians and the danger of collisions between them and the surveying, telegraph and other parties,” and the need to prevent the type of violence that had occurred “between the Americans and the Sioux ... not far distant from our frontier” from spilling into Canada. He argued that it was the government who should be reciprocating the good will shown them, and not the reverse. Inclusion of the famine and pestilence provision in the treaty was a part of this reciprocity, and of the give-and-take of treaty negotiation. “[T]he food question was the turning point of the Treaty,” Morris explained. The Commissioners made their promise “with the full conviction, that if not given, the Treaty would not be made, and that a failure would lead to consequences of a serious character, with regard to the Indian Tribes and entail heavy expenses on the Government.”⁶⁰¹

Morris took offence to the assertion that the promise of general assistance in times of disaster would engender idleness among the Amerindians. He had often praised the various bands’ work ethic and their desire to farm for self-sufficiency, especially under the difficult circumstances they faced. The famine and pestilence provision, he explained, had been designed as an insurance of sorts against unforeseen disaster while the Amerindians made the difficult transition to agriculture. In this sense, the provision could only “prove a stimulus to exertion.”⁶⁰² More importantly, Morris recognized that the promise of mutual assistance in times of dire need was part of the larger spirit of the treaties. It was a product of the diplomatic traditions that had existed for generations between Aboriginal groups, and later with the HBC. Officials in distant Ottawa, he told the Minister, did not understand the nature of the famine and pestilence provision because they were “without full consideration or knowledge” of the local situation and

these demands were refused, they accepted cheerfully, the terms of the Treaty.”

⁶⁰¹*Ibid.*

⁶⁰²*Ibid.*

diplomatic context. Morris attempted to explain the provision at Mills's level by arguing that it was consistent with the principles of a Christian humanism, British justice, and good government. "[The provision in question ... is novel only in so far as that it is embodied in the Treaty, ... [it is] as old in practise as the history of civilized government."⁶⁰³ Had he remained in Ottawa, Morris may very well have been just as skeptical as his colleague. Having been so thoroughly exposed to the local context, however, he had developed a perspective that lay in stark contrast to his earlier conservative ideals.⁶⁰⁴ Four years of treaty making had proved a highly personalized experience. Getting to know the Amerindian leadership firsthand, learning of the issues their people faced, slowly building a trust, and making promises on behalf of the Crown in the sanctified setting provided by the negotiating circle and the pipe stem, meant that Morris did not take the treaty relationship lightly.

Moreover, by arguing that the famine and pestilence provision was "novel only in so far as that it is embodied in the Treaty," Morris was suggesting that the promise of assistance in times of great need had been inspired by the unwritten spirit of the treaties that had preceded it. Put otherwise, the spirit of the Treaty 6 terms was not necessarily new – it had been an equally integral part of Treaties 1 through 5. By 1876, Morris certainly had his reasons to include the provision in the treaty text. Through his experiences with the 'outside promises' especially, he had learned that Ottawa would not live up to the spirit of the treaties unless it was explicitly written in the document itself. In this sense, the famine and pestilence provision, along with the other 'new' articles promised in Treaty 6, constituted the Commissioners' attempt to frame the

⁶⁰³*Ibid.* "Such a calamity has ever been regarded as the duty of the state to alleviate. The Commissioners were treating in a region where a trading Company, the predecessors of the Canadian Government, had promptly acted in this way in the year 1869-1870, and saved the Indians from entire destruction, and they felt that they could rely on the like conduct from the Queen's government in Canada. They, therefore, assured the Indians that should a national calamity befall them, they could look for help and in that case only."

⁶⁰⁴Such as his old obsession with the idea of the 'self-made man.'

relationship of reciprocity in the familiar language of Euro-Canadian legalese, both for themselves, and for their colleagues in Ottawa. By incorporating it into the Treaty 6 text, Morris was effectively forcing the government to recognize de facto that these terms were also part of the previous treaties. The government had always promised that the different Amerindian groups would be treated equally, and he knew by now that, hearing of these terms, bands in other treaty areas would insist on their having been part of the earlier treaties. To be sure, it was important to clarify for the Amerindians that the treaty provision did not provide for a daily ration. But it was equally important that future government officials recognize the obligation to provide assistance in times of disaster. “[T]he Commissioners deliberately inserted the stipulation in the Treaty,” Morris explained, “in order that there might be no misunderstanding, and that its full scope and effect should be of record.”⁶⁰⁵

Morris’s forceful defence of Treaty 6 appears to have closed the debate, at least officially. His views were supported whole-heartedly by James McKay.⁶⁰⁶ The Privy Council ratified the treaty as it was, but it was the last that Morris would negotiate. Although he served as Lieutenant-Governor of Manitoba for the remainder of 1877, the task of completing Treaty 7 went to North-West Territories Lieutenant-Governor and Superintendent General of Indian Affairs,⁶⁰⁷ David Laird – someone more closely attached to the Liberal administration and to the Department of the Interior.

⁶⁰⁵NAC. RG10. Vol. 3636, file 6694-2. Alexander Morris to the Minister of the Interior, 27 March 1877.

⁶⁰⁶See *Ibid.*, and NAC. RG10. Vol. 3636, file 6694-2. James McKay to the Minister of the Interior, 28 March 1877.

⁶⁰⁷According to a biographer he had held this post as of 1873, when he became Minister of the Interior. See Robb, “David Laird,” *Dictionary of Canadian Biography*.

Removal from power

Morris's involvement in treaty implementation declined during the final year of his tenure. His many disagreements with Ottawa had finally come to a head. Since at least early 1876, some officials within the Department had been working to diminish Morris's role in Indian Affairs. Despite their best efforts, Morris was able to use his rapport with their superior, Minister of the Interior David Laird, to ensure that he would continue to play a significant role. Indeed, his level of involvement during 1876 only intensified with the resolution of the outside promises, the negotiation of Treaty 6, and the implementation of Treaties 3-5. Under the new minister Mills, however, Morris's influence finally diminished, as Meredith and Sinclair had hoped, in 1877. Nonetheless, during this final year of his tenure, Morris continued to lobby in what limited capacity remained for the fulfilment of the treaty promises.

By early 1876, officials of the Department had become increasingly annoyed at the amount of money being spent on treaty implementation. In February, Rob Sinclair was once again tasked with investigating the internal workings of Indian Affairs management in the North-West. Part of the problem, he reported, was mismanagement. While Sinclair applauded Provencher's fiscally conservative approach when it came to disbursing implements, annuities, provisions, and so on, he abhorred his bookkeeping and money-management. "However good Mr. Provencher may be as an administrator of Indian Affairs there can be no possible doubt as to his incapacity as a mere office man, for he is destitute of regular and methodical business habits of application and is most erratic in his manner of transacting business affairs." One specific

spending issue with which Sinclair took issue was the amount being spent on annuities. Provencher inexplicably failed to explain the reason why: there were more Amerindians in the territory than had been initially thought. Sinclair recommended a less liberal spending policy, only giving Amerindians implements when the Department deemed that they would be required or actually used. To curb annuity payments, Sinclair called for a census of each band, making the Chiefs commit to a list of members. In his recommendations were the beginnings of a policy of restricting Amerindian status via legislation. "No doubt the appointment of local agents will do much to rectify this irregularity as they will be able to become personally acquainted with the Indians under their charge," he wrote.⁶⁰⁸

Sinclair attributed the alleged cost overruns of treaty implementation to Morris, who he identified as being much too generous, and by far more generous than Provencher. The problem, he asserted, was that Morris did not answer to the Department:

I believe, that both gentlemen look at the Indian question from different points of view. Gov. Morris has no financial responsibility resting on him as regards the Indians and is disposed to be very conciliatory. Mr. Provencher on the other hand is responsible to the Department for his expenditure and is obliged to be very firm and decided in meeting with a negative, many demands pressed on him by the Indians. On this account, I think His Honor (*sic*) is disposed to think that the Supt. is given to harshness in his treatment of the Indians.⁶⁰⁹

Morris had slowly crept into Indian Affairs administration by his own initiative. It was no wonder, then, that Sinclair wanted to have him removed. For his part, Morris tried to use Sinclair's influence with the Minister to have Provencher removed from his post.⁶¹⁰ Evidently, Morris's trust in Sinclair was misplaced. Provencher kept his post, and it was Morris who would eventually have his authority curtailed.

⁶⁰⁸NAC. RG10. Vol. 3627, file 5972. Rob Sinclair to the Minister of the Interior, 3 February 1876, marked 'Private.'

⁶⁰⁹*Ibid.*

⁶¹⁰*Ibid.* "PS," wrote Sinclair. "Mr. Morris's remarks to me were, of course confidential. I cannot think, however, that

Shortly after Sinclair issued his confidential report to the Minister of the Interior, the Department moved to consolidate absolute control over Indian Affairs in the North-West. The new administrative setup hardly reflected Morris's recommendations of the previous year.⁶¹¹ Instead of placing the Lieutenant-Governor at the head of a Board of Commissioners setting Indian Affairs policy and managing treaty implementation, the new plan called for the creation of two Superintendents. Answerable directly to the Department, these officers would oversee the subagents for all of Manitoba and the North-West Territories. In other words, the whole of Indian Affairs, including treaty negotiation and administration, would be placed directly under the authority of the Department. The Lieutenant-Governor, who answered not to the Department but to the Governor General, would effectively be left out of the process.

Morris was understandably upset. He warned that the new arrangement would cut off the Amerindians from the direct relationship with the Crown for which they had always advocated. It was completely out of step with the diplomatic and practical context of the North-West.⁶¹² "From long use and want, under the regime of the Hudson's Bay Company, and in conformity with the natural bent of the Indian mind," Morris explained, "they will come, whenever they have a grievance to represent or a request to make, to the Lieutenant Governor, as being the Chief representative of the Crown, and they will not rest satisfied with meeting any subordinate officer." Morris expressed his concern that the new administrative arrangement would eliminate the reciprocal diplomatic relationship he had developed with his Amerindian counterparts:

My many despatches have made you conversant with the large portion of time, which I

he intended me to understand that ... they might not be mentioned to you."

⁶¹¹See NAC. RG10. Vol. 3622, file 5013, Alexander Morris to the Minister of the Interior, 18 June 1875.

⁶¹²NAC. RG10. Vol. 3625, file 5506. See Alexander Morris to the Minister of the Interior, 18 February 1876. "... henceforth, the administration of Indian Affairs in Manitoba and the North West is to be carried on by Superintendents and Agents, as in the Province of Ontario. I would remark that there is no analogy whatever between the position, which Superintendents of Indian affairs occupy in the old settled Province of Ontario, and what they will do in the North West."

have had to devote to interviews with Indian chiefs. So much is this the case that within a few months, I had to receive eight parties in the course of ten days. Hitherto I felt that I had authority to deal with them, and the Indian commissioner was under positive instructions ... to take no steps affecting Indian policy, or of importance, without consulting me....⁶¹³

Morris warned that giving the Superintendents “all authority to deal with Indian matters ..., irrespective and independent of the Lieutenant Governors, will ... create difficulties and embarrassments of a serious character.” Morris was not prepared to brush aside the Chiefs and Councillors that were certain to continue to visit him.⁶¹⁴

A system in which the Indian Commissioner and various Indian Agents exercised administrative independence, with little recourse for the Amerindians, was wholly undesirable. It was crucial, Morris argued, that the Lieutenant-Governor have authority over them “to examine into any complaints, grievances or requests of the Indians.” He warned that “otherwise, there will be constant jarring and difficulty and the dissatisfaction, which has prevailed in the past amongst the Indian Tribes, and which I have done my utmost to allay and mitigate, will continue and be intensified.” Morris reminded the Department that his views were drawn from “nearly four years of experience, and ... constant contact with the Indian Tribes in this region.”⁶¹⁵

Despite this setback, Morris managed to secure some concessions. In April, he travelled to Ottawa to lobby Laird for assurances that, despite the proposed administrative changes, he would retain some level of meaningful authority. Initially, Morris appeared to have succeeded. “[D]uring the recent visit of the Lieut. (*sic*) Governor of the North West Territories in Ottawa,” Laird told the Privy Council, “His Honor represented very strongly the necessity of his having

⁶¹³*Ibid.*

⁶¹⁴*Ibid.* “I have been notified that a chief from 300 miles North is coming in to see me. That he will not be satisfied unless he interviews me, is beyond doubt, and yet under your system, I have no right to receive him.”

⁶¹⁵*Ibid.* “[W]hile it [Morris’s plan] entails increased labour and responsibility on myself, I yet entertain the strongest possible conviction as to the necessity of the course I proposed being adopted in the public interests.”

some recognized official position in connection with the Administration of Indian Affairs.” Morris was given “the honorary title of Chief Superintendent of Indian Affairs in the Manitoba Superintendency.”⁶¹⁶

The measure was at once a means to appease Morris and also a subtle attempt to rein him in. The title was intended to be purely honorary. As the chief representative of the Crown, Morris could continue to meet with the Amerindians “to set forth any grievance or complaints,” and retained his “authority to call upon the Local Superintendent [Provencher] ... to give explanations upon any Indian matters that may be brought under his notice.” But he would have no official authority over financial matters – this was purposely left to the more discriminating Provencher. In sum, the Department hoped that, through his position as Lieutenant-Governor, Morris would continue to placate the Amerindians by granting them audiences, but that his capacity to act on these meetings would be limited. To his credit, Morris turned what was intended to have been a symbolic authority into real authority, putting it to use in the administration of Treaties 3, 4, and especially 5. Even though he was not supposed to intervene in financial matters, Morris would do so anyways, directly advising and assisting treaty implementation officers, and lobbying for more treaty implementation funding.

It was for this persistent interventionism that Meredith, perhaps the true authority on Indian Affairs administration and policy in Ottawa,⁶¹⁷ harshly criticized Morris, almost a year after the Department’s initial attempts to reign him in.⁶¹⁸ Meredith explained that it had never been the government’s intention for Morris’s appointment as ‘Chief Superintendent of Indian Affairs in the Manitoba Superintendency’ to be anything beyond symbolic. At the time, Laird

⁶¹⁶NAC. RG10. Vol. 3634, file 6464. Order-in-Council prepared by the Minister of the Interior, 12 May 1876.

⁶¹⁷See Robb, “David Laird,” *Dictionary of Canadian Biography*.

⁶¹⁸NAC. RG10. Vol. 3634, file 6464. E.A. Meredith, Confidential Memorandum, 11 January 1877.

had “serious misgivings as to the wisdom of the appointment. He endeavoured ... to guard against the evils which he foresaw as likely to result from such appointment by making it honorary, by distinctly defining ... [that] financial and general business should pass through the ordinary Indian Superintendent.” Meredith blasted Morris for intervening in the implementation process “with the Indians, especially in connection with Treaty No. 5 – business which under ordinary circumstances should have been performed by the Indian Superintendent.” He alleged that Morris’s involvement in Indian Affairs created a variety of logistical inconveniences from the viewpoint of “Headquarters” in Ottawa. “Where the Lieut. (*sic*) Governor as well as the Superintendent is engaged in the administration of Indian Affairs,” it led to “conflicting action in the Superintendency.” Specifically, Morris’s popularity and constant interaction with the Amerindians “tend[ed] to weaken the authority of the Indian Superintendent proper and to lower his influence with and authority over the Indians.” Particularly annoying were Morris’s continuous correspondence and reports of Amerindian grievances. Most important of all had been the fact that “large sums of money have been disbursed by Gov. (*sic*) Morris.” Meredith warned that if such spending were to continue, Morris’s actions would soon “subject[] him to suspicion of favouritism” of the Amerindians over the rest of the population.⁶¹⁹

The heart of the problem, Meredith complained, was the Lieutenant-Governor’s immunity to the authority of the Department of the Interior. “[I]t is impossible to call him to account or to subject him to the same rigid rules as an ordinary subordinate of the Department.” Meredith resolved that, in order “to secure an efficient and economical administration of the Indian Affairs in any Superintendency, the sole and undivided responsibility ... should rest with the Superintendent [Provencher], a subordinate officer of the Department and not the Lieut.

⁶¹⁹*Ibid.*

Governor of a Province.” Morris could keep his honorary title, but he should “be strictly limited [from] interfer[ing] in the execution or administration of Indian Affairs, especially in financial matters.”⁶²⁰ The new policy would shape the administration of Indian Affairs to come. Morris would be the last truly independent Lieutenant-Governor to play a significant role in treaty negotiation and implementation, with sole responsibility being transferred to the Department. Upon termination of his tenure, the Amerindians would no longer have direct access to an independent link to the Crown – a crucial part of the treaty relationship that Morris had come to appreciate during his four years in the North-West.

Meredith’s scathing assessment of Morris’s role in Indian Affairs is significant as it provides a clear distinction between Morris and his peers in Ottawa. While Morris had begun his approach to treaty negotiation and implementation with the firm hand of financial conservatism, he had, through his years of interaction with the people of the country, come to believe that Ottawa was not doing enough to meet their needs and its lawful obligations toward them. He responded by taking his own measures to try and remedy the situation, much to the annoyance of the Department of the Interior. Despite his own social formation, Morris’s direct contact and intellectual exchange with the Amerindian peoples – along with his personal and emotional investment in the treaties – had helped him overcome the barriers of social formation to the point that he could empathize significantly with their plight and, to a certain extent, understand their world-view. Lacking these experiences, Morris’s colleagues in Ottawa had little opportunity for any such intellectual transformation.

Morris continued to intervene in Indian Affairs as much as his diminished position would

⁶²⁰*Ibid.*

allow. He continued, for instance, to instruct Agents on making annuity payments.⁶²¹ Moreover, several chiefs and counsellors continued to come directly to him to maintain diplomatic relations, and to voice their concerns. Many continued to hold Morris and his office in much higher esteem than they did Provencher. "They ... wished to see me as I had made the Treaty with them and was the Governor," Morris explained after one such meeting.⁶²² Morris may have been diminished in influence, but he nonetheless continued to pay a service to both Canada and the Amerindians through his sensitive handling of diplomatic matters.

Morris also continued to shed light on the many grievances over treaty implementation. He reminded officials in Ottawa that the Amerindians were upholding their treaty promises by making sincere efforts at farming, and that the government should reciprocate by providing the promised assistance. Chief Constant of the Pas Reserve, in the remote Treaty 5 area, for instance, appealed directly to Morris to secure the delivery of the provisions, implements, and schools promised under treaty.⁶²³ He assured Morris of his band's agricultural activities. Taking Constant at his word, Morris forwarded the request to the Minister of the Interior.

The Department was not so trusting of Morris's assessment, however, and referred the matter back to Provencher. Almost predictably, Provencher put off the schools question and denied the band's request for more seed. He had by now enthusiastically embraced the Department's stringent new policies, regardless of what had been promised in the treaties: "It has been the constant practice of the Indians to say that they were ready to receive every article, cattle, implements, that they may be entitled to, in certain conditions, according to the Treaties. But I would strongly recommend that no such engagements should be fulfilled before the Indians

⁶²¹See, NAC. RG10. Vol. 3649, file 8248, various correspondence.

⁶²²NAC. RG10. Vol. 3646, file 7966. Alexander Morris to the Minister of the Interior, 2 April 1877, reporting on a meeting with Chiefs Powawassan and She-she-gence from the Lake of the Woods area.

have really showed that whatever article is given to them shall not be wasted or traded.”⁶²⁴

Despite his best efforts, Morris could not convince his colleagues of the Amerindians’ industriousness and of the need for the government to uphold its treaty promises.⁶²⁵

Treaty implementation – in brief

The tragedy of history here would not lie in the treaties themselves, then, but rather in the government’s lacklustre implementation of its treaty promises. The Amerindian leadership, committed to implementing the relationship of reciprocity, would see their own end of the bargain through to completion. This is not to say, however, that the Crown’s treaty negotiators, like Morris, McKay, or Christie, were not themselves personally committed to the treaty relationship – they simply lacked the support of the government on whose behalf they had negotiated. Moreover, during the early post-treaty era, the individuals that had negotiated for both sides demonstrated a similar understanding of what the treaty relationship entailed.

The Amerindian leadership proved early on their commitment to the implementation of the treaty relationship. Shortly after signing Treaty 4, for instance, Ojibwa Chief Côté wrote a “thanks [to] Morris for coming,” reminding him that he “intends to keep the treaty made.”⁶²⁶ According to Saskatchewan Treaty Elders today, the treaty provisions were to be closely observed, and “[w]e are not to change anything.”⁶²⁷ Indeed, after the making of the treaties, the

⁶²³NAC. RG10. Vol. 3645, file 7806, Alexander Morris to the Minister of the Interior, 1 March 1877.

⁶²⁴NAC. RG10. Vol. 3645, file 7806, J.A.N. Provencher to the Minister of the Interior, 9 May 1877.

⁶²⁵It seemed that Morris’s judgement on such matters was constantly being challenged at this point. See, for instance, NAC. RG10. Vol. 3646, file 8013, Alexander Morris to the Minister of the Interior, 9 April 1877, and the following correspondence.

⁶²⁶LG. INAC Library, Claims and Historical Research collection, B.13.Chief Côté to Alexander Morris, March 1875.

⁶²⁷In Cardinal and Hildebrandt, p.28.

Plains Amerindians no longer disrupted telegraph lines and settlement, at times even assisting immigrants as they searched for suitable land. As Jean Friesen explains, “[t]he new settlers who flooded in over the next couple of decades, principally from Ontario..., survived their pioneer years because the Indians permitted them access to the fish and game resources.”⁶²⁸

The Euro-Canadian negotiators of the treaties, meanwhile, lobbied tirelessly for the proper implementation of the government’s treaty promises, but their advice often went unheeded by those controlling the purse strings in Ottawa. Requests for increased staffing for treaty implementation were only half met, rendering the procurement of agricultural implements exceedingly difficult. At times, agricultural implements were readily available in storage, but no one was available to distribute them.⁶²⁹ When such implements were made available, they often came in quantities smaller than what had been promised, and were frequently of shoddy workmanship.⁶³⁰ Christie was soon echoing Morris’s concern that the “terms and conditions of treaty [be] attended to at once.”⁶³¹ Even Laird, in 1878 after Morris’s departure, called on the government to establish reserves and honour the treaties when he moved to the North-West, and became aware that “many of the Cree leaders were complaining that the government was not providing the farming assistance promised.”⁶³²

Government implementation of the intended treaty relationship went from bad to worse when the Macdonald government returned to power and replaced Morris with Edgar Dewdney, appointed in 1879 to the newly-created and all-powerful position of Commissioner of Indian Affairs for the Northwest Territory. Backed by the unequivocal support of the re-elected

⁶²⁸Friesen, “Magnificent Gifts,” p.50, and see Tobias, pp.251.

⁶²⁹LG. INAC Library, Claims and Historical Research collection, B.13. See communications around 7 October 1875.

⁶³⁰For a more complete assessment of this failed government implementation, see Buckley, pp.28-66.

⁶³¹LG. INAC Library, Claims and Historical Research collection, B.13. W.J. Christie to Alexander Morris, 7 October 1875.

⁶³²Tobias, p.525.

Macdonald government, Dewdney abandoned the treaties and instead set in motion a policy of what he personally termed “sheer compulsion.”⁶³³ The history of this policy has been well-documented elsewhere.⁶³⁴ To confront an increasingly agitated Amerindian leadership (due to the already-lacklustre implementation of the treaties), Dewdney employed starvation tactics, withholding rations and farming implements from those bands who protested against government behaviour. Further, he undercut Amerindian autonomy by incarcerating Chiefs, impoverished bands by confiscating horses and carts, increased the size of the Mounted Police force to station troops on reserves, and prohibited people from leaving their reserves.⁶³⁵ Before long, this violation of the treaties had soured the Amerindians’ perception of the government’s initially good-natured treaty intentions, leading many disillusioned individuals to conclude that Morris had made mere “sweet promises.”

⁶³³*Ibid*, p.534.

⁶³⁴See especially Tobias, and Brian Titley, *The Frontier World of Edgar Dewdney*, (Vancouver: University of British Columbia Press, 1999).

⁶³⁵Tobias, pp.547-548.

X. AFTER THE TREATIES

Despite the many difficulties he had faced, Morris left the North-West with a sense of accomplishment. His objectives in the region had been twofold: first, to secure Canada's future and economic prosperity by way of a peaceful annexation of the territory; and second, to ensure the future survival of the Amerindian peoples. Moreover, Morris had reconciled his dream for expanding the Canadian state with that of seeing its original peoples prosper alongside their new neighbours. In his view, both goals had been achieved. "I cannot help saying that my residence, my position in this province, has been a pride and satisfaction to me," he told a Winnipeg gathering for the visiting Lord Dufferin, Governor General, in September 1877.

Twenty-five years ago, when comparatively a young man, I directed my studies to the future of the North-West of the Dominion. I gleaned every source of information I could obtain, and came to the conclusion that there was here the backbone of the future Dominion. In my visions, I saw the Pacific Railway stretching across the continent, and I saw the Indian population in the far west feeling the throbbing of the white man's heart, and learning the arts of civilization, and I saw the vast population of the old world peopling this land, and making it the granary of the globe.⁶³⁶

Morris added that he had been "right glad ... when I stood at St. Peter's Indian Reserve to hear His Excellency tell those red children of the Queen that Her Majesty had charged him to enquire specially into their condition." Having "the Chief Representative of the Crown, of which I am one of the subordinate representatives," meet with the Amerindian peoples had been as symbolically significant for Morris as it had for the Chiefs themselves.⁶³⁷

Morris had become deeply attached to the different peoples of the North-West. "I leave this Province as one who feels that five years of his life have been worked into its history, and

⁶³⁶Alexander Morris, "Speech at the Banquet to Lord Dufferin, at Winnipeg," 29 September 1877, in Alexander Morris, *Nova Britannia*, pp.185-186.

⁶³⁷*Ibid*, pp.184-186.

that it is his good fortune to carry away with him the friendship of the community.”⁶³⁸ He celebrated their diversity, and championed the principle of peaceful coexistence that they had upheld. Any language of the ‘fusion of races’ or of rendering the population thoroughly British – a dream from Morris’s earlier years – was absent from his speech.

[H]ere in this province there dwells a community of the most mixed character that can be found in any country under the sun, and ... here, thanks to Providence, thanks to the good sense of the community, to the spirit of conciliation and adaptation to each other which has been developed among us, there is peace, harmony and concord.

He promised that, after his departure, he would do his utmost to uphold the interests of the people he had come to respect and admire: “next to my duty to my Queen, let my hereafter be short or long in it, will be found devotion to the interests of Canada, Manitoba and the North-West.”⁶³⁹

‘Retirement’ and ongoing interest in the North-West

Morris retired from Manitoba and his post by the beginning of 1878, and returned to Ontario. His retirement was short-lived. He quickly inserted himself into the political scene of his home province. By the end of the year, Morris had won a seat in the Ontario Legislative Assembly, representing the constituents of Toronto East. He took a prominent role among the Opposition Conservatives, and “championed the cause of federal rights” against the ruling Liberal administration of his old legal colleague, Oliver Mowat. Poor health forced another political retirement in 1886, but Morris remained active in the affairs of the Presbyterian Church,

⁶³⁸ *Ibid*, p.186.

⁶³⁹ *Ibid*, p.187.

Queen's University, land speculation, and a number of financial institutions.⁶⁴⁰

Despite his new pursuits in Ontario, Morris retained an ongoing interest in the affairs of the North-West and the Amerindian peoples. Morris's financial circumstances had suffered somewhat by the end of his tenure as Lieutenant-Governor,⁶⁴¹ but he nonetheless retained land interests in the North-West, including lands in Winnipeg, Edmonton, and farmland in Manitoba.⁶⁴² In 1878, Morris ran in the federal election to represent Selkirk, but lost by nine votes to his opponent, "the most unscrupulous liar I ever met."⁶⁴³ In mid-1881 he helped the Presbyterian Mission at Prince Albert acquire land on the North Saskatchewan River in part to support a high school "in which," he advised, "provision should be made for the free education of Indian children."⁶⁴⁴ He became something of an unofficial advisor on Indian Affairs to Macdonald, especially when Rebellion broke out in 1885. Morris blamed the situation – specifically Cree grievances and support of the rebellion – on the lacklustre treaty implementation derived from Liberal policies during his time as Lieutenant-Governor. "Had my advice in 1876 been followed this would have been long since settled," he told Macdonald in March 1885. "For all the work I did I never had a word of thanks. On the contrary, my Indian career was closed with the highest censure," Morris later wrote.

'The Government gave us little or no direction or instructions to aid them (Indians) in pestilence and famine of a national character. If we had not done as we did there would be no treaty and no order as we had from '76 to '85.... I warned Mills as to breach of faith concerning Indian Treaties. I had two years of fighting with Mills and would have resigned but for Lord Dufferin who stood by me and advised me not to do so.'⁶⁴⁵

⁶⁴⁰Friesen, "Alexander Morris," *Dictionary of Canadian Biography*.

⁶⁴¹See Babion, p.139.

⁶⁴²See Manitoba Archives, MG12B4, "Personal Papers."

⁶⁴³In Babion, p.139.

⁶⁴⁴*Ibid*, pp.163-165.

⁶⁴⁵In *Ibid*, pp.151-152.

Even after a decade, during the twilight of his public career, the general mismanagement of Indians Affairs, and of Treaty 6 in particular remained a rather bitter memory for Morris. Five years earlier, he had given expression to his discontent in a book on the numbered treaties.

For all his bitter feelings, Morris's reputation as Lieutenant-Governor and his role in Indian Affairs administration had left him with a generally positive reputation among a number of individuals close to the Amerindian peoples, and among many of the Amerindians themselves. Missionaries who had gained the confidence of these peoples viewed Morris as a man sympathetic with the Amerindians. "[L]es traités déjà fait ici ont été pour la satisfaction de tous," wrote Father Lacombe in his report to Morris from the Saskatchewan in February 1875.⁶⁴⁶ "Tout le monde connait trop bien votre justice quand il s'agit surtout du pauvre sauvage. Je suis sûr que vous voulez le bien de ces sauvages, puis que dans les premières années de votre vie publique, déjà vous plaidiez si bien la cause du pauvre enfant des bois et des prairies." The feeling of deep respect was mutual. Morris forwarded Lacombe's report to the Secretary of State and Governor General, underlining passages that he felt were particularly poignant:

[V]euillez me permettre d'avouer à Votre Excellence que pour ma part, je pense que l'arrivé des Blancs parmi les Sauvages, avec tout ce qu'ils leurs ont apporté des douceurs de la civilisation, a toujours été un grand malheur pour les tribus Indiennes. ... [L]es sauvages, qui n'ont jamais vu les Blancs sont moins malheureux pour la vie corporelle que ceux auxquels on a appris des besoins qu'ils ne connaissaient pas auparavant.⁶⁴⁷

Decades later, an old NWMP official similarly remarked on Morris's sympathy for the Amerindians.⁶⁴⁸ During his tenure, Amerindian leaders had themselves often come directly to Morris to voice their grievances with the knowledge that he would provide a more sympathetic

⁶⁴⁶NAC. RG10. Vol. 3613, file 4518. Father Lacombe to Alexander Morris, 13 February 1875.

⁶⁴⁷NAC. RG10. Vol.3613, file 4518. Attachment in Alexander Morris to the Secretary of State, 25 February 1875.

⁶⁴⁸See Edmund Morris, *The diaries of Edmund Montague Morris*, p.26. Colonel Fred White of the RNWMP, Edmund Morris wrote, "knew my father & mother at Fort Garry. He says there is a great difference today in the dealings with the Indians. In my father's day, when he negotiated the treaties & Macdonald & Galt were at Ottawa, there was a deep sympathy with the Indians and they were treated as wards."

ear than Provencher or other officials. During their countless encounters with Morris, whether at treaty negotiations, or in meetings with him at Fort Garry, many Amerindian leaders had expressed their respect and friendship toward him. Morris amassed a sizeable collection of gifts and artefacts from them during his tenure.⁶⁴⁹

Long after leaving the North-West, and even in death, Morris remained well remembered by Amerindian leaders. In 1886, Chiefs travelling East called on Morris, then in Toronto, for a visit. Among others, this group included Mistawasis and Atakakoop, principle negotiators at Treaty 6.⁶⁵⁰ After Morris's death in 1889 at the age of sixty-three, a number of Chiefs from Manitoba and the North-West made the long journey to his funeral to pay their former colleague a final honour. Among them was Chief John Prince of Clandeboye, who famously stated that "the great spirit called me here to be by the side of my friend."⁶⁵¹

Long after his death and well into the next century, Amerindian leaders would continue to evoke Morris's name to remind the government of its treaty promises.⁶⁵² Morris's son, Edmund, found that this was the case when he visited the prairies from 1907-1910, and met with several band leaders, many of whom had been present at treaty negotiations with his father. Some Chiefs hoped that the former Lieutenant-Governor's son would "take a message to the great chiefs at Ottawa. All the old chiefs have the same to say," Edmund wrote. "They do not want any part of the reserve sold. The promise was given them at the Treaty and if broken will

⁶⁴⁹See *Ibid*, pp.35, 92.

⁶⁵⁰See *Ibid*, pp.68, 70. "Lt. Col. McDonald, with Peter Hourie as interpreter, brought a number of these Indians to the East in 1886, and I remember them calling upon my father ... & my brother Wm. & I saw them off at the train. The party consisted of Mis to was is, O'Soup, Ka kn wis ta hah, Atakakoop, Flying in a Circle." See also endnote 24, p.82, and p.144 for some additional details of the trip. Among them was Star Blanket, who was the son of Wa Pii moose too sus, Saulteaux signator to Treaty 4.

⁶⁵¹*Ibid*, p.66.

⁶⁵²The "Union Council of the old North West Angle Treaty, Number 3," for instance, referred to Morris's promises when they protested that certain lands had not been given up at the making of the Treaty. See NAC. RG 10, Vol. 6761, file 420-303. Letter from the Union Council of the old North West Angle Treaty Number 3 to the King

remain as a dark spot in our history. Canada is now in a position to give as compensation for the vast domain required by the Treaties even more than promised. The Blackfoot reserve is the pick of the land, & there are many avaricious eyes fixed on it.”⁶⁵³ Alexander Morris appeared to have imparted a measure of respect for the treaties on his son.

The Treaties of Canada with the Indians...

Shortly after his departure from the North-West, in 1878, Morris decided to write a book on the history of treaty-making in western Canada, with a specific focus on the numbered treaties. The book was published two years later, under the typically Victorian title, *The Treaties of Canada with the Indians of Manitoba and the North-West Territories including the Negotiations on which they were based, and other Information relating thereto*. Morris compiled his own recollections and summaries of the negotiations, transcriptions of the spoken proceedings, reports submitted to the government by himself and other officials at the time of treaty-making, and the texts of the treaties and adhesions. The book remains arguably the most important single source of written information on Treaties 1 through 7. Morris believed that in order to properly understand the treaties, one had to be familiar with the people involved and the historical and contemporary contexts under which the agreements had been negotiated.⁶⁵⁴ In short, the book provided expression to Morris’s understanding of the treaties and of their significance.

Morris had his reasons for publishing the book. Now at the twilight of his career and in

George VI of England. Not dated. Received some time before Dec.11, 1937.

⁶⁵³Edmund Morris, *The diaries of Edmund Montague Morris*, p.18. See also p.74.

⁶⁵⁴See Alexander Morris, *The Treaties of Canada*, p.11.

uncertain health, and having faced the criticism of his colleagues, he was, perhaps, anxious to validate his term as Lieutenant-Governor. Moreover, it was a means to shore up his personal legacy as a patriot, a nation-builder, an advocate for territorial expansion, and as one of the ‘great men’ of history that he had come to admire in his earlier years. Indeed, he did not shy away from boasting to readers in the preface of his text that “I had considerable part” in the signing of the treaties and the subsequent territorial expansion westward.⁶⁵⁵ In other important speeches and publications throughout his career, Morris had similarly indulged in pointing out his own contributions to the making of Canadian history.⁶⁵⁶

Historian Brian McNab has criticized Morris’s book as the Federal Government’s “official version of the history of the Treaties,”⁶⁵⁷ but there is reason to believe that the information contained in the work is reliable. The transcripts of the proceedings, and the various correspondence included in the book, essentially match the original copies that can be found in the archival records today. Moreover, the bulk of Morris’s book is made up of documents written during the period – they are not recollections made in hindsight. Morris repeatedly insisted on the accuracy of the accounts of the spoken proceedings.⁶⁵⁸ His own reports to the Department, contained in the book as well as in the archival collections, corroborated the spoken record. Historian John Taylor, who is generally critical of Morris, has himself acknowledged that the transcribed proceedings provide a crucial source in understanding the treaties, despite their

⁶⁵⁵ *Ibid*, preface.

⁶⁵⁶ Refer, for instance, to Alexander Morris, “Speech at Perth, on Re-election by Acclamation, after Accepting Office in the Dominion Government, as Minister of Inland Revenue,” November 1869, in Alexander Morris, *Nova Britannia*, pp.142. Morris makes proud reference to the 1864 formation of the Grand Coalition in which he played a contributing role.

⁶⁵⁷ Brian McNab, “Treaties and an Official Use of History,” *Canadian Journal of Native Studies*, vol.13, no.1 (1993): 139-143. *The Treaties of Canada with the Indians*, he argues, is biased and “wholly self-serving. It was written to justify Morris’s work in the negotiation and his British Imperial vision of Canada’s future, a vision which was quite at odds with the objectives of the Aboriginal Nations,” pp.141.

⁶⁵⁸ See, for instance, Alexander Morris, *The Treaties of Canada*, p.180.

“bias.”⁶⁵⁹ In recent years, Aboriginal groups have turned to Morris’s book to build their own legal arguments in favour of treaty rights. “The primary source is Morris,” explained the National Indian Brotherhood (NIB) in 1980, at the height of the constitutional renewal process. “Our treaties with the Indians of Manitoba and the Northwest, which was published in the late 19th century to defend the integrity of the treaty making process.”⁶⁶⁰

A number of events, places, and personalities in *Treaties* have been confirmed in other written sources. Morris’s son, Edmund, met some thirty years later with a number of these historical figures, both government and Amerindian, and his conversations and interactions with them are recorded in detail in his diaries.⁶⁶¹ The sequence of events described in the Treaty 5 chapter can also be corroborated by the diary of the captain of the vessel that took Morris and McKay on their journey across Lake Winnipeg.⁶⁶² Even Erasmus’s recollections of Treaty 6 negotiations are consistent with Morris’s version of events, although from a different perspective, and albeit with a few exceptions. Much has been made of Morris’s omission of one of Poundmaker’s criticisms of the treaty, contained in Erasmus’s record.⁶⁶³ But a variety of other equally striking examples of the occasional opposition or suspicion of some Amerindians toward the treaties were included in Morris’s book.⁶⁶⁴

Moreover, that Morris deemed it fit to publish the transcriptions of the treaty

⁶⁵⁹See Taylor, *Treaty Four*, endnotes 1 and 15, pp.17-18.

⁶⁶⁰NIB, “Brief for the Foreign and Commonwealth Affairs Committee of the British House of Commons,” p.10, endnote 4, In NIB, *Brief to the Special Joint Committee of the Senate and of the House of Commons on the Constitution of Canada*. (Ottawa: The Brotherhood, December 16, 1980). Can I Submissions/17. Human Rights Centre, University of Ottawa. See also the various citations of Morris and *The Treaties of Canada* in “Petition by the Indian People of Canada to Her Majesty Queen Elizabeth II.” (Ottawa: November, 1980). Congress of Aboriginal Peoples Archives.

⁶⁶¹Edmund Morris, *The diaries of Edmund Montague Morris*. See, for instance, p.76.

⁶⁶²HBC. E.52/1, “Gilbert Spence Hackland Diary,” 1875.

⁶⁶³See Erasmus, pp.214; Taylor, *Treaty Six*, p.14; and Deanna Christensen, *Ahtahkakoop. The Epic Account of a Plains Cree Head Chief, His People, and Their Struggle for Survival, 1816-1896*. (Shell Lake, Saskatchewan: Ahtahkakoop Publishing, 2000), p.247.

⁶⁶⁴See, for instance, G. McDougall to Alexander Morris, 23 October 1875, in Alexander Morris, *The Treaties of*

negotiations, and not just the treaty texts themselves, suggests that by 1878, he had indeed come to see the spoken exchange as part of the larger agreement. Interestingly, much of Morris's understanding as represented in the book was not unlike the understanding espoused in the Aboriginal oral history of recent decades.⁶⁶⁵ Had he wished to limit the perceived meaning of the treaties or certain promises that were made but not recorded in the treaty text, Morris could have doctored the transcriptions or left out the entire record of the proceedings altogether. Instead, he had left out crucial government correspondence that argued for a limited interpretation of the treaties' significance. Moreover, Morris's understanding of the general significance of the treaties as described here may be more conservative than that of First Nations in the latter half of the twentieth century, but it was certainly more liberal than that of the federal government of the late nineteenth century.

Morris was genuinely concerned with drawing attention to the significance of the treaties and to the promises he had made on behalf of the Crown. The treaties would occupy an important place in Canadian history, and it was Morris's hope that they be remembered among the larger public. "It is the design of the present work to tell the story of these treaties," he wrote in his introduction, "to preserve, as far as practicable, a record of the negotiations on which they were based, and to present to the many in the Dominion and elsewhere, who take a deep interest in these sons of the forest and the plain, a view of their habits of thought and speech, as thereby presented, and to suggest the possibility, nay, the certainty, of a hopeful future for them."⁶⁶⁶ Indeed, the book had been marketed in part for a general audience. In the first edition, the publisher, Belfords, Clare & Co., had attached advertisements for other general interest titles,

Canada, p.174.

⁶⁶⁵Morris's book, explained the NIB, "confirms the oral tradition of Aboriginal elders." See NIB, "Brief for the Foreign and Commonwealth Affairs Committee of the British House of Commons," p.10, endnote 4.

such as *Bismarck in the Franco-German War*, *Sketches by Mark Twain*, and *How to Succeed in Life: a Book for Young People*.

But the book remained of a serious character. It had been compiled to provide a record of the making of the treaties, but also “[a]s an aid to the ... equally important duty ... of carrying out, in their integrity, the obligations of these treaties.” Moreover, Morris had developed something of a personal and emotional stake in the fulfillment of the treaties, and in the future success of the Amerindian peoples. He described treaty implementation as “the completion of a work, in which I had considerable part, that, of, by treaties, securing the good will of the Indian tribes, and by the helpful hand of the Dominion, opening up to them, a future of promise, based upon the foundations of instruction and the many other advantages of civilized life.”⁶⁶⁷

The book was written not only for the public, then, but to set the record straight for government administrators as well. Morris’s adoption of the view that the spoken proceedings were an integral part of the treaty agreement had been gradual. “It is obvious that such a record will prove valuable,” he remarked shortly after the conclusion of Treaty 4, “as it enables any misunderstanding on the part of the Indians, as to what was said at the conference, to be corrected, and it, moreover, will enable the [Privy] council better to appreciate the character of the difficulties that have to be encountered in negotiating with the Indians.”⁶⁶⁸ By late 1876, Morris was less interested in clearing up “misunderstanding on the part of the Indians” than he was on influencing the way in which government officials thought about the treaties. To this end, he presented the Minister with “a record of the [Treaty 6] negotiations, ... which I think ought to

⁶⁶⁶Alexander Morris, *The Treaties of Canada*, p.11.

⁶⁶⁷*Ibid*, preface.

⁶⁶⁸Report of Alexander Morris, 17 October 1874, in Alexander Morris, *The Treaties of Canada*, p.83. Morris similarly valued the extract from the *Manitoban* in his chapter on Treaty 3, as “The reports of the speeches therein contained were prepared by a short-hand reporter and present an accurate view of the course of the discussions, and a vivid representation of the habits of Indian thought.” In *Ibid*, p.52.

be published, as it will be of great value to those who will be called on to administer the treaty, showing as it does what was said by the negotiators and by the Indians, and preventing misrepresentations in the future.”⁶⁶⁹ The government was indeed a major target audience for Morris’s work – the publisher had insisted that Morris “give us the assurance that the government would take from 750 to 1000 copies, [otherwise] we cannot take the risk of publications.”⁶⁷⁰ Morris doubtless hoped, then, that future policy-makers and officials responsible for treaty implementation would refer to his book in the execution of their duties.

To this end, the book provided something of a sanitized version of events, but only insofar as to lend a favourable reading of the treaties, and to downplay the divisions that had occurred between Morris and his colleagues. No mention, for instance, is ever given to Morris’s frustration with Provencher’s ineffectiveness in following through on treaty promises, or to the inability of far away officials in Ottawa to understand the nature of events in the North-West. Morris’s frustration at never being granted the centralized authority he believed necessary for the proper administration of the treaties is also never mentioned. Given Morris’s belief in the importance of the ‘solidarity of the public service,’⁶⁷¹ making public disclosure of the many disagreements he had with his colleagues would have been inconsistent with his professionalism.

If anything, Morris painted a picture in which the Department of the Interior appeared to approve of the otherwise controversial measures he took to negotiate the treaties and implement the government’s treaty promises. In Morris’s chapter on the renegotiation of Treaties 1 and 2, for instance, the correspondence ends with his report of June 8, 1876 in which he recommends approval of the Yellow Quill reserve – immediately before major differences arose between the

⁶⁶⁹Report of Alexander Morris, 4 December 1876, in Alexander Morris, *The Treaties of Canada*, pp.195-196.

⁶⁷⁰AO, F51. Belford, Clarke & Co. to Alexander Morris, 4 October 1879.

⁶⁷¹See NAC. RG10. Vol. 3624, file 5217-1. Alexander Morris to the Minister of the Interior, 19 February 1877.

Department and himself. Morris cheerfully concluded his summary of events: "Thus was so far closed, a controversy which had lasted for some years."⁶⁷² But this was hardly the end of the controversy – the Department would not approve the Yellow Quill reserve, and disputes between the band and incoming settlers would persist into the 1880s and beyond. By including only his own recommendations, and not the refusal of the Department to approve the reserve, Morris was effectively writing the opinions of officials that he had found objectionably *out* of the history. Moreover, with regard to Treaties 1 and 2, Morris appeared to believe that only the correspondence from June 8, 1876 and earlier were legitimate – before Mills became Minister. "The despatches of the Lieutenant-Governor to the Minister of the Interior [Laird], giving an account in full of the negotiations for the revision of the Treaties Numbers One and Two, will complete this record," Morris told readers, "and will be found to give a clear narrative of them."⁶⁷³ In a similar vein, Morris's chapter on Treaty 5 includes various correspondence relating to its implementation, but none of the subsequent correspondence in which the Department expressed its objection to Morris's expensive interventions in that treaty's implementation.⁶⁷⁴

In the Treaty 6 chapter, Morris's selective citation of Mills would lead the reader to believe that the Minister had wholeheartedly endorsed the additional treaty provisions.⁶⁷⁵ A reading of the private correspondence, however, clearly shows that Mills and the Department had chastised Morris for these perceived 'excesses.' As with the chapters on Treaties 1, 2, and 5, Morris stopped including correspondence at the point at which government officials became critical of the treaties. If anything, then, Morris's book was not so much a sanitized version of the

⁶⁷²Alexander Morris, *The Treaties of Canada*, p.131.

⁶⁷³*Ibid*, p.131.

⁶⁷⁴See *Ibid*, pp.143-167.

divisions that occasionally occurred between the Amerindians and the Treaty Commissioners, but rather a reduction of the divisions that had existed between Morris and other Commissioners in the North-West on the one hand, and Departmental officials from Ottawa on the other. Moreover, the book promoted Morris's preferred version of events not over that of the Amerindians, but over that of his colleagues in Ottawa. Morris's book was designed to counter the discriminating perspective of his more parsimonious counterparts, including Mills, Meredith and Vankoughnet. If his book became a reference for public officials in determining Amerindian and treaty administration policy – presenting Morris's version of events over that of his old colleagues – then future policies might be changed accordingly.

Indeed, Morris's book contained a few parting shots at treaty administration in general. In the final chapter of his book, Morris alludes to the departure that Ottawa had taken from its treaty obligations, and repeated a number of his recommendations for proper treaty administration. Morris used his closing chapter to insist that the government not break faith with the Amerindian peoples and the treaties that had been signed:

I remark in the first place that the provisions of these treaties must be carried out with the utmost good faith and the nicest exactness. The Indians of Canada have, owing to the manner in which they were dealt with for generations by the Hudson's Bay Company, the former rulers of these vast territories, an abiding confidence in the Government of the Queen, or the Great Mother, as they style her. This must not, at all hazards, be shaken. It can be easily and fully maintained.⁶⁷⁶

He told readers that careful observation of the treaties provided the best assurance for peace and stability in the region.⁶⁷⁷ Morris reiterated the terms of the treaties, including extinguishment of title, hunting and fishing rights over Crown lands, and the annuities. He tried to convince readers that it remained well within the means of government to uphold the bare minimum of its treaty

⁶⁷⁵See, for instance, *Ibid*, p.176. Mills comes off as having praised Morris's work.

⁶⁷⁶*Ibid*, p.285.

promises. He explained to readers the symbolic significance of the flags, medals, suits of clothing, and salaries given to the Chiefs and headmen. For Morris, these items were equally symbolic, as they made the Chiefs “in a sense officers of the Crown.”⁶⁷⁸

Morris warned against some of the policies that had been adopted since his departure. “The power of the Chiefs has been much broken of late, and I am of opinion that it is of importance to strengthen the hands of the Chiefs and Councillors by a due recognition of their offices and respect being shewn them. It is ... of the utmost importance to retain their confidence and cause their office to be recognized and respected by both whites and Indians.”⁶⁷⁹ Morris argued that the government needed the Chiefs in order to maintain law and order in the country. “They should be strongly impressed with the belief that they are officers of the Crown, and that it is their duty to see that the Indians of their tribes obey the provisions of the treaties.” The Chiefs, he explained, had been instrumental in bringing about the treaties, and equally so in maintaining law and order throughout the country, among Euro-Canadians as well as Amerindians. He cited the example of one Chief who had helped arrest and bring to justice a man who had murdered a Métis and a Canadian.

This case affords an illustration of the value of the recognition of the Chiefs of the various bands, and shews of how much advantage, it is to the Crown to possess so large a number of Indian officials, duly recognized as such, and who can be inspired with a proper sense of their responsibility to the Government and to their bands, as well as to others. In all the negotiations for treaties, the Chiefs took a controlling part, and generally exhibited great common sense and excellent judgment.⁶⁸⁰

Morris’s understanding of the treaties’ intended authority for the Chiefs, then, clearly went beyond that of his successor, Edgar Dewdney.

⁶⁷⁷ *Ibid*, p.288.

⁶⁷⁸ *Ibid*, p.286.

⁶⁷⁹ *Ibid*, pp.286-287.

⁶⁸⁰ *Ibid*, p.287.

Morris urged that the reserve lands be upheld and respected. The reserves were to provide permanent homes for the Amerindians, he explained, and “cannot be interfered with, by the rush of immigration.” Moreover, they would provide a means to “learn the arts of agriculture.” He reminded potential settlers and policy-makers alike that the reserves “cannot be sold or alienated without their [the Indians’] consent, and then only for their benefit.” At a time when reserve lands were either being denied or moved for the benefit of the government and settlers, Morris maintained that it was up to the Amerindians themselves to determine the location of their reserves.⁶⁸¹ Morris warned that a system, such as that in the United States, in which Amerindian peoples were relegated to non-ancestral and remote inferior lands, away from urban markets, and their reserves broken up for sale to whites, would lead to “Indian wars and great discontent.”

Morris attempted to paint a picture of the Amerindian eagerness to take up agricultural practise, and, more generally, to counter assumptions that, as a people, they were doomed to disappear. His assertions were made with a view to encourage greater generosity in the government’s fulfillment of its treaty promises. “The Indians are fully aware that their old mode of life is passing away. They are not ‘unconscious of their destiny;’ on the contrary, they are harassed with fears as to the future of their children and the hard present of their own lives.” He insisted that the Amerindian peoples were fully capable and willing to learn agricultural practise so as to survive and maintain economic independence. “They are tractable, docile, and willing to learn. They recognize the fact that they must seek part of their living from ‘the mother earth,’ to use their own phraseology.”⁶⁸²

To this end, Morris repeated his insistence that the promised agricultural implements

⁶⁸¹“The Indians, have a strong attachment to the localities, in which they and their fathers have been accustomed to dwell, and it is desirable to cultivate this home feeling of attachment to the soil.” *Ibid*, pp.287-288.

⁶⁸²*Ibid*, pp.288-289.

should be provided. He also argued that the government should go beyond what had been promised in the treaty text. The number of cattle assigned to each band, for instance, had been “comparatively limited” out of a concern that the Amerindians might not actually take up agricultural practise and properly care for the animals. Morris admitted that “the Government are not bound to extend the number.” But he insisted that “[s]ince the treaties, the Indians are turning their attention much more to cultivating the soil,” citing several examples from the different treaty areas.⁶⁸³ Morris spoke to the work ethic and abilities of the Amerindian people. “It is unnecessary to multiply instances, of the aptitude, the Indians are exhibiting, within so recent a period after the completion of the treaties, to avail themselves of obtaining their subsistence from the soil. Their desire to do so, should be cultivated to the fullest extent.” He repeated an earlier recommendation that he had made to Mills, hoping, perhaps, that it would be better received among the public. “In the year 1876, I reported to the Minister of the Interior, the Hon. David Mills, after my return from the negotiation of the treaties at Forts Carlton and Pitt, ‘that measures ought to be taken to instruct the Indians in farming and building.’” Morris remarked that Laird had made a similar recommendation two years later, and “that the Government of Canada, decided to act on these suggestions, at least in part.”⁶⁸⁴ To this end, Morris saw the implementation of the promise for schools as central to agricultural instruction.

Morris’s final chapter included a section on the Métis. Whatever prejudices or suspicions he may have harboured toward them before moving to the North-West had since disappeared. “For my own part, I can frankly say, that I always had the confidence, support and active cooperation of the Half-breeds of all origins, in my negotiations with the Indian tribes, and I

⁶⁸³ *Ibid*, pp.289-290.

⁶⁸⁴ *Ibid*, p.291.

owed them this full acknowledgment thereof.”⁶⁸⁵ Morris praised the Métis for “preaching the Gospel of peace and good will, and mutual respect, with equally beneficent results to the Indian chieftain in his lodge and to the British settler in his shanty. They have been the ambassadors between the east and the west.”⁶⁸⁶ Morris implored the government to recognize the land holdings of those Métis who had settled and taken up agricultural practise, and that it set aside lands and provide agricultural assistance for the “large class of Metis (*sic*) who live by the hunt of the buffalo, and have no settled homes,” once they chose to settle.⁶⁸⁷ This last recommendation, Morris pointed out, he had been making since 1876.

Morris concluded the final chapter of his book with a moralistic appeal for the government to uphold the treaties. He preceded this with a call to the clergy: “the Churches too have their duties to fulfil. There is a common ground between the Christian Churches and the Indians, as they all believe as we do, in a Great Spirit. Let us have Christianity and civilization to leaven the mass of heathenism and paganism among the Indian tribes.” Morris gave great praise for the missionary work of all denominations across the North-West. Having appealed to the Christian sensibilities of his readership, Morris accordingly framed the government’s obligation to uphold the treaties as both a moral, as well as legal, obligation:

I have every confidence in the desire and ability of the present administration, as of any succeeding one, to carry out the provisions of the treaties, and to extend a helping hand to this helpless population. That, conceded, with the machinery at their disposal, with a judicious selection of agents and farm instructors, and the additional aid of well-selected carpenters, and efficient school teachers, I look forward to seeing the Indians, faithful allies of the Crown, while they can gradually be made an increasing and self-supporting population.⁶⁸⁸

Through the mutually beneficial treaty relationship, then, Canada could guarantee security and

⁶⁸⁵*Ibid*, p.295.

⁶⁸⁶*Ibid*, p.294. Here, Morris is quoting the former Governor General, Lord Dufferin.

⁶⁸⁷*Ibid*, pp.294-295.

peaceful settlement in the North-West, and the Amerindians could secure their own survival and the means for economic independence:

...let us have a wise and paternal Government faithfully carrying out the provisions of our treaties, and doing its utmost to help and elevate the Indian population, who have been cast upon our care, and we will have peace, progress, and concord among them in the North-West; and instead of the Indian melting away, as one of them in older Canada, tersely put it, 'as snow before the sun,' we will see our Indian population, loyal subjects of the Crown, happy, prosperous and self-sustaining, and Canada will be enabled to feel, that in a truly patriotic spirit, our country has done its duty by the red men of the North-West, and thereby to herself.⁶⁸⁹

⁶⁸⁸*Ibid.*, pp.295-296.

⁶⁸⁹*Ibid.*, pp.296-297.

CONCLUSION

Alexander Morris's experiences in treaty negotiation and implementation stand as an example of the intellectual exchange that occurred between Natives and certain Newcomers in the nineteenth century North-West. In the case of Morris, this exchange was not a one-way road. Despite his social formation and the set of strong convictions that informed his initial outlook on the region and its people, Morris demonstrated a significant degree of intellectual flexibility. Over time, he incorporated certain Amerindian concepts into his own understanding of the treaty relationship – namely, the principles of reciprocity and mutual assistance in times of need.

Morris's early interest in indigenous peoples would provide a basis for his newfound sympathies later in life. As a youth, he had marvelled at the stories recounted by family members who had come in contact with indigenous peoples in Canada and elsewhere. His first public lecture explored the topic of Amerindian history and cultures in North America. From an early age, Morris had come to respect those who could speak with confidence and conviction in a public setting. Indeed, his early lecture on Amerindian peoples focussed on their language and speech. Morris's early interest in indigenous peoples was also informed by a religious paternalism, high moralism, Christian humanism, and a general concern for their survival as they came into contact with other cultures, including his own. To this end, Morris was throughout his life an unabashed supporter of Christian missions to indigenous peoples in Canada and around the world.

For a time, however, personal financial and career interests, along with a burgeoning economic nationalism, relegated earlier concerns with indigenous peoples to the backseat. Like

his father before him, Morris made much of his fortune in land speculation. It was through land speculation and other commercial interests that Morris honed his shrewd and often unforgiving negotiation skills – even when it came to dealing with friends and family. It comes as little surprise, then, that Morris would later apply such tactics at treaty negotiations. More significantly, it was through his land speculation that Morris became acutely aware of the impending land shortage that spelled disaster for the Canadian economy and the colony's existence in general. When the economic and agricultural potential of the North-West became known, Morris promptly called for the region's annexation as the ticket to his country's salvation. From youth, Morris had been something of a Canadian nationalist, and the conservative ideology that he inherited helped determine that this nationalism would be of an economic and decidedly British variety. It was on this ideological foundation that the ambitious young lawyer built his political platform. Before moving to the North-West, then, Morris viewed the region in terms of its exploitative potential – in terms of the interests of the capitalist, the settler, and the Canadian state in general.

It was only through his various interactions with Amerindian leaders, and at the treaty negotiations in particular, that the interests of the region's original inhabitants took on a new prominence in Morris's thinking. He came to know firsthand the hard realities that the spectre of Canadian annexation and immigration presented to the Amerindian peoples. The highly personalized and solemn practise of treaty-making had been equally impressionable. Morris came to admire many of the Amerindian leaders: for their skill with language and oratory which he himself attempted to emulate; their wisdom in opting for a pragmatic course that they believed would ensure their peoples' future; their resilience in taking up agricultural practise despite the tremendous difficulties they endured; and for their integrity in upholding the treaty

promises they had made. Morris's admiration for them drew from his earlier interest in indigenous peoples, but it lacked the condescension that his former preoccupation with moralism had engendered.

Morris had put his own reputation with these men on the line by committing to the treaty promises, and he was determined that his personal integrity remain untarnished. He argued that it would be personally damaging, entirely illegal, and simply unjust for Canada to shirk the responsibilities that the treaty relationship entailed, especially given the immense sacrifices being made by the Amerindian peoples. It was in these terms that he attempted to explain and defend the treaties to skeptical officials in Ottawa, and to the Canadian public. His rationale drew significantly from the presentations made to him by Amerindian leaders.

Morris's words were followed up with action as he attempted to personally oversee the treaties' implementation. He continually met with Amerindian leaders, observing the necessary diplomatic traditions and paying them their due respect. Morris never shied from reporting in detail the various grievances of the Chiefs, often lending his own support for their viewpoint. To this end, Morris successfully lobbied for the renegotiation of Treaties 1 and 2, in order to meet the 'outside promises' that had long been denied by government. He helped identify agents who understood the Amerindian peoples they dealt with, and oversaw the logistical arrangements for the delivery of treaty provisions, annuities, and the laying out of the reserves. With occasional success, Morris repeatedly called on Ottawa for increased funding in all of the treaty areas. Indeed, it is likely that the quantity of treaty implements and annuities would have been more meagre had Morris not intervened – at times without Ottawa's express permission. In a similar vein, many of the reserves that did get approved could very well have been further delayed if not for Morris's constant nagging to the Department of the Interior.

Throughout his tenure, Morris advocated for a more centralized system of Indian Affairs administration in which decision-making would be prompt and informed by individuals familiar with the local context and with the people of the North-West. Morris became increasingly convinced that he should be at the head of any new administrative setup. This was in part because he had come to appreciate the value the Amerindians placed in the office of the Lieutenant-Governor as chief representative of the Crown. Their reasons were practical as well as symbolic. As an official independent from the Department of the Interior, Morris was more likely to achieve positive results. Morris was also more inclined to take the leading role in treaty implementation because he had developed something of a personal stake in the treaties. In short, he did not trust leaving the task to anyone else – whether an individual less sympathetic to the Amerindians, like Provencher, or someone completely unfamiliar with the local context, like Meredith or Mills in Ottawa. Ultimately, Morris would find himself removed from Indian Affairs administration altogether for his alleged generosity.

Despite nineteenth-century allegations of over-generosity, Alexander Morris has been a subject of some controversy in recent decades. When viewed from a twenty-first century perspective, the treaty terms that Morris negotiated with Amerindian leaders can seem parsimonious. At Treaty 3, for instance, he had permission to negotiate an annuity of \$7, but managed to secure a \$5 annuity instead. Moreover, critics would argue that Morris should have been more accommodating when it came to reserve size.⁶⁹⁰ He should have anticipated, for instance, that the Amerindian population would one day outgrow their small reserves. As a

⁶⁹⁰Some, like Friesen, argue that Morris mismanaged the Métis lands question in particular. Brian Walmark's analysis, which deals more precisely with Métis considerations than the present work, might suggest otherwise. See Walmark, p.97.

matter of simple justice, the first inhabitants of the territory should have been left with more land under their possession. Indeed, the reserves would have been smaller in some instances if not for the negotiating skill of the Amerindian leadership.

While much of the criticism is certainly understandable, it is perhaps misplaced. Morris's actions in negotiating the treaties and his occasional refusal of Amerindian demands must be viewed within the context of his own personal background and the pressures he faced from the government. As an officer of the Crown, Morris's first obligation was to secure the most cost-effective terms possible. To do so, he turned to the hard-nosed negotiating tactics of his old land speculation practise. Moreover, he was constantly under pressure from a cash-strapped federal government to keep Indian Affairs costs to a minimum. In all likelihood, had Morris agreed to more generous treaty terms, Ottawa would not have approved them. Indeed, this proved to be the case when the Department refused to approve certain reserves Morris had promised under the renegotiation of Treaties 1 and 2, much to his disillusionment. Morris was a professional, and he believed strongly in the 'solidarity' of the public service. That he revolted at all against government actions is remarkable in and of itself.

Even more, by the end of his tenure, Morris had begun to believe that the terms of *all* of the treaties might be inadequate. Despite his past legal training, which placed an emphasis on a literalist interpretation of legal documents and land cessions in particular, he continually lobbied the Department for monies and implements that had not been explicitly included in the treaty texts. He similarly proved flexible when it came to Amerindian requests as to reserve location, and even occasionally on the issue of reserve size. Morris often justified these requests by appealing to general principles of 'humanity,' or reciprocity. Such principles were consistent with Amerindian understandings of the treaty relationship.

The spirit in which the treaty commitments were made remains as relevant today as it was in the nineteenth century. Indeed, recent years have witnessed a renewed interest in the treaties as tools for fostering understanding and partnership between First Nations and non-Aboriginal Canadians. It is this last group, however, that remains woefully under-informed about the treaties. It has been far too easy to cast aside the treaties as mere tragedies of history, and to absolve ourselves from any responsibility to act on the promises that were made by our ancestors.

By identifying the common areas of understanding and intent that existed at the treaties' inception, both sides can move toward taking more personal ownership over these historic agreements. The objective here has been to re-examine one principle Euro-Canadian actor with a view to contributing in a small way to a non-Aboriginal sense of responsibility and ownership toward the treaties. The lesson here, as Saskatchewan Treaty Commissioner David Arnot might put it, is that we are all treaty people.⁶⁹¹ "These are my treaties too," declared a non-Aboriginal scholar. "They legitimize my place in this land."⁶⁹² Alexander Morris was right. We are responsible to uphold the treaty relationship to which our ancestors committed their descendents over one hundred and thirty years ago: "you cannot avoid responsibility for the acts of your predecessor."⁶⁹³

⁶⁹¹See, for instance, Arnot, *Treaties as a Bridge to the Future*.

⁶⁹²In Georges Erasmus, Lecture, 2002 LaFontaine-Baldwin Symposium, Vancouver, British Columbia.

⁶⁹³NAC. RG10. Vol. 3624, file 5217-1. Alexander Morris to the Minister of the Interior, 19 February 1877.

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