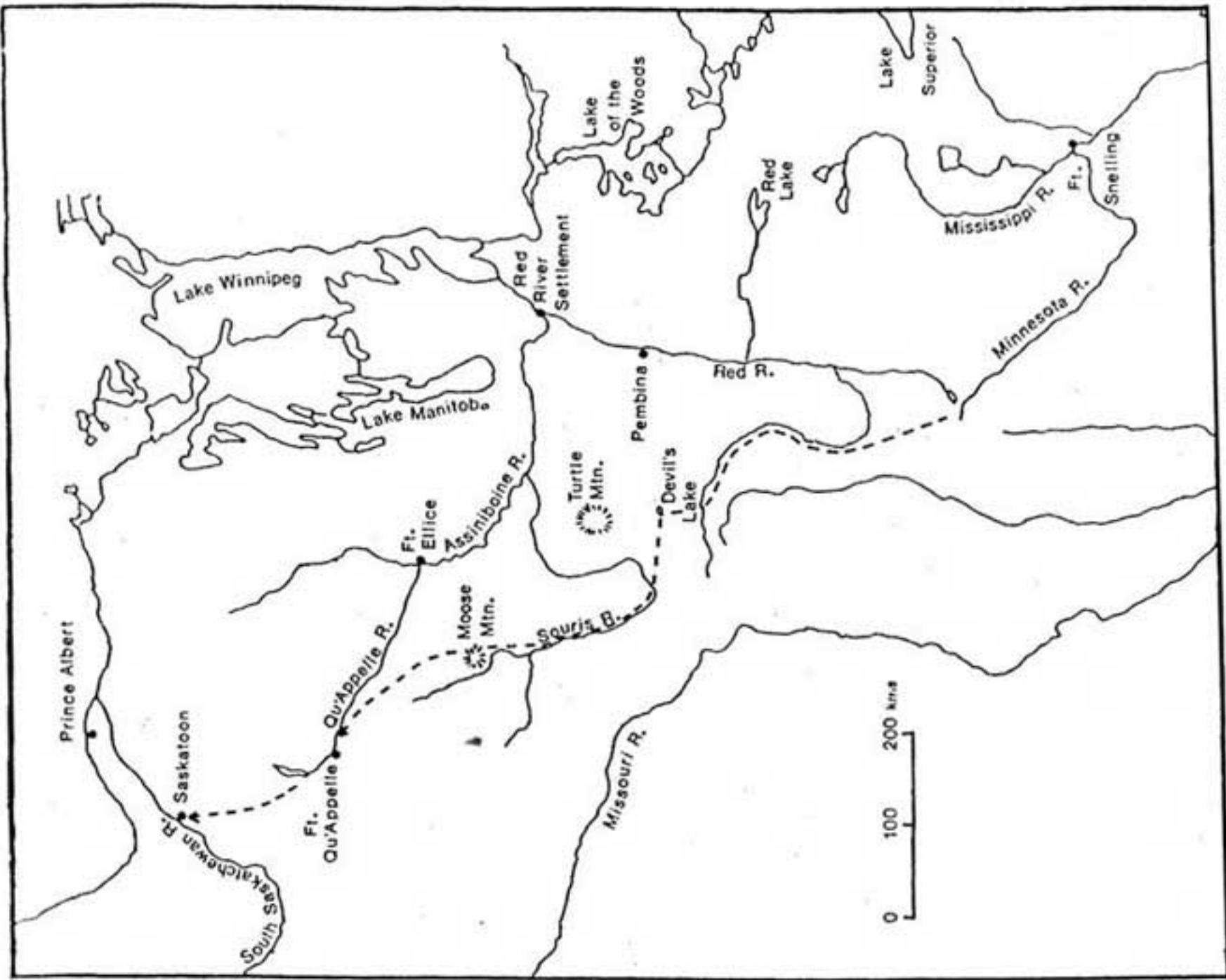


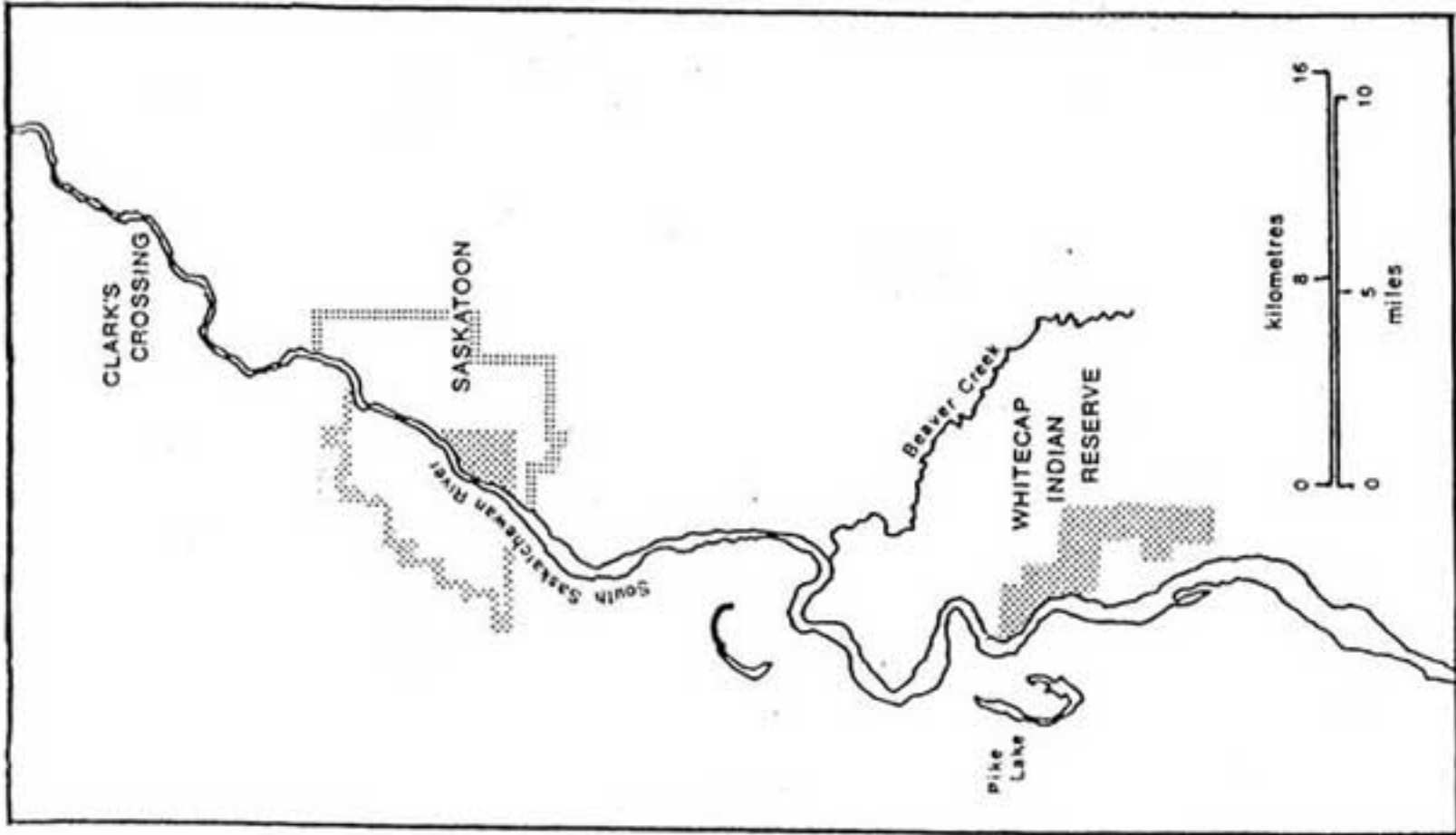
# WHITECAP DAKOTA FIRST NATION



## HISTORY



Map of the route taken by Wapahaska from Minnesota to Saskatchewan.



Map showing the location of Wapahaska's reserve.

# WAPAHASKA:

## The early history of the Whitecap Band

by ALEXANDER DIETZ

In the summer of 1882 John Lake arrived with a party at Clarke's Crossing on the South Saskatchewan. Lake had been appointed commissioner of the Temperance Colonization Society, which had been formed in Toronto in 1881; it was one of the largest land companies which had emerged to take advantage of the Federal Government's western settlement policy. The Society's representatives had been instructed to inspect the tract of land which had been granted to the Society in April, 1882, and to choose a site for the administrative centre of the colony.<sup>1</sup>

In the course of searching for a suitable location of the future settlement, Lake and an interpreter visited a certain chief named Whitecap. The chief resided at a place called Moose Woods, on the southern edge of the lands included within the Society's grant, near a sharp bend of the river. Whitecap indicated the locality where both banks of the river were lower than at any other point on the South Saskatchewan River between Moose Woods and Clark's Crossing. The delegation ultimately recommended this site for the establishment of the future settlement.<sup>2</sup>

Whitecap, or Wapahaska (as he was called in his own language<sup>3</sup>), was the chief of a small band of Dakota Indians<sup>4</sup> who had settled at Moose Woods several years previously. This territory had been dominated at different times by the Gros-Ventres, the Assiniboine, the Blackfoot Confederacy and, most recently, the Plains Cree.<sup>5</sup> The presence of a Dakota reserve in the middle of a territory controlled by their long-time enemies, the Plains Cree, is a result of a remarkable history beginning with the Dakota Uprising in Minnesota in 1862.

### The Dakota Nation and the British Crown

In the 18th and early 19th century, the Dakota nation<sup>6</sup> dominated a vast territory which reached from the Great Lakes in the east to the Missouri River in the West. To the north the Dakota nation occupied considerable tracts of land which are now north of

the international boundary. Cree traditional history and early fur trade accounts indicate that Dakota war parties penetrated as far north as the Churchill River area.<sup>7</sup> By the early 19th century, however, all branches of the Dakota nation except the Assiniboine had abandoned their northern territories in the face of Cree and Saulteaux expansion.

The Dakota nation consists of three principal branches, which are usually distinguished by three main dialects. The eastern branch, which speaks the d-dialect or Dakota, once inhabited the territory between the Great Lakes and the Mississippi; it includes the Wahpeton, Mdewakonton, Wahpekute and Sisseton divisions of the nation. The western branch speaks the l-dialect or Lakota and includes the Teton, many of whom fled to Canada in 1876 under the leadership of Tatankaiyotake (Sitting Bull) after the Battle of the Little Bighorn. The n-dialect or Nakota is spoken by the central branch which includes the Yankton, the Yanktonai and the Assiniboine.<sup>8</sup>

The Assiniboine, although originally a division of the Dakota nation, occupied the central Plains and had entered into alliances with the Cree and the Saulteaux. As members of this alliance (known to Indian historians as the 'Iron Nation'), the Assiniboine subsequently became enemies of the other divisions of the Dakota nation.

The first Europeans with whom the Dakota had regular contact were French fur traders from New France and Louisiana. In 1763, when old France ceded New France to Great Britain, British fur traders based in Montreal inherited France's commercial relations with the Indian nations of the northern Mississippi region. When the American Revolution began in 1776, the Dakota chose to support the British; and in 1779 Wapasha, a chief of the Mdewakontonwon, received a commission in the British army. Even when the British capitulated in 1783, Wapasha refused to transfer his allegiance to the

Americans and the Dakota continued to maintain trade relations with the British.<sup>9</sup>

In 1812 a British attempt to stop American trade with France during the Napoleonic wars, became the catalyst which led to a declaration of war by the Americans upon Great Britain. When war was declared, Robert Dickson, a British trader from Michilmackinac, sought the support of the Dakota. At an assembly, Wapasha of the M'dewakontonwon, speaking on behalf of all the branches of the Dakota nation, affirmed Dakota support for Britain. The alliance, which included even the western Ihanktonwon and Tetonwon, held an extensive area west of the Great Lakes against the Americans and the Indians of the south and west who were sympathetic to their cause.<sup>10</sup>

As long as hostilities threatened to continue, officials of the colonial government assured the allied Indian Nations, including the Dakota, that the British Crown would protect their interests in any treaty of peace with the Americans. The officials were encouraged in this matter by an Imperial government which, being embroiled in war in Europe, could spare few resources to defend British North America.

In spite of these solemn assurances, the Imperial government in London wholly abandoned its Indian allies in the negotiations which led to the signing of the Treaty of Ghent in 1814.<sup>11</sup> All that remained as evidence of Dakota support of the British cause consisted of a handful of British flags and of medals with the image King George III, which had been presented to Dakota chiefs during the two wars as tokens of their alliance with the Crown.

Following the war of 1812, representatives of the American government proceeded to gain recognition of American sovereignty from the former Indian allies of the British Crown. In 1815 the M'dewakontonwon signed a 'treaty of peace and friendship' with the American government and in 1816 the Wahpetonwon and the Wahpekute became signators to a similar treaty.<sup>12</sup> These and subsequent treaties provided for the admission of non-Indians to the Dakota lands, reserving decreasing amounts of land for the use of the aboriginal inhabitants.

#### **The Minnesota Uprising and Flight to Canada**

In the treaties of 1851, the Dakota "were forced by the guns of the army and the words of the missionaries to cede all remaining lands in Minnesota and a small part of South Dakota."<sup>13</sup>

The M'dewakontonwon and Wahpekute were forced to abandon their villages and move up the Minnesota River to the territory already occupied by the Sissetonwon and the Wahpetonwon. This tribal displacement, and the flood of non-Indian settlers into the ceded territory, contributed to increasing restlessness among some of the Dakota. On August 17th, 1862, the discontent erupted in a violent revolt against the Americans.<sup>14</sup> By the end of September, the uprising had been crushed in the settled areas and the survivors began their journey northwards to Canada.

Late in 1862 the first Dakota arrived at Fort Garry in Manitoba, claiming the protection of the British Crown. Although this group withdrew after a short sojourn, the following year the Dakota returned, a thousand strong, under the leadership of Little Crow. The Dakota proclaimed their right to be on British soil, relying on their tribal history and their alliance with King George. The flags and medals which had been presented to them during the American Revolution and in the War of 1812 were produced as evidence of their status as British allies.<sup>15</sup>

The sudden appearance of such large numbers of Dakota, arriving with the American army in hot pursuit, caused considerable apprehension among both the residents and government of the Red River Settlement. The United States Army encamped at the frontier while diplomatic efforts were made to secure permission for the troops to enter British territory. The Red River authorities were initially inclined to invite the American army into their territory to deal with the perceived threat. However, the Imperial government in London was not prepared to tolerate any American intrusion onto British territory, particularly as Parliament had recently enacted legislation expressly prohibiting British subjects from supporting either party to the American Civil War. Furthermore, when news of the bold flight of the Dakota reached eastern Canada, together with the reports of the harsh retribution exacted upon the Dakota people by the United States army, public opinion was inclined to support the admission into Canada of the Dakota refugees.<sup>16</sup>

The arrival of the Dakota in Canada distressed not only the settlers at the Red River; the Indian Nations of the area were equally disturbed at the prospect of the arrival of their long-time enemies. In the first few years several armed clashes took place



Wapahaska (right) and Little Crow, his Councillor at the time of the Minnesota Uprising, 1862. Bottom inscription reads: "Little Crow 2 scalps. White Cap nearly twenty scalps. Minnesota Massacre." From a sketch.

between the Dakota and their Indian neighbours.<sup>17</sup> However, Dakota diplomacy eventually resolved this threat. Tatankanaje (Standing Buffalo) the Elder is reported to have made an enduring peace with the Cree before his death in 1866. Similarly, a group of Dakota in the Turtle Mountains, now on the U.S.-Manitoba border, had acquired around 1862 from the Saulteaux the right to live and hunt in the Turtle Mountains, in exchange for four horses and five sacred pipes.<sup>18</sup>

#### Wapahaska's early years in Canada

According to tribal tradition, Wapahaska was one of the chiefs allied with Little Crow in the Minnesota uprising. In the winter of 1862-1863 Wapahaska led a band of Sissetonwon and Wahpetonwon north towards Canada.<sup>19</sup> Unlike Little Crow and the main group of Dakota refugees, he did not take the route to the Red River Settlement but led his people westwards and entered Canada south of Moose Mountain. It appears that Wapahaska and his people camped in that vicinity for a number of years, presumably with the consent of the Assiniboine.

By the end of the 1860's, the territory used by Wapahaska and his

people extended as far north as the North Saskatchewan River.<sup>20</sup> In the early years Wapahaska wintered in the Turtle Mountains, where he and his band met with the other Dakota bands which had sought refuge in Canada.<sup>21</sup> In the summers Wapahaska and Tatankanaje, who had established himself in the winter of 1862-1863 in the area around Fort Ellice and Fort Qu'Appelle, would regularly join the Metis for their annual buffalo hunt. In 1866, most of Tatankanaje's family died in a smallpox epidemic and the chief himself died that summer in battle against the Crow. For the next few years Tatankanaje's band looked to Wapahaska for leadership, since the late chief's son, who bore his father's name, was still a young man.<sup>22</sup>

#### The Dakota; treaties and government policy

In June 1870, Rupert's Land and the old Northwest Territories, which had been under the control of the Hudson's Bay Company, were transferred to Canada. Under the terms of the transfer, the Dominion government was specifically obliged to make adequate provision for the Indian tribes.<sup>23</sup> In order to open up the West for settlement and to meet the conditions of the acquisition, the Dominion government implemented a process to compensate the residents of new territory. The Metis and certain categories of non-aboriginal residents were to have their claims extinguished in exchange for scrip, while the aboriginal title of the Indian population was to be acquired by means of treaties. By 1877 the Dominion government had obtained, in seven successive treaties, the surrender of the southern portion of the old territories of the Hudson's Bay Company from the western boundaries of Ontario to British Columbia.<sup>24</sup>



A Red River cart of the type used by Wapahaska's band during their early years in Saskatchewan.



*Photograph of a family, probably from Wapahaska's Band, preparing a meal.*

The Dakota bands in Canada were in a difficult position. Notwithstanding their historical alliance with the British Crown, the Dakota were consistently treated as alien Indians, tolerated only as a matter of grace. The Canadian government and its officials have consistently asserted that the assurances of protection, made on behalf of the British Crown in the face of threatened American annexation in 1812, placed no legal obligation on Canadian authorities to admit the Dakota refugees to Canada. Hence, instead of having their old alliance with the Crown recognised, the Dakota bands were constantly faced with the spectre of deportation to the United States, particularly in the early years. A few government officials did appreciate the moral justification for providing assistance to the former allies of the Crown, but they were careful to avoid any commitments which might imply a possible legal obligation on the part of the Canadian government.<sup>25</sup>

Even at the present day, the Dakota bands in the prairies are usually assumed to be "non-treaty". This description is based on the long-standing position taken by the government and is historically erroneous. From a legal perspective, the term "treaty" is not confined to treaties which confer rights in exchange for the surrender of land, but also includes

treaties of "peace and alliance", such as the treaties of alliance made between the Micmac and the British Crown in the Maritimes during the Anglo-French wars of the 18th century<sup>26</sup>. In view of their historic alliance with the Crown, the Dakota should also be regarded as "treaty" Indians, even though their specific treaty rights would be confined to the terms of the alliance. At the very least, it can be argued that the Dakota enjoy a "treaty right" to reside in Canada, a right derived from the promises made at the time of the American Revolution and the War of 1812.

In view of the Government's indifference to the historical claims advanced by the Dakota, it is not surprising that the Dakota were not permitted to participate in the Canadian treaty process.<sup>27</sup> Nevertheless, concerned by the increasing pressure on lands as a result of government settlement policies, the Dakota bands in Manitoba began in 1872 to petition Government for reserves.<sup>28</sup>

By the mid-1870's the Dakota bands in western Canada had a total population of about 1,780 people.<sup>29</sup> From the perspective of the government, the presence of some dozen Dakota bands roaming at will across the prairies posed certain practical dilemmas. This situation was obviously

at variance with the policies of the emerging Indian administration, which intended to control the Indian population by at least partially isolating Indians on reserves. Clearly some kind of provision would also need to be made for the Dakota bands.

In order to deal with the situation of the Dakota in Canada, who showed no inclination to return south, it was decided as a matter of expediency that these bands would also be granted reserves.<sup>30</sup> However, the size of the reserves intended for the Dakota bands was to be based on a formula of 80 acres for each family of five, substantially less than the formulae adopted under the various treaties.<sup>31</sup>

#### The settlement of Wapahaska's band

While the Dakota in Manitoba were in the process of negotiating and selecting reserves for their people, the bands further west, led by Wapahaska and Tatankanaje the Younger, were able for some years to continue a nomadic lifestyle on both sides of the international boundary. In 1874 Lieutenant-Governor Morris met at the Qu'Appelle Lakes with a party of Dakota which included both chiefs. Wapahaska told the Lieutenant-Governor that he, like his father and grandfather, had always been loyal to the British and that he wished to remain under British protection. Morris noted the disposition of these Dakota to engage in wage labour for local employers and he reported that the Chief expressed no interest in moving to the Assiniboine Reserve "as there were no buffalo".<sup>32</sup>

In September 1875, Wapahaska encountered the Indian Commissioner W. I. Christie at Fort Qu'Appelle, where a number of Cree and Saulteaux bands were about to enter treaty. Again the chief indicated that he did not desire to move to 'the Sioux Reserve' on the Assiniboine River but preferred to remain on the western prairie, hunting with the Metis.<sup>33</sup>

By the late 1870's, settlers were beginning to enter the region of the Qu'Appelle and Saskatchewan Rivers in increasing numbers. The buffalo herds were dwindling rapidly and were now rarely seen north of the border. The American army had by now largely 'pacified' the Indian nations of the Great Plains and was seeking to halt the movements of Indians between Canada and the United States. The time had come to follow the example of the Dakota bands in Manitoba and to settle on a reserve.

In 1877 Tatankanaje entered into

discussions with Government officials, with a view to procuring a reserve on the north side of the Qu'Appelle Lakes.<sup>34</sup> Although the two chiefs attempted to settle on the land selected by Tatankanaje, differences about the suitability of the location soon arose. Tatankanaje appeared to be quite content with this location, since his people had developed important economic ties with the Fort Ellice-Fort Qu'Appelle region. Wapahaska, on the other hand, was accustomed to spending much of the year with his people along the Saskatchewan River. The two chiefs each approached Indian Commissioner Laird and proposed an apparent compromise. Laird reported that each of them "asked to be allowed to settle about halfway between the telegraph line and Dumont's crossing on the South Saskatchewan, but to this I would not consent."<sup>35</sup>

Since the Department of Indian Affairs would not agree to the proposed location for a common reserve, Wapahaska and his people moved to the Saskatchewan River area, while Tatankanaje remained at the Qu'Appelle Lakes. By this time the buffalo had practically disappeared from Saskatchewan and it became apparent that the people of the band would no longer be able to sustain themselves merely by hunting and intermittent wage labour.

Intending to take up farming, Wapahaska planted crops at a number of sites along the Saskatchewan River until he found a place which he regarded as suitable.<sup>36</sup> In the summer of 1878, the Indian Commissioner, David Laird, reported that:

White Cap has agreed to have his reserve near the elbow of the south branch on both sides of the small stream marked on the map as "The river that turns" [now Beaver Creek]. There are no settlers there, nor is there any likelihood of any settling at that place for years to come.<sup>37</sup>

In the spring of 1879 Wapahaska took the opportunity to plant crops but, by the end of July, he had found that the land was too sandy for farming. Consequently he requested a new location somewhat further south.<sup>38</sup> The new location was approved, but the survey was not completed until June 1881. The reserve set aside for Wapahaska and his band consisted of two sections of land.<sup>39</sup> Unfortunately it became apparent subsequently that the chief had again erred in his judgment about the quality of the soil. In later years the band shifted to cattle ranching.

In the first years after their

settlement at Moose Woods, Wapahaska's band travelled seasonally to Prince Albert, where a thriving frontier town had emerged around a Presbyterian mission established in 1866.<sup>40</sup> The Dakota from Moose Woods moved seasonally to Prince Albert as a casual labour force, a role they had already played at Fort Ellice and Fort Qu'Appelle when not occupied with hunting buffalo.

Prince Albert not only provided casual employment as an emerging major agricultural centre, but also offered the Moose Woods Dakota the opportunity to meet other Dakota bands. In 1878 the town had become the (initially reluctant) host to a Dakota band of Wahpetonwon, M'dewakontonwon and Sissetonwon, who had fled Minnesota in 1862 westwards and had remained just south of the border in the intervening years. Amid the public outcry in the aftermath of the Battle of the Little Bighorn, this band had prudently and

discreetly slipped across the border in 1877 and made their way to Prince Albert. In the summer of 1879, a second Dakota band appeared, this time consisting of some 70 lodges of the Tetonwon followers of Tatankaiyotake (Sitting Bull), who had participated in the destruction of Lieutenant-Colonel Custer and his regiment. The consternation of Prince Albert residents transformed, for a short time, into outright panic.<sup>41</sup> It soon became apparent that the Dakota had no hostile intentions; subsequently they were to prove a convenient and reliable source of inexpensive labour.<sup>42</sup>

Although Wapahaska's band continued to maintain close contacts with the Dakota in Prince Albert, the band's economic dependency on this northern town as a source of income proved to be short-lived. With the establishment of Saskatoon as the administrative centre of the Temperance Colonization



*Wapahaska and his family at the time of the Riel Rebellion, 1885. His son, standing at left, was killed at the Battle of Batoche.*



*Wapahaska standing in front of his lodge, 1885.*

Society's venture, settlers soon entered the area in large numbers and the Dakota were able to find work closer to home.

The expansion of the band's agricultural activities was slow. During the first three years at Moose Woods the band was beset by a tragic, unidentified illness: forty individuals, one-third of the band's population and especially younger people, perished.<sup>43</sup> Nevertheless, by 1885 the Dakota at Moose Woods had placed fifty-five acres under cultivation.<sup>44</sup>

#### **Wapahaska and the Riel Rebellion**

The crops planned for the summer of 1885 were, except for a few potatoes, never harvested.<sup>45</sup> On March 26th 1885, a group of Metis led by Gabriel Dumont and Louis Riel clashed with a detachment of the North-West Mounted Police near Duck Lake. Wapahaska's band was swept into the wake of the upheavals which followed.

From the beginning, Wapahaska was determined to keep his band out of the conflict, making special efforts to assure neighbouring settlers that there was nothing to fear from his people.<sup>46</sup> Even though Wapahaska's band had long-standing ties with the Metis from his band's nomadic days, he refused to join the Metis on the grounds that this would violate the old alliance

between the Dakota and the British Crown.<sup>47</sup>

Only one week before the outbreak of hostilities, Louis Riel had threatened Saskatoon because of its offer in the previous year to aid in the suppression of a supposed Indian uprising. Hence, news of the uprising caused considerable apprehension among Saskatoon residents.<sup>48</sup> The close proximity of an Indian reserve at Moose Woods no doubt heightened the fears of Saskatonians. Rumours abounded that Big Bear and Poundmaker were planning to converge on the colony and that Wapahaska's warriors were sympathetic to the uprising. The residents of the town set up guard posts on the river and sent regular patrols along the trail to Moose Woods.<sup>49</sup>

In April, about eighteen Metis and twenty Indians surrounded Wapahaska and his people and coerced them into joining the uprising. Reluctantly Wapahaska yielded to their demand and accompanied them to Big Bear's camp next day. According to Gerald Willoughby, who had traded with Wapahaska for three years, the chief had sent his brother into town the previous night on an unsuccessful mission to secure assistance from Saskatoon residents.<sup>50</sup> On its way north, the Metis-Indian party took the trail which led northwards through Saskatoon. About one mile south of the settlement they were met by a delegation which included Willoughby as interpreter. Willoughby relates:

We gave them to understand that they were not to pass through, and to impress the fact upon their mind, we placed armed men



*Wapahaska, mounted, reassuring a settler of his loyalty during the early weeks of the Riel Rebellion. (The original lithograph is from a photograph published in the War Illustrated News).*

in the old Fletcher building on Main and Broadway and others in the old Willoughby stable. The trail into town passed between these places. The Indians realized that they could not pass through and changed their line of march to go through what are now the university grounds.<sup>51</sup>

The conversation at the edge of Saskatoon was conducted solely with the Metis, who had refused to allow Willoughby to talk to Wapahaska. Nevertheless, Wapahaska succeeded in meeting privately with Willoughby a half an hour later on the other side of town and told of his reluctance to take up arms.<sup>52</sup>

At the first opportunity after the skirmish at Fish Creek, a number of

Wapahaska's followers escaped during the night, making their way to Tatan-kanaje's reserve at Qu'Appelle. On May 15th 1885, the uprising ended with the capitulation of the Metis forces at Batoche. Before the final battle, Wapahaska had declared his people to be neutral.<sup>53</sup> After the surrender, the chief was taken in irons to Regina and was charged with treason. At his trial in June, Wapahaska was acquitted when Willoughby testified that the chief had been forced against his will to participate in the rebellion.

In 1889 Wapahaska died of tuberculosis.<sup>54</sup> With his death the era of transition of his people ended, a journey which began with their struggle in Minnesota in 1862 and ended with their final settlement at Moose Woods.

#### Endnotes

1. Don Kerr and Stan Hanson, Saskatoon: the first half-century (Edmonton: NeWest Press, 1982), p. 1-2.
2. Narratives of Saskatoon, 1882-1912, prepared by the Historical Association of Saskatoon (Saskatoon: University Book Store, 1927), p. 43.
3. The Dakota version of proper names are used in this paper.
4. The word Dakota is here used in preference to the more commonly used term Sioux, since the latter term was originally coined by French traders from an Algonquian phrase meaning snakes or enemy and is widely regarded as offensive by the Dakota; see Peter D. Elias, The Dakota of the Canadian Northwest: lessons for survival, Manitoba Studies in Native History, v. 5 (Winnipeg: University of Manitoba Press, 1988) [cited below as Elias, Dakota], p. xiii.
5. See, generally: Arthur J. Ray, Indians in the fur trade: their role as hunters, trappers and middlemen in the lands southwest of Hudson Bay (Toronto: University of Toronto Press, 1974), chapter 1; John S. Milloy, The Plains Cree: trade, diplomacy and war, 1790 to 1860, Manitoba Studies in Native History, v. 4 (Winnipeg: University of Manitoba Press, 1988), chapter 1.
6. The term "Dakota" is somewhat ambiguous since it may refer either collectively to the Dakota nation as a whole, or to the eastern branch of the Dakota peoples who speak the d-dialect. I use the expression "Dakota Nation" when referring to the Dakota peoples collectively.
7. A. J. Ray, op. cit., p. 14-16, P. D. Elias, Dakota, p. 5-6.
8. See: James H. Howard, The Canadian Sioux, Studies in the Anthropology of North American Indians (Lincoln and London: University of Nebraska Press, 1984), chapter 2; Elias, Dakota, p. xiii.
9. For a detailed account of the Dakota alliances with the British Crown, see Peter D. Elias, The Dakota documents: being a survey of written materials bearing upon the Dakota tradition in Canada, Prepared for The Dakota Association of Canada (Lily Plains, Sask: s.n., 1980), p. 29-164. An abbreviated account appears in Elias, Dakota, chapter 1.
10. R. W. Meyer, History of the Santee Sioux: United States policy on trial (Lincoln: University of Nebraska Press, 1967), p. 86. The Dakota refer to the War of 1812 as Pahinshashawacikiya, which is translated by the historian Robert Goodvoice as meaning "When the redhead begged for our help", referring to the Dickson's reddish hair. Elias, Dakota, p. 8.
11. See the detailed account in Elias, Dakota documents, p. 51-164.
12. See Meyer, op. cit., chapter 3.
13. Elias, Dakota, p. 16.
14. There is a substantial body of literature on the 1862 Uprising. See, for example, Meyer, op. cit.; Louis H. Roddis, The Indian wars of Minnesota (Cedar Rapids, Iowa: Torch Press, 1956); Gary Clayton Anderson, Little Crow: spokesman for the Sioux (St. Paul: Minnesota Historical Society Press, 1986).
15. Howard, op. cit., chapters 2 and 3; Elias, Dakota, chapter 2; Anderson, op. cit., p. 174-178.
16. Elias, Dakota, p. 23; Meyer, op. cit., chapter 1. Anti-American sentiments were heightened when two Dakota chiefs were kidnapped, smuggled out of Canada and hanged at Fort Snelling.
17. Elias, Dakota, p. 21.
18. Ibid., p. 27, 29.
19. Ibid., p. 20-21.
20. Ibid., p. 27.
21. Ibid., p. 31.
22. Ibid., p. 30-31.
23. The transfer was authorized by the Rupert's Land Act, which empowered the Queen-in-Council (i.e. the British Cabinet) to give effect to the transfer by Orders-in-Council. The conditions of the transfer are contained in joint resolutions which were passed by the Canadian Senate and House of Commons and incorporated as a schedule to the Rupert's Land Order.
24. Treaties no. 1 - no. 7. For a useful account of the negotiations, based in part on the author's personal experience as the treaty commissioner, see Alexander Morris, The treaties of Canada with the Indians of

Manitoba and the North-West Territories  
(Toronto: Belfords, Clarke, 1880).

25. For some of the reports and correspondence regarding the 'Sioux' question, see the material reproduced in Annual report on Indian Affairs for ... 1872, Sessional papers of the House of Commons, 1873, no. 6 (Ottawa: Queen's Printer, 1873), p. 12-19.
26. See, for example, the Supreme Court of Canada decision in R. v. Simon (1985), 62 N.R. 366, [1986] 1 C.N.L.R. 153. For a case which is distinguished on the facts, see Augustine v. R., [1987] 1 C.N.L.R. 20.
27. There are, however, isolated instances where individual Dakota families were admitted to membership in existing treaty bands and thus acquired the treaty rights of the bands to which they were admitted.
28. Elias, Dakota, chapter 3.
29. Ibid., p. 37.
30. Morris, op. cit., p. 279.
31. In Treaties no. 4 (Manitoba and southern Saskatchewan) and no. 5 (Manitoba and a small area in Saskatchewan west of The Pas), the bands were entitled to 160 acres for each family of five. In Treaty no. 6 (Central Saskatchewan and most of Alberta) this amount was increased to provide one square mile for each family of five.
32. Public Archives of Manitoba, Morris papers, file 852, Report to the Secretary of State by Morris, 1874 October 3.
33. Public Archives of Canada [cited PAC], RG 10, v. 3625, f. 5489: Letter to Laird from Christie, 1875 October 7.
34. PAC, RG 10, v. 7769, f. 27114-5, Letter from Meredith, 1877 March 26.
35. PAC, RG 10, v. 3673, f. 11325, Letter to Macdonald from Laird, 1878 January 10.
36. Elias, Dakota, p. 167.
37. PAC, RG 10, v. 3673, f. 11325, Letter to Mills from Laird, 1878 August 1.
38. PAC, RG 10, v. 3673, f. 11325, Letter to Vankoughnet from Dickison, 1879 July 23.
39. PAC, RG 10, v. 3673, f. 11325, Letter to Vankoughnet from Simpson, 1881 January 5.
40. Annual report of the Department of Indian Affairs for the year 1879, Sessional papers of the House of Commons, 1880 (Ottawa: Queen's Printer, 1880) [cited henceforward as Annual report for ...], p. 57-58; Annual report for 1881, p. 98.
41. See Elias, Dakota, chapter 11.
42. The Dakota became such an important part of the town's labour force that in later years, concerns about their presence were raised by their perceived threat to the employment opportunities for non-Indian residents.
43. Ibid., p. 171.
44. Annual report for 1885, p. 202.
45. Annual report for 1886, p. 125.
46. War Illustrated News, 1885, April.
47. Elias, Dakota, p. 172.
48. Sessional papers of the House of Commons, 1886, no. 43c (Ottawa: Queen's Printer, 1886), p. 55-59.
49. The Star, 1917 December 22.
50. Ibid.; The Star-Phoenix, 1933 May 1.
51. The Star, 1917 December 22.
52. Return to an Address of the House of Commons..., Sessional papers of the House of Commons, 1886, no. 52 (Ottawa: Queen's Printer, 1886), p. 45; Kerr and Hanson, op. cit., p. 16.
53. Elias, Dakota, p. 172.
54. Ibid., p. 180.



*The participants at a Dakota Sun Dance performed in Prince Albert in the early 1900's.*