Papers
of the
Rupert’s Land Colloquium 2008

The Centre for Rupert’s Land Studies
at The University of Winnipeg

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With a Foreword by Jennifer S.H. Brown

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Foreword

Jennifer S.H. Brown, Director, Centre for Rupert’s Land Studies

It gives us great pleasure to present the following collection of 28 of the papers presented at the Biennial Rupert’s Land Colloquium held in May 2008 at Rocky Mountain House, Alberta. The gathering drew close to 150 registrants, and more than 50 presenters.

The venue was beautiful and historic. We were fortunate to view the finely refurbished new Parks Canada Visitors’ Centre and displays at the old fort site, and we benefited from the warm hospitality of the Friends of Rocky Mountain House, Carolyn Kent and others, who helped immensely with planning and logistics. All in all, the occasion was another special event in the long line of biennial colloquiums that we have held regularly, ever since the Centre for Rupert’s Land Studies was founded (under a slightly different name) in 1984. Some participants have been with us since the beginning, and many others have joined us along the way, all contributing to the success of these gatherings of interesting folk from many places and diverse fields of study and exploration.

We have tried with every Colloquium to make at least a portion of the presentations available as soon as possible after the meetings. Many older papers may still be ordered individually through our website, and for three successive Colloquiums (2000, 2002, and 2004), David Malaher nobly volunteered to compile all available papers into a single volume for each. Some few copies of the 2002 and 2004 volumes are still available and are wonderfully rich in content; please see our website to order them.

The printing and mailing costs of such large books were of course somewhat daunting. In 2008-09, as our office computer facilities improved, we opted to undertake an in-house electronic publication, rather than face the costs of a substantial print run. Our assistant Anne Lindsay, our 2008-09 Harington Fellow, Mallory Richard, and I, formed an editorial committee. Mallory took on what proved to be a very large task indeed, the effort to edit the papers to a consistent style and to query authors on incomplete or missing references, spellings, clarity, and many other technical points. Anne, in turn, undertook the challenges of formatting the papers and their illustrations, tables, etc., into the handsome products that you will see on the screen, and on paper if you choose to print them. Jennifer Ching, our office assistant and 2007-2008 Harington Fellow, added the finishing touches of arranging the manuscript and converting it to PDF. We all owe to Mallory, Anne and Jennifer a huge vote of thanks for the countless hours they have spent to produce the best possible outcome.

The results, I think, look very fine indeed. But I would note that the papers in this volume are not peer-reviewed (externally refereed). Individual authors remain fully responsible for their content, and of course, for their interpretations and analyses. The authors also retain copyright over their submissions, and should be directly consulted regarding permissions for further use, transmission, or publication of their texts by any means. We hope you enjoy, learn from, and are intrigued by this very special compilation of diverse and original works.

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Part IX. Innovative Sources and Approaches in History
24. Treaty Lands: Imaging a Conditional Landscape

Tim Schouten

Introduction

My title references the vast territories defined by treaty in Canada. Ceded or reserved, it is all Treaty Land. The Treaty Commissioner of Manitoba, Dennis Whitebird, has said “We are all Treaty People” and it is this notion that I hope to convey by applying the Treaty Lands designation to the art project which I will be discussing in this paper. A treaty map of Canada reveals geography defined to a large degree (over 50%) by treaty; indeed the central regions of the country are 100% Treaty Territories. I refer to the landscape in my title as “Conditional” because these territories we call Canada remain, as the Oxford English Dictionary defines the word, “subject to conditions and terms of reference.” Even the empty landscape carries the traces and memories of those who have passed over it. And the landscape remains mutable; history’s passages continue forever to redefine and remap the ways the land is perceived, the meaning it can hold and the terms of reference to which it will answer.

Image 1: Treaty Map
In this paper I will discuss The Treaty Lands Project that has been the main aspect of my art practice for the last ten years. I will discuss issues that I began considering in my work when, in 1996, I began to address ideas about the “Empty Landscape” in my painting. I will look at the creation of the series titled Treaty Lands, which considered the Canadian landscape in the context of treaty territories. The Treaty Lands series initiated a larger, long term project and the title later became an umbrella designation for a string of art works that has included a web project, “bookworks” and four separate painting series. The main focus of this paper will be my current series, The Treaty Suites which was conceived in 2003 as a series of eleven suites of paintings based on photographs taken at the exact physical locations of the signings of each of the eleven “numbered treaties.” I will discuss in detail my research for The Treaty 3 Suite (Outside Promises), including several trips that I took in 2005 to Harrison Creek, a small but important waterway that flows into the North West Angle of the Lake of the Woods. I will also touch on some of the history and ideas leading up to the initiation of this project, the development of the first two suites in the series, and a recent research trip to the signing locations of three Treaty 4 adhesions. It is the purpose of this paper, more to elucidate on some of the working methods of a contemporary Canadian artist considering the landscape as a motif, rather than to present a definitive treaty research document.

In the mid-1990s, I was very influenced as an artist by the work of the contemporary German painter Anselm Keiffer and by the writing of Simon Schamma in his book, Landscape and Memory. I began to think about the Manitoba landscape and its histories and to read the texts of the “Numbered Treaties”, starting with Treaties No. 1 & 2 covering southern Manitoba where I lived and Treaty No. 5, which covered the territory to the north. I began to see how it was, in fact, the treaties that created the reserve system and entrenched as official doctrine initiatives to increasingly marginalize, segregate and isolate First Nations Peoples. I am not sure that at the time of early treaty making the notion of “assimilation” was even considered possible by the government of the day.

I had also begun to explore in my painting ideas about the landscape as a sort of historical document or record. The notion of simply depicting the beauty of the landscape seemed a deprecated colonial tradition; but the notion of landscape painting as history painting reopened for me, the possibilities of landscape painting in the twenty-first century. All of these ideas and considerations led to the creation of a series of paintings between 1996-98 that I called Treaty Lands, based on photographs taken on both “ceded” and “reserved” land in Manitoba and Saskatchewan. In the process of looking at the landscape and thinking

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about the importance of the history of a place when trying to picture the landscape, it seemed incumbent that the treaties be considered. I now believe that they should be probably be RE-considered but that is a long story for another day.

Early on, I sensed that this project had the potential to take on a life of its own. The scope of the political and social implications of the work became an imperative to continue. After the initial Treaty Lands series, I produced the painting series Roads North and the web project Distances Between (http://www.mbvan.org/mbvan/proj/distances/). Both of these projects reflected on the Winter Road system in the northern Manitoba and the isolation of many First Nations communities. In the year 2000, I made a small series of paintings titled Markers, which considered the way in which land is claimed, demarcated and divided up. This series depicted scenes marked by highway signs, rail crossings, telephone poles, fence posts and the like, taken mostly from photographs snapped from a moving car on highways and rural roads in Manitoba. These initial bodies of work were created without any real formal research, driven only by a sense of imperative and a desire to explore the possibilities for landscape painting to hold its own in an art world where painting itself had been declared dead many times. My research at this point was confined to informal readings and travel.

Encaustic Painting

I should say a little bit about my painting medium. After painting for years with oil paint, I began experimenting with encaustic around the same time that I started The Treaty Suites Project and I have used it throughout the series. Encaustic is a medium in which one works directly with hot melted wax mixed with powdered pigments or oil paint. I work directly with the hot melted wax using brushes to build up the paintings in layers and I use other tools such as knives, irons and a heat gun to work back into the surface. The translucent nature of the wax adds an almost ethereal nature to the paintings at times. The initial Treaty Lands series was done in oil and mixed media on canvas and with that series, partly because of the slow drying oil, I spent sometimes a year or even two years on each painting to achieve the same layering of history metaphor. The quick drying wax allows me to speed up the process considerably.

The Treaty Suites Project

With this project I set out to find and photograph the exact physical locations of the signings of all of the treaty adhesions as well as the original signing locations. It is important to look at how the treaty process was impelled by the rapid westward European settlement of the territories and the construction of the railroad in the second half of the nineteenth century. With the treaty making process extending into contemporary times, it is also important to try to understand the imperatives that drove
it and the effects it had on our country. My perspective is that of a non-Aboriginal descendant of Scottish, Belgian and Dutch settlers in the Red River region of Manitoba. I try to be mindful too of Aboriginal perspectives of the Treaties. I was deeply moved by Harold Johnson’s admonition to me and to all of my white family, speaking for himself and on behalf his people. Addressing me as Kiciwamanawak (cousin), he says:

When your family came here and asked to live with us on this territory, we agreed. We adopted you in a ceremony that your family and mine call treaty. In Cree law, the treaties were adoptions of one nation by another. At Treaty No. 6 the Cree adopted the Queen and her children. We became relatives. My Elders advise that I should call you my cousin, Kiciwamanawak, and respect your right to be here.²

Each of the first three series from *The Treaty Suites* comprise about fifteen to twenty paintings and each suite has been presented in separate exhibitions. Plans are in the works with curator Pat Bovey, former Director of the Winnipeg Art Gallery for an exhibition in 2009 or possibly early 2010, of a selection of works from all of the suites completed to that point. The working plan for that show is to include Aboriginal artists from each of the treaty regions reflected in *The Treaty Suites* completed.

My current work on *The Treaty 4 Suite* began with a period of research at the Provincial Archives of Manitoba in Winnipeg and the Archives of Saskatchewan in Regina and a driving and photography trip to Fort Qu’Appelle, Saskatchewan and St. Lazare, Manitoba. In 2007, I made a group of twenty-five paintings in encaustic on vellum for *The Treaty 4 Suite*. These paintings were based on photographs that I took at the sites of the Treaty 4 negotiations and signings in Fort Qu’Appelle (September 15, 1874) and at the site of Fort Ellice (September 21, 1874) near St. Lazarre, Manitoba.

Two adhesions to Treaty 4 were signed in 1875 at Fort Pelly in Saskatchewan and at Swan Lake (or Shoal River depending on who you talk to) in Manitoba and another adhesion was signed in 1876 at Fort Walsh, Saskatchewan. I have recently returned from a trip to do additional research and photography at these three locations for a series of works that will complete the suite. These works will be exhibited under the title *The Treaty 4 Suite (Westward - Further into the Indian Country)*. The title is taken from the “Order in Council Setting Up Commission For Treaty No. 4, PC 944”, dated July 23, 1874.

urging the necessity of these Treaties. That looking to these representations and to the fact that the Mounted Police Force is now moving into the Territory in question with a view to taking up their winter quarters at Fort Pelly, and considering the operations of the Boundary Commission which are continually moving westward into the Indian Country, and also the steps which are being taken in connection with the proposed Telegraph Line from Fort Garry westward, all of which proceedings are calculated to further unsettle the Indian mind, already in a disturbed condition; he recommends that three Commissioners be appointed by His Excellency the Governor General for the purpose of making Treaties during the current year with such of the Indian Bands as they may find it expedient to deal with.3

The Treaty 1 Suite

The Treaty 1 Suite is based largely on photographs taken in the vicinity of Lower Fort Garry near Selkirk, Manitoba where Treaty No. 1 was signed in August 1871. I also included in that series two paintings of my studio building located on a farm south of Winnipeg, in Treaty 1 territory.

Sometime in 2003 I had learned by chance that Treaty No. 1 was signed at Lower Fort Garry, not an hour’s drive from my home. I was totally intrigued by this very specific and direct connection between where I lived and the treaty process. I attended a “Treaty Implementation Gathering” organized by

3 Treaty No. 4 Between Her Majesty The Queen And The Cree And Saulteaux Tribes Of Indians At The Qu’appelle And Fort Ellice, Transcribed From: Roger Duhamel, F.R.S.C. Queen’s Printer And Controller Of Stationery Ottawa, 1966, Cat. No. Ci 72-0466, 6.

the Assembly of Manitoba Chiefs at Lower Fort Garry in August that year. The event was poorly attended and to be truthful, to my white eyes, it appeared more sham and posturing than an implementation of anything. A number of Chiefs, Councilors, and other leaders were there and they may have been having more pointed private discussions outside the public proceedings, but evidence of serious reflection on any of the actual Treaties was scant. As has been the case at the many Treaty Gatherings that I have attended since, the only non-aboriginal faces in the crowd besides mine seemed to belong either to lawyers or the media.

Disheartened, I wandered away from the proceedings to look for the treaty signing location. And sure enough, I was directed to a plaque outside the west gate of the fort commemorating the signing of the treaty at that location. I felt a powerful melancholy as I wandered about the fort, especially outside the west gate and along the banks of the Red River outside the east wall of the fort. As I pondered what had taken place here many years ago, where now stood a parking lot beside a highway and a touristic recreation of building which seemed to trivialize events of the past, I felt compelled to try to picture the spirits that I felt lingering on the breezes blowing across the grounds of the fort. To try to capture in paint the faint whispering of the voices which long ago rose in incantatory speeches proclaiming sovereignty over the surrounding territories. From a series of photographs and short videos, which I took at the fort that day came the first series in what would become The Treaty Suites.

An account from The Manitoban (Winnipeg,
25 March 1871), and an analysis contained in the essay titled “A Serene Atmosphere? Treaty 1 Revisited”, by D. J. Hall⁴ that I found on the Internet provided an interesting overview of aspects of the negotiation process at Treaty 1. The discovery of these two documents represented my first foray into any kind of formal research in my art practice. On completion of the first series, begun with no intention to pursue the idea further, I found that the narratives of the Treaty 1 negotiations had so intrigued me that I felt compelled to learn more. Treaty No. 2 seemed the logical next step.

**The Treaty 2 Suite**

The Treaty 2 Suite is based largely on photographs taken in the vicinity of a replica of Manitoba House on the west shore near The Narrows of Lake Manitoba. The facsimile of the HBC post was built in the 1970s on the grounds of the original post in what is now the small Métis community of Kinostota. From what I was able to gather, Treaty No. 2 was signed following relatively brief discussions, two weeks after the signing of Treaty No. 1; the Ojibwa and Cree signatories generally accepting the same terms offered in Treaty 1.

It seems that a post known variously as Doubtful Post, Manitoba Post, and Manitoba House existed at several locations on Lake Manitoba in the years leading up to Treaty. At the time of Treaty the post was located south of the Narrows on the west shore of Lake Manitoba on what became the Manitoba House Settlement. Manitoba House was abandoned by the HBC around 1890. A replica of the post was built on the exact location of the old post, now privately held land, as a historic tourist attraction in the 1970s. From what I understand, this venture quickly failed. The replica is now itself rapidly falling into ruin, but the buildings – a main house, the HBC Store, a stable and a flour house – still stand in place on the shore of Lake Manitoba. A number of acres around the post are up in hay, which had been recently cut and baled the day I arrived to spend a very pleasurable few hours with three fine Métis gentlemen, amongst them Mr. Charlie Moar, who were all very interested in my project and knowledgeable of the history of the area. They insisted on showing me around, arranging permission for me to view and photograph the ruins of the Post. I bought one of the last copies of a local history they had produced a few years earlier, titled *Many Trails to Manitou - Wapa.*⁵

The Treaty 2 Suite consists of eighteen paintings and it has been exhibited under the title *The Treaty 2 Suite (Where IS Treaty Land?).*

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⁴ D.J. Hall, ““A Serene Atmosphere”? Treaty 1 Revisited,” (Edmonton: University of Alberta, Department of History, n.d.).

The Treaty 3 Suite

*The Treaty 3 Suite* is based on photographs taken during several trips in 2005 to Harrison Creek at The North West Angle of The Lake of the Woods, and on photographs taken on a separate trip to Lac Seul north of Sioux Lookout and Fort Francis and the Rainy River area. Early on in my research for this series, people at the Grand Council Treaty 3 office in Kenora put me in touch with Minnesota consultant Tim Holzkamm. An email with a couple of attachments from Mr. Holzkamm raised the bar one more notch for my research process. The first attachment was a detail from a “Map of the Vicinity of the North West Point of the Lake of the Woods” which showed the location of George McPherson’s home and dock. At the Dafoe Library at the University of Manitoba I located the Campbell & Twining volume containing the full map along with other treasures.6

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The second attachment was a photograph from the National Archives showing McPherson fishing from his dock, circa 1878. McPherson was the HBC officer in charge at Northwest Angle at the time of Treaty. One George McPherson Sr. is named as a witness on the Treaty 3 document. McPherson was appointed Indian Agent on the Lake of the Woods in 1877.

The arrival of this email from Mr. Holzkamm, with these extraordinary attachments sparked my imagination and set my mind ablaze with the possibilities of what historical research could uncover! This was truly a breakthrough moment for me personally and for my work.

*Image3: Harrison Creek photo.  
Credit: National Archives of Canada, Ottawa*
**Harrison Creek**

The mouth of Harrison Creek is on the U.S. side of the International Boundary at a point slightly southeast of where the borders of Ontario and Manitoba touch the border of Minnesota in an odd triangular configuration smack in the middle of the North West Angle Inlet of Lake of the Woods. How this unusual section of the International Boundary came to be defined is amply described in David Malaher’s paper, “Saving Rat Portage from Being on the US/Canada Border.”

Harrison Creek meanders southeasterly from the Inlet for about one kilometer, where it crosses into Manitoba and continues to wend its way easterly for several kilometers, navigable only by canoe. Local Ojibwa and Métis have gathered and camped along the creek to harvest wild rice for many years. Until 1878 when Winnipeg received rail service, the Dawson Road carried passengers and freight between Fort Garry in Winnipeg to a dock at the mouth of Harrison Creek where steamers continued south to Rainy River and on to Fort Francis. Many of the aboriginal participants arriving at Harrison Creek to negotiate Treaty No. 3 traveled by steamer from Rainy River and the Rainy Lake area.

By several accounts there was also a large Métis village at this location in the late 1800s. I have not found reliable descriptions of this village but have found two references to it. One in a quotation from Sanford Fleming who arrived there by steamer from the mouth of the Rainy River on 30 July 1872, and recorded the following comments:

> As we rounded out of the Bay into a little creek, the “angle” seemed to be a place of some importance to the eyes of travelers who had not seen anything like a crowd in their last four hundred miles of travel. Fifty or sixty people, chiefly Indians, crowded about the landing place, and the babble and bustle was to us like a return to the world; but after having satisfied themselves with a good look at us, and a joyous boisterous greeting to our Ojibbeways, whom they carried off to an Indian and half-breed “ball” in the neighbourhood, we were left alone in the dirtiest, most desolate-looking, mosquito-haunted of all our camping grounds.

At the Lake of the Woods Museum, with the gracious assistance of Director Lori Nelson, I also found a map dated 1897, titled “Lake of the Woods Gold Fields.” This map indicates at that location, an “HB Co. Wintering Post” as well as an “Indian Village” on the east side at the mouth of Harrison Creek. This, the south side of Harrison creek is now defined in two separate blocks, each approximately 700 acres as North West Angle Indian Reserves 34C and 37C.

On a plan found at the HBC Archives titled, “Plan of survey of Indian Reserves 37C 37B and 34C Lake of the Woods,” dated 1881, the Hudson Bay Co. Reserve overlaps IR 37C on the east (or south) side of the creek. I don’t know how or when this disparity was resolved. It seems that somewhere I read that it was sold to the Crown – but I can’t find it in my notes as I write this.

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Source Unknown
“The Hudson Bay Company’s Reserve at the N.W. Angle, Lake of the Woods in the Lac La Pluie District,” covered fifty acres on both sides of Harrison Creek adjacent to and west of the International Boundary. The HB Co. Reserve, with the main buildings virtually straddling the boundary line existed at this location until at least 1886 and probably into the 1890s. David Malaher provided me with an excellent diagram showing the location of the reserve and buildings and I later also found an excellent original copy of the diagram at the HBC Archives.
By comparing this map with my observations on the ground and Alexander Morris’ description of the treaty negotiations and other accounts, I am convinced that it was here, at a spot just west of the International Boundary, along the shore of Harrison Creek, on ground between the creek and Dawson Road that the Treaty 3 negotiations and the signing took place. And it was here, east of this spot, on both sides of Harrison Creek (and possibly on the opposite shore of the Inlet as well), that over 800 Ojibwa, Métis and others (a number which grew by some accounts to 1,400 over the course of a week of delays and three days of negotiations) gathered and camped in late September and early October, 1873, while meeting with representatives of the Crown to complete negotiations begun three years earlier at Fort Frances. It is perhaps interesting to note that on 22 October 1873, several weeks after Treaty No. 3 cleared Dawson Road of native claims, the first contingent of North West Mounted Police arrived in Lower Fort Garry from Fort William.

**First Trip to NW Angle**

Early in the winter of 2003-04, through the band office at the NW Angle Reserve I contacted Joe Powassin, great-grandson of Chief Powassin who was a signatory to Treaty No. 3 at the NW Angle. When I first spoke with Joe, snow was falling and the lake was beginning to freeze. I asked Joe if he could take me out to Harrison Creek. He told me it was accessible only by boat or snow mobile. It looked unlikely that we would get in by boat that year but we agreed to keep in touch and try to schedule a trip as time permitted. We spoke several times over the winter, and the following summer but it was not until early July 2005 that I was finally able to arrange to have Joe to take me to Harrison Creek.

In the interim, Ian Toews, a photographer and television producer from Regina contacted me in January 2005 about being on his TV show, “Landscape as Muse” which features artists who work with or are influenced by the landscape. He wanted to camp in the summer with me and a film crew on Harrison Creek for a few days to film me painting *en situ* and then to film me later in my studio. I readily agreed. In late March, on an impulse, with the ice going off the water after an early thaw, I drove out to Angle Inlet on The Lake of the Woods, only three hours from my home outside Winnipeg, to scout out the scene. In the restaurant at Young’s Bay I met Mr. Leslie Sandy. Mr. Sandy is Ojibwa and lives on the NW Angle Reserve, on the northern shore of NW Angle Inlet on the Ontario side. Mr. Sandy worked for many years for local logging companies. He told me about a plaque in his yard, placed in 1981 by the Grand Council Treaty 3, commemorating the signing of Treaty 3 “nearby”. He agreed to take me out to Harrison Creek and to see the plaque as soon as the water was open.

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Second Trip to NW Angle

Three weeks later I returned to the NW Angle with Ian Toews who wanted to scout locations for filming. Mr. Sandy met us as arranged at the restaurant and took us out in his small boat to the creek and then over to his place. With the ice only just off the water it was a cold wet boat ride, with rain, sleet and snow in our faces as we made the twenty-minute ride from Young’s Bay to Harrison Creek. We went ashore first at the International Boundary where we walked to the Iron Monument and then we boated further to a couple of other spots on the creek. Leslie told us stories of rice harvesting with his wife on the creek and up the Inlet and hinted at stories of goings on around Treaty time, about his grandfather being at the signing, about activities that may have taken place in the area and people who at various times lived on the creek. I took hundreds of photos with my digital camera.

Then Leslie took us to his home across the Inlet which sits on a large rock promontory that juts out into the lake. He told us about his life working for the lumber companies and showed us the massive steel mounts fixed into the rock where logs would be hauled in the winter and anchored to await the spring thaw to be shipped to local mills. The promontory also bears a big three-foot square plaque placed on a pedestal in his front yard by “big wigs” from Grand Council Treaty 3 and “Ottawa.” He professed to not liking its placement and claimed jokingly that he might move it over ten to fifteen feet so it was not blocking his view of the lake. The wording on this plaque is interesting in the ways in which it differs from the text of the actual treaty. In full, it reads:

ANIMAKEE WA ZHING-SACRED PLACE OF THE THUNDERBIRD
Near this site on October 3, 1873, Powassin and Mawin Do Benais Spokesmen for the Ogitchi Taug of the Anishinabé Nation, Concluded the Northwest Angle Treaty, Treaty Number Three, with Lieutenant Governor Alexander Morris, Representative of Queen Victoria.
This Treaty between the British Crown and the Anishinabé Nation Recognized the Sovereignty of the Anishinabé People in the Lake of the Woods and Rainy Lake Country, to the English River and Lac Seul in the north. Treaty No. 3 was to become the model for all Treaties made in Western Canada thereafter. The Anishinabéag permitted safe passage to settlers, the Crown recognized the rights of the Anishinabé people to their lands, waters, resources, government and culture.
In the words of Treaty Number Three, these rights “will last as long as the sun will shine and water runs, that is to say forever.” This plaque is dedicated to the continuation of our rights by the Chiefs and Elders of Grand Council Treaty Number Three, This 3rd day of October 1981.

Third Trip to NW Angle

Finally, in July of 2005 I was able to arrange to meet Joe Powassin and for him to take me out to Harrison Creek. David and Rosemary Malaher and Anne Lindsay from the Centre for Rupert’s Land Studies expressed an interest in accompanying me on this trip and Joe said he did not mind if they came along. We arranged to meet Joe at the restaurant at Young’s Bay at 9 AM on July 6. Anne had come out to my ranch the night before. My wife Pat and I and Anne passed a very pleasant evening over dinner. We called it an early night and Anne and I drove together to Young’s Bay in the morning, where we met David and Rosemary who had already
finished breakfast when we arrived at nine. After a slight comedy of errors in which we almost missed Joe, we all went down to the dock and climbed into Joe’s boat. We had lost several hours from our day and unfortunately had to abandon a plan to have Joe take us out past Oak Island to retrace a portion of David Thompson’s route when he was mapping the US/Canada border at The Lake of the Woods.

We headed out directly to Harrison Creek. We went a little beyond the creek up the NW Angle Inlet to take in the view of the cut for the International Boundary and then headed slowly back into the creek. We came ashore at several places including at the International Boundary and at the site of a run down shack that Joe thought might be where the HBC store may once have been situated. Joe told us about how the remains of what was once the Dawson Trail running parallel to the creek was later used as a logging road for many years. I asked Joe about the NW Angle Reserve and why it was scattered across numerous small blocks on both sides of the NW Angle Inlet, a couple of plots on either side of Harrison Creek and on several islands. Joe said with tongue in cheek, that it was because his great-grandfather, Chief Powassin had many wives at the time their Reserve was chosen and he needed separate places for each of his wives! Joe was a quiet guy. Didn’t really say too much and like everyone, he wasn’t really too sure where the treaty was signed. But he was very patient, and we passed a very pleasant afternoon with him exploring along the shores of Harrison Creek and walking sections of the old Dawson trail.

Earlier in the day we had bumped into Leslie Sandy in the restaurant when we were waiting for Joe and he had graciously invited us to stop at his place to see the plaque. We made a short stop there after we left Harrison Creek and also made a stop at Fort St. Charles on the return trip where we explored and had a late lunch before heading back to Young’s Bay. Joe was in between treatments for throat cancer and was having some difficulty swallowing at lunch. He mostly drank fluids. When I returned for my final trip to Harrison Creek later in the summer Joe was away receiving treatment in Kenora and was unable to act as our boatman. Sadly, Joe passed away the following year.

**Fourth Trip to Harrison Creek**

I went back Harrison Creek one more time that summer during a hot weekend in August. This time the *Landscape As Muse* TV crew accompanied me. Neither Joe (who was away in Kenora) nor Leslie Sandy (who was away working) were able to guide us but Leslie’s brother Ken agreed to drop us off at Harrison Creek with our gear and then to pick us up again four days later. The film company had a budget so we were able to pay Ken for his services. Ken told stories of his grandfather being present at the Treaty signing, how in those days the water was low enough that you could pole across the creek. Ken laughed telling a story about his grandfather arguing and threatening the clerk at the Hudson’s Bay Company Store when he was refused credit! He remembered riding horses bareback as a young boy along the shore of the creek.
We first put in at the International Boundary where we hoped to camp at the presumed site of the treaty signing but the grasses had grown so tall that pitching a tent was impossible. We wound up making camp about a quarter mile further upstream close to the shore on Canadian soil (Manitoba). I worked on two paintings while we were camped there, with the cameras running a lot of the time. I had brought a makeshift encaustic studio along which included my trusty old Coleman stove. It was a powerful experience being immersed in that historic place for those days. I placed an offering of tobacco in gratitude on the day of our departure. I finished those two paintings back in the studio and the film crew came out to film for a day in the fall. I was happy with the half hour episode that was produced as a result and which continues to air in reruns on Bravo! TV and the Saskatchewan Community Network.  

**Lac Seul and Fort Frances**

I made a week long trip in May of 2005 to Sioux Lookout, Lac Seul and Fort Frances to try to track down the signing locations of two Treaty 3 adhesions made respectively, later in October of 1873 and then in June 1874. The text of Treaty No. 3 states that an adhesion was made “at Lac Seul” in October 1873. Operating under the assumption (rightly or wrongly) that in all likelihood the Treaty was signed at an HBC post I tried to find out if there had been one on Lac Seul. I was unable to uncover any reference to such a post until, at the Lake of the Woods Museum, I came across a topographical survey map from the Department of the Interior which showed a “Lac Seul Post” and a “Fishing Station” on the north shore of the lake behind Kejick Bay Island on which is situated the Kejick Bay community of the Lac Seul First Nation.

Through the band office at Frenchman’s Head I was able to arrange to have a man named Roy Nigwance take me by boat over to the site of the old post that is now on land owned by a lumber company. I will also leave the telling of the story of how I finally found Roy at the school on Kejick Bay Island and experienced the culling of dogs on the reserve for another day. I should say though that it is often these small incidental events that occur during my research that later give me a deep personal connection with a photograph that I will choose to paint. Roy took me over to the location of the old post, which had burned down and then been rebuilt and used as a Hudson’s Bay Store for a while. Roy said it had been abandoned by the Hudson’s Bay Company years before. He told me a story of his mother “partying” here before it burned down. Roy also took me on a tour around his island, pointing out Treaty Point where Treaty payments used to be received. I took a lot of pictures of water and shorelines on this trip and several were used for paintings in this series.

From Lac Seul I drove down to Fort Frances hoping to have a few hours at the Fort Frances Museum. Unfortunately, I arrived late on Saturday and the museum had just closed for the weekend. The local library was open though and I found a couple of useful resources there. On my way into Fort Frances, I had driven through Couchiching
First Nation. I stopped at the band office to make inquiries but it was closed, as was their RCMP detachment. I even asked at the gas station if they might know of or know someone who might know about a treaty signing at Fort Francis. Blank stares greeted the question. I was searching for any remnants or markers indicating the location of Fort Francis. I also wanted to see Pithers Point and I had come across a reference to an Anishinahbe gathering place “on Rainy River below the Chaudière Falls.”

I took many pictures of the dam at Fort Francis as well as the area along the river below the falls. I believe this to be the right spot though I found no other references anywhere to Chaudière Falls and no one had ever heard of it. In town, just downstream from the dam in front of a house on a street running along above the river, I found a plaque noting the former presence of the HBC Lac La Pluie Post at that location from 1818-1903. Further along is the old graveyard and a little further still, again in someone’s yard, overlooking Rainy River is an elaborate plaque noting the former presence of the North West Company’s Fort Lac La Pluie, also called Rainy Lake House, which was abandoned in 1821 shortly after it merged with the HBC. I took a series of photos of the neighbourhood around the vicinity of the plaques, including pictures along the riverbank, pictures of the rail station across the street and some shots of a kid going by on a skateboard. All of these images became paintings in The Treaty 3 Suite.

This series was exhibited under the title The Treaty 3 Suite (Outside Promises) at Ken Segal Gallery in Winnipeg in 2006. The phrase “Outside Promises” refers to oral promises made during the negotiations for Treaty No. 1 and Treaty No. 2 which were not included in the written text. Those “Outside Promises” were included in the written text of Treaty No. 3 and later added as an Appendix to Treaties 1 & 2.

The Treaty 4 Suite

In 2006, my wife Pat was teaching a workshop in Regina, Saskatchewan, and I took the opportunity to drive out with her and to stop in Fort Qu’Appelle to try to find the signing location of Treaty No. 4 (the Fort Qu’Appelle Treaty). To this day I have not been able to discover with certainty exactly where the treaty was signed. In all likelihood the signing took place on what is known as the Treaty Grounds adjacent to The Treaty Four Governance Centre but after two years of inquiry and numerous speculations, I have not found a soul who claims to know for sure. In 1874 Treaty Commissioners had initially set up their marquee on the grounds of the Qu’Appelle Hudson’s Bay Post but the gathered Saulteaux and Cree refused to meet them on HBC lands due to angry sentiments about the recent sale by the HBC of Rupert’s Land to Canada. The Indians felt that the monies from that sale should rightly come to them. I have read several narratives and reports about these discussions and the eventual removal of the Treaty Party to a compromise location one mile from the HBC Post. This would put it somewhere in the vicinity of the Treaty Grounds but gives no certainty to the question.
I took a lot of pictures of the Treaty Four Monument, erected in 1915 by the Western Art Association. The monument sits in a little park on a residential street in downtown Fort Qu’Appelle. It is generally agreed that the site does not mark the location of the treaty signing, but I have used these photos for a couple of paintings.

In Regina, I spent a day in the Saskatchewan Archives and in the Library of the First Nations University while my wife did her workshop. On our trip home we stopped in St. Lazare Manitoba, and following a description in Elizabeth Losey’s, Let Them Be Remembered,11 we were able to locate, overlooking the Qu’Appelle Valley, the Cairn with its commemorative plaque that marks the site of Fort Ellice where a second signing for Treaty No. 4 took place six days after the signing at Fort Qu’Appelle. We spent a couple of hours on that drizzly afternoon exploring the ridge, looking for an old cemetery that we never found and taking photographs which would later become the sources for more paintings.

I returned to Fort Qu’Appelle later that year in September for the annual Treaty Four Gathering. I spent three days in Fort Qu’Appelle and many of the paintings for the first series of The Treaty Four Suite were made from photographs taken on this trip. During the Treaty Days there was an Assembly of Elders, which took place in the Governance Centre and which I attended as an observer. During the Assembly, Saskatchewan Treaty Commissioner Judge David Arnot presented to the Elders his Interim Treaty Implementation Report titled, Treaties: The Road to Reconciliation. At that Assembly I also met Ovide Mercredi who is presently chief at Grand Rapids First Nation. Mr. Mercredi commented with a smile that he, too, was on “the Treaty Trail” and extended me an invitation to Grand Rapids where a Treaty 5 adhesion was signed in 1875. Resources and time permitting, I will be able to accept his invitation before too long.

**The Treaty 4 Adhesions**

This past summer of 2008, I was able to make the trip to the sites of the remaining three Treaty 4 adhesion signings that I had not yet visited. My research at this point into the Treaty 4 adhesions was only preliminary at best, but I now had an opportunity to combine research travel with a trip to Calgary for the opening of an exhibition that included some pictures from the first series of The Treaty 4 Suite.

Seeking the exact location of the adhesion signing “at Swan Lake,”12 I headed north from my farm and up Highway 20 to Camperville and Pine Creek First Nation, one of seven Treaty 4 First Nations in Manitoba. At the Pine Creek band office I was steered by a young Councilor to talk to a fellow named Marvin Mackay, a band member who had done considerable work on the band’s Treaty Land Entitlement Claim. Mr. Mackay is very knowledgeable about the creation of the original reserve at Duck Bay and the

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12 Treaty 4 Between Her Majesty The Queen And The Cree And Saulteaux Tribes Of Indians At The Qu’appelle And Fort Ellice, Transcribed From: Roger Duhamel, F.R.S.C. Queen’s Printer And Controller Of Stationery Ottawa, 1966, Cat. No. Ci 72-0466.
complicated circumstances surrounding the eventual split of the reserve and the creation of the Pine Creek Reserve.

He provided me a number of his research documents and letters and maps. One letter of particular interest to me is a letter dated 16 August 2001, written by Mr. Mackay to a Harley Jonasson with the Province of Manitoba. The letter goes into considerable detail about the negotiations and discussions that took place before and after the signing of the adhesion between all the various bands involved, noting that there may have been as many as five bands present at Swan Lake during the negotiations, although only two bands wound up signing the adhesion. But for all of that, the exact location of this signing remains uncertain so far. I decided after talking to Mr. Mackay that I should drive up to Wuskwi Sipihk First Nation on Swan Lake and try to get to Sapotaweyak Cree Nation a little further north on Shoal River as well if I could. In my online reading I had come across the following reference in the Key First Nation 1909 Surrender Inquiry Report,

…Ithe Treaty Commissioners and their entourage arrived in Shoal River on September 22, 1875. Two days later, on September 24, Commissioners Christie and Dickieson took adhesions to Treaty 4 from the Cree and Saulteaux Indians inhabiting that area. 13

I headed north up Highway 10 beyond Camperville and soon discovered that the gravel road into Swan Lake and Wuskwi Sipihk First Nation that was marked on my map did not exist! A little farther north I came to another gravel road that appeared to have been getting some use lately and seemed to go in the right direction so I took a chance and after feeling quite lost and almost giving up at least once, suddenly I came to a hand painted sign that said Wuskwi Sipihk First Nation with an arrow pointing further. I was relieved and suddenly even more apprehensive at the same time. I am usually very nervous going into new reserves for the first time. As a non-aboriginal I am very conscious of being an outsider here in “Indian Country.” On this leg of my journey, I had not a doubt in my mind that I was most assuredly travelling deep into Indian Country. Even though, without exception, once I have introduced myself in the communities and explained my mission, smiles come on to people’s faces and every effort is made to help me, as an outsider I am always uncertain about how I will be received.

As I entered Wuskwi Sipihk I encountered many people outside what looked like it might be the band office and community centre. It seemed that some kind of community event had just ended and people were cleaning up and hanging out. I asked a fellow if the office was open and he said no but inquired who I was looking for. I explained myself and asked to be directed to the lake and the mouth of the Woody River. He said that he didn’t know much about the treaty signing, but thought it might have taken place up at Sapotaweyak Cree Nation. Even so, he jumped in the truck with me and showed me down to Woody River where it flows in to Swan Lake. We chatted while

I took about a hundred quick photos of the landscape around the waterfront. I was not inclined to linger here to try to talk to more people to see what more I might find out. It was a bit late in the day, I was still nervous about being alone and white in a place I did not know and where I was unfamiliar with the rules. Perhaps I will go back one day but for the time being, I had my pictures, the day was wearing on and I still had to get up to Sapotaweyak. I thanked my acquaintance for his kindness, dropped him off back with his friends and headed out.

I drove back out to Highway 10 and then north to Road 653, another gravel road which would take me in to Sapotaweyak Cree Nation at the mouth of the Shoal River on Dawson Bay in the north basin of Lake Winnipegosis. On the forty-minute drive on a well-kept gravel road through the bush I passed only a RCMP cruiser heading the other way and a minivan recently crashed at the side of the road. Sapotaweyak Cree Nation seemed to be a pretty big reserve, with a large new K-10 school set to open in September and an impressive new water purification plant. Wary looks from young kids greeted me as I drove into the reserve looking for the band office. I explained myself to the slightly incredulous young receptionist who had me speak to Virginia, a senior staffer in the office. Virginia walked me outside and directed me towards the mouth of the river and the water treatment plant and also to “the bridge” over the river that led to another section of the reserve. I asked her, “Your people have been here at this spot for a long time – if people had gathered here to meet with a Treaty Party to discuss a Treaty 140 years ago, where would they have gathered? Where would they be standing?” She said, “maybe right here,” in this open area in front of the band office – but she really wasn’t sure. I asked her permission to take photographs, which she Okayed. Later I heard that people had been suspiciously asking, “Who is that white guy taking pictures?” so I was glad that I had her on my side! I tried to imagine what might have happened when the Treaty Commissioners arrived and where things may have transpired. I took photos in front of the band office and down at the bridge and the water treatment plant and at the mouth of the river. Some of these pictures will become paintings.

Back at the band office, I stopped to say thank you. Virginia came out and asked if I had been to the graveyard. I had not and she offered to take me and to show me the grave of a long ago Chief whose headstone had recently been replaced by the department of Indian Affairs. The stone read, Edward Kematch, Sakawakoochin, Chief Of This Reserve 1840-1925. This Chief she thought may have signed the treaty, but I could not find his name on copies of the treaty that I have seen. I will continue to research this name. Virginia introduced me to a Councilor who happened by, who took my card and promised to make some inquiries with the Elders for me about the treaty signing. And that was it. I headed out of the reserve and onward on my journey feeling happy to be back on the “Treaty Trail.”

I may or may not have just seen the place where Treaty was signed, but in the event that I am unable to find out anything more certain, this was going to be good enough.
I would go ahead and make my paintings on the assumption that this might be the right place – and this was going to be “good enough.” An aspect of this project is simply that I have tried. I have had an experience that I can translate into a work that will resonate for others. And I will go forward with a questioning mind and a certainty that absolute certainty will always be just a little further down the road. I made it back to the Thunderhill Motel in Swan River for a good night’s sleep.

Fort Pelly

My next stop was Pelly, Saskatchewan, where the Fort Pelly Livingston Museum is located. My eventual goal was to find and photograph the site of Fort Pelly. This small museum has some excellent holdings. The new Director, Mr. Brian Clough, showed me around the museum and gave me directions to the site of Fort Pelly. The Hudson’s Bay Company built Fort Pelly in 1824, at an elbow on the Assiniboine River. A well-situated trading post, it was soon named as the headquarters for the Swan River district. In 1856 a new post was constructed close by on higher ground to protect against occasional flooding. Fort Pelly continued as an economic and social centre until 1912, when it was abandoned because the railroad came through several miles to the north. Today the site of the final post is a National Historic Site.

Once again Elizabeth Losey is my touchstone on this pursuit. Her account from *Let Them Be Remembered* was again the starting point in my search for this fort. About her own search for Fort Pelly she noted:

…we know that the fort had been located near the peak of the elbow on the east side of the Assiniboine… by the road we spotted an inconspicuous low provincial fieldstone monument bearing a plaque. It was a typical grassland opening in the parklands.\(^{14}\)

Since her visit some work has been done on the grounds of the final fort. The grounds are now fenced and demarcated by a series of well kept paths which lead one on a tour of a series on didactic panels, sturdily mounted on concrete and steel plinths, describing in text, drawings and photographs the buildings and history of the Fort. Unfortunately there is no mention made of the Treaty 4 adhesion signing that took place here on 24 August 1876, two years after the initial signing of the Treaty at Fort Qu’appelle. The text of the adhesion concludes:

IN WITNESS WHEREOF, Her Majesty’s Commissioners and the said Indian Chief and Headmen have hereunto subscribed and set their hands at Fort Pelly, this twenty-fourth day of August, in the year of Our Lord one thousand eight hundred and seventy-six. Signed by the parties hereto in the presence of the undersigned witnesses, the same having been first read and explained by A. Mckay:

A. Mckay,  
W. H. Nagle,  
Oo-Za-Wask-Oo-Quin-Ape, (or Yellow Quill),  
Kenistin (or Cree),  
Ne-Pin-Awa (or Summer Fur)\(^ {15}\)

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\(^{14}\) Losey, 499.  
\(^{15}\) Treaty No. 4 Between Her Majesty The Queen And The Cree And Saulteaux Tribes Of Indians At The Qu’appelle And Fort Ellice, Transcribed
The witnesses were And. Mcdonald, Alex.
Lord Russell, George Flett and Hugh Mcbeath.

I have more research to do before I start painting – but again, I have my pictures and as I read and study photographic and other records, I will try to position my own photographs as an overlay over the past in order to create the art works for this series.

**Fort Walsh**

I went on from Fort Pelly to Calgary for the opening of my show and then headed back east towards Fort Walsh a couple of days later. Built in 1875, Fort Walsh became the NWMP headquarters in 1878 until it was abandoned in 1883. The RCMP rebuilt Fort Walsh in 1942 as a breeding and training centre for the black horses of their famous Musical Ride. It was rebuilt to the specifications of the original fort and after 1968 the fort became a National Historic Site. Three separate treaty adhesions were signed at Fort Walsh. In September 1877, one year after the Fort Pelly signing, the final adhesion to Treaty 4 was signed at Fort Walsh. An adhesion to Treaty No. 6 was signed at Fort Walsh in 1879 and Big Bear who had refused to sign Treaty No. 6 at Fort Pitt in 1876, signed an adhesion at Fort Walsh in 1882.

I drove down to the Fort, about an hour’s drive into the Cypress Hills from Highway 1 and decided to take the official “Tour” as one was just starting when I arrived mid-afternoon. After the tour I met with Clayton Yursleck the unofficial historian at the fort whom I had spoken to several times earlier on the phone. Clay also drove the bus on the tour. Unfortunately, Clay remained unable to say with certainty where the Treaty 4 adhesion was signed there. He speculated on either the officer’s mess or the Superintendent’s quarters as possible spots where such meetings might have taken place, but he did not know for certain. He felt sure that it was in the Superintendent’s quarters where both of the Fort Walsh Treaty 6 adhesions had been signed but was not sure if this building had been completed at the time of the Treaty 4 adhesion.

I spent an hour or so after the tour walking about on the grounds of the fort taking pictures and then stayed on for a while after the fort closed and took a lot of pictures of the surrounding areas. I tramped up to the old cemetery on a hill overlooking the fort and wandered down to where the old trading town just outside the fort had been situated. The area where once was a bustling settlement surrounded in the hills by Indian camps now was just scrub and bush demarcated by a plinth with a photo of the settlement and brief text etched on steel. Much yet to learn – but I have been to the place and I have my pictures to work from.

**Conclusion**

From Fort Walsh I headed east towards home but I was determined to revisit Fort Qu’Appelle and the site of Fort Ellice again along the way. I also wanted to visit the newly opened Fort Ellice Interpretive Centre in St. Lazare, Manitoba.

In Fort Qu’Appelle I revisited the Treaty 4 Monument and made a stop at the Treaty 4
Governance Centre. Offices were closed but I had a chance encounter with a fellow who told me that he thinks the Treaty signing actually took place in the open field across the highway from the road into the Treaty Grounds. Another theory! Maybe another painting!

I got in to St. Lazare mid-afternoon and, as previously arranged, stopped in to meet Monsieur Philippe Fafard at his store on Main Street. Monsieur Fafard owns the liquor store that also doubles as a gift store. He recently purchased the business (and the building) and he is planning to stock a new line of fishing equipment as well, to see how it does. He also owns the building next door, which houses the St. Lazare Library and Fort Ellice Interpretive Centre. I had an engaging conversation with Monsieur Fafard and he was kind enough to loan me the keys to the library so that I might stay on in the evening to look over the holdings of the Interpretive Centre.

The Fort Ellice Interpretive Centre, which opened just this summer, is the work of a small local committee, on which Monsieur Fafard is a key player, interested in preserving local history. The centre shares a small space, basically a modest storefront, with the St. Lazare Library. It contains a small, detailed diorama of Fort Ellice that conveys a very good sense of life around the fort, and a modest archive gathered from various sources (included the Internet) on the history of the fort, the local parishes and the Mission in the nearby town of Lebret. Unfortunately, I found no references to the signing of Treaty 4 at Fort Ellice in 1874. I returned the keys to Monsieur Fafard at his home when I was done, and he agreed that perhaps an inclusion of some material about Treaty No. 4 might be a good idea. I showed him my copy of Elizabeth Losey’s book in which she mentions going to the town of St. Lazare during her search for Fort Ellice.\textsuperscript{16} He was quite excited and noted the title and publisher. I still had a couple of hours of daylight so I drove out to the Fort Ellice site for one more look. It was much as I remembered it, but I wandered a bit further along the escarpment and discovered some beautiful views of the valley that I had not seen on previous visits. I stayed the night at the St. Lazare Hotel and drove home the next day.

I have heard so many stories from so many people. It is impossible to recount here the many small details, which make up the sum of what I am learning about the treaty making process in Canada. As the reader can see from these pages, my research methods are somewhat haphazard, I welcome the anecdotal and I am sometimes willing to accept information gleaned from casual encounters for truth. Any conclusions drawn from my inquiries remain speculative, but for the needs of my project, and given my limited time and resources, this will be “good enough” for now. I continue my inquiries, noting new details relevant to earlier projects, even as I pursue new research. I hope too that I have been able to lay some groundwork for others who might pursue similar inquiries. I hope too that my work on this project and the dissemination of the paintings and my engagements with various publics and communities through writing and speaking about my work will contribute to a reconciliation process between Canada and The First Nations.

\textsuperscript{16} Losey, 549-550.
I have been greatly assisted in my research by a numerous individuals and organizations, some of whom I have named in this text. I am indebted also to the helpful staff at the Hudsons Bay Company Archives and the Provincial Archives of Manitoba, the Department of Indian and Northern Affairs office in Winnipeg, the Treaty & Aboriginal Rights Research office in Winnipeg, the office of The Grand Council of Treaty 3 and the Lake of the Woods Museum in Kenora.

*Harrison Creek (Treaty 3)*, 2005
Encaustic on canvas, 66” x 54”