

## Background to the Douglas Treaties

In the 1840s, Vancouver Island was home to thousands of First Nations people belonging to Nuuchah'nulth, Coast Salish, and Kwakwaka'wakw speaking groups (an 1856 census counted 33,873 Indigenous people on Vancouver Island).<sup>1</sup> In 1843, the Hudson's Bay fur trading company established a trading post at Fort Victoria in the territory of the Lekwungen Coast Salish-speaking people. By 1846, Britain and the United States agreed to divide the territories west of the Rocky Mountains, so that the United States controlled the area south of the 49<sup>th</sup> parallel and Britain controlled the area north of this border, including Vancouver Island.

To maintain its hold on this territory and have continued access to the Pacific Ocean for trade routes, the British Colonial Office created a colony on Vancouver Island in 1849. Colonial powers like Britain believed that if they could settle enough of their own citizens permanently in Indigenous territories, they could claim these territories as their own.

Britain allowed the Hudson's Bay Company to manage the Colony of Vancouver Island and agreed to let the company have exclusive trading rights for the next ten years. In exchange, the company agreed to colonize the island with British settlers. Before the Hudson's Bay Company could sell the land to the settlers, it first had to purchase the land from its original owners, the Indigenous people. This was described as "extinguishing" or ending Aboriginal rights to land. Colonial powers usually purchased land from Indigenous people by negotiating treaties.

Between 1850 and 1854, James Douglas signed treaties with fourteen Aboriginal communities on Vancouver Island. These treaties dealt with areas from Victoria to Sooke, the Saanich Peninsula, Nanaimo, and Fort Rupert.<sup>2</sup> The text in the treaties is quite short, and the agreements reached in the fourteen treaties are almost the same, except for the territories referred to, the persons signing, and the payment amounts for the land. According to the treaties, the Indigenous chiefs and their communities agreed to "surrender, entirely and for ever," most of their territories to the Hudson's Bay Company. They kept their "village sites and enclosed fields" and the right to "hunt over the unoccupied lands, and to carry on their fisheries as formerly." For their land, First Nations communities received blankets or pounds sterling.

There was much room for misunderstanding in negotiating these treaties. In 1850, few Hudson's Bay Company employees understood the Salish language, and few local Indigenous people understood or read English. Despite the communication difficulties, interpreters did help Douglas explain the treaties to the Aboriginal groups.<sup>3</sup>

Salish people, however, did not think the treaties were a land sale, or the extinguishment (end) of their land rights. Lekwungen chief David Latasse, who was a boy when the treaties were signed,

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<sup>1</sup> John Adams, *Old Square-Toes and His Lady: The Life of James and Amelia Douglas* (Victoria, BC: Horsdal & Schubart, 2001), p. 111.

<sup>2</sup> Cole Harris, *Making Native Space: Colonialism, Resistance, and Reserves in British Columbia* (Vancouver: University of British Columbia Press, 2002), p. 19.

<sup>3</sup> Grant Keddie, *Songhees Pictorial: A History of the Songhees People as Seen by Outsiders, 1790-1912* (Victoria: Royal BC Museum, 2003), p. 49.

thought that Douglas would pay his band gifts every year to rent the land.<sup>4</sup> Saanich elder Dave Elliott learned through oral history that this was a peace treaty, not a sale of land.<sup>5</sup>



Canada in the Making Website: [http://www.canadiana.org/citm/imagepups/douglastreaties\\_e.html](http://www.canadiana.org/citm/imagepups/douglastreaties_e.html)

After 1854, Douglas stopped making treaties, and historians are still not quite sure why. Douglas said that he ran out of money, and the Colonial Office decided not to send him more money for this purpose. Another reason may have been that Douglas decided to purchase only enough land for settlers to use while the Hudson's Bay Company was in charge of Vancouver Island.<sup>6</sup>

In the years following the signing of the Douglas Treaties, Douglas allowed settlers to take Indigenous land even if it had not been purchased through a treaty. During the gold rush, when thirty thousand miners came to southern British Columbia, Douglas did not make treaties with Aboriginal groups on the mainland; instead he set up reserves for Indigenous people to live on.<sup>7</sup> British Columbians today are still living with Douglas' decision not to sign any more treaties. Most of the land in the province was not purchased from Aboriginal people with treaties before it was inhabited by newcomers.

<sup>4</sup> Chief David Latasse interviewed by Frank Pagett, "105 Years in Victoria and Saanich!" *Victoria Daily Times*, 4 July 1934, Magazine Section, pp. 1, 8.

<sup>5</sup> Dave Elliott, Sr., edited by Janet Poth, *Saltwater People* (Saanichton, BC: School District No. 63, 1983), pp. 69-73.

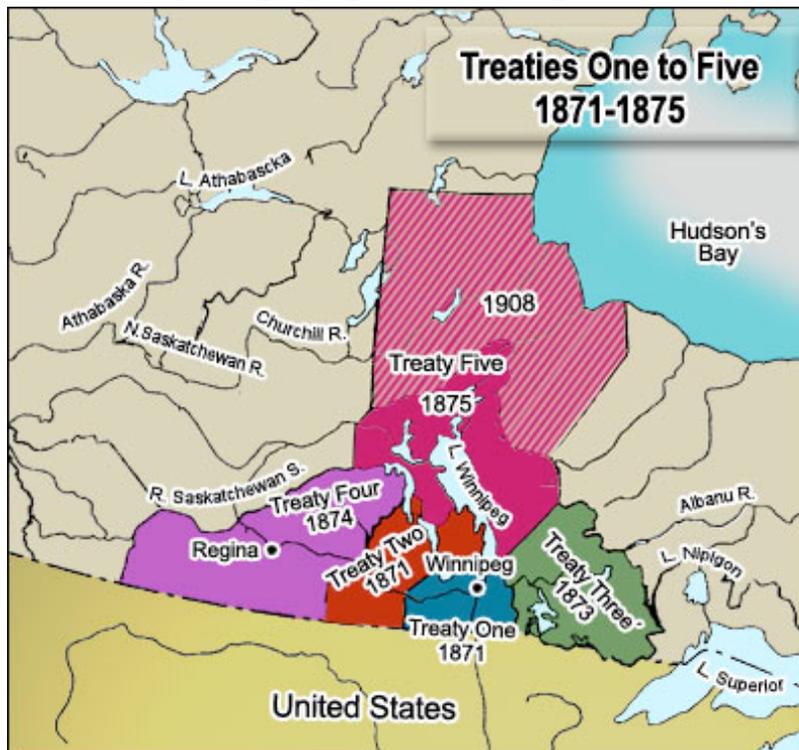
<sup>6</sup> Harris, *Making Native Space*, pp. 21-23.

<sup>7</sup> Harris, *Making Native Space*, pp. 30-34.

## Background to the Numbered Treaties

When Canada became a country in 1867, it was much smaller than it is today and did not include any territory west of Ontario. Canada consisted of four provinces, all of which had previously been colonies of Great Britain: Nova Scotia, New Brunswick, Quebec and Ontario. Soon after Confederation, many Canadians looked west to the Prairies where they hoped the land would be opened up for farming and settlement.

Rather than negotiate with the Aboriginal peoples living on the Prairies, the first thing the Canadian government did to gain access to the land was to meet and negotiate with the owners of the Hudson's Bay Company (HBC). The King of England had given the HBC the exclusive rights to trade in Rupert's Land in 1670. Rupert's Land extended as far west as the Rocky Mountains, and included all the land whose lakes and rivers drained into the Hudson's Bay. In 1870, the Hudson's Bay Company agreed to sell the government of Canada its rights to Rupert's Land for



£300,000 in addition to keeping several land grants in the territory.<sup>8</sup>

Did the Hudson's Bay Company have the right to sell its claim to Rupert's Land to the Canadian government? Was the HBC the rightful owner of it? One scholar compares the Hudson's Bay Company's control of Rupert's Land to "Pepsi Cola or another such company gaining title to the lands of another country merely by engaging in trading."<sup>9</sup>

Map of Treaties One to Five:  
<http://www.canadiana.org/citm/imagepops/ntl>

After making this deal with the Hudson's Bay Company, the Canadian government decided that it had to extinguish Aboriginal rights to land in this territory. From 1871-1877 the Canadian government negotiated seven different treaties that became known as the "Numbered Treaties."

<sup>8</sup> J.M. Bumsted, *A History of the Canadian Peoples, Third Edition* (Don Mills, Ontario: Oxford University Press, 2007), p. 224.

<sup>9</sup> Sharon H. Venne, "Understanding Treaty 6: An Indigenous Perspective," in Michael Asch, ed. *Aboriginal and Treaty Rights in Canada: Essays on Law, Equality, and Respect for Difference* (Vancouver: UBC Press, 1997, 2002), p. 184.

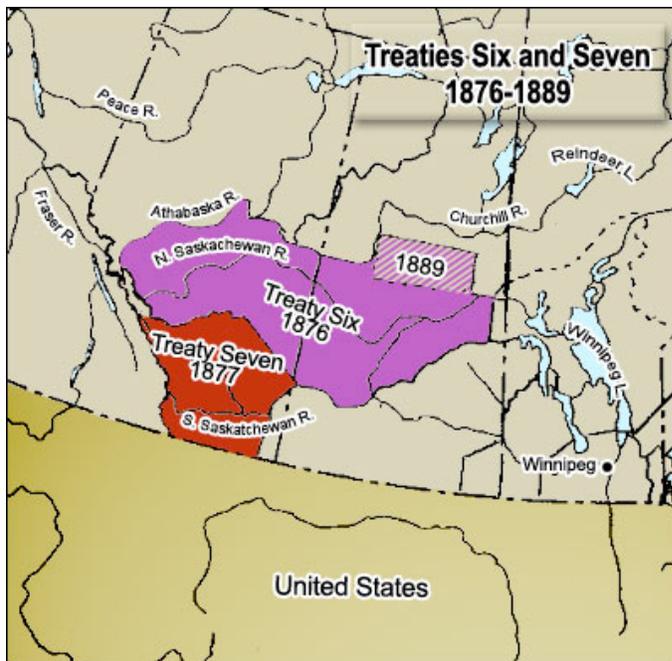
The Numbered Treaties were intended to extinguish Aboriginal title to lands that ran from western Ontario to the Rocky Mountains.

The Canadian government and Indigenous people had different reasons to sign the treaties. The Canadian government wanted to gain sovereignty, or control, over this territory, so it could populate the Prairies with Canadian settlers. Some Indigenous people thought they were creating an alliance that would be renewed each year.<sup>10</sup> Buffalo herds were in serious decline because they had been overhunted by Native and white hunters. Indigenous people depended on large buffalo herds for their food, clothing and shelter and were becoming increasingly worried that their main food source was running out. As a result, Aboriginal leaders wanted to switch to farming to grow their food and they insisted that the treaties include farm education, tools, and animals.<sup>11</sup>

Historians wonder whether Native leaders had much choice in signing the Numbered Treaties. There were already pressures on their way of life because Canadian settlers were starting to move west, and the buffalo were disappearing.

For many Aboriginal peoples signing the treaties was a way of ensuring their survival—if they could not depend on hunting they could make a living by farming.

Not all Indigenous people wished to sign the treaties, however. When Poundmaker, an influential Cree man, heard that each family would receive 640 acres, he said, “This is our land, it isn't a piece of pemmican to be cut off and given in little pieces back to us. It is ours and we will take what we want.”<sup>12</sup>



Map of Treaties Six and Seven:  
[http://www.canadiana.org/citm/imagepups/nt6-7\\_e.html](http://www.canadiana.org/citm/imagepups/nt6-7_e.html)

The signing of the treaties led to some long-lasting grievances. The Canadian government believed that it had bought the land with the treaties. Through the treaties, Indigenous people lost their sovereignty over their lands although some Native people believed they had not sold the land to the Canadian government, but had merely allowed Canadians to live and farm on it in exchange for payments. The treaties were followed by Canadian laws that further regulated how Aboriginal people would be educated, where they could live and where they could work.<sup>13</sup>

<sup>10</sup> Gerald Friesen, *The Canadian Prairies: A History* (Toronto: University of Toronto Press, 1987), pp. 147-149.

<sup>11</sup> See the text of Treaty 6.

<sup>12</sup> Peter Erasmus, as told to Henry Thomson, *Buffalo Days and Nights*, (Calgary : Glenbow-Alberta Institute, 1976), p. 244.

<sup>13</sup> Venne, “Understanding Treaty 6,” 192, 195; Friesen, *Canadian Prairies*, pp. 147-149.

Name \_\_\_\_\_

#3

**Evidence of Fairness**

Douglas Treaties     Numbered Treaties

Document(s) #: \_\_\_\_\_

<b>Evidence of fair bargaining</b> (Include direct quotes and brief explanations)	<b>Evidence of unfair bargaining</b> (Include direct quotes and brief explanations)

## Glossary of Treaty Terms

(Adapted from *Canada in the Making*) <[http://www.canadiana.org/citm/glossaire/glossaire1\\_e.html](http://www.canadiana.org/citm/glossaire/glossaire1_e.html)>

**Aboriginal Peoples:** A collective name for the original peoples of North America and their descendants. The Canadian constitution recognizes three groups of Aboriginal People: Indians (commonly referred to as First Nations), Métis and Inuit. These are three distinct peoples with unique histories, languages, cultural practices and spiritual beliefs. More than one million people in Canada identify themselves as an Aboriginal Person, according to the 2006 Census.

**Aboriginal Rights:** The rights of Aboriginal People that originate from their culture and ownership of land and resources that existed prior to European contact and occupation. How these rights are to be expressed in today's world is currently being worked out through negotiations and court cases.

**Band:** The name given to village-size groups of Aboriginal People in the Indian Act. Also the fundamental legal unit for Canadian Aboriginal people.

**Cede:** Concede, give up, surrender or relinquish to the control of another.

**Colonialism:** The practice of creating colonies so one group can control another group by settling in their territory. A colony refers to settlement in a new territory that remains tied or loyal to the parent state.

**First Nations:** A more specific term than Aboriginal Peoples or First Peoples, usually refers to Indigenous peoples in Canada and their descendants, and does not refer to the Inuit or Métis.

**Imperialism:** Taking control of other people's lands by war or peaceful occupation—a practice of numerous countries around the globe throughout history, but particularly strong during the 18<sup>th</sup> and 19<sup>th</sup> centuries amongst European countries. Britain and France both had imperial interests in Canada. After the British defeated the French they extended their control across the continent and displaced Aboriginal People.

**Indian:** The term originally used by Europeans to describe Aboriginal Peoples in Canada. Today this is a legal term which usually refers to a “status Indian.” Now the terms “Aboriginal People” or First Nations or “Indigenous People” are more commonly used.

**Indian Agent:** A Canadian government official, appointed through the Department of Indian Affairs, to exercise government authority and protection over particular Indian bands.

**Indigenous People:** Another term used to describe Aboriginal or First Nations peoples. This term describes any ethnic group of people who inhabit a geographical region with which they have the earliest known historical connection.

**Métis:** A term used to describe people of mixed native and European origin, and comes from an old French word meaning "mixed." Métis people have existed wherever European and Aboriginal people intermarried, especially along the St. Lawrence and in the west. The Métis are one of three recognized Aboriginal peoples in Canada, along with the Indians (or First Nations) and Inuit. Approximately one third of all Aboriginal People in Canada identify themselves as Métis, and the 2006 census data shows that the Métis population was 389,785 people.

**Numbered Treaties, (or Post-Confederation Treaties):** Eleven treaties signed between the federal government and the various Aboriginal groups of the Prairies and Northern Canada over a period of four decades between the late 1800s and early 1900s. As part of the treaties Aboriginal People exchanged all of their rights to large tracts of land (and resources) in return for reserve land and various forms of government assistance.

**Ratify:** To formally agree to a document, such as a treaty.

**Reserve:** Land which is owned by the Federal government, but is set aside for First Nations to live on and benefit from after the signing of treaties. There are over 600 reserves in Canada currently.

**Rupert's Land:** All of the land with rivers that drain into Hudson's Bay including parts of Québec and Ontario, all of Manitoba, most of Saskatchewan and southern Alberta, and parts of Nunavut and the Northwest Territories. This part of North America was granted by the English king to the Hudson's Bay Company in 1670. In 1869, the company sold the territory back to the British Government, and in 1870 it was given to Canada.

**Status Indians:** Refers to Aboriginal Peoples who belong to an Indian Band and are listed on the federal government's Indian Registry. Status Indians have the right to live on reserves and have access to services secured by treaties or other agreements. Non-status Indians are those who are of Indian ancestry and identity, but have lost their legal status as Indians either voluntarily or through marriage with a non-status Indian (for example, a white person). The laws defining Indian status were changed to be less discriminatory in 1985.

**Treaty:** An agreement usually made between two nations and between Aboriginal Groups and national governments. In Canada treaties were made between Aboriginal Groups who were offered small amounts of land, cash or goods (and sometimes services like education or health care) in exchange for transferring ownership of their traditional territory to the federal government.

Name: \_\_\_\_\_

#5

**Assessing the Collection of Evidence**

	<b>Outstanding</b>	<b>Very good</b>	<b>Competent</b>	<b>Satisfactory</b>	<b>In progress</b>
<b>Identifies potential evidence of fair bargaining</b>	Identifies the most important evidence, including less obvious details that suggest the bargaining may have been fair.	Identifies some important evidence, including less obvious details that suggest the bargaining may have been fair.	Identifies some relevant but generally obvious evidence that suggests the bargaining may have been fair.	Identifies only the most obvious evidence that suggests the bargaining may have been fair.	Identifies no relevant evidence that suggests the bargaining may have been fair.
<b>Identifies potential evidence of unfair bargaining</b>	Identifies the most important evidence, including less obvious details that suggest the bargaining may have been unfair.	Identifies some important evidence, including less obvious details that suggest the bargaining may have been unfair.	Identifies some relevant but generally obvious evidence that suggests the bargaining may have been unfair.	Identifies only the most obvious evidence that suggests the bargaining may have been unfair.	Identifies no relevant evidence that suggests the bargaining may have been unfair.
<b>Comments/Explanation:</b>					

## Sources on the Douglas Treaties

### Douglas Treaties Document #1: Claim of Aboriginal Ownership

Chief David Latasse was present at the treaty negotiations in Victoria in 1850. His recollections were recorded in 1934 when he was reportedly 105 years old:

For some time after the whites commenced building their settlement they ferried their supplies ashore. Then they desired to build a dock, where ships could be tied up close to shore. Explorers found suitable timbers could be obtained at Cordova Bay, and a gang of whites, Frenchmen and Kanakas [Hawaiians] were sent there to cut piles. The first thing they did was set a fire which nearly got out of hand, making such smoke as to attract attention of the Indians for forty miles around.

Chief Hotutstun of Salt Spring sent messengers to chief Whutsaymullet of the Saanich tribes, telling him that the white men were destroying his heritage and would frighten away fur and game animals. They met and jointly manned two big canoes and came down the coast to see what damage was being done and to demand pay from Douglas. Hotutstun was interested by the prospect of sharing in any gifts made to Whutsaymullet but also, indirectly, as the Chief Paramount of all the Indians of Saanich.

. . . As the two canoes rounded the point and paddled into Cordova Bay they were seen by camp cooks of the logging party, who became panic stricken. Rushing into the woods they yelled the alarm of Indians on the warpath. Every Frenchman and Kanaka dropped his tool and took to his heels, fleeing through the woods to Victoria. As they ran they spread the cry that the Indians were on the warpath.

Douglas hastened to meet the two chieftains and found that the party, with scarcely a weapon other than a few fish spears, were camping in harmony with the white members of the logging detachment. All that was asked was pay for trees cut and damage wrought, which Douglas promptly agreed was right and proper. He ordered two bales of blankets brought from the fort and gave each chief one of them. There was no suggestion that the compensation was for anything other than the timber, no suggestion of title to any land was involved in that matter. That fact is important in view of claims made later, that other big talks for use of land, in which similar small payments of goods and trade were made to Indians to pay for title to land given by the Indian chieftains.

Source: Chief David Latasse interviewed by Frank Pagett, "105 Years in Victoria and Saanich!" *Victoria Daily Times*, 4 July 1934.

### **Douglas Treaties Document #2: Governor Douglas' Motives**

Governor James Douglas writing to the Hudson Bay Company, 18 March 1852:

The Steam Saw Mill Company having selected . . . the section of land marked on the accompanying map north of Mount Douglas, which being within the limits of the Sanitch Country, those Indians came forward with a demand for payment, and finding it impossible, to discover among the numerous claimants, the real owners of the land in question. . . . I thought it advisable to purchase the whole of the Sanitch Country, as a measure that would save much future trouble and expense.

Grant Keddie, *Songhees Pictorial: A History of the Songhees People as Seen by Outsiders, 1790-1912* (Victoria: Royal BC Museum, 2003), p. 49.

### **Douglas Treaties Document #3: Mutual Benefit**

Chief David Latasse was present at the treaty negotiations in Victoria in 1850. His recollections were recorded in 1934 when he was reportedly 105 years old:

In the years around 1850 the Indians considered that there was lots of land and had no thought of or fear of extensive settlement by white men. The whites were welcomed, they provided a fine market for the large amount of fur which the tribesmen annually collected. The trade goods the whites gave in return for the furs were highly regarded. The whites at that time also had no idea of asking the Indians to give up their lands. Areas proposed to be used by whites were limited and the gifts of blankets and trade goods were nominal annual dues.

Source: Chief David Latasse interviewed by Frank Pagett, "105 Years in Victoria and Saanich!" *Victoria Daily Times*, 4 July 1934.

### **Douglas Treaties Document #4: Governor Douglas' Promises**

Governor James Douglas describes purchasing land, May 1852:

Douglas then "informed the natives that they would not be disturbed in the possession of their Village sites and enclosed fields. . . and that they were at liberty to hunt over the unoccupied lands, and to carry on their fisheries with the same freedom as when they were the sole occupants of the country."

Source: James Douglas in Grant Keddie, *Songhees Pictorial: A History of the Songhees People as Seen by Outsiders, 1790-1912* (Victoria: Royal BC Museum, 2003), pp. 48-49.

### **Douglas Treaties Document #5: Land for Blankets**

Chief David Latasse was present at the treaty negotiations in Victoria in 1850. His recollections were recorded in 1934 when he was reportedly 105 years old:

I forget how long it took to build the fort and the other structures, but Douglas went away for a while. I am not sure whether it was at his first visit that he arranged for the withdrawal of the Songhees to the other side of Victoria Harbor, but I think not. . . . I do well remember hearing that Douglas called a meeting of the four sub-chiefs of the Songhees, heads of the groups living at Clover Point, at Cadboro Bay, at Cordova Bay and at Mud Bay [James Bay]. I remember the sense of wealth shared by the Mud Bay group when, after they had agreed to abandon Mud Bay and remove to the old Songhees reserve on the Inner Harbor, Douglas gave the sub-chief a bale of fifty blankets for distribution among the families of the group. He also gave the other groups presents for waiving their rights of assembly at Mud Bay.

Source: Chief David Latasse interviewed by Frank Pagett, "105 Years in Victoria and Saanich!" *Victoria Daily Times*, 4 July 1934.

### **Douglas Treaties Document #6: Terms of the Treaty**

Chief David Latasse was present at the treaty negotiations in Victoria in 1850. His recollections were recorded in 1934 when he was reportedly 105 years old

It is in this matter that the Indians claim they have been unjustly treated. When Douglas met with Chief Hotutston in 1852, and discussed with him and his sub-chiefs the allotment of lands to the Hudson's Bay Company, it was arranged that lands not needed by the natives might be occupied by the whites. The Indians were to have reserved to their use some choice camping sites, were to have hunting rights everywhere and fishing privileges in all waters, with certain water areas exclusively reserved to the use of the tribes.

In return for the use of meadow lands and open prairie tracts of Saanich, the white people would pay to the tribal chieftains a fee in blankets and goods. That was understood by us all to be payable each year. It was so explained to us by Joseph McKay, the interpreter for Governor Douglas. The governor himself solemnly assured us that all asked to be ratified would be entirely to the satisfaction of the Indians. He also stated that the only object of the writing was to assure the Hudson's Bay Company peaceful and continued use of land tracts suitable for cultivation. That was accompanied by [a] gift of a few blankets. We all understood that similar gifts would be made each year, what is now called rent.

Source: Chief David Latasse interviewed by Frank Pagett, "105 Years in Victoria and Saanich!" *Victoria Daily Times*, 4 July 1934.



### **Douglas Treaties Document #7: Aboriginal Interpretation of Douglas' Offer**

Chief David Latasse was present at the treaty negotiations in Victoria in 1850. His recollections were recorded in 1934 when he was reportedly 105 years old:

More than eighty years ago I saw James Douglas, at the place now called Beacon Hill, stand before the assembled chiefs of the Saanich Indians with uplifted hand. . . . I heard him give his personal word that, if we agreed to let the white man use parts of our land to grow food, all would be to the satisfaction of the Indian peoples. Blankets and trade were to be paid. We, knowing a crop grows each year, looked for gifts each year, what is now called rent. Our chiefs then sold no part of Saanich.

Chief David Latasse interviewed by Frank Pagett, "105 Years in Victoria and Saanich!" *Victoria Daily Times*, 4 July 1934.

### **Douglas Treaties Document #8: No Payment Made**

Chief David Latasse was present at the treaty negotiations in Victoria in 1850. His recollections were recorded in 1934 when he was reportedly 105 years old:

Today, why should the white people treat us so? We never fought them, yet they took away our property. This land is ours . . . Never, never did the Indians sign away title to their land just for a few blankets.

I say truly that I have no knowledge of payments of money, as mentioned in papers supposed to have been signed by Chief Hotutston and Whutsaymullet and their sub-chiefs. I know of no act of signing such papers and believe that no such signatures were in fact made by those tribesmen. There was no payment in goods, instead of money. If there had been, custom would have required immediate public distribution of the trade goods to the tribesmen and the women folk. Then all members of each sub-tribe would have known of the payment and the reason why it had been made by the white men.

Source: Chief David Latasse interviewed by Frank Pagett, "105 Years in Victoria and Saanich!" *Victoria Daily Times*, 4 July 1934

## **Douglas Treaties Document #9: Terms of Treaty with Swengwhung Tribe**

Swengwhung Tribe – Victoria Peninsula, South of Colquitz

Know all men, we the chiefs and people of the family of Swengwhung, who have signed our names and made our marks to this deed on the thirtieth day of April, one thousand eight hundred and fifty, do consent to surrender, entirely and fore ever, to James Douglas, the agent of the Hudson's Bay Company in Vancouver Island, that is to say, for the Governor, Deputy Governor, and Committee of the same, the whole of the lands situate and lying between the Island of the Dead, in the Arm or Inlet of Camosun, where the Kosampson lands terminate, extending east to the Fountain Ridge, and following it to its termination on the Straits of De Fuca, in the Bay immediately east of Clover Point, including all the country between that line and the Inlet of Camosun.

The condition of or understanding of this sale is this, that our village sites and enclosed fields are to be kept for our own use, for the use of our children, and for those who may follow after us; and the land shall be properly surveyed hereafter. It is understood, however, that the land itself, with these small exceptions, becomes the entire property of the white people for ever; it is also understood that we are at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly.

We have received, as payment, Seventy-five pounds sterling.

In token whereof, we have signed our names and made our marks, at Fort Victoria, on the thirtieth day of April, one thousand eight hundred and fifty.

(Signed) SNAW-NUCK his X mark,  
and 29 others.

Done before us,

(Signed) ALFRED ROBSON BENSON, M.R.C.S.L.  
JOSEPH WILLIAM McKAY.

Source: *Papers Connected with the Indian Land Question, 1850-1875* (Victoria: Richard Wolfenden, 1875), p. 6.

### **Douglas Treaties Document #10: Misunderstanding and Language**

Hamar Foster is a University of Victoria law professor, specializing in colonial legal history, and Aboriginal history and law:

When Douglas set about his work, he had no written text. So he formalized the first nine transactions simply by attaching a paper with ‘X’s’ made by the chiefs to a blank sheet, intending to fill in the terms when he received them from Barclay. This may seem outrageous, but it is unlikely that prior possession of the written terms would have made the process any more intelligible. The Indians could not read English, nor could the HBC people speak or understand any of the Coast Salish and Wakashan languages.

The oral tradition of the Saanich people who signed two of Douglas’s sheets of paper is that, whatever may have been said or written at the time they believed that the document was a peace treaty. There had been trouble over logging and over the shooting of a young Indian lad, and when Douglas produced piles of blankets and asked them to put ‘X’s’ on a piece of paper, they thought they were being asked, under the sign of the Christian cross, to accept compensation for not making war. Whatever the different perceptions, it seems tolerably clear that the Saanich people could not have understood the significance of their actions in English law, although they were certainly aware that the newcomers wanted to stay and to share their land and resources.

Source: Hamar Foster, “Letting Go the Bone: The Idea of Indian Title in British Columbia 1849-1927” in John McLaren, Hamar Foster (eds), *Essays in the History of Canadian Law: British Columbia and the Yukon* (Toronto: University of Toronto Press), p. 41.

### **Douglas Treaties Document #11: Language Issues**

John Elliott Sr. was a member of the Saanich People and an Aboriginal language instructor. In 2003 he recounts the oral history learned from his father David Elliott Sr.:

I think it was at a time when our people were “barely” understanding English. You know, there was trade language that happened to be taking place – between our people and the white people, they talked Chinook. And, some of our people knew it and some people didn’t.

Source: Saanich elder John Elliott Sr., in Janice Knighton, *The Oral History of the 1852 Saanich Douglas Treaty: A treaty for Peace*. Unpublished Masters thesis, University of Victoria, Victoria, BC, 2004.

### **Douglas Treaties Document #12: Language Clearly Understood**

Joseph McKay was a Hudson's Bay Company trader and a treaty witness who spoke the Saanich language

The arrangements entered into . . . respecting their claims . . . were made [by] the Home Government. During Governor Blanshard's incumbency [term as governor] Mr. Douglas was Land Agent for the Crown Lands of Vancouver Island. The then secretary for the colonies sent to Douglas . . . instructions as to how he should deal with the so called Indian Title . . . Douglas was very cautious in all his proceedings. The day before the meeting with the Indians, he sent for me and handed me the document [the legal wording of the treaties] telling me to study it carefully and to commit as much of it to memory as possible in order that I might check the Interpreter Thomas should he fail to explain properly to the Indians the substance of Mr. Douglas' address to them.

Source: Joseph McKay in Grant Keddie, *Songhees Pictorial: A History of the Songhees People as Seen by Outsiders, 1790-1912* (Victoria: Royal BC Museum, 2003), p. 49.

### **Douglas Treaties Document #13: Refuting McKay's Assertion**

Saanich chiefs and councilors speaking to British Columbia provincial government, 4 April 1932:

The four Bundles of Blanket was merely for peace purposes . . . The Indians fully understood what was said as it was Interpreted by Mr McKay, who spoke the Saanich language very well . . . Mr McKay, . . . saying these blankets is not to buy your lands, but to shake hands . . . in good Harmony and good tumtums (heart). When I got enough of your timber I shall leave the place . . . When James Douglas knew he had enough of our timber he left the place.

Source: Saanich chiefs and councilors to provincial government, 4 April 1932, In Grant Keddie, *Songhees Pictorial: A History of the Songhees People as Seen by Outsiders, 1790-1912* (Victoria: Royal BC Museum, 2003), p. 49.

### **Douglas Treaties Document #14: Treaty as Peace Offering**

Gabriel Bartleman recounted the oral history he had learned from his father about the Douglas Treaty as part of testimony he gave at age 73 to the Supreme Court of British Columbia in 1987:

There was some blankets and I believe some metal it was called – the money was called metal then, and to make a cross on a piece of paper, on a blank piece of paper, native people thought this was the sign of the [Christian] cross, and his good feelings. So they pardoned him for that, they wanted to forget that. That's what I understood. Douglas' word was before that, but what they were thinking then was that it was a peace offering for the damage that he had done.

Source: Gabriel Bartleman in Janice Knighton, *The Oral History of the 1852 Saanich Douglas Treaty: A treaty for Peace*. Unpublished Masters thesis, University of Victoria, Victoria, BC, 2004, pp. 12-13

### **Douglas Treaties Document #15: Terms of the Treaty**

Governor James Douglas describes his version of the agreement with the Songhees Tribe, May 1852:

I summoned to a conference, the chiefs and influential men of the Songhees Tribe, which inhabits and claims the District of Victoria, from Gordon Head on Arro [Haro] Strait to Point Albert on the Strait of [Juan] De Fuca as their own particular heritage. After considerable discussion it was arranged that the whole of their lands . . . should be sold to the Company, with the exception of Village sites and enclosed fields, for a certain remuneration, to be paid at once to each member of the Tribe.

Source: James Douglas in Grant Keddie, *Songhees Pictorial: A History of the Songhees People as Seen by Outsiders, 1790-1912* (Victoria: Royal BC Museum, 2003), pp. 48-49.

## **Douglas Treaties Document #16: Signing the Treaty with Crosses**

Dave Elliott Sr. was an elder of the Saanich People:

We weren't in a state of war, but almost. . . . Douglas invited all the head people into Victoria.

When they got there, all these piles of blankets plus other goods were on the ground. They told them these bundles of blankets were for them plus about \$200 but it was in pounds and shillings.

They saw these bundles of blankets and goods and they were asked to put X's on the paper. They asked each head man to put an X on the paper. Our people didn't know what the X's were for. Actually they didn't call them X's they called them crosses. So they talked back and forth from one to the other and wondered why they were being asked to put these crosses on these papers. One after another, they were asked to put crosses on the paper and they didn't know what the paper said. What I imagined from looking at the document was that they must have gone to each man and asked them their name and then they transcribed it in a very poor fashion and then asked them to make an X.

One man spoke up after they discussed it, and said, "I think James Douglas wanted to keep the peace." They were after all almost in a state of war, a boy had been shot. Also we stopped them from cutting timber and sent them back to Victoria and told them to cut no more timber.

"I think these are peace offerings. I think Douglas means to keep the peace. I think these are the sign of the cross."

He made the sign of the cross. The missionaries must have already been around by then, because they knew about the 'sign of the cross'! "This means Douglas is sincere." They thought it was just a sign of sincerity and honesty. This was the sign of their God. It was the highest order of honesty. It wasn't much later they found out actually they were signing their land away by putting those crosses out there. They didn't know what it said on that paper.

I think if you take a look at the document yourself, you will find out, you can judge for yourself. Look at the X's yourself and you'll see they're all alike, probably written by the same hand. They actually didn't know those were their names and many of those names are not even accurate. They are not even known to Saanich People. Our people were hardly able to talk English at that time and who could understand our language?

Source: Dave Elliott Sr., edited Janet Poth, *Saltwater People: A Resource Book for the Saanich Native Studies Program*. (Saanichton, BC: School District #63 (Saanich), 1983/1990), pp. 69-73.

## Sources on the Numbered Treaties

### Numbered Treaties Document #1: Aboriginal Territory Before the Treaties

Sharon Venne is a Cree writer of books and articles on the rights on Indigenous people:

Indigenous Chiefs dealt with the arrival of the non-Indigenous settlers into Indigenous territory in the same manner as they dealt with others entering their jurisdiction. There was a protocol [correct code of conduct] to be followed. The Chiefs requested that the Crown and its settlers not enter their territory without concluding an agreement. It was the Indigenous peoples who had the jurisdiction in this area and told the Crown that their jurisdiction must be respected . . .

All over the West following 1870, Indigenous Peoples prevented surveyors and other people – including the builders of the telegraph – from coming into their territory without a treaty. The Indigenous peoples were protecting their jurisdiction. If the Crown wanted to have access to their territories, the Crown would need an agreement from the Indigenous peoples.

Source: Sharon H. Venne, “Understanding Treaty 6: An Indigenous Perspective,” in Michael Asch, ed. *Aboriginal and Treaty Rights in Canada: Essays on Law, Equality, and Respect for Difference* (Vancouver: University of British Columbia Press, 1997, 2002), p. 184.

### Numbered Treaties Document #2: Protecting Claim to the Land

Sharon Venne is a Cree writer of books and articles on the rights on Indigenous people:

The Indigenous peoples heard that the Hudson’s Bay Company had sold lands to the British Crown. The Chiefs could not believe that the trading company could have acquired their lands . . . In order to clarify the situation, the Chiefs sent a message to the representative of the Queen to inform her of the true situation. They stated that the Hudson’s Bay Company could not gain control of their lands through its trading activities. These lands belonged to the Indigenous peoples who demanded that the Crown respect their rights before moving into their territory. They wanted the jurisdictional issue settled as soon as possible. They wanted the Crown to determine the exact nature of its agreement with the Hudson’s Bay Company, which was undertaken without the consent of Indigenous peoples. They considered such an agreement to be invalid as a means of gaining access to their lands.

Source: Sharon H. Venne, “Understanding Treaty 6: An Indigenous Perspective,” in Michael Asch, ed. *Aboriginal and Treaty Rights in Canada: Essays on Law, Equality, and Respect for Difference* (Vancouver: University of British Columbia Press, 1997, 2002), p. 184.

### **Numbered Treaties Document #3: Importance of the Buffalo**

Arthur Ray is a University of British Columbia history professor, specializing in Aboriginal treaty negotiations:

The buffalo people of the prairies lived in what a European fur trader described as a vast ‘sea of grass and scattered islands of woods,’ which teemed with bison. Bison, or buffalo as they are usually called, North America’s largest terrestrial animal, had been the main focus of the Plains people’s economies since the great Ice Age. The adult male buffalo weighs up to two thousand pounds and could provide the hunter with as much as a thousand pounds of dressed meat. . . . The Plains people also depended on buffalo for an array of essential raw materials. Their heavy winter coats served as warm robes for bedding and outer wear. The hides were idea for making lodge coverings, *parflèches* (leather containers), clothing, *babiche* (leather cording), and war shields. Men worked bison bone into a variety of tools, and the women used the paunch as a cooking and storage container. In short, this one majestic animal provided the foundation for their way of life.

Source: Arthur J. Ray, *I Have Lived Here since the World Began*, (Toronto: Key Porter Books, 2005), p. 13.

### **Numbered Treaties Document #4: Demise of the Buffalo**

Gerald Friesen is a University of Manitoba history professor, specializing in Western Canadian history:

The heart of the problem was the virtual extinction of the Canadian buffalo herd between 1874 and 1879. No satisfactory explanation, aside from an incredible slaughter by native and white hunters were supplying the American hide trade, has ever been offered for this sudden destruction of the prairie food supply. A variety of half-hearted conservation measures was considered by the Canadian federal and territorial governments, but no effective limits were adopted in time. Heavy hunting in the mid-1870s depleted the breeding stock, and by 1878 most of the Canadian herd had been driven into Montana. . . . The plains equestrian way of life, rich and fulfilling as it had been for over a century, had come to an end.

Source: Gerald Friesen, *The Canadian Prairies: A History*, (Toronto: University of Toronto Press, 1987) pp. 149-150

### **Numbered Treaties Document #5: Aboriginal Request for Help**

Sweet Grass (Wikaskokiseyin), Cree Chief along North Saskatchewan River, sent this petition to Lieutenant-Governor Alexander Morris in 1871, asking the government's assistance to protect his people's property and help them become farmers:

Great Father, - I shake hands with you, and bid you welcome. We heard our lands were sold and we did not like it; we don't want to sell our lands; it is our property, and no one has a right to sell them.

Our country is getting ruined of fur-bearing animals, hitherto our sole support, and now we are poor and want help – we want you to pity us. We want cattle, tools, agricultural implements, and assistance in everything when we come to settle – our country is no longer able to support us.

Make provision for us against years of starvation. We have had great starvation the past winter, and the small-pox took away many of our people, the old, young, and children. We want you to stop the Americans from coming to trade on our lands, and giving the firewater, ammunition and arms to our enemies the Blackfeet.

We made a peace this winter with the Blackfeet. Our young men are foolish, it may not last long. We want you to come and see us and to speak with us. If you can't come yourself, send some one in your place.

Source: Alexander Morris, *The Treaties of Canada with the Indians of Manitoba and the North-West Territories* (1880; reprint, Saskatoon, Fifth House, 1991), pp 170-171.

### **Numbered Treaties Document #6: Promise by the Crown**

Lieutenant-Governor Archibald was the negotiator for the Crown on the first treaty signed at Lower Fort Garry in 1871 with the Chippewa and Swampy Cree.

Your Great Mother wishes the good of all races under her sway. She wishes her red children to be happy and contented. She wishes them to live in comfort. She would like them to adopt the habits of the whites, to till land and raise food, and store it up against a time of want. . . . Your Great Mother, therefore, will lay aside for you 'lots' of land to be used by you and your children forever. She will not allow the white men to intrude upon these lots. She will make rules to keep them for you, so that as long as the sun shall shine, there shall be no Indian who has not a place that he can call his home, where he can go and pitch his camp, or if he chooses, build his house and till his land.

Source: From Treaty No. 1: 1871 Lt Governor to the Natives. In Gerald Friesen, *The Canadian Prairies: A History* (Toronto: University of Toronto Press, 1987), pp. 138-139.

## Numbered Treaties Document #7: Interest in Negotiating a Treaty

Petition of the Chokitapix [Blackfeet] Indian Chiefs to Lieut. Governor Morris, President of the Council for the North West Territories:

Humbly sheweth: -

1. That at a general Council of the Nation held by respective tribe of Blackfeet, Bloods and Peigans in the Fall of 1875, it was decided to draw the attention of our honourable Council of the North West to the following facts, viz-
2. That in the Winter of 1871 a message of Lieut. Governor Archibald was forwarded to . . . promise us that the Government, or the white man, would not take the Indian lands without a Council of Her Majesty's Commissioner and the respective Chiefs of the Nation.
3. That the white men have already taken the best location and built houses in any place they pleased in our 'hunting grounds.'
4. That the Half-breeds [Métis] and Cree Indians in large Camps are hunting Buffalo, both summer and Winter in the very centre of our lands.
5. That the land is pretty well taken up by white men and no Indian Commissioner has visited us yet.
6. That we pray for an Indian Commissioner to visit us at the Hand Hills, Red Deer River, this year and let us know the time that he will visit us, so that we could hold a Council with him, for putting a stop to the invasion of our Country, till our Treaty be made with the Government.
7. That we are perfectly willing the Mounted Police and the Missionary should remain in the Country, for we are much indebted to them for important services.
8. That we feel perfectly confident that the representatives of Our Great Mother, Her Majesty the Queen, will do prompt Justice to her Indian children.

Praying that the Ottawa Government will grant us our Petition, or do in the matter what to you and your Honourable Council of the North West may seem meet;-

Your Petitioners Remain, Your Excellency's Humble Servants."

Source: Treaty 7 Elders and Tribal Council. *The True Spirit and Original Intent of Treaty 7* (Montreal: McGill-Queen's University Press, 1995), pp. 276-277.

### **Numbered Treaties Document #8: Poundmaker's Objections**

This account of Poundmaker's dissent in 1876 to Treaty 6 comes from Peter Erasmus, a Métis interpreter hired by the Cree to help them in their negotiations:

Poundmaker, who was not a chief at that time but just a brave, spoke up and said, 'The governor mentions how much land is to be given to us. He says 640 acres one mile square for each family, he will give us.' And in a loud voice he shouted, 'This is our land, it isn't a piece of pemmican [dried meat] to be cut off and given in little pieces back to us. It is ours and we will take what we want.'

A strong wave of approval came back from the seated Indians at his statement. Some braves in the last rows rose to their feet, waved their hands and arms, shouting, 'Yes! Yes!' in Cree. Apparently these were Poundmaker's followers. It was some time before the main chiefs could restore order.

Source: Peter Erasmus, as told to Henry Thomson, *Buffalo Days and Nights*, (Victoria: Heritage House Publishing, 1976), p. 244.

### **Numbered Treaties Document #9: Response to Poundmaker**

Three prominent Cree Chiefs, Mistawasis (Big Child), Ahtahkakoop (Star Blanket) and Wikaskokiseyin (Sweet Grass), responded to the concerns raised by Poundmaker in 1876 about Treaty 6:

Mistawasis: "I speak directly to Poundmaker and The Badger and those others who object to signing this treaty. Have you anything better to offer our people? . . . the Great White Queen Mother has offered us a way of life when the buffalo are no more. Gone they will be before many snows have come to cover our heads or graves if such should be . . ."

Ahtahkakoop: His people could not "stop the power of the white man from spreading over the land like the grasshoppers that cloud the sky and then fall to consume every blade of grass and every leaf on the trees in their path . . . I for one will take the hand that is offered . . . I will accept the Queen's hand for my people."

Wikaskokiseyin: "I have pity on all those who have to live by the buffalo. If I am spared until this time next year I want my brother to commence to act for me, thinking thereby that the buffalo may be protected. It is for that reason I give you my hand. If spared, I shall commence at once to clear a small piece of land for myself, and others of my kinsmen will do the same. We will commence hand in hand to protect the buffalo."

Source: J.R. Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada* (Toronto: University of Toronto Press, 2009), pp. 176-177, 180.

## Numbered Treaties Document #10: Different Languages

Peter Erasmus was a Métis traveler, guide, buffalo hunter, translator, farmer, Indian Agent, and mission worker. He was born in 1833, and died in 1931. He was highly educated man, fluent in six Native languages as well as English, Latin and Greek, and respected by Native peoples, white settlers and explorers. Erasmus was instrumental as the translator at the Treaty Six negotiations. At the age of 87, Erasmus told his life story to Henry Thompson (also a Métis person, and a journalist). Below Erasmus describes the Treaty Six negotiations:

[Government interpreter] Rev. McKay had learned his Cree among the Swampy and Saultaux. While there was a similarity in some words, and I had learned both languages, the Prairie Crees would not understand his Cree. Further, the Prairie Crees looked down on the Swampy and Saultaux as an inferior race. They would be intolerant at being addressed in Swampy or Saultaux words. I knew that McKay was not sufficiently versed in the Prairie Cree to confine his interpretations to their own language . . . Mista-wa-sis, after listening for a time, jumped to his feet and said, “We are not Swampy Cree or Saultaux Indians. We are Plains Crees and demand to be spoken to in our own language.”

Source: Peter Erasmus, as told to Henry Thomson, *Buffalo Days and Nights*, (Victoria: Heritage House Publishing, 1976), pp. 251-252.

## Numbered Treaties Document #11: Authority to Make the Treaty

Sharon Venne is a Cree writer of books and articles on the rights on Indigenous people:

Because of [their] spiritual connection with the Creator and Mother Earth, it is the women who own the land. Man can use the land, protect and guard it, but not own it. Women can pass on authority of use to the man, but not the life of the earth. . . . The Chiefs did not go to the treaty table with unlimited authority to negotiate with the representatives of the Crown. Just as the Queen’s commissioner was limited by the Crown’s legislative authority, so too were the Chiefs limited.

The Chiefs who entered into treaty only had the authority to share the lands, never to sell or surrender it. One of the reasons women did not take on political roles such as Chief, or participate in the treaty-making process, was to protect their jurisdiction and possessory rights. Women never signed the treaties: they never signed away possession of the lands to the Crown. This is the main reason that the Elders and Chiefs can say with such authority that the land was never sold in the treaty process.

Source: Sharon H. Venne, “Understanding Treaty 6: An Indigenous Perspective,” in Michael Asch, ed. *Aboriginal and Treaty Rights in Canada: Essays on Law, Equality, and Respect for Difference* (Vancouver: University of British Columbia Press, 1997, 2002), pp. 191-192



### **Numbered Treaties Document #12: Commitment to Respect the Treaty**

Chief Mawedopenais was a spokesperson for the Aboriginal people at the Treaty 3 negotiations in October 1873. He is recorded to have stated:

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

Source: From Treaty Three (1873) in J.R. Miller, *Compact, Contract, Covenant: Aboriginal Treaty-Making in Canada* (Toronto: University of Toronto Press, 2009), pp. 167, 170.

### **Numbered Treaties Document #13: The Government's Position**

Elder Fred Horse was interviewed in 1973 when he was 64 years old about Aboriginal oral history regarding Treaty 6:

The Commissioner said he wanted three things. He only wanted the pine to make houses, grass for his animals and land to the depth of six inches to break and plant crops. Anything underneath remained under the jurisdiction and property of the Indigenous peoples. The Indian people would never be in want as they had ensured their future good life by sharing their lands. [The Commissioner] stated that he had not bought the water nor the fish in it. All the creatures that flew or walked were the Indian's property . . . The Queen had promised that the wealth of the land would be ours.

Source: Elder Fred Horse in Sharon H. Venne, "Understanding Treaty 6: An Indigenous Perspective," in Michael Asch, ed. *Aboriginal and Treaty Rights in Canada: Essays on Law, Equality, and Respect for Difference* (Vancouver: University of British Columbia Press, 1997, 2002), pp. 192-193.

## **Numbered Treaties Document #14: Differing Perceptions**

Gerald Friesen is a University of Manitoba history professor, specializing in Western Canadian history:

There will never be agreement on what the original parties did, let alone what they thought they had done. Nevertheless, it seems clear that a fundamental divergence in Indian and government views of the treaty has marred Indian-white relations from the 1870s to the present. For the crown, the treaty was a single transaction. A price was arrived at, aboriginal title was extinguished, and the two parties had no further claims on each other except as specified in the clauses of the treaty. For the Indians, in contrast, the treaty, like the fur trade exchange, was an alliance. It was subject to renewal each year and implied a continuing relationship between two peoples. The Indian people assumed they had given up their land or birthright, however they understood this concept, and in exchange acquired political protection, economic security, and education not just during the troubled era of transition but forever. As the custom of annual treaty payments recognized, this was not a one-shot event, in their eyes, but a relationship that would be reviewed in order that the spirit of the contract, as well as the letter, was maintained.

Source: Gerald Friesen, *The Canadian Prairies: A History* (Toronto: University of Toronto Press, 1987), pp. 147-149.

## Numbered Treaties Document #15: Details of Treaty 6

Copy of Treaty No. 6 between Her Majesty the Queen and the Plain and Wood Cree Indians and other Tribes of Indians at Fort Carlton, Fort Pitt and Battle River with Adhesions

ARTICLES OF A TREATY made and concluded near Carlton on the 23rd day of August and on the 28th day of said month, respectively, and near Fort Pitt on the 9th day of September, in the year of Our Lord one thousand eight hundred and seventy-six.

. . . And whereas the said Indians have been notified and informed by Her Majesty's said Commissioners that it is the desire of Her Majesty to open up for settlement, immigration and such other purposes as to Her Majesty may seem meet, a tract of country bounded and described as hereinafter mentioned, and to obtain the consent thereto of Her Indian subjects inhabiting the said tract, and to make a treaty and arrange with them, so that there may be peace and good will between them and Her Majesty, and that they may know and be assured of what allowance they are to count upon and receive from Her Majesty's bounty and benevolence.

The Plain and Wood Cree Tribes of Indians, and all other the Indians inhabiting the district hereinafter described and defined, do hereby cede, release, surrender and yield up to the Government of the Dominion of Canada, for Her Majesty the Queen and Her successors forever, all their rights, titles and privileges, whatsoever, to the lands included within the following limits . . .

And also, all their rights, titles and privileges whatsoever to all other lands wherever situated in the North-west Territories, or in any other Province or portion of Her Majesty's Dominions, situated and being within the Dominion of Canada.

The tract comprised within the lines above described embracing an area of 121,000 square miles, be the same more or less.

To have and to hold the same to Her Majesty the Queen and Her successors forever.

Source: Roger Duhamel Queen's Printer And Controller Of Stationery, Ottawa, 1964 Cat. No. R33-0664 Land Publication No. Qs-0574-000-Ee-A-1

Name: \_\_\_\_\_

#8

### Reading Around a Document

	Response (What you think)	Evidence (Clues from the document)
<b>Author:</b> Report everything you can about the <i>author</i> of the document.		
<b>Audience:</b> Report everything you can about the intended <i>audience</i> for the document.		
<b>Context:</b> Report everything you can about <i>where</i> and <i>when</i> the document was created.		
<b>Type of document:</b> Report on the kind of document it is (diary? personal letter? legal document?).		
<b>Purpose:</b> Report everything you can about the likely reason for creating the document.		
<b>Credibility:</b> Report everything you can about whether the information in the document is reliable or not.		

Name: \_\_\_\_\_

#9

**Assessing Observations and Inferences**

	<b>Outstanding</b>	<b>Very good</b>	<b>Competent</b>	<b>Satisfactory</b>	<b>In progress</b>
<b>Identifies accurate and relevant details from the document(s)</b>	Accurately identifies a large number of the relevant and accurate details, including several less obvious details.	Accurately identifies a large number of the relevant and accurate details, including some less obvious details.	Identifies a number of relevant and accurate but obvious details.	Identifies only a handful of the most obvious details, not all of the observations are relevant or accurate.	Struggles to identify even the most obvious details.
<b>Provides plausible and imaginative inferences</b>	Provides many varied and imaginative inferences that are highly plausible.	Provides many plausible and sometimes imaginative inferences.	Provides a number of inferences that are generally plausible but often rather obvious.	Provides a few plausible but obvious inferences.	Struggles to provide any plausible inferences that build upon the observations.
<b>Comments/Explanation:</b>					

Name: \_\_\_\_\_

#10

**Conclusions about Fairness**

Douglas Treaties    Numbered Treaties

<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>0</b>
<b>Very fair</b>	<b>Mostly fair</b>	<b>Mostly unfair</b>	<b>Very unfair</b>	<b>Can't tell</b>

	<b>Justify your rating</b>				
<b>Free authorized consent</b>	4				
	3				
	2				
	1				
	0				
<b>Reasonable value under the circumstances</b>	4				
	3				
	2				
	1				
	0				
<b>Fundamental understanding</b>	4				
	3				
	2				
	1				
	0				
<b>No significant intentional deception</b>	4				
	3				
	2				
	1				
	0				

Name: \_\_\_\_\_

#11

**Assessing the Final Judgment**

	<b>Outstanding</b>	<b>Very good</b>	<b>Competent</b>	<b>Satisfactory</b>	<b>In progress</b>
<b>Offers plausible ratings</b>	All the ratings are provided and each is highly plausible.	All the ratings are provided and each is plausible.	All the ratings are provided and most are somewhat plausible.	Some of the ratings are provided and somewhat plausible.	The ratings are either not provided or implausible.
<b>Convincing support with accurate evidence</b>	Ratings are thoroughly supported with highly convincingly evidence.	Ratings are well supported by the evidence, only minor inaccuracies or unaddressed issues.	Ratings are supported to some extent with accurate evidence provided, but key issues are inadequately addressed.	Ratings are supported with some evidence, but key issues are inadequately addressed and inaccurate information is provided.	The ratings are not supported with relevant and accurate evidence.
<b>Comments/Explanation:</b>					