INTERIM REPORT

SAKEMAY/LITTLE BONE BANDS.
1874 - 1935.

by: John L. Tobias

INTRODUCTION:

The Sakemay Band was one of the leaders in the movement to get the Government to recognize and fulfill the promises made to the Indian people when Treaty 4 was made. This band, comprised today of what at one time were two bands, Sakemay and Little Bone, was in the past quite forceful in asserting what it regarded as its rights. This led on two occasions to armed confrontations with the North-West Mounted Police, and to sending a delegation to Ottawa to meet with the Minister responsible for Indian Affairs. However, in those early years these actions met with little success, and once the Government felt secure in its authority in the west, the rights these people claimed were not only ignored, but often violated. This was particularly true in regard to the Little Bone people losing their reserve at Leech Lake. What follows is a brief history of the Sakemay/Little Bone Bands based on the records the Government has in Ottawa.

The Sakemay Band was at one time part of the Way-way-see-capo Band who lived in the Fort Ellice region of Manitoba. They lived in the area encompassed by Treaty 2, but had never signed that treaty nor were they regarded as being one of the bands covered by that treaty. Therefore, when the decision was made to make a treaty with the Saulteaux and Cree living west of the Treaty 2 area, the Treaty Commissioners were instructed to admit the bands living in the Treaty 2 region to the new treaty, which was Treaty 4. Way-way-see-capo was instructed to go to Qu'Appelle to make treaty, but refused to go. Thus on returning from Qu'Appelle the Treaty Commissioners stopped at Fort Ellice to get this band's adherence to the Qu'Appelle Treaty.[1]

Way-way-see-capo told the Treaty Commissioners in 1875 that he wanted his reserve at Bird Tail Creek, which caused a split in the band. Not everyone wanted to settle there. Part of Way-way-see-capo's Band had lived for many years in the region around Crooked Lake, and did not want to abandon their homes. These people regarded Sakemay as their spokesman, and told the Commissioners they wanted to be regarded as a separate band with Sakemay as their chief. In this way they would be allowed to choose a reserve where they were living, and not have to move east.[2]

A separate reserve site was surveyed for those who regarded Sakemay as their spokesman. It was done in 1876, and

situated on the north side of Crooked Lake and the Qu'Appelle River.[3] Although these people had a reserve surveyed for them, they were not regarded as a separate band, but continued to be paid as members of Way-way-see-capo's people until 1881, when they were recognized as the Sakemay Band.[4] In that year too, because the band, like others who also had reserves in the Crooked Lake region, was not satisfied with the reserve site, a new reserve was surveyed for them south of Crooked Lake.[5] This reserve encompassed 33.88 square miles for a band totalling 130 individuals, and was the reserve that was eventually confirmed in 1889.

Sakemay died the year he was recognized as chief by the Government. No successor was chosen by the band, probably because of difficultites within the band that almost immediately came to the forefront, after Sakemay's death. A split developed between the older members of the band led by Shesheep and Old Assiniboine, and the younger men, led by Yellow Calf. The older people disliked the new reserve, and wanted to return to their original homes north of the lake. They thought the land good there, for they had always been able to support themselves and live without assistance from anyone, by hunting, fishing and raising potatoes. They believed, if they changed their ways and accepted help from the Government, something unfortunate would happen to them. Not only did they want no help for themselves, but they also

No surrender for same Amount on South Side.

did not want the younger people to take assistance, and prevented them from doing so. This created very ill feelings between the two factions. As a result, Indian Agent A. MacDonald decided to separate the factions; the Shesheep group was to live at the north end of the reserve, while the younger men lived in the southern part. However, the reserve was not to be officially divided between the two factions.[6]

The Shesheep group continued to press for land on the northside of the lake, where they had lived for years before taking treaty. They proved successful in their cause, for in early 1884 a two square mile addition to the Sakemay Reserve was surveyed expressly for the Shesheep people.[7] However, the Shesheep faction wanted more than just two sections on the north side of the lake, and to get it, they were willing to give up an equivalent portion of land from the reserve on the south side of the lake. The Government was interested in the proposal, and had sections 10,11,14, and 15 in township 19, range 6, W2M, reserved from sale, and later made part of reserve 74A.[8] No land was taken from Sakemay Reserve, when Shesheep got its tiny reserve. In all probability, this was due to the fact that during 1884, the Yellow Calf faction of the old Sakemay Band had been the cause of a crisis that seemed to be the prelude of a period of Indian defiance of the Government.

In 1884 a series of incidents happened that led the

Government to fear that the Indians were about to challenge the Government's authority in the North-West. These incidents had as their root cause a general feeling and belief that the Government had failed to keep the treaties made with the Indian people. This was particularly true at Sakemay, where the younger men had expected to receive the seed, tools, and implements promised by the Treaty Commissioners and stipulated in the Qu'Appelle Treaty. The band had been engaged in farming on a very limited scale, primarily to supplement their food supply from hunting and fishing, even before treaty had been made with them. Therefore, they expected to receive their treaty entitlement in farm supplies right after having taken treaty. However, the Government had no means for fulfilling these treaty promises, because it not only did not have the necessary funds to purchase them, but until 1879 it did not create the administrative structure for implementing the treaties with the Indians of the North-West.[9]

The realization that the Government was not fulfilling the treaty undermined the good will the Indians had earlier felt for the Government. As the buffalo herds became continuely smaller, starvation became not just a possibility but a very direct threat. Already in 1877 Indians suffering from hunger threatened to break into the Hudson's Bay Post at Qu'Appelle to get provisions.[10] Increasingly the Indians began to question the adequacy for their survival of the

agreement made at Qu'Appelle in 1874.[11] Discontent became so rife, that officials warned that unless the treaty entitlement to farm supplies were soon provided, the Government might have to fight the Indians.[12]

The alarming reports from the west caused the Government to provide funds for a limited program for teaching the Indians the basic elements of farming. In addition, an Indian Commissioner was appointed to look after the needs of the Indians and supervise the new farm program.[13] The farm program proposed by Commissioner Edgar Dewdney, and eventually adopted by the Government called for the appointment of a few farm instructors, who would be stationed near Indians reserves. These men would put in a crop which would be used to provide provisions for officials dealing with Indians, and which would be used as rations for the Indians. They were also required to make periodic visits to the nearby reserves to teach those Indians who wished to farm the proper method of doing so.[14]

The Sakemay Band initially derived little benefit from this program. No farm instructor was stationed near them until 1882. Therefore when the Governor General, the Marquis of Lorne, met with them and the other Treaty 4 bands at Qu'Appelle in 1881, they complained that they did not receive all that was promised them at the time the treaty was made with them. However, the Governor General only said he would see what could be done for them.[15]

A short time later a farm instructor was sent to the

Crooked Lake area, but he remained only a short time. John Setter was moved from the Cypress Hills to Crooked Lakes in 1882. However, in 1883 the Government in an effort to cut expenses decided to dismiss most of the farmers by May 1884. John Setter was one of the men to be dismissed by December 31, 1883, because he was thought to be too liberal in giving aid to the Indians, and too slipshod in his record keeping.[16]

The Crooked Lakes Bands were upset by the news of Setter's departure and the introduction of a very strict system of issuing rations, for they thought it would mean starvation for many of their people.[17] Sakemay Band protested louder than the others. The young men led by Yellow Calf had been free to accept aid from the Government once the Shesheep faction moved on to its tiny reserve. These young men approached Setter's replacement (the farm was only to be closed in May 1884, although Setter was dismissed in December 1883), and asked him for rations. The new man, Mr. Keith, refused to give them the flour and bacon they badly needed, for Commissioner Dewdney had given him strict instructions not to issue extra rations. Instead, he offered them ammunition to hunt non-existent game. The young men then tried to take what they needed. Keith tried to prevent them, and had his leather coat cut by a knife wielding band member. Keith in reporting the scuffle attributed it to the severe hunger and the Commissioner's rations policy.[18]

Commissioner Dewdney on receiving word of the breakin a and scuffle, asked the North-West Mounted Police to go to Sakemay and arrest those persons who took part in the events. Inspector R. Burton Deane took nine men to the reserve, but when he was informed that he might meet armed resistance, he asked for reinforcements. Deane was told by Louis O'Soup, one of the leaders of the Cowessess Band that the young men with Yellow Calf would not allow themselves to be starved to death, which they believed was the Government's intention. They also would not go willingly with the police, at least until they spoke to Lieutenant Governor Edgar Dewdney. If an effort were made to arrest them, the young men would resist, preferring to die in that manner to starving to death. Deane spoke to Yellow Calf, and heard the same story. He also learned that 45 to 50 men sided with Yellow Calf, and though unarmed when he spoke to them, he was certain they had weapons close at hand. Therefore rather than try to make any arrests, Deane promised to speak to Dewdney on their behalf.[19]

Deane's request for reinforcements was answered by W.M. Herchmer, who brought another none police men with him. Superintendent Herchmer, like Deane, had been ordered to arrest those who broke into the ration house, but to avoid bloodshed in doing so. Herchmer wanted to speak to Yellow Calf, and was granted an interview. Herchmer found Yellow

Calf's people well armed, and convinced that they had done no wrong; therefore they would not allow themselves to be arrested without a fight. Despite his hearing this statement, Herchmer prepared his men to make the arrests. This caused the young men to raise their rifles, and only the cool heads of Yellow Calf and "Kanawasis", who grabbed several rifles, prevented any shooting. Herchmer seeing that bloodshed had only narrowly been averted, and learning that both the Indian Agent and his halfbreed guides were told that the police were completely surrounded and covered by well armed Indians, decided to leave the area.[20]

The following day, February 22, 1884, Assistant Indian Commissioner Hayter Reed arrived. Reed on hearing that no arrests were possible without a good deal of bloodshed, decided to hold a conference with Yellow Calf and the other leaders of the young men. He promised that anyone who attended the conference would not be arrested at the conference. All the leaders came. They told Reed and Herchmer that the sole cause of the trouble was that their people were literally starving. Game had disappeared from the Crooked Lakes area, and the crops the Indians grew were too small to last through the hard winter they had had. Rations were badly needed, and when these were refused, the young men simply took what they regarded was theirs, for if the food in the warehouse was not for the Indians, why was it on the reserve?

They assured Reed and Herchmer that they were not rebels or trying to bring on a confrontation with the Government. If they had wanted to do that, it would have made more sense to attack the settlers, and tear up the railway bed.[21]

Reed knowing what the young men said was true, did not argue with them. In fact, Reed's report stressed the scarcity of game and the widespread illness that prevailed throughout the region. However, he said enough rations were issued to prevent people from starving. Reed tried to convince some of the people who broke into the warehouse to give themselves up, or else widespread panic about the inability of the police to protect them from the Indians would spread to the settlers. In return for some of the participants surrendering to the police, no charge of resisting arrest would be laid, and a full scale investigation of the event would be held. Finally he promised the young men that very light sentences would be given those who stood trial. As a result, Yellow Calf and three others agreed to surrender. When they were brought to trial, suspended sentences were given.[22]

Discontent remained rife, despite Reed carrying out his promise, and improvements in rations. Therefore when a runner from Piapot came to the Yellow Calf group at Sakemay, asking them to attend a meeting at Indian Head to discuss the treaties and the possibility of modifying them, Yellow Calf

and his people agreed to meet the head chief of the Treaty 4 area.[23] Lieutenant Governor Edgar Dewdney, as the Queen's representative had also been invited to the conference. Dewdney refused to attend, and wanted to prevent the gathering of all the Treaty 4 people that Piapot wanted to hold. Although Dewdney was able to get Kakhewistahaw and Cowessess to remain on their reserves, Ochapowace and Yellow Calf went north to meet Piapot.[24]

Armed confrontation between the police and Yellow Calf people was the result of the band's meeting with Piapot. Dewdney in attempting to prevent the treaty conference, sent Commissioner Irvine of the Mounted Police with 56 men and a "seven pounder gun", to break up the meeting. When the police caught up with Piapot and his band, which was swollen by the Ochapowace and Sakemay people, they found the camp armed and ready for action. Again it was an Indian leader, this time Piapot who by agreeing to talk, averted bloodshed when Dewdney's rash effort of asserting Government authority led to a confrontation. However, the conference of all the Treaty 4 leaders does appear to have taken place.[25]

Increasingly throughout 1884 the Government grew concerned about whether the Indians would challenge Government authority and control in the west. Only in the spring of 1885 was the issue of who had political control finally settled. Using troops sent west to put down the Metis

Rebellion, the Government tried to intimidate the Indians by stationing troops on Indian Reserves, or establishing training centers near reserves. Once the rebellion was over, the field service of Indian Affairs was greatly expanded and policies introduced that would give the Government effective control of the Indian people. Thus the Sakemay Band, which was regarded as loyal in 1885, was given a farm instructor, who was to encourage agriculture on the reserve. In addition, the tools and equipment promised in the treaties were also provided.[26]

Sakemay Band after 1885 turned its attention to farming and selling some of the resources of the reserve to local settlers. Thus lime and hay sales became a source of cash, which was used to purchase farm machinery.[27] The Agent encouraged the band in these practices, and in fact helped them to improve their farm operation at lesser cost than was possible elsewhere. He did this by acting as a sales agent for the Massey-Harris Company, and by using his sales commission to purchase whatever equipment or tools the bands in the Crooked Lake Agency needed.[28]

MacDonald's support of the band's efforts to make their farm operation into a sound economic enterprise brought him criticism from both the Commissioner and Ottawa. The Department did not approve of Indians using machinery and other labor saving devices in their farm operations. These were

thought counterproductive, for they did not teach the Indian the benefit that could be derived from manual labor. The Department's farm policy was to make the Indians "independent" and self-sufficient, which could be achieved, according to Departmental officials, on only two acres and with a cow or two. This policy was thought to be reasonable, because the peasants in Eastern Europe were able to survive on such tiny farms, and "with no better implements than the hoe, the rake, cradle, sickle, and flail. The necessary use of these instruments can never be acquired if the Indians be encouraged to contemplate the performance of their work by labour saving machinery..." However, since the Crooked Lakes Bands were becoming independently wealthy, little could be done to stop this practice, except to prohibit the Agent or any Government official helping them procure the equipment.[29]

The Department's policy did not change throughout the 1890's. In fact, stronger efforts were made to assure that the Indians would not use farm machinery. New instructions were issued making quite clear the Government's intention of assisting the Indian to become merely a self-sufficient farmer. The Government refused to assist the Indians to become competitive with the white settlers in the west, and would not allow an Indian to achieve such a status unless he did so solely through his own efforts. If an Indian would need help from the band or the Government to become competitive such

help was to be denied. Therefore band funds, or Government money could not be used to purchase farm machinery. The Indian of the west was not to be encouraged in any "unnatural attempt to make a leap from barbarism into all the environment of the nineteenth century civilization."[30]

Protection from Indian competition in the limited markets for agricultural produce in the west, was only one way the Government sacrificed the interests of the Indians to promote the economic well being of the non-Indian settler on the prairies. This was particularly true in the last half of the decade of the 1890's, and the first decade of the 1900's. The Laurier Government was in power at that time and sought to promote settlement on the prairies. In an effort to do so it undermined the economic base that remained to the Indians - their reserves. Sakemay Band had some experience of this through what happened to the Little Bone Band and their reserve at Leech Lake.

Little Bone Band or Ouchewess Band settled at Leech Lake soon after Treaty No.1 was made at Lower Fort Garry in 1871. Although this band had not taken treaty at Lower Fort Garry, its leader knew of the treaty and decided to select a reserve site where they had hunted and planted small gardens over the years. They took treaty at Qu'Appelle in 1874 as part of Cowessess Band, and were paid as members of that band until 1881, when they were recognized as a separate

band with 25 members. Their population continued to grow, reaching a high point of 73 in 1883. In that year their leader died, and Little Bone was recognized as chief. However, before he died, the old leader (Little Bone's father), laid out the boundaries of the reserve he wanted, and spoke to the Indian Agent, who told him the reserve would be officially surveyed and given the band. As a guarantee that this promise would be kept, Little Bone was given a letter stating that the land the band had marked off was to be regarded as an Indian Reserve.[31]

Little Bone's concern about his land was justified. However, he soon learned that the guarantee and the letter given him were of little value, for part of the land he wanted was sold to the Saskatchewan Land and Homestead Company in 1883. The manager of the SLHC, personally chose the land the company purchased, and included part of the land Little Bone had selected, even though he knew the Indian Band claimed it. This land was in Township 23, in Ranges 3 and 4, W2M. As soon as the SLHC got title to this land, the company proceeded to cut timber on it, disregarding the Indians' claim. When Little Bone protested, the Department of Indian Affairs intervened, and ordered the company to stop all work until the Indians' claim could be settled.[32]

An investigation into the band's rights to the land showed that for four generations their ancestors had lived

at Leech Lake, and that the band had planted gardens, built houses, and raised cattle on the lands around the lake. Thus there was ample evidence that sections 1 and 2 in Twp. 24, and sections 28, 35, and 36 in Twp. 23, R. 4, were inhabited by Indians when the Saskatchewan Land and Homestead Company selected the land it wanted. What demonstrated the Company's total disregard for the Indians' rights, was that it had chosen the lands in Twp. 23, where the band had its gardens, and had placed a settler on section 28 of that Twp., which was the band's only means of access to the lake when the waters receded in the dry season. Without section 28, in Twp. 23, R. 4, the band would be unable to get their cattle to water. Therefore the Department decided that the reserve should include the northern half of section 28, Twp. 23, R. 4, W2M, and surveyed the reserve to include it.[33]

The reserve that was surveyed in February 1884 contained 11.4 square miles for a band totalling 73 people. This meant that the band did not get all the land they were entitled to by treaty, for with a population of 73 the band was entitled to 14.6 square miles. Thus the band received 3.2 square miles less than their entitlement. Not only were they shortchanged in their treaty entitlement, the Saskatchewan Land and Homestead Company ignored the survey of the reserve and cut timber on the reserve. This practice was only stopped when the police intervened and threatened to prosecute the company for trespassing on the reserve. How-

ever, the company refused to give up its entire claim on the land included in the reserve. After further negotiations, the SLHC was allowed to keep all of sections 28, Twp. 23, R. 4, W2M, in return for relinguishing the remainder of its claim.[34]

The Department was not entirely satisfied with the arrangements, but did agree to give up the northern half of section 28. Thus the size of the reserve was reduced to 10.9 square miles, meaning the band was short 3.7 square miles of its treaty entitlement. Nevertheless, the Department did try to get compensation for loss of the timber that the company illegally took from the reserve. A bill for $897 was sent the company, which was immediately protested. The protest was denied, but the company continued to refuse to pay because the timber mysteriously burned. From all appearances it seems compensation was never paid.[35]

Little Bone's land entitlement continued to plague the Department. Reports were received that more people had moved onto the reserve and therefcre the reserve should be made larger. Since enlarging the reserve would result in further conflict with the SLHC, the recommendation was made to encourage these people to settle elsewhere, particularly at Crooked or Round Lake where most originally came from, and where land had already been set aside for them as members of other bands. The Department maintained that to set aside

more land for them at Little Bone was to give such persons land entitlement two times. From all appearances, not only the newcomers, but also part of the original Little Bone Band moved away from Leech Lake and settled at Sakemay, where most of the Little Bone people were paid their annuities after 1887.[36]

The Leech Lake Reserve, where only a few people lived, became by the 1890's, a hay reserve for the Crooked Lakes Agency. In 1890, the water level receded, and much arable land was no longer under water. This land was in sections 35 and 36, which were part of the reserve. Therefore this new land became part of the reserve. However, it was not immediately surveyed as part of the reserve, and when a request was made several years later to survey it in the reserve, officials in Ottawa refused to do so unless the Little Bone Band give up some of the existing reserve in return for it.[37] Since so many people had moved to Sakemay, Ottawa said the existing reserve was large enough for the people living at Leech Lake; any addition to the reserve would give the people living there more than their treaty entitlement to land.[38]

Ottawa suggested that if the band really wanted the new land in the reserve, the band should surrender its old reserve. In return Ottawa would give them a new reserve at the same place as the old one, but with altered boundaries;

meaning all of sections 35 and 36 would be in the new reserve, while some lands in the old reserve would not be included in the new one. The band rejected the plan, because they knew in wet years most of sections 35 and 36 would be under water, as they had been in the past; therefore the Department's scheme would mean that the band would wind up with less land.[39]

On learning of the band's rejection, Ottawa informed them that the land that appeared when the water receded was no longer part of the reserve, thus reversing the decision made nine years earlier. The only way these officials would add this new land to the reserve was if the band agreed to surrender a portion of the existing reserve, equal to the amount of land that would be added to the reserve, or if all of Little Bone's people left Sakemay and moved back to Leech Lake Reserve and began to farm there. No land would be added to the reserve if the reserve was to continue to be used as a hay reserve for the agency. The band refused these conditions and the matter was dropped.[40]

In 1906, the issue was reopened, for in 1902 the Government of the North-West Territories had drained, with Indian Affairs' assistance the low lying lands around Leech Lake, particularly around Little Bone Reserve. As a result, the land in sections 35 and 36 would be permanently dry, and not subject to flooding in wet years. Because Nelson had originally planned to include these lands in the reserve when

he surveyed it, although at the time of survey it was underwater.[41] No sooner was the land surveyed as part of the reserve than Ottawa decided that the Leech Lake Reserve had to be surrendered, because it was good farm land that was not being used because the band lived in Sakemay. For a time, some thought appears to have been given to confiscating the reserve, saying the band had broken up. However, since there was no legal proof that the band had broken up, an earlier decision of the Justice Department saying confiscation of an Indian Reserve was unlawful, still applied to the Leech Lake Reserve. The Department could only do away with the reserve by taking a surrender of it from the Little Bone Band.[42]

Plans for a surrender were made. It was decided that all adult males who could be traced to the Little Bone Band were to vote on the surrender. Since most of the band lived at Sakemay, the Sakemay people should share in the proceeds of the sale because they allowed Little Bone's people to live on their reserve. To legitimize such action, Little Bone and Sakemay Band were to be legally amalgamated by an amalgamation agreement, which would stipulate that the people from both bands would have a joint interest in the money and land of both bands. The stipulation was made that the surrender agreement was only to be made with Little Bone, and that this was to be done before the amalgamation agreement was signed.[43]

A check of the records showed that there were only six

male electors in the Little Bone Band. Four of them lived at Sakemay, two still lived at Leech Lake. However, one of the men living at Sakemay took sick and could not go to the Leech Lake Reserve for the surrender vote. Therefore only five people participated in the vote, which was three to two for the surrender. All those from Sakemay voted for the surrender, while the men who lived at Leech Lake opposed it. The terms of the surrender were $40 cash to each member of the joint Little Bone/Sakemay Band. The band had originally wanted $150 cash per person, but had to accept the $40 cash payment. This cash payment was to be deducted from the proceeds of the sale of the land; the money that remained would be placed to the credit of the amalgamated Little Bone/Sakemay Band. The amalgamation took place on July 9, 1907.[44]

Within a year some difficulty about the surrender resulted. The two electors who lived on the reserve refused to leave it, despite the Government's contention that the reserve had been surrendered. They also raised objections to the reserve being surveyed for sale. They maintained that the reserve had not been surrendered, and that they would not give up their land. They sought to get the other Little Bone Band members to repudiate the surrender. When this failed those still living at Leech Lake said that the people who voted to give up the land had no right to do so, since they did not live there.[45]

These people who lived at Leech Lake appear to have a valid case. The 1906 Indian Act, section 49, subsection 2 states "No Indian shall be entitled to vote or be present at such council(surrender), unless he habitually resides on or near, and is interested in the reserve in question." They might also have made the argument that the majority of the electors of the band did not vote for the surrender. The vote was 3 to 2, while 6 were entitled to vote. Therefore a majority would have been 4 to 2, which was impossible, because one elector did not attend the meeting. The Indian Act of 1906 states a majority of the electors had to vote for the surrender before it was valid, and that the vote had to be at a meeting called for that purpose. Therefore, the surrender might be challenged as invalid, despite Graham's statement that the absentee would have voted for it.[46] The absent member's vote can not be counted because he was not present at the meeting.

The Department ignored the fact that the surrenders were challenged and the possibility that the surrender was unlawful. In 1909 all the land not covered by water was put up for sale, and much of it was sold. However, because the Liberal Member of Parliament E.L. Cash spoke up for the two men living on the reserve, their lands were not to be sold.[47] Infact Cash's influence on the surrender of the Leech Lake Reserve appears to have been substantial. Already in 1907,

when the surrender was only in the discussion stages, Cash sought on behalf of his friends to get the Government to lease the entire reserve. Later, after only 20% of the surrendered land was sold at public auction, Cash again acting on behalf of his friends was able to get the Department to agree to sell many parcels of the surrendered land privately at the upset prices established for the parcels. For a number of years Cash seems to have acted as a middleman for persons wishing to buy unsold portions of the surrendered Leech Lake Reserve.[48]

Cash and the Department only managed to dispose of the best lands from the Leech Lake Reserve. By 1927 much of the surrendered land remained unsold. Indian Agent, J.P.B. Ostrander recommended that the only way to dispose of this unsold land was to reduce the upset price on it, for it was too high for land that was only good for use as pastures. The Department agreed, and in 1928 a new auction was held with lower upset prices. However, none of the land was sold, because the local farmers kept outsiders from bidding on it, because the locals used the land for pastures free of charge.[49]

Soon after the sale, a syndicate of Yorkton business men asked Ostrander if they could buy the entire 4717.55 acres that were unsold, for the prices of $2.50 an acre. This was well below the upset prices on the land, which ranged from $3.50 to $6.50 an acre. Nevertheless, Ostrander recommended that the land be sold to the syndicate, for it was a means of

disposing of the land. The Department also liked the idea of selling all the land to the syndicate, but wanted $4.00 an acre. This was rejected by the syndicate, who thought the price too high. Therefore, they withdrew their offer. Thus the land was eventually sold privately over the next several years.[50]

The Sakemay/Little Bone Band was dissatisfied with the manner in which the Government was paying them for their reserve. They had expected to get yearly interest payments, but received nothing after their initial cash payment. However, of equal if not more important was their displeasure with the Government's general Indian policy. Therefore, in 1910 some of the remaining treaty signers from other bands in the Crooked Lakes Agency asked the surviving treaty signers from Sakemay to meet with them to discuss their treaty and how it was being fulfilled. The old people present at treaty making participated in the meetings which resulted in sending a delegation to Ottawa in January 1911 to present their grievances. Sakemay asked that the delegates make clear that their band had two specific grievances - lack of a chief and council, and lack of compensation for the sale of their reserve.[51]

To make sure their case was presented, Sakemay Band had the delegates present a letter to the Government on behalf of the Sakemay Band. In this letter, Sakemay Band protested

that they had received no interest payments from the sale of Leech Lake Reserve. This the band found surprising given the haste that was shown in taking the surrender, and the pressure placed on the band to surrender the Leech Lake Reserve. They made clear that they felt forced to sell the reserve, because Inspector W.M. Graham had told them that if they did not vote for the surrender the land would be taken from them without compensation. Thus they felt compelled to surrender it, and now wanted the money that was rightfully theirs.[52]

The Minister explained to the delegates that there was no money in the band's trust account to collect interest; therefore no interest could be paid. This was due to the fact that only a small portion of the reserve had been sold by 1911, and the money from the sale was only enough to cover the $40 per person initial payment. Until more land was sold, no interest could be paid. As for the band wanting a chief, the Government refused to admit that the treaties guaranteed them a right to have a chief. However, rather than argue the point, the Government was willing to allow the Sakemay people to select a chief.[53]

In 1911, Sakemay Band chose Acoose as their chief. He held this office until his death in 1935.[54] He was succeeded by John Baptiste McLeod, who ran into trouble with Department officials in Saskatchewan. McLeod was thought to be

"unprogressive", because he followed the Indian religion, and believed in the old traditions. The regional officials accused him of being hostile to the people on the reserve who had abandoned the old ways, and of favoring the traditionalists. Therefore the Farm Instructor and local Superintendent, in 1939, asked that McLeod be deposed as a detriment to the band. Ottawa said such a charge was too vague, and unless specific charges were brought against McLeod he could remain as chief. Thus we find that McLeod held office until 1952, when the elective system was brought in at Sakemay. To allow the band to choose a new leader, McLeod resigned.[55]

CONCLUSION:

The present Sakemay Band originated as a break-away group from Way-way-see-capo, which did not want to live at Bird Tail Creek, where their chief had selected the site for his reserve. Instead these break-aways wanted to live at Crooked Lake, where they had lived for generations. They were given a reserve on the north-side of the lake, and by 1881, Sakemay was recognized as their chief. However, when he died, the band split once again, this time along the lines of those who wished to accept aid from the Government and those who wanted to follow the old way of life. To further complicate matters, most of the band wanted a new reserve south of the lake. Thus two reserves were given this band; a large one south of the lake for the group led by Yellow Calf, which would accept Government aid; and a small one for She-sheep and his followers who wanted to retain their old way of life.

Those who regarded Yellow Calf as their leader soon learned that the transition to a new economic base was not to be as easy as they at first expected. This was largely due to the fact that the Government was not fulfilling the promises made at treaty time. Therefore, when game became very scarce after 1879, the Sakemay people suffered severely from hunger. In fact, by 1884 some were near starvation. Therefore, when Government assistance was cut back and rations which were needed to live, were further reduced, a number of

band members broke into the Government storehouse to get the food they thought was rightfully theirs.

The breakin resulted in a confrontation between the band and the police. From all appearances, most of the other bands in the region supported the Sakemay people. However, coolheads prevailed, and bloodshed and violence was averted. In fact, the actions of the Government made clear that the band had been unfairly dealt with, for rations were again distributed and some of the things promised by the treaties were granted. Because it took the threat of violence to get what was rightfully theirs, the Yellow Calf faction of the Sakemay Band, began to have second thoughts about the Government's promises to them. Therefore, they joined with Piapot in his effort to get the Government to re-open the whole treaty issue. Again a confrontation with the police resulted. Before the movement to win recognition of the Indians' treaty claims could reach fruction, it was broken up by the Government's use of armed force to intimidate any group critical of Government policy. This was possible, because the Metis Rebellion of 1885 necessitated bringing an army into the west, which shifted the balance of power to give the Government control of the west. Besides, the Indian people appear not to have wanted to use force to get their views accepted, and decided to give way when they saw that the Government would use force to resist the Indians' ideas.

Non-fulfillment of promises by the Government is not only demonstrated by the Government not fulfilling all the treaty promises before 1884, but also in the manner the Little Bone Band, which amalgamated with Sakemay twenty years later, was treated. After assuring Little Bone he could have the reserve he marked out, the Government refused to protect him from the Saskatchewan Land and Homestead Company which wanted the same lands. In fact, part of the land Little Bone wanted was given to SLHC, to the detriment of the band's interests. Moreover, when Little Bone Band finally did get their reserve officially surveyed and set aside, they did not get their full entitlement of land under the treaty.

Both Sakemay and Little Bone learned by hard experience that the Government placed the interests of the non-Indian settlers above those of the Indians. Sakemay found this out through the Government's efforts to keep them from becoming economically competitive with the local settlers, while Little Bone Band lost its reserve because the Government wanted to open as much land for settlement in the west as it possibly could. In doing so, the Government seems to have used a form of coercion to get the band to make a surrender of its entire reserve, by threatening to confiscate it. In addition, in its rush to take a surrender, irregularities that seem to violate the provisions of the Indian Act were ignored, which in turn might mean the surrender was not law-

fully taken, and therefore might not be valid.

Because both Sakemay and Little Bone Bands, who became one band in 1907, were dissatisfied with the treatment they received and the manner in which the treaties were violated by the Government, they like many other bands in Treaty 4, joined together to protest against Government policy in 1910-1911, by sending a delegation to Ottawa to lay their grievances before the Minister of Indian Affairs. In this they only had partial success, for although they were allowed to have a chief for the first time since 1884, Sakemay Band was unable to get the Government to recognize the Treaty Rights all Indians in Treaty 4 claimed. In fact, to this date the Government has not given full recognition to the Treaty Rights of the Indian people of Saskatchewan.