

## ***THE PEGUIS TREATY LAND ENTITLEMENT VOTE***

### **INTRODUCTION**

The Peguis First Nation just voted on a Treaty Land Entitlement (TLE) settlement proposal. The Land Claim and vote had its genesis almost a century ago when the First Nation was known as the St. Peter's Band of Indians and occupied the lower reaches of the Red River. A brief review of the history of the St. Peter's / Peguis Band may help others to understand the importance and uniqueness of the settlement proposal and the vote.

Over the course of more than a century the St. Peter's Band of Indian had built a peaceful and prosperous community along the shores of the Red River some forty kilometres north of Winnipeg. Then, by illegal means, their Reserve was surrendered in 1907; and Band members were uprooted and moved about 200 kilometres northwest to the banks of the Fisher River and became today's Peguis First Nation. The once prosperous *Indian Settlement* at St Peter's was virtually depopulated – leaving only St. Peter's Old Stone Church and the surrounding graveyard to bear witness that the St. Peter's Band of Indians and their homes ever existed.

### **PURSUING PEACE & PROSPERITY**

During the early 1790's, Chief Peguis had led a band of Saulteaux from Sault Ste. Marie to settle near the junction of the Red River and Netley Creek. For centuries many small bands of other Indians had migrated in and out of the area following the seasonal migrations of birds and game. Aside from a few fur trading posts, there were no permanent settlements along the Red River until Peguis and his people arrived. Some Muskaigowak, or Crees, had migrated from the northern regions of Hudson Bay to the Red River area and settled in with the Saulteaux to occupy the area stretching fifteen kilometres from the mouth of the Red south to what is now the City of Selkirk.

The first large wave of immigration from the *Old World* began about 1812 with the arrival of the Selkirk Settlers who settled the area south of Selkirk. Peguis and his people befriended and protected the settlers when they were intimidated by fur traders. During the *Seven Oaks Massacre* of 19 June 1816 Peguis remained kept his people out of the conflict. On his visit to Red River in 1817, Lord Selkirk signed a treaty with Peguis. As controlling shareholder of the Hudson's Bay Company, Selkirk purchased 116,000 square miles of land which included the area occupied by Peguis and his people. The Selkirk Treaty recognized them are owners of the land they occupied and provided for Peguis and his people to own their lands *individually* with the right to sell their land *privately*. This was to come into conflict with the *communal* provisions of *The Indian Act (1867)* and *Treaty Number 1(1871)* whereby all Indians lands are held by *The Crown in trust* for the Indians collectively (i.e., no individual ownership and no right to sell land).

In 1820 John West of the Church Mission Society began missionary work among the Indians at St. Peter's. Reverend William Cockran at St. Andrews initiated an

agricultural program in 1829 and an experimental farm in 1831. After the harsh winters of 1831 and 1832 the Indians agreed to receive instruction in farming, housekeeping, basic carpentry, reading and writing. By 1833 the Saulteaux and Cree at St. Peter's had a log school, houses and a mill - the beginning of prosperity for the Band. Peguis was baptized on 7 February 1838 taking William King as his Christian name (with his sons using Prince as their surname). Under Peguis's leadership many of his people became Christians. By 1850, St. Peter's had become a proper Anglican parish. Until he died in 1864, Peguis fought to protect his people's land rights, which they gained in the Treaty he and Lord Selkirk signed in 1817.

Henry Prince, Peguis's son, succeeded him as Chief. Leading up to the 1869 Riel Rebellion, the people of St. Peter's remained neutral and stayed out of the Rebellion - in spite of Riel's many appeals. After the Rebellion a small contingent of men from St. Peter's remained at Fort Garry to provide additional protection to the settlement. The first of the *numbered* Indian Treaties, Treaty No. 1, was signed at Lower Fort Garry in 1871 creating the St. Peter's Reserve. Within a few years the Canadian Pacific Railway began surveying a route for its main line to cross the Red River at Selkirk Land speculation mushroomed. This led to conflicting claims for the excellent land around St. Peters. In 1885 Ottawa created a Board of Commissioners to examine the land disputes at St. Peters. These concerns abated somewhat when Winnipeg, using generous tax concessions and other financial incentives, convinced the Canadian Pacific Railway to re-route its planned crossing of the Red River from a site near Selkirk to Winnipeg.

## **DIASPORA - THE SURRENDER OF ST PETERS**

By 1902 the St Peter's Reserve was well developed with good houses, schools, churches, farms and roadways. It was close to good employment opportunities and excellent trading centres at Selkirk and Winnipeg. The greed of some local speculators fueled a movement to engineer the surrender the St Peters Reserve and to relocate the band members far from their homes along the Red River. One of the key opponents of the surrender was William Asham. He served as Chief of St. Peter's from 1891 to 1896 and Band Councilor in 1909, 1918, 1919, 1923 and 1925. At the band meetings dealing with the surrender proposal, Asham argued the case against the surrender while Councilor William Henry Prince acted as interpreter. Leading up to a final meeting, it appeared that a large majority of the band members were against the surrender.

A band meeting was called for 11AM on 23 September 1907 to consider and decide on the surrender. It was held in an old schoolhouse only large enough for about half of the 200 men who turned out to vote. Many others were away hunting, fishing or working. In midst of some confusion towards the end of the meeting the Inspector of Indian Agencies, John Semmons, urged '*all you that want \$90 go to this side*' - which the white officials took as a vote in favour of the surrender. Asham and Prince believed the count showed that fewer men were on the side of the room wanting the \$90. The other side claimed that they had a majority of seven. William Asham protested - insisting that Semmons should have said '*you that want to surrender the Reserve go to one side, and you that don't want to surrender the Reserve go to the other side*'. Had Semmons been

that explicit, Asham held that '*the people would have understood what they were voting for.*' The result, unfair and questionable as it was, approved the surrender and rendered the St. Peter's Band homeless. William Asham wrote a comprehensive letter on the proceeding to G.H. Bradbury, the local Member of Parliament. Bradbury laid out the facts in the House of Commons. Four men were implicated in the fraudulent acquisition of Reserve lands that they acquired for \$2 an acre and sold for \$20 an acre. For the surrender of 48,000 acres of first class developed and settled land at St. Peter's with homes, schools, a church and other buildings, roads, etc., the people received \$5,000 and 75,000 acres of empty and poor scrub land 200 kilometres north in a remote wilderness.

In 1914 the Exchequer Court of Canada ruled that the St. Peter's surrender was invalid and void. Nevertheless, the Parliament of Canada passed the St. Peter's Reserve Act of 1916 to legitimize the surrender. The Act deemed all sales of the St. Peter's lands after the surrender to be legal. William Asham's arguments helped to invalidate the surrender in court; however, the St. Peter's Reserve Act and the displacement of the people of St Peter's made the surrender an absolute reality. In spite of the gross unfairness and absolute acts of greed surrounding the surrender, the people of St. Peter's were able to remain friends with their neighbours and re-establish a new home community at Peguis.

## **REBUILDING AT PEGUIS**

There were no houses, school, post office or church at Peguis. People began moving there in July 1909 after the Dominion Land Surveyors surveyed the new reserve. People lived in tents while cutting logs for their houses. Land had to be cleared and broken before it could be tilled. No agricultural tools or seed was provided. Thirty-six houses were completed in 1909. The nearest store was 8 miles away at the Fisher River Reserve. This store could not bring in enough supplies for new people as well as those already being served at Fisher River. It took ten days to complete a round trip to the nearest town, Gimli, 75 miles away over an old trail. The Canadian Pacific Railway completed the rail line to Arborg in 1909 and by 1910 merchants had begun business there - ending the need for the longer trek to Gimli. Schools were built of logs for the start of the school year in September 1911. Church services were held in homes until the first schools were completed and services were held there until 1922.

## **IN THE SERVICE OF PEACE**

Many Band members of St. Peter's and Peguis joined with other Canadians to fight for peace in other parts of the world. Peguis's son, Chief Henry Prince, served as a Foreman with the Nile Expedition to Khartoum in 1885. His great grandson, Edward Albert Thompson served with the Canadian Expeditionary Force until 1919. He was Chief of the Peguis Band from 1961 to 1973. Just before his death in 1973, he wrote about much of the struggles of the Peter's and Peguis Bands in his book *Chief Peguis and His Descendants*. Kenneth McClure Asham, William Asham's son, enfranchised to serve in WWI. He enlisted with the 182nd Battalion raised at Selkirk. After embarking overseas, he was sent to France in 1917 as a re-enforcement for the 78th Battalion. He

was killed in March 1917. Kenneth's daughter, Louise, was born just before he went overseas in 1916. With the death of their son, William and Mary Jane Asham adopted their granddaughter Louise so they could raise her as member of the Band. William's grandson, Tom (Nathaniel Asham's son) enfranchised to enlist in World War II. He rose to the rank of Sergeant in the Fort Garry Horse and participated in the D-Day Landings at Normandy on 6 June 1944. Sgt. Tom Prince, a direct descendant of Peguis, served with the First Special Services Force (the famed *Devil's Brigade*) in WWII and with the PPCLI in Korea and was Canada's most decorated aboriginal soldier. There were many other aboriginal men who served in the Canada Forces in war and peace. Returning aboriginal soldiers played a major role in providing leadership in their community as Chief and Council.

## CONCLUSION

The people of St. Peter's and Peguis lived in peace with their neighbours. They avoided choosing sides when their friends fought amongst themselves at Seven Oaks and in the Riel Rebellion. From the days when William Cockran offered to teach them, the people of St. Peter's accepted education and training opportunities to learn more and do more in life.. They have joined their fellow citizens of Canada in all branches of the Canadian Forces to fight for peace around the world. Boatmen and foremen from St. Peters participated in the 1885 Nile Expedition to Khartoum. Others have enlisted in the Canadian Forces as sailors, soldiers and airmen to serve during World War I, World War II, Korea, and recent operations.

*William Asham was my great grandfather; Nathaniel and Jean were my mother's parents; Kenneth McClure Asham was Nathaniel's brother and Tom was Nathaniel's son and my mother's brother. John Spence was my grandmother Jean's brother. History does play tricks. While in the Naval Reserve, I served as Mayor of Selkirk in 1982, the Town's centennial year. As Mayor I hosted the Tenth Earl of Selkirk and, as a Naval Reserve Officer took him up the Red River from Selkirk to Winnipeg aboard HMCS CHIPPAWA's tender. 2007, will mark the 100<sup>th</sup> year since the surrender and should see some resolution to this long outstanding land claim – which has been pursued peacefully all this time by the people of St. Peter's and Peguis.*

*Bill Shead*