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Résumé de l'article

Au cours des étés 1905 et 1906, le Traité No 9 est négocié entre les Cris et Objiwes du nord de l'Ontario et le gouvernement du Dominion du Canada. Ce traité, qui s'appliquait à une vaste portion de la province de l'Ontario, n'aurait pu être signé aussi rapidement sans l'aide de la Compagnie de la Baie d'Hudson. En facilitant les efforts du gouvernement pour arriver à un accord, la Compagnie cherchait en fait surtout à protéger ses propres intérêts. L'étude des négociations aboutissant à la signature de ce traité montre que la Compagnie de la Baie d'Hudson jouait toujours un rôle important à cette époque dans le nord du Canada, et cette influence se reflète dans la manière dont sont établis les traités.

The impact of the Hudson's Bay Company on the creation of Treaty Number Nine[1]

by David Calverley

Hudson's Bay Company canoe near Herrogate House, 1894. Photo by D.C. McTavish. Courtesy of the Thunder Bay Historical Museum Society 972.17.64r.

Abstract

In the summers of 1905/1906 the Dominion government entered into a treaty with the Cree and Ojibwa of northern Ontario. Known as Treaty Nine it encompassed a vast portion of the province. This treaty could not have been accomplished with the ease that it was without the assistance of the Hudson's Bay Company. Acting in its own self-interest the HBC facilitated the government's attempts to create a treaty. Understanding the HBC's role in the treaty process highlights the continued importance of the Company in northern Canada, and its affect on treaty creation.

Résumé: *Au cours des étés 1905 et 1906, le Traité No 9 est négocié entre les Cris et Objiwes du nord de l'Ontario et le gouvernement du Dominion du Canada. Ce traité, qui s'appliquait à une vaste portion de la province de l'Ontario, n'aurait pu être signé aussi rapidement sans l'aide de la Compagnie de la Baie d'Hudson. En facilitant les efforts du gouvernement pour arriver à un accord, la Compagnie cherchait en fait surtout à protéger ses propres intérêts. L'étude des négociations aboutissant à la signature de ce traité montre que la Compagnie de la Baie d'Hudson jouait toujours un rôle important à cette époque dans le nord du Canada, et cette influence se reflète dans la manière dont sont établis les traités.*

The Hudson's Bay Company (HBC) played an important role in the creation of Treaty Nine as it sought to secure itself a position in the changing political environment of the north. By the late nineteenth and the early twentieth centuries the fur trade in northern Ontario was being disrupted by the arrival of railways, prospectors and government surveyors. A treaty offered the Company the chance of securing some protection from a process that could not be stopped. The HBC, through its employees and knowledge of the north, provided Dominion officials with the expertise and assistance they required to complete the negotiation of Treaty Nine. Indeed, without the HBC's assistance Treaty Nine would have been either delayed, or taken far longer to negotiate. In the summers of 1905 and 1906 the Dominion government in Ottawa sent treaty commissioners north of the height of land (the geographical divide that separates rivers and lakes draining into the Great Lakes from those that that drain into Hudson's Bay) to negotiate with the Cree and Ojibwa peoples who resided there. Railways such as the Canadian Pacific Railway (CPR) in the 1880s and the Temiskaming and Northern Ontario Railway (T&NO) in 1902 had already brought prospectors and surveyors into this previously remote region, and both the Ontario government and private companies were eager to develop its resource potential.[2]

[1] This article is based on an earlier paper presented by the author and Dr. Robert Surtees at the Visions of the North, Voices of the North Conference at Nipissing University (1997). A revised version was presented at the 2005 CHA. The author would like to thank Dr. John Long for providing me with both a transcript of Samuel Stewart's treaty diary and other resources he had. I would also like to thank Dr. Jean Manore of Bishop's University for comments on an earlier version of this paper. Lastly, the reviewers from *Ontario History* provided very useful feedback.

[2] See H.V. Nelles, *The Politics of Development. Forest, Mines & Hydro-Electric Development in Ontario, 1849-1941* (Toronto: Macmillan of Canada, 1974). Another useful work is Christopher Armstrong,

While historians have paid attention to both levels of government and First Nations and Métis in relation to Treaty Nine, little consideration has been paid to the HBC. Prior to, during and after the treaty negotiations the HBC played a ubiquitous role. In so doing the Company affected both the process and substance of the treaty in an effort to protect and solidify its position as the pre-eminent fur trading company in the north. In terms of process the Company provided information for Indian Affairs about an Aboriginal population they were generally ignorant of, as well as supplies, transportation, and guides for desk bound civil servants transformed into treaty commissioners. Advice from senior HBC officials determined the treaty commissioners' itinerary as Company posts served as locations where treaty negotiations took place. As regards structure, the HBC indirectly influenced the location of the reserves chosen by the bands. Trading post bands, Aboriginal peoples who developed a close economic and social tie to HBC posts during the nineteenth century, led to almost every reserve being located close to an HBC post.[3] Underlying this aid was the desire of the HBC to benefit both economically and politically from the treaty.

WHY A STUDY OF THE HBC?

Treaty Nine does not lack for historians and writers.[4] The trends in this historiography can be reduced to five themes: Dominion/provincial conflict, the government desire to alienate First Nation land for resource develop-

The Politics of Federalism: Ontario's Relations with the Federal Government, 1867-1942 (Toronto: University of Toronto Press, 1981). See also Peter George "Ontario's Mining Industry, 1870-1940." in *Progress without Planning: The Economic History of Ontario from Confederation to the Second World War*, Ian Drummond ed. (Toronto: University of Toronto Press, 1987): 52-76. Also Peter W. Sinclair "The North and North-West: Forestry and Agriculture," *Progress without Planning*: 77-90. Hydro-electric development in northern Ontario is examined in Jean Manore, *Cross-Currents: Hydroelectricity and the Engineering of Northern Ontario* (Waterloo: Wilfrid Laurier University Press, 1999). Rhonda Telford's doctoral thesis examines mining in relation to Ontario treaties including Treaty Nine. See Telford, "The Sound of the Rustling of the Gold is Under my Feet Where I Stand; We have a Rich Country": A History of Aboriginal Mineral Resources in Ontario." Ph.D. (History) (University of Toronto, 1996).

[3] This paper is not arguing that problems regarding reserve location did not arise after the creation of Treaty Nine. The Matachewan First Nation, for example, argues that its current reserve boundaries do not match those requested in 1906. Problems with the Osnaburgh Band's reserve also arose. This paper is concerned with what factors led bands to choose their original locations at the time of the treaty's creation and not whether the boundaries were properly surveyed, or if concerns or problems arose after 1905/1906. Provincial influence in reserve location in general is examined in David T. McNab, "The Administration of Treaty 3: The Location of the Boundaries of Treaty 3 Indian Reserves in Ontario, 1873-1915." *As Long as the Sun Shines and Water Flows: A Reader in Canadian Native Studies*. Ian A.L. Getty and Antoine S. Lussier eds. (Vancouver: University of British Columbia Press, 1983): 145-157.

[4] Duncan Campbell Scott, "The Last of the Indian Treaties." *The Circle of Affection and other pieces in Prose and Verse*. (Toronto: McClelland and Stewart Ltd., 1947): 109-123. Charles Bishop, *The Northern Ojibwa and the Fur Trade: An Historical and Ecological Study* (Toronto: Holt, Rinehart and Winston, 1974). John Long, *Treaty No. 9: The Negotiations, 1901-1928* (Cobalt: Highway Book Shop, 1978). John Long,

ment, the role of resource development companies, the deception of First Nations by the Treaty Commissioners as to the legal ramifications of the treaty, and attempts by the Métis to be included in the treaty. Earlier analysis of Treaty Nine is simplistic in its treatment of First Nations, and the politics that surrounded the treaty's creation. Duncan Campbell Scott's "The Last of the Indian Treaties," is useful only as a source document. Later work such as Charles Bishops' *The Northern Ojibwa and the Fur Trade* offer little about the treaty. Bishop sees Treaty Nine as no more than a land transaction in which the Ojibwa sought to "release their rights to their land and receive annuity benefits."[5] It is an interpretation that even Scott would have disagreed with as he noted in his short magazine article that First Nations signatories did not really appreciate what they were signing.

Later analysis was a response to such simplistic representations of Treaty Nine (and treaties in general). Zlotkin highlights legal interpretations that have emerged regarding Treaty Nine. Zlotkin's weakness, however, is his lack of attention to history. He states that the treaty was drafted "in its entirety by the federal government."[6] He does not ignore the Ontario government's role in reserve selection; however, his focus on court decisions leads him to ignore historical realities. Zlotkin cites the case of *R. v. Batisse* (1978). Justice Bernstein quashed a wildlife conservation charge against a Matachewan First Nation hunter because Ontario was not a party to Treaty Nine, and could not therefore enforce its conservation laws on Treaty Nine members. While true in a legal sense, historical research shows that Ontario impacted the treaty's creation and structure. Both James Morrison and John Long highlight the conflicts that emerged between the Ontario and Dominion governments re-

Treaty No. 9: The Half-Breed Question, 1902-1910 (Cobalt: Highway Book Shop, 1978). John S. Long, "Treaty No. 9 and fur trade company families: Northeastern Ontario's halfbreeds, Indians, petitioners and métis." *The New Peoples: Being and Becoming Métis in North America.* Jacqueline Peterson and Jennifer S.H. Brown eds. (Winnipeg: University of Manitoba Press, 1985): 137-162. James Morrison, *Treaty Research Report: Treaty Number Nine* (Ottawa: Department of Indian Affairs and Northern Development, 1986). E. Brian Titley, *A Narrow Vision: Duncan Campbell Scott and the Administration of Indian Affairs in Canada* (Vancouver: University of British Columbia Press, 1986). John Long, "No Basis for Argument:" The Signing of Treaty Nine in Northern Ontario, 1905-1906." *Native Studies Review*, vol. 5, no. 2 (1989): 21-54. Arthur Ray, *The Canadian Fur Trade in the Industrial Age* (Toronto: University of Toronto Press, 1990). Norman Zlotkin, "Post-Confederation Treaties." *Aboriginal Peoples and the Law: Indian, Métis and Inuit Rights in Canada.* Bradford W. Morse ed. Rev. ed. (Ottawa: Carleton University Press, 1991). Stan Dragland, *Floating Voice: Duncan Campbell Scott and the Literature of Treaty 9* (Concord: House of Anansi Press, 1994). Telford, "The Sound of Gold" (1996); Patrick Macklem, "The Impact of Treaty 9 on Natural Resource Development in Northern Ontario." *Aboriginal and Treaty Rights in Canada: Essays on Law, Equality, and Respect for Difference* (Vancouver: University of British Columbia Press, 1997). Jean Manore, *Cross-Current*. Bryan Cummins, *Only God can Own the Land: The Attawapiskat Cree, the land and the state in the 20th Century* (Cobalt: Highway Book Shop, 1999).

[5] Bishop, 85.

[6] Zlotkin, 276.

garding the treaty. Long argues that the terms of the treaty were pre-set by the Ontario and Dominion governments, and First Nations room to negotiate was incredibly restricted. Titley offers similar insight in *A Narrow Vision*. As a biography, however, Titley's narrative and analysis revolves around Duncan Campbell Scott often to the exclusion of other considerations. His study is complemented by Stan Dragland's *Floating Voice*. Bryan Cummins' analysis focuses on the treaty's affect on Cree concepts of land tenure. More recently historians have turned their attention to third party influence on Treaty Nine. Both Macklem and Manore concentrate on resource companies and the desire of the Ontario government to have hydro, mineral and timber resources exploited. In this sense their work is a fusion of First Nations' studies and earlier work such as H.V. Nelles and Christopher Armstrong. Rhonda Telford's doctoral dissertation offers a useful analysis of mining in relation to Aboriginal rights in Treaty Nine and First Nations' knowledge of natural resources.

In all of these studies the HBC role in the treaty is overlooked. Arthur Ray's *The Fur Trade in the Industrial Age* is an exception. Ray examines the HBC's changing operations in the twentieth century, and provides some explanation of the Company's policy towards post-Confederation Indian treaties. However, Ray overlooks the broader politics of Treaty Nine and the long term policy goals of the HBC. He downplays the impact of Ontario's wildlife conservation laws on HBC operations in northern Ontario, and the Company's desire to minimize that impact. Ray is concerned more with economics and the HBC's desire to benefit from treaty annuity payments. While this was certainly an element of the Company's thinking, there was more at work in their policies.

COMPANY MOTIVATION IN AIDING THE DOMINION GOVERNMENT

Company motivation is not explicitly laid out in any existing documents, but altruism was not a consideration for several reasons. First, treaties meant annuity money for post managers concerned with turning a profit in a highly competitive fur trade. Arthur Ray notes the detrimental impact independent fur traders had on HBC operations in the late nineteenth and early twentieth centuries.[7] Treaty annuities provided a substantial influx of hard currency into a cash poor economy and were generally distributed and spent at HBC posts. Duncan Campbell Scott, one of the Treaty Nine commissioners, observed that Treaty Nine First Nations spent their new money quickly, and that soon the "[Indian] camp was brightened by new white shawls, new hats and boots…"[8] Treaties also meant feasts

[7] See Ray particularly chapter 2, "Laying the Groundwork for Government Involvement." The following paragraph is based on his work.

[8] Scott, 117

Hudson's Bay Company Warehouse, Moose Factory, where Treaty 9 was signed in August 1905. George McLeod, an HBC official at Moose Factory, acted as translator with the assistance of Anglican Bishop Holmes and the HBC's chief factor, Jeff Mowat. Photo courtesy of Archives of Ontario, C 275-1-0-3 (S 7548), Duncan Campbell Scott fonds.

for the assembled families, and an opportunity for the HBC to both spend freely on First Nations and bill the Dominion government. Daniel McMartin, Ontario's representative with the 1905 Treaty Nine Commission, observed that at both Moose Factory and New Post a feast was prepared for the assembled First Nations as that was the usual custom at the conclusion of negotiations.[9]

Lastly, Indian Affairs distributed food, supplies and other welfare relief via the post system to Aboriginal families unable to support themselves. While all this constituted income for the HBC more importantly it strengthened the bond between trader and trapper.[10] Ray outlines how in the 1880s the HBC began to pressure Indian Affairs to provide food relief to First Nations families in need. Hugh Shewell provides a number of examples from the late nineteenth to

[9] McMartin Diary, 9 August 1905 and 21 August 1905. See also Scott, 118.

[10] Hugh Shewell offers an excellent overview of the evolution of Indian Affairs' welfare policy and the HBC's role in its development in chapter 3 of *'Enough to Keep Them Alive.' Indian Welfare in Canada, 1873-1965* (Toronto: University of Toronto Press, 2004): 41-92. Robin Brownlee notes that an individual's generosity served to strengthen their position in Aboriginal society. See Robin Jarvis Brownlee, *A Fatherly Eye: Indian Agents, Government Power, and Aboriginal Resistance in Ontario, 1918-1939*. (Don Mills: Oxford University Press, 2003): xvi. A short overview of HBC-First Nations alliances is in Arthur J. Ray et.al., *Bounty and Benevolence: A History of Saskatchewan Treaties* (Montreal: McGill-Queen's University Press, 2000): 3-20.

the early twentieth centuries of the HBC requesting aid on behalf of Native peoples particularly for those in the Ungava Peninsula. Neither scholar believes the Company acted in an unselfish manner.

Another consideration for the HBC was the possibility of political favours in the future. Company documents pertaining specifically to Treaty Nine are quiet on this point, but other files indicate political maneuvering. Ontario's 1892 *Game Act* created the Ontario Game Commission and a system of game wardens. C.C. Chipman, Canadian Commissioner of the HBC, observed that year that full enforcement of the legislation would affect "the fur trade proper from Mattawa to Rat Portage [Kenora]."[11]Arrests of First Nations peoples in the North Bay region began as early as 1898, and HBC officials worried about a pattern of harassment.[12] Chipman and Company Secretary William Ware both worried that conservationists would affect the fur trade.[13] Chipman, concerned more with fur yields than treaty rights, hoped that a northern treaty might protect Cree and Ojibwa trapping activity and, by extension, Company trading operations. Writing to the Governors of the Company, Chipman argued that "the effect upon the Indians" of having their treaty rights restricted might compel the Dominion government to disallow provincial wildlife legislation.[14] While future events proved Chipman wrong, his fears and solution seemed logical.[15]

THE HBC AND THE MOVE TOWARDS A TREATY

Conservation laws aside, the changing nature of the north did not bode well for the fur trade. E.B. Borron, Stipendiary Magistrate for the District of Nipissing, surveyed northern Ontario in the 1880s for the Ontario government. Borron served notice to the government that a treaty with the Cree and Ojibwa was necessary if development continued. What concerned Borron was the CPR. In 1890 he noted that the railway "for upwards of a hundred miles passes through their [First Nations'] hunting grounds, and will unquestionably lead...to the destruction of the larger game, the fur-bearing animals and to some extent also of the fish..." Borron advised that a treaty was necessary at least for those First Nations close to the CPR (i.e.: Missanaibi, Flying Post, and Mattagami).[16]

[11] Hudson's Bay Company Archives, Provincial Archives of Manitoba (hereafter referred to as HBCA). A.12/FT 230/1. C.C. Chipman to William Armit, 20 June 1892.

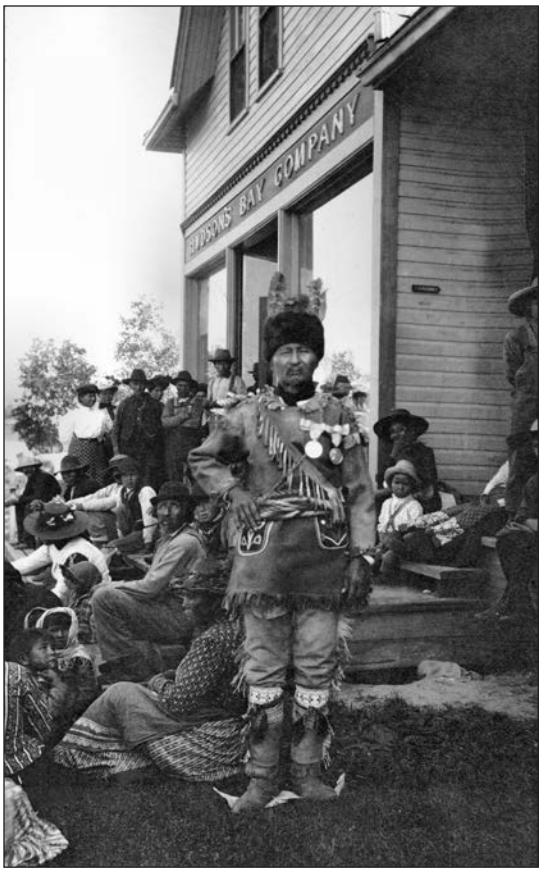
[12] David Calverley, "Who Controls the Hunt? The Ontario *Game Act*, the Federal Government and the Ojibwa, 1800-1940." Ph.D. Thesis, University of Ottawa (1999). See chapters two and three.

[13] *Ibid.* Chipman to Ware, 21 February 1905.

[14] *Ibid.* Chipman to William Ware, 7 July 1897.

[15] Calverley, "Who Controls the Hunt?" Chapter 4. Shewell notes that Chipman was a "wily strategist" in his dealings with Indian Affairs and the Dominion government. See Shewell, 82.

[16] *Ontario Sessional Papers*, "Report on the Basin of Moose River and Adjacent Country belonging



Chief Louis Espagnol in front of the HBC store in Biscotasing, July 1906. Chief Espagnol met with Indian Affairs officials at the HBC's New Brunswick House Post in 1899 to ask "what the Government proposed to do about the rights of the Indians residing between James Bay and the Great Lakes." Chief Espagnol signed Treaty 9 in 1906. Photo courtesy of Archives of Ontario, C 275-1-0-6 (S 7630), Duncan Campbell Scott fonds.

Borron's recommendation fell on deaf ears. If government officials were uninterested in their surveyor's advice it is unsurprising that Aboriginal complaints were ignored. If it were not for Company posts, however, it would have been more difficult for First Nations to relay their concerns to Ottawa. Lacking Indian Agents, the usual link between Bands and Ottawa, Company posts were a conduit for the Cree and Ojibwa to petition Indian Affairs and meet with government officials. Company employees also acted as go-betweens for a northern, predominantly Aboriginal, world which Euro-Canadians in the south knew little about and a southern world equally unknown to First Nations. This did not immediately dislodge Indian Affairs' bureaucratic inertia it eventually led to action.

Chief Louis Espagnol wrote to Indian Affairs in 1884 to complain about the incursion of white trappers.[17] Espagnol's letter, likely penned by an HBC employee, quickly disappeared into Indian Affairs' bureaucracy. Fifteen years later Chief Espagnol spoke directly with two senior Indian Affairs' officials at the HBC's New Brunswick House: J.A. Macrae and D.C. Scott.[18] Macrae and Scott were at the post to make Robinson-Superior treaty annuity payments. New Brunswick House was the locale as a number of the Michipicoten Ojibwa had hunting territories in the region.[19] During

to the Province of Ontario." Vol. 42, part 7 (Toronto: L.K. Cameron, 1890): 85.

[17] Morrison, 1-2.

[18] National Archives of Canada (hereinafter referred to as NA), RG 10, Vol. 3033, file 235,225 part 1. Memorandum, 3 June 1901.

[19] NA, RG 10, Vol. 6745, file 420-8a. George Prewar to D.C. Scott, 21 September 1925.

that meeting Espagnol traveled "from considerable distances [to ask]...what the Government proposed to do about the rights of Indians residing between James Bay and the Great Lakes."[20]

Osnaburgh House. Courtesy of the Thunder Bay Historical Museum Society, 972.66.1

This direct meeting spurred Indian Affairs into quick action – a treaty finally emerged six years later! During that time Company employees both relayed complaints and petitions, and posts acted as meeting places. Chief Louis Espagnol, for example, spoke with Indian Affairs' employee Samuel Stewart at the HBC store in the village of Biscotasing in the summer of 1901. Several months later Jabez William, the manger in charge of Osnaburgh House on Lake St. Joseph, recorded the minutes of an Ojibwa council convened in October, 1901, and forwarded the resulting petition to Indian Affairs.[21]

TAKING A CENSUS

Eventually these letters and petitions pushed Indian Affairs to investigate the region. Indian Affairs had little knowledge of either the north or the First Nations who lived there. Borron's information was now decades out of date. Furthermore, Borron had outlined the problems the government would encounter determining who was Métis and who was Cree or Ojibwa for annuity purposes. Such information was necessary if a treaty was to be created, and the cost of treaty payments calculated.[22] However, between Borron's report and the decision to create Treaty Nine,

[20] NA, RG 10, Vol. 3033, file 235,225, part 1. Memorandum, 3 June 1901. James Morrison makes note of the impact of the CPR on the Cree and Ojibwa in his *Treaty Research Report: Treaty Nine*, 1-20. See also Douglas Baldwin, *The Fur Trade in the Moose-Missinabi River Valley, 1770-1917. Research Report 8*. (Toronto: Ministry of Culture and Recreation, Historical and Planning Branch): 87-88.

[21] *Ibid.* Jabez Williams to Superintendent-General of Indian Affairs, 12 December 1901. The petition is signed by seventeen First Nations "and others." Isaiah Poo-yah-way and George Wah-weaishkung are listed as the "spokesmen." See *Ibid.* Petition to Superintendent General of Indian Affairs, 12 December 1901. Williams was likely in a conflict of interest as he was also an investor in a mining company exploring in the area. See Morrison, 16-17. See also Stewart Diary, p. 12.

[22] See James Morrison, *The Robinson Treaties: A Case Study*. Prepared for the Royal Commission on Aboriginal Peoples (1996) for the Ontario/Dominion conflict over Robinson Treaty annuity payments.

the Department of Indian Affairs had not developed the ability to conduct this census of northern Ontario, and senior officials turned to the HBC for aid.

W.B. Maclean, the Indian Agent stationed at Parry Sound, traveled to Bear Island in autumn 1902 to inquire about "what Indian Bands resided in the territory lying North and East of Lake Temogammgui [sic]."[23] He shared his findings reluctantly with J.D. McLean, Secretary of Indian Affairs. In the agent's opinion the information he received from the Bear Island Ojibwa was "of such meager description that I have hesitated until now to write you about it."[24] All he could glean from his investigation was that "about 400 Indians" resided in the Lake Abitibi region and wanted to enter into a treaty with the crown. Maclean could not determine the territory covered by the Abitibi group because the Bear Island Ojibwa were "unable to provide me any information as to the natural boundaries of the territory occupied by the Abitibbi [sic.] Indians as they have little intercourse with them." Maclean did not even make reference to the Matachewan Ojibwa who resided north of Lake Temagami, traded with the HBC's Fort Matachewan on the Montreal River, and had familial connections with the Temagami Ojibwa.[25]

Indian Affairs gained only a cursory knowledge of the Aboriginal population from its Indian Agents. In May 1904, Frank Pedley (Deputy-Superintendent General of Indian Affairs) turned to the Company.[26] Indian Agents who relied on HBC post managers generated more accurate estimates. J.F. Hodder, the Indian Agent for the Fort William Agency, obtained a census of the First Nations population north of his agency with the help of Alex Matheson of the HBC's Red Rock post. Matheson provided Hodder "most of the...information."[27] Indian Affairs did turn to other sources, but HBC managers occasionally contradicted them. It initially learned of the Matachewan population, north of Lake Temagami, via Oblate priests who ran missions in the area. Missionaries placed the population at seventy-five people.[28] Matachewan Post manager, Steve Lafricain, informed the Treaty Commissioners during their final trip in May 1906, that there were actually 102 non-treaty Indians divided amongst sixteen different families.[29]

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[23] *Ibid.* W.B. McLean to J.D. McLean, Secretary of Indian Affairs. 23 January 1903.

[24] *Ibid.*

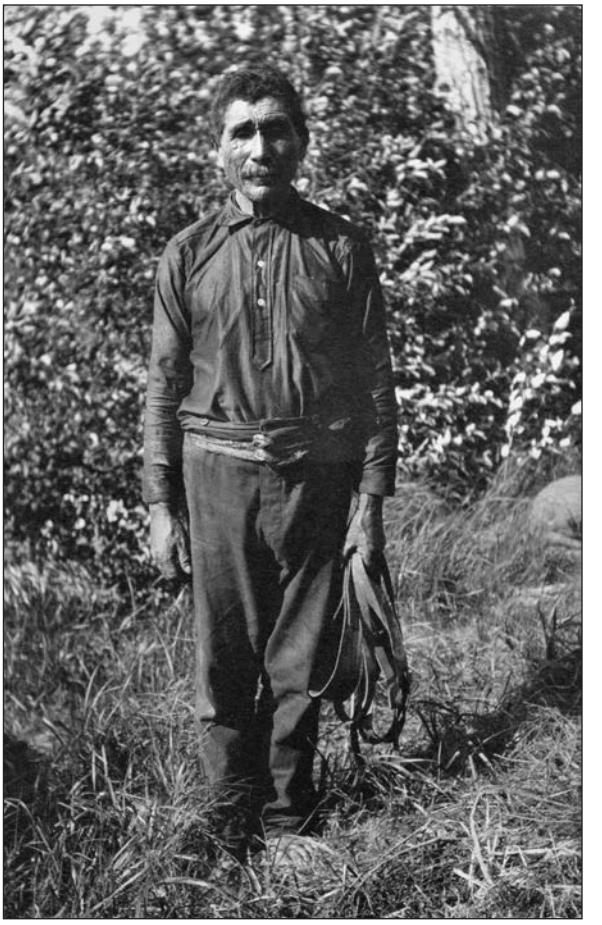
[25] Frank Speck noted the connections between the Matachewan and Temagami Ojibwa in his 1915 study *Family Hunting Territories and Social Life of Various Algonkian Bands of the Ottawa Valley*. Memoir 70, No. 8 (Ottawa: Department of Mines, Geological Survey, 1915): 11-12.

[26] HBCA, A.12/FT 243/1. Frank Pedley to C.C. Chipman. 4 May 1904.

[27] NA, RG 10, Vol. 3033, file 235,225, part 1. J.F. Hodder to J.D. McLean. 6 December 1904.

[28] *Ibid.* Inspector of Indian Agencies to Frank Pedley. 1 April 1903.

[29] *Ibid.* Chipman to Pedley. 28 January 1906.



Jimmy Swain was an "old Albany River guide and mail carrier." Advanced in years, Swain was the Commissioners' head guide during part of their first voyage in 1905. Samuel Stewart expressed surprise that Swain and the other guides carried 200 to 300 pounds over the numerous portages. Photo courtesy of Archives of Ontario, C 275-2-0-2 (S 7522), Duncan Campbell Scott fonds.

"WE WERE THE FIRST:" THE TREATY TRIPS OF 1905 AND 1906

Samuel Stewart wrote in his diary on 23 July 1905 that the Commission party had traveled for miles in the north without seeing another person. He notes that more than once "the words of the Ancient Mariner" occurred to him: "We were the first/That ever burst/Into the silent sea." Such hubris was unwarranted. Stewart and the Commissioners could not have made their trip without the First Nations' paddlers who ferried them north, and the existing fur trade structure that supported the trip. Indeed, Stewart writes several times in his diary that the Commissioners either met or camped with York boat crews, or York crews overtook them.[30] This was not a silent sea, but a busy trade route.

Chipman asked Thomas Clouston Rae, Chief Trader for the HBC in northern Ontario, to oversee the details of the trip. Rae organized the only means of traveling into the north – thirty-foot HBC canoes handled by experienced Aboriginal paddlers and portagers. These men possessed not only the stamina, strength and knowledge to complete the journey. Rae hired "James Swain, an old Albany river guide and mail carrier" to oversee most details of the Commissioners' 1905 trip.[31] In total,

[30] Stewart Diary, 4 and 5 July 1905, and 21 and 22 July 1905.

[31] *Ontario Sessional Papers, no. 77*, "An Address to His Honour the Lieutenant-Governor praying

the Commissioners required three different crews (all supplied by the HBC) to complete their 1905 trip. At Moose Factory, Swain left them and Simon Smallboy became the head guide. Upon their arrival at Abitibi Post, the Moose Factory crew returned north, and another set of paddlers and guides took the Commissioners to New Liskard.[32]

The Treaty Party's first trip in the summer of 1905 followed Chipman's itinerary. Chipman advised Pedley that the Commissioners accomplish their task in two trips since the distance was too great to cover in one summer.[33] Chipman further noted that the best time to meet with the bands was between mid-June and mid-July. He explained that "the Indians of these posts are hunters essentially…coming in [to the posts] only at the opening of navigation and finding their way back to their fishing quarters in the course of the Summer…."[34] With this said, Chipman counseled that the post managers be told by winter, 1905, when the treaty party would arrive so families could be informed.

Chipman also voiced Rae's concerns about southerners undertaking an extended canoe trip. Several weeks before the Commissioners started, Chipman wrote to Pedley to outline those items the Treaty Party did not require. Confined to one canoe, Chipman stated there would be sufficient space as long as the Commissioners "leave out…frame mattresses, folding chairs and the like" in favour of a "pair of light blankets and water proof ground sheets [which] can, with the help of evergreen brush and leaves, be made enjoyable and comfortable...for any man of fairly strong constitution." Indeed, Stewart noted in his 1905 diary that the assembled baggage "when all together looked quite formidable, although, under advice from Mr. Rae , we had left out many articles we had thought indispensable."[35] This comment reveals the inexperience of Dominion bureaucrats regarding northern travel, and the environment they were entering. Stewart, for example, expressed surprise that Swain and the other First Nations men carried 200 to 300 pounds on their backs at the portages. [36]

Political wrangling between the Ontario and Dominion governments over

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that there be laid before the House copies of all papers and correspondence regarding the settlement of the Indian claim of Northern Ontario known as Treaty No. 9, together with a copy of the Treaty as finally agreed upon." (Toronto: L.K. Cameron, 1908): 62. Hereinafter referred to as "Correspondence regarding the settlement of the Indian claim." See Samuel Stewart Diary, NA, RG 10, 1 July 1905. In total eleven First Nations' men were hired to help the Commissioners during the 1905 trip from Dinorwic to Moose Factory.

[32] See Stewart Diary, 12 August 1905, and Stewart Diary 1 September 1905.

[33] NA, RG 10, vol. 3033, file 235,225, part 1. Chipman to Pedley. 27 May 1904.

[34] HBCA, A.12/FT 243/1. Chipman to Pedley. 11 May 1904.

[35] Stewart Diary, 3 July 1905.

[36] Stewart Diary, 4 July 1905.

the proposed terms of the treaty delayed the Commissioners' departure until 2 July 1905, and added an additional passenger: Daniel McMartin joined as Ontario's representative.[37] The late departure affected the 1905 trip. The Commissioners arrived at Fort Hope on 18 July, approximately one month behind the original schedule. By the time the Commissioners arrived at Lake Abitibi only a few families were present as most were on their hunting grounds.[38] Weak southern constitutions were also a contributing factor. Rae reported to Chipman that this nine-week trip (compared to Chipman's original estimate of six weeks) was made "with canoes at about half load travelling quietly and not too long each day."[39]

The second treaty trip started at the logging town of Mattawa, on the Ontario-Quebec boarder and situated on the historic fur trade route of the Ottawa River, on 23 May 1906. Departing to Timiskaming via the CPR, the party arrived at the agricultural settlement of New Liskeard then continued onwards to Quinze Lake before starting the canoe trip to Fort Abitibi. From Abitibi the Commissioners headed south by canoe back to Haileybury then to Latchford on the T&NO. At Latchford, "Mr. Taylor, district superintendent of the H.B.C." secured the Commissioners a crew of eleven Ojibwa men from Temagami and Matachewan, and four canoes.[40] With Michel Baptiste of Matachewan acting as head guide, the party headed north along the Montreal River and concluded treaty talks at Fort Matachewan. Returning to Temagami, and leaving their first crew behind, the party departed for Biscotasing (by train) and then onwards to Fort Mattagami and Flying Post. At Mattagami, the Commission picked up another crew of from Mattagami and Mattawa, and four canoes from Mr. Miller of the HBC's Mattagami Post.[41] Similar action was taken at Chapleau, Missanabi and Montizambert as some First Nations families at these locations belonged to bands already covered by treaty. The treaty party's final stops were at New Brunswick House and Long Lake.[42]

TRANSLATION SERVICES

HBC officials acted as important intermediaries between the Commissioners and the Ojibwa/Cree. In

[37] "Correspondence regarding the settlement of the Indian claim," 62. The Treaty Party was composed of: Duncan Campbell Scott, Samuel Stewart, Daniel G. McMartin (Ontario's representative/observer) Dr. A.G. Meindl, and two North West Mounted Police officers James Parkinson and J.L. Vannse.

[38] HBCA, A.12/FT 243/1. Chipman to Pedley. 11 May 1904.

[39] HBCA, A.12/FT 243/1. T.C. Rae to Chipman. 13 September 1905.

[40] Samuel Stewart Diary, 12 June 1906.

[41] Samuel Stewart Diary, 3 July 1906.

[42] The 1906 Commissioners' report used here is located in Morrison, *Treaty Research Report: Treaty Nine*. The page numbers, therefore, refer to those in his work. See 1906 Treaty Nine Report, 98-104.

particular, HBC post managers acted as translators and, in some instances, offered the Commissioners information regarding particular bands in relation to provincial boundaries. At some posts missionaries of different faiths offered similar services. However, missions were established where Aboriginal peoples congregated on a regular basis such as fur trading posts. In some instances, as outlined below, HBC post managers translated even though a senior missionary, such as the Anglican Bishop of the Diocese of Moosonee (Bishop Holmes) was present.[43] In other instances, members of the Commissioners' Aboriginal crew interpreted (such as Jimmy Swain), or a Cree or Ojibwa person (always a man) who was present during the talks.

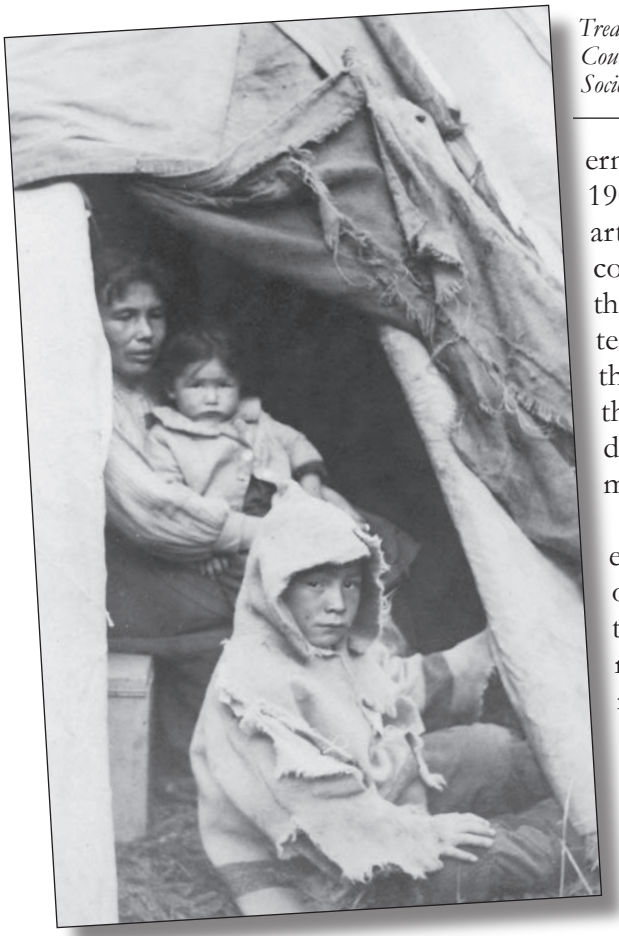
Feasts were held after every signing ceremony. Company posts made a small profit as a result. An additional fifty tons of flour was sent to HBC posts to satisfy Aboriginal demands following the distribution of treaty money, and to provide for the feasts. Archvives of Ontario, Duncan Campbell Scott fonds.

There are six explicit references to HBC post managers providing translation services in the official treaty report: Osnaburgh, Abitibi (twice), Flying Post, Biscotasing, and New Brunswick House. Daniel McMartin notes two other instances: Martin Falls and Fort Albany.[44] Samuel Stewart notes that George MacLeod, an HBC official at Moose Factory, acted as translator on 9 August 1905 with the assistance of Anglican Bishop Holmes of Moose Factory and the HBC's chief factor, Jeff Mowat.[45] In addition, Stewart writes that James Christie, in charge of the HBC's New Brunswick House,

[43] One certainly cannot dismiss the role missionaries played in the creation of Treaty Nine. However, a full exploration of this lay beyond the purview of this paper.

[44] McMartin Diary, 25 July 1905 and 3 August 1905. Mr. Iseroff interpreted at Martin Falls while James Linklater the outgoing manager at Fort Albany translated there. Father Fayard of the Roman Catholic Mission at Albany did not act as interpreter. Fayard did translate at Fort Hope on 9 July 1905. See Stewart Diary, 9 July 1905.

[45] Stewart Diary, 9 August 1905. Mowat also helped the Commissioners with the treaty payments at Moose Factory by identifying the Cree who presented themselves for payment.



Treaty Nine family north of New Post, circa 1920. Courtesy of the Thunder Bay Historical Museum Society, 990.37.67

also interpreted for the Commissioners on 25 July 1906 (even though Bishop Holmes was present). In total, HBC employees interpreted on twelve occasions. There is, of course, the broader question of how relevant such services were to First Nations. As Long and Morrison note, the treaty was not open to negotiation as the Dominion and Ontario governments agreed to terms before the 1905 trip. Scott admitted in his 1906 article for *Scribner's Magazine*: "What could they [First Nations] grasp of the pronouncement of the Indian tenure which had been delivered by the law lords of the Crown, what of the elaborate negotiations between a dominion and a province which had made the treaty possible…?"[46]

Furthermore, Commissioners explained to First Nations numerous times that their harvesting activity would not be restricted to the reserves. This raises another argument: that the Commissioners were not truthful in their explanation of what the treaty actually meant for the bands that adhered to it. There is a great deal of veracity to such an argument. By 1905/06 Scott was well aware that Ontario's conservation laws were affecting First Nations in the south. HBC employees were also dishonest in the negotiations. Ontario enforcement officers were raiding HBC posts further south in 1905 and 1906. Chipman certainly knew of these events, and post managers must have been aware of this and earlier provincial raids on HBC establishments.[47] More correctly, therefore, the HBC's

[46] Scott, 115.

[47] See Morrison, 32. Also John Long, ""No Basis for Argument" Land Tenure is considered in Bryan Cummins, *Only God can Own the Land*. The application of conservation laws to First Nations is examined in Calverley "Who Controls the Hunt: The Ontario *Game Act*, the Federal Government and the Ojibwa, 1800-1940." The citation from the treaty report is from "Correspondence regarding the

translation services facilitated the Commissioners' work. If these post managers were aware of what the treaty meant for harvesting rights, and they likely were, they chose not to tell the Cree and Ojibwa. Possibly they hoped to improve their post's sales with the arrival of treaty money and cared little about First Nations hunting and trapping beyond what they profited from. Some, such as Jabez Williams of Osnaburgh House, were motivated by their investments in mining operations. Chipman hoped, as argued earlier, that the treaty would provide some degree of protection to Company fur trade activities in the north.

WHY HBC AID HELPED THE TREATY COMMISSIONERS

Facilitating the census and aiding in the actual negotiations allowed Indian Affairs and the Ontario government to create Treaty Nine faster than if left to their own devices. While speed may not seem important, the context within which the treaty was negotiated reveals a need for expediency. As Telford outlines numerous prospectors and surveyors were heading north of the height of land in search of mineral wealth. As their numbers increased, the provincial government worried that First Nations would recognize the true value of their land. Indian Affairs, bearing the cost of treaty annuity payments, was equally concerned. Writing to J.J. Foy, Ontario's Commissioner of Crown Lands, Pedley expressed his concern in 1905:

> We are convinced of the wisdom of concluding the treaty before the Indians come into closer contact with white people, as they are apt to be easily influenced to make extravagant demands.[48]

By 1909 the T&NO extended north of the height of land. Claims were being staked at Iroquois Falls, and in the Porcupine region near the present day city of Timmins. Claims were staked earlier in 1906 at Kirkland Lake and Larder Lake, and the Swastika Mining Company was formed in 1908.[49] While it is speculation, a delay of several years or more may have led to a different outcome for Treaty Nine.

RESERVE SELECTION

Company posts exerted another influence over the treaty once bands agreed to the terms offered by the Canadian government: reserve location. The official Treaty Nine Report notes the proximity of reserves to Company posts. Osnaburgh Reserve was just west of "the Hudson's Bay Company post." English River Reserve was three miles below the local post. Matachewan was just north of the fort of the same name, while Mattagami Reserve was three quarters of a mile north of the local HBC post. New

settlement of the Indian claim," 63.

[48] NA, RG 10, Vol. 3033, file 235,225-1. Pedley to J.J. Foy. 8 May 1905.

[49] See Robert J. Surtees, *The Northern Connection: Ontario Northland Since 1902* (Toronto: Captus Press, 1992).

Brunswick House Reserve was a half mile from the post. These incidences of congruence are not accidental. It was a deliberate choice by the Ojibwa and Cree to be located close to trading posts that would serve their needs. The importance of post locations to the Cree and Ojibwa can be traced back to the earliest days of the fur trade.

Charles Bishop, Edward Rogers and Arthur Ray have examined those factors that led First Nations to associate and link themselves to HBC posts.[50] First, HBC posts were located on those rivers and lakes used by First Nations for fishing and travel. These locations, therefore, initially possessed significance outside the fur trade. Once established, however, the posts became important to First Nations particularly after the HBC and North West Company amalgamated in 1821. This event ended decades of competition in the north and northwest. Once the HBC became the dominant trading company, trading post bands emerged as Cree and Ojibwa traders lost one of their most important bartering tools: competition. Company officials and post managers now exerted greater control over where families traded, and insured that HBC post managers did not 'poach' other posts' First Nations to obtain their furs and improve their own bottom line. This economic control exerted by the Company led to groups of families being identified with a particular post, and the eventual emergence of trading post bands.

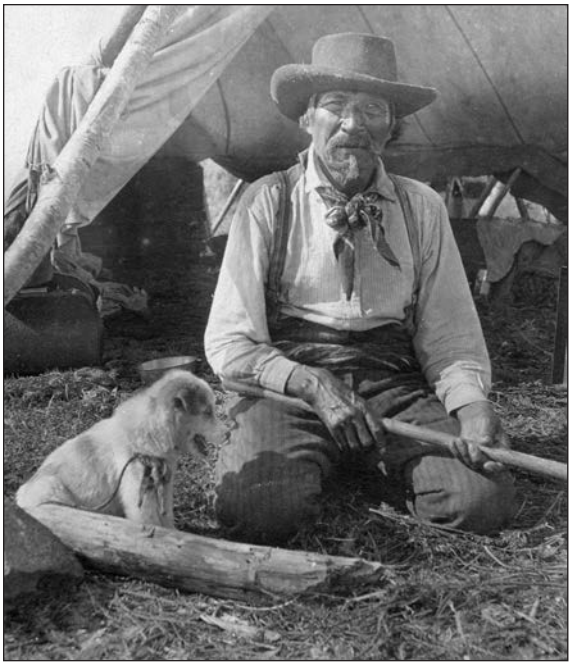
Families also began to spend more time at posts, over the late spring and summer, in the hopes of finding seasonal employment. Working on a fur or mail brigade (i.e.: transporting fur bundles and mail/supplies from inland posts to Moose Factory and other coastal posts) provided men with wage labour.[51] Osnaburgh House employed approximately thirty men (First Nations and Métis) between early summer and September (c. 1905) to haul freight and furs between the CPR station at Dinorwic to the post.[52] Provisioning the post also served to tie some families to particular locations. Osnaburgh House also employed First Nations anglers to net between 3,000 and 5,000 fish between September and October, and salt them as winter provisions for the post.[53] In

[50] Edward S. Rogers, "Northern Algonquians and the Hudson's Bay Company, 1821-1890." *Aboriginal Ontario: Historical Perspectives on the First Nations* (Toronto: Dundurn Press, 1994). Arthur Ray, "The Hudson's Bay Company and Native People." *Handbook of North American Indians: History of Indian-White Relations*. vol. 4, Wilcomb E. Washburn ed. (Washington: Smithsonian Institute, 1988). Also Arthur Ray, "Periodic Shortages, Native Welfare, and the Hudson's Bay Company 1670-1930." *The Sub arctic Fur Trade: Native Social and Economic Adaptations*. Shepard Krech III ed. (Vancouver: University of British Columbia Press, 1984). Charles Bishop, *The Northern Ojibwa and the Fur Trade: An Historical and Ecological Study*. (Toronto: Holt, Rinehart and Winston Ltd., 1974):

[51] Rogers, 323. Ray, "The Hudson's Bay Company and Native People." 345. Ray, "Periodic Shortages, Native Welfare, and the Hudson's Bay Company 1670-1930." 10.

[52] Bishop, 92.

[53] Bishop, 93.



"Quak Quok Key Ke-zick" of Osnaburgh, circa 1900-1920. Courtesy of the Thunder Bay Historical Museum Society, 972.66.2.

1900, an Ontario survey crew noted that Matachewan Post relied upon whitefish that was "netted in quantities in the Montreal River near [Fort Matachewan] during the spawning season."[54] Characterized in earlier historical works as an example of Indian dependency, it was in many ways a symbiotic relationship.[55] Ojibwa and Cree families relied on casual employment and supplies from the posts, particularly during times of game shortages, but post managers were equally reliant on First Nations as a source of labour.

Trading post bands determined the physical construction of Treaty Nine in the matter of reserve selection. There is no indication in any of the available treaty documents that either the treaty commissioners or HBC employees coerced any bands into choosing their reserve location. The Mattagmi Band's choice of reserve was capable of hydroelectric production over 500 hp. Their initial reserve site, which the Fort Mattagami manager sought to protect in a letter to Indian Affairs, was immediately north of the HBC post.[56] Issues regarding reserve location will be outlined in greater detail later. However, new reserves remained close to local HBC posts. Within this context, reserve locations fit into the existing fur trade system. They were accessible by canoe. Therefore, reserves located close to HBC posts offered convenience to the Ojibwa and Cree who already frequented them for work and trade. It facilitated the distribution of annuity money for the bands as much as for Indian Affairs. Families frequented the posts at certain times of the year, and at those times treaty money was distributed. Being provided with money at the posts gave families an opportunity to purchase supplies or pay off trade debt.

[54] *Ontario Sessional Papers*, "Report of the Survey and Exploration of Northern Ontario: Report Submitted by Survey Party Number Three to the Ontario Government of its exploration of a portion of northern Ontario in 1900." Vol. 33, part 9 (Toronto: L.K. Cameron, 1900): 94

[55] Bishop, 93-94. Ray, "Periodic Shortages, Native Welfare and the Hudson's Bay Company, 1670-1930."

[56] See Macklem, 108. Manore, 30-31.

Paper money was of little use on a winter trap line, but it was of particular importance when purchasing supplies at a HBC post.

The Company also benefited from the placement of reserves close to their posts. Reserves and treaty money strengthened their economic ties with First Nations families at a time when independent traders and fur trading companies presented a challenge to their control of the fur trade. It was relatively easy for someone to trade close to the CPR line with minimum overhead, and offer First Nations hunters better prices than the HBC.[57] Some were simple "whiskey pedlars" while others were part of more organized companies such as the Révillon Frères Trading Company.[58] Knowing that Treaty Nine reserves were going to be located beside their posts, and that treaty money would be spent there helped post managers and Company officers to maximize profits.

Company officials were well aware of the money that the posts would make as a result of the initial treaty payment, and subsequent monies. At $8 per person a family would receive far more since many First Nations families were extended. Much or all of this money would be spent at the HBC post where the treaty was signed. Treaty money also lessened First Nations dependency on relief provided by the Company as they now had additional money to buy supplies.[59] In addition, post managers profited from the sudden infusion of hard money into what was essentially a cashless society. Chipman notified Company officials in London in 1904 that an additional fifty tons of quality flour should be sent to Moose Factory "to meet the large sale that would be made at Treaty time..."[60] In 1905 a total of $12,936 in treaty money was distributed, and $10,588 was dispersed in 1906. Annuity money was never as extravagant again, but in 1907 and 1908 $6,764 and $6,768 respectively was injected into the northern economy.[61] Scott's observations on the purchases made by First Nations during the treaty payments have already been noted. Jabez Williams, the HBC manager of Osnaburgh House, wrote in his journal that he sold $600 worth of items on July 13, 1905.

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[57] Ray, "The Hudson's Bay Company and Native People." 348. Also J. Garth Taylor, "Northern Algonquians on the Frontiers of "New Ontario," 1890-1945." *Aboriginal Ontario: Historical Perspectives on the First Nations.* (Toronto: Dundurn Press, 1994): 347-48.

[58] Taylor, 346-348. See also Arthur J. Ray, *The Canadian Fur Trade in the Industrial Age* (Toronto: University of Toronto Press, 1990): 93. Ray notes that by 1903 the Révillon Frères were importing over $700,000 worth of trade goods into remote fur trading regions previously dominated by the HBC.

[59] See Ray, *The Fur Trade in the Industrial Age*, 44.

[60] HBCA, A.12/FT 243/1. Chipman to William Ware. 20 May 1904.

[61] The 1905 figure is in "Correspondence regarding the settlement of the Indian claim," 52. The 1906 to 1908 figures are in *Ontario Sessional Papers no. 68*. "The James Bay Treaty, Treaty No. 9." (Toronto: L.K. Cameron, 1909): 11-12.

The following day another $500 worth of food and trade items were sold. G.W. Cockram of the HBC post at Albany sold $1,072 worth of goods on August 4, 1905. One can assume that other posts did a similar business when treaty money was distributed.[62]

POST-TREATY SERVICES

After its completion, post managers continued to take part in Treaty Nine. During the treaty 'negotiations' bands chose the sites they wanted for their reserves. Reserve descriptions were noted in the Treaty report, and shortly thereafter a government surveyor was sent to mark the boundaries. In several cases, in order to arrive at a precise definition of reserve boundaries, the surveyor relied on the advice of post managers. There are two possible reasons why. In some instances, it is likely that the local First Nations population had an imperfect knowledge of English (this was certainly true during the Commissioners' trips), and the post manager provided translation services yet again. Verification was another factor as the surveyor, J.S. Dobie, could not accept statements made by First Nations' chiefs and councilors without confirming reserve boundaries with local HBC employees.[63]

An example is Dobie's survey of the Matachewan Reserve in December 1908. While he related to Indian Affairs that he "left the Indians entirely satisfied with the lands surveyed for them" he could not have done so without the aid of Steve Lafricain the HBC post manager in the area. In 1906 the Matachewan band chose land on Turtle Lake as the site of their reserve. Dobie, however, could not locate the point of commencement described in the treaty, specifically the land "beginning at the creek connecting a small lagoon with the northwest shore of Turtle Lake, thence south on the west shore of the said lake a sufficient distance to give an area of sixteen square miles."[64] In his diary Dobie outlined his efforts to survey sixteen square miles with the Matachewan village at Turtle Lake positioned approximately in the centre. Chief Baptiste told Dobie what the reserve boundaries were to be, but Dobie would not accept the Chief's statement

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[62] Stan Dragland, *Floating Voice: Duncan Campbell Scott and the Literature of Treaty 9*. (Concord: House of Anansi Press, 1994): 48-49.

[63] Dobie also notes in his correspondence with senior Indian Affairs officials that some bands wanted to change their reserves when he arrived in northern Ontario. See J.S. Dobie Memorandum, 17 April 1911. NA, RG 10, Vol. 3105. File 309,350 Part 3. However, in this instance they wanted land to the east of the HBC's Osnaburgh Post, and not to the west as originally asked for during the treaty talks; the location changed but proximity to the HBC post remained important. See *Ibid.* Dobie's 1911 Survey Diary. Telford also notes difficulties with the Osnaburgh reserve. See Telford, 373. Telford outlines later problems with reserves but these difficulties arose primarily out of the provincial government seeking to access mineral resources located on established Treaty Nine reserves. See Telford, 372-384.

[64] *Ibid.* J.S. Dobie to J.D. McLean, 24 September 1908. See also 1906 Treaty Nine Report, 104.

until he conferred with Lafricain. Only after Lafricain confirmed Baptiste's instructions, "that it was understood the [Matachewan] village was to be in the centre of Reserve," did Dobie carry out his survey.[65] The result was that Dobie deviated from the original reserve boundaries outlined in the treaty.

Dobie relied on HBC officials during other surveys. At the north end of Long Lake, on 28 April 1910, Dobie interviewed HBC officials in addition to members of the Long Lake Band "as to the size of the reserve." Finding the description of the reserve as outlined in the treaty correct, Dobie blazed the trees and outlined the boundaries of the Long Lake Reserve.[66] At Fort Mattagmi, Dobie consulted with the HBC manager at that post and the local chief and councilors too. If Dobie agreed with the chief's and councilors he did not record it in his official report, but when he decided to examine the ground in question he went with the post manager. When he found that the description provided in the treaty was correct he turned to "information obtained from Mr. Millar and the Indians themselves who were present when the Treaty was made." Millar also helped Dobie secure local men to help him cut lines through the bush to situate the reserve boundaries.

CONCLUSION

Millar's help for Dobie epitomized the ubiquitous presence and influence of the HBC in the creation of Treaty Nine. Dobie had nowhere else

TBHMS 972.17.64m

[65] *Ibid.* See also Dobie's Survey Diary also in NA, RG 10, vol. 7757, file 27044-1.

[66] *Ibid.* Dobie to McLean, 31 May 1910.

to turn for aid while surveying these reserves, and was as dependent on the Company as the Commissioners' party was. Wherever government Commissioners or surveyors worked to create Treaty Nine, the HBC was involved in some manner: transportation, supplies, providing a crew, translation services, or aiding in the survey of reserves. Historians have written a great deal about the roles of the provincial and dominion governments, First Nations and resource companies within the context of Treaty Nine. Their concern with the relatively recent and more lucrative resource industries of mining, logging and hydro-electric development has led them to overlook the first northern company, the HBC, and its influence on the creation of Treaty Nine. Fur traders were in the north long before government officials and commissioners ventured into the bush. They were the northern experts (next to First Nations people themselves) that Indian Affairs could draw upon. Through its direction, and its relationship with First Nations, the HBC influenced Treaty Nine. Without the Company's aid the treaty would have been long delayed in its creation. If the treaty did not ultimately provide the protection the HBC sought, it was not due to a lack of effort on its part. It was as much a prisoner of the coming changes in the north as the First Nations who signed Treaty Nine.