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FINAL REPORT

of the

Commissioner appointed to investigate certain charges made by the halfbreed residents of the United States against R. C. Macdonald.

Hon. Frank Oliver P. C.

Minister of the Interior,

Ottawa.

Sir:

Following up my interim report herein of the 18th August 1905, I now beg to present my final report to you for the information of His Excellency, The Governor General in Council. I forward herewith four typewritten copies of the evidence given at the Commission.

After a careful consideration of this evidence and remembering the demeanor of the witnesses and other circumstances during the sittings of the Commission, I feel amply justified in finding that the charges of misconduct, misrepresentation and fraud made in the two petitions forwarded to your Department against the said R. C. Macdonald and his agents were fully and clearly disproved.

It would appear that a large ^{number} ~~majority~~ of the half-breeds who signed the said petitions were ignorant of the

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contents thereof, and were induced to sign same by disappointed scrip buyers, having selfish motives to serve, and many of the petitioners were under misapprehension as to the purposes of said petitions.

So far as I have been able to ascertain, the said R. C. Macdonald and his employees were not guilty of practicing any deceit, fraud or misrepresentation in their transactions with the halfbreeds in question, and the charges made against them were almost wholly unwarranted.

In a few instances, however, that came under my consideration, and hereafter particularly referred to, there are doubts as to whether the halfbreeds clearly understood the nature and intent of the documents signed by them for Mr. R. C. Macdonald, and in order to give them the benefit of such doubt and do them ample justice, I have decided to recommend that their scrip be recalled or held pending further consideration and action.

In addition to the suggestions preferred in my previous report the only other cases calling for observation are the following:-

Leon Poltras, File No. 981978.

I would recommend that this man's scrip be delivered to himself. He was not of age when dealing with Macdonald and his scrip has not been issued yet.

Minnie Poltras, File No. 94731.

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Macdonald holds this scrip, but has not yet paid for it. She sold it to him for \$200 and he is ready to pay for it, but she wishes to go back on her bargain with him. She is an intelligent woman, and I think perfectly understood the bargain and should be satisfied to carry it out as agreed.

John B. Lattergrass, Sr. File No. 771157.

With further reference to this case I would recommend that the scrip be held until the claimant repays to R. C. Macdonald \$10 and Alex. Leaperance \$20, and thereupon the scrip be delivered direct to John B. Lattergrass Sr., or the legal representatives of the deceased halfbreeds entitled thereto.

Re Garielpp. File No. 954478.

It appears that Frederick Garielpp, the administrator of the estate of the three deceased relatives, is not competent to properly discharge his duties. I would therefore recommend that these three scrip be re-called and held until all the heirs furnish a release of their claims thereto and direct as to a disposition thereof.

Re J. Baptiste Beaugrand dit Champagne.

File No. 947335.

This man claimed scrip for three children, viz: Marie Florestine, Maxime and Za ther. One scrip was issued for Marie Florestine and he sold it to Macdonald and received his money and seemed satisfied. No undue advantage was taken

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of him by R. C. Macdonald or his agents.

Re Marie Anestesia Morin, File No. 951225.

This woman was granted five scrip as administratrix of the estates of deceased sons. She sold her scrip to Macdonald, and after being served with writ in suit for specific performance she settled and accepted \$1,000. I submit that her case does not call for further action.

Re Angelique Davis, File No. 966397.

Scrip issued but not delivered. I believe she signed the order and agreement of sale to Macdonald, though she emphatically denied doing so. However, in case she may have misunderstood the true meaning and import of the documents I respectfully recommend that the scrip be delivered to herself.

Re Pierre Morin, File No. 947415.

This man settled with Macdonald at \$240 and received the money. He has no reasonable ground for complaint.

Re Pierre Laverdure, File No. 940005.

He was awarded three scrip for three deceased children and sold them to Macdonald, who paid him \$600 for same. Mr. Laverdure has no reasonable ground for complaint.

Re Antoine Ouillette, File No. 947449.

The two scrip awarded this man for deceased sons, Jean Marie and Albert have been delivered to him by Mr.

Macdonald. This complaint is, therefore, satisfactorily settled.

Re John Baptiste Davis. File No. 985845.

R. C. Macdonald purchased from this man the scrip to be issued for two deceased sons, Joseph and John Baptiste, and when these are issued the scrip should be delivered to Macdonald. Mr. Macdonald makes no claim to the claimant's scrip for daughter Philomene.

Re Laurent Duchesne. File No.

This man claims two scrip. One re deceased daughter, Marie Rose and one for daughter Marie Virginie. The scrip are not issued yet. The daughter Marie Virginie is now of age and entitled to her own scrip. The other scrip was sold by Mr. Duchesne to Mr. Macdonald. Notwithstanding this man's denial under oath that he put his mark to the order and assignment, I am satisfied he swore falsely. To my mind no unlawful or wrongful means were adopted to procure his signature or mark on the sale of his scrip. Therefore, I recommend that the scrip due Mr. Duchesne re his daughter Marie Rose be delivered to Macdonald according to order on file.

Re Therese Beaupre Boyer. File No. 947557.

This claimant's scrip is held by the Department. Her chief complaint was that Macdonald had her scrip. In this

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she was mistaken. No valid reason was advanced why her assignment to Macdonald and order for her scrip should not be held good.

Re Sarah Smith, nee Beaugrand. File No. 947563.

Re Rose Descateau nee Beaugrand.

These two sisters have no reasonable complaint. They each accepted \$215 in presence of relatives in full settlement for the scrip sold to Macdonald.

Re Jean Marie Beaugrand. File No. 947063.

This man accepted \$250 for his scrip and was settled with on that basis. He should be satisfied.

Reviewing the whole conduct of R. C. Macdonald and his agents in their dealings with these halfbreeds in the light of the sworn testimony and the documents produced, I have no hesitation in reporting that such conduct was generally fair and honorable, and ~~so~~ they should be honorably acquitted of any misrepresentation, dishonesty or fraudulent practice in obtaining from the halfbreeds the assignments and orders for their scrip claimed by them under the Order-in-Council of the 13th August 1904.

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All of which is respectfully submitted.

J. A. McPherson

Commissioner.

Dated at Winnipeg, this
5th day of October 1905.

INTERIM REPORT

OF THE

COMMISSIONER APPOINTED TO INVESTIGATE CERTAIN CHARGES MADE BY
HALFBREED RESIDENTS OF THE UNITED STATES AGAINST R. C. MACDONALD

HON. FRANK OLIVER, P. C.,

MINISTER OF THE INTERIOR,

OTTAWA.

Sir:-

By authority of a Commission issued to me under the Great Seal of Canada bearing date the twenty-first day of June, A.D., 1905 directing me to hold an inquiry at the Village of Killarney in the Province of Manitoba respecting charges made by the Half Breed residents of the United States against R. C. Macdonald, I beg to present an interim report to you for the information of His Excellency, The Governor General in Council.

Meetings of the said Commission opened at Killarney on Tuesday, the twenty-fifth day of July A.D., 1905 at ten o'clock in the forenoon. There were present as counsel representing the Crown Mr. Hugh Phillipps, afterwards assisted by Mr. A. G. Hay, as counsel representing some of the petitioners and other complainants, Mr. H. W. H. Knott; as counsel representing the said R. C. Macdonald Mr. H. W. Howell, K.C. and Mr. F. H. Phippen. Several hundreds of the Half Breeds and others interested, including men, women, and children, attended in the town and at the hall during the sittings.

The Commission held sittings and heard evidence on the 26th., 26th., 27th., and 28th. days of July and on the 3rd., 4th., 5th., 7th., 8th., and 9th. days of August and every opportunity was given to all persons appearing before your Commissioner to make their complaints. The argument of Counsel was heard in Winnipeg on Friday, the 11th. August.

Mr. James Perkins was appointed and acted throughout the investigation as official stenographer and reporter having previously been sworn to discharge these duties faithfully and accurately.

Messrs. Joseph A. Marion, Joseph Brien, Alex. DeLaronde and Joseph Morin were sworn and acted as Interpreters on different occasions during the inquiry.

At the opening session the commission and petitions were read over and explained to the large number of persons in attendance in the English and French languages.

The names of the Petitioners were then called but only a few of them were found to be present but all were invited to remain and present any complaints they might have against R. J. Macdonald or any other person.

Forty-eight persons gave evidence and their testimony was taken down by the Stenographer and will be extended and typewritten and be forwarded to you in about five weeks.

Evidence was adduced concerning the scrip which has been issued and which has been sent to Mr. Macdonald for the following persons, namely:-

Minnie Poitras-for self. File 94731.

Frederick Garriepy-as Administrator to the Estate of deceased brother and sisters, Jean Louis Garriepy, Marie Cecile Garriepy, and Marie Ernestine Garriepy- File 952478

Jules Marion-for Self. File 947555.

Jean Baptiste Beaugrand dit Champagne, for deceased daughter, Marie Flérestine Beaugrand- File 947552.

Marie Anastasia Morin-as Administratrix to the Estate of deceased sons Joseph Amyotte, Joseph Antoine Amyotte, Charles Bruno Amyotte, John Amyotte, and Theodore Amyotte- File 951225.

Pierre Morin-for Self. File 947455.

Pierre Laverdure-for deceased daughters, Angela and Elise Laverdure, and deceased son, Hermingilde Laverdure-File 948065.

Antoine Guillette-for deceased sons, Jean Marie and Albert Guillette- File 947449.

Sarah Smith, nee Beaugrand-for self. File 947553.

Jean Marie Beaugrand-for Self. File 947553.

Rose Du charmo (or Descooteau) nee Beaugrand-for Self

William Delorme-for Self

John Guillette-for Self. File 947447.

Ge Napoleon Robinson-for Self. File 671479.

Leonard McKay-for deceased daughter, Marie Rose McKay

Pierre Gobell-for Self. File 951752.

Benjamin Klyne-for deceased sons, Alexander and Albert Klyne, and deceased daughter, Marie Virginia Klyne-File 947495.

Agenor Lafontaine-for Self.

Evidence was also adduced respecting the scrip of the following persons to whom, according to the returns placed before me, scrip has been issued but has not been delivered by the Department, namely:-

Therese Boyer, nee Beaugrand

Angelique Davis, nee Turcotte-File 956397.

Of the persons first mentioned to whom scrip has been issued and delivered to R. J. Macdonald, William Delorme appeared and gave evidence before me and stated that he sold his scrip to Macdonald and has received payment and had no complaint to make.

Jules Marion appeared before me and gave evidence that his scrip had been issued and he had agreed to sell to Macdonald and he had been paid in full and he can have no complaint to make.

Agenor Lafontaine appeared before me and testified that he had refused to sell his scrip to Macdonald for \$200. but that he subsequently sold it to a man named Jouture for \$250., the consideration for which he has duly received and he can have no further claim upon this scrip.

Jean Marie Beaugrand testified amongst other things that he had agreed to sell his scrip to Macdonald for \$250. and admitted that he had received the price agreed upon.

Leon Poitras (File 981978) negotiated a sale of his Scrip by letter to R. J. Macdonald for \$300. but scrip has not issued yet.

John B. Lattergrass Sr. claims scrips as heir of deceased brother and daughter, Jerome Lattergrass and Marie Rosalie Lattergrass respectively (File 771167). Scrip not allowed yet. He also claims scrip for four other deceased children (Files 999616-18-20 as.)

Locadie, Florestine, Elizabeth and Nancy, but he testified that these four children were all born in the United States. These are, therefore, not entitled to scrip.

John B. Lattergrass, Jr. sold his scrip to R. J. Macdonald but never applied for it. None issued.

Marie Matilda Jollibois (File 983843) appeared and gave evidence but it turned out her application for scrip had been disallowed.

Olivine Marcell-her claim for scrip has also been disallowed.

Letters were received from Capt. John H. Allan regarding the claims for scrip of Marie Philomene Ouellette (Mrs. Wells) and Angelique Botineau (File 12333 A). Mr. H. Acheson of Saskatoon also wrote regarding Mrs. Wells' claim. I understand these claims were not allowed by the Department of the Interior and R. J. Macdonald makes no claim to their scrip.

John Baptiste Davis (File 983845) claims as heir of two children, Philomene Davis and Joseph Davis. Scrip sold to R. J. Macdonald but not issued yet.

Laurent Duchesne claims as heir and representative of two daughters, Marie Rose and Marie Virginie. The former is dead but the latter is now over 21 years of age. Scrip not issued yet.

John Baptiste Pelletier testified that he sold his scrip to R. J. Macdonald and was satisfied.

Joseph Ducharme (File 983835) had no complaint.

Antoine Hainault signed the petition against R. J. Macdonald. He agreed to sell his scrip to R. J. Macdonald at highest market price. Scrip not issued yet. He has no complaint.

The chief feature of the complaints of the above named John Ouellette, George Napoleon Robinson, Leonard McKay, Pierre Robell, and Benjamin Klyne, all resident in Montana, is the fact of the great delay that has taken place in paying them for their scrip.

There was no evidence of any nature or kind produced before me respecting any of the other scrip for which Macdonald had orders and which has been issued and delivered to him or issued and not delivered.

The evidence given at the Commission and taken down in shorthand has not yet been extended and the Reporter informs me it will be four or five weeks before this can be done. It will be impossible for me to make my findings upon the evidence as to the scrip involved in this commission of the other complainants above named until the shorthand notes are extended. I make this special interim report at the request of Mr. Macdonald for the consideration of the Minister.

Dated at Winnipeg this 18th day of August, 1906.

J. H. Hill

Commissioner.