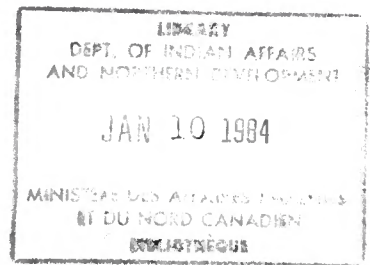


THE METIS AS FACTOR
IN THE EURO-CANADIAN
DEVELOPMENT OF THE
CANADIAN WEST

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The Métis as a Factor in the Euro-Canadian
Development of the Canadian West

It is the concensus of opinion that the Western Métis were generally an impediment to the Euro-Canadian development of the Canadian West, and that such development took place in spite of the Métis. It has also been argued that both Métis rebellions were regressive rebellions; that is, they were struggles not to create something new, but to hold on to what they regarded as ancient rights and privileges.* While it is true that the Métis fought in both rebellions to protect what they considered their rights, it is also true that they fought to create what they considered a "New Nation" - neither Indian or Euro-Canadian, but uniquely Métis, and that the western provinces of Manitoba, Saskatchewan and Alberta emanated directly from these attempts. As D. Bruce Sealey pointed out,

"The isolation of the West allowed for their evolution, in contrast with the mix-bloods of the East who were assimilated almost as quickly as miscegenation created them, into either the Indian or European cultures".¹

Hence, the key factor in any review of Métis history is their intense nationalism and to better understand the Métis place in Canadian history, it will be necessary to trace the growth of this nationalism.

It has been suggested by D. Bruce Sealey, author of The Métis: Canada's Forgotten People, that the first Métis or halfbreed (the two names are interchangeable insofar as Métis usually referred to those persons of mixed-blood who spoke French, while half-breed or country-born referred to English-speaking mixed-bloods) appeared within nine months of the first European contact

1. D. Bruce Sealey and Antoine S. Lussier, The Métis: Canada's Forgotten People, Manitoba Métis Federation Press, Winnipeg, 1975, p. 9.

* See A.S. Morton. History of the Canadian West to 1870-71; George F.G. Stanley. The Birth of Western Canada (esp. Pp. 8-9, 18) and Louis Riel; Joseph Kinsey Howard. Strange Empire: Louis Riel and the Métis People; Howard Adams. Prison of Grass; and D. Bruce Sealey and Antoine Lussier ed. The Métis: Canada's Forgotten People.

with North American Indians. Whether this statement is historically correct or not, the fact remains that the high degree of Métis nationalism in the West, and indeed their creation, derived from the terms of the original Hudson's Bay Company Charter of 1670. In 1670 Charles the Second granted the Governor and Company of Adventurers of England trading (sic) into Hudson's Bay (hereinafter referred to as the Company) an exclusive charter, giving them not only

"the sole Trade and commerce of all those Seas Streights Bayes Rivers Lakes Creekes and Soundes in whatsoever Latitute they shall bee that lye within the Streights commonly called Hudson's Streights together with all the Landes Countryes and Territoryes upon the Coastes and Confynes of the Seas Streights Bayes Rivers Lakes Creekes and Soundes aforesaid²

but also

"The Grantes Libertyes Priviledges Jurisdictions and Immunityes"

of this immense area. The Company was thus supplied with a monopolistic control on trade, the total ownership of land, and an exclusive power to make laws and govern this area. During these early years, the Company kept itself primarily on the coastal waters of Hudson's Bay. The Indians were expected to bring their furs to the Company posts to trade, and the Company depended on their exclusive franchise to keep interlopers out. It was inevitable that the French would also take advantage of this opportunity, and as early as 1671, French trading parties moved into the area. These parties had an advantage over the Company in that they were willing to go directly to the Indians.³

As both the Company and the French traders began extensive fur exploitation of the Territory, the various traders, workmen, and representatives began to take Indian wives and concubines. This not only eased the loneliness but it made good business sense:

2. Charters, Statutes, Orders-in-Council, etc. relating to the Hudson's Bay Company, London, Hudson's Bay Company, 1931.

3. Douglas Hill, The Opening of the Canadian West, Longman Canada, Don Mills, 1967, Pp. 5-7.

An Indian Squaw [sic] provided valuable contacts with the Indians who had furs to dispose of.⁴

Marriage to an Indian woman became a trading necessity, and as more and more traders of the Company, various competing enterprises, and independents realized this advantage, the number of mixed-blood children increased. Mixed-blood offsprings were originally classed as either Indians or whites.

"the children of such a union were usually the mother's responsibility and when abandoned (as was usually the case when the trader returned to England or Canada) she had nowhere to turn except to her Indian kin".⁵

If it happened that the European father took an interest in his mixed-blood progeny, he might have them educated in Canada or England, thereby ensuring that his offspring was at least in part sociologically "white" (i.e. viewed by themselves and others as non-Indian because of the role they assumed or hoped to assume in society).

This rather haphazard state of affairs continued until 1770, when the Company passed regulations to the effect that employees must marry and maintain support for their Indian or Métis mates "either by Indian or British ceremony."⁶ This regulation had two very important effects. Firstly, it stabilized these marriages, ensuring that both the Indian mother and European father would bring up their children. The mixed-blood children would absorb both the Indian and European culture, combining both to create the Métis culture. From their mothers, these children learned Indian modes of trade and various types of Indian culture, language, and ceremony. From their fathers, they learned reading, writing, and mathematics in French and/or English. Secondly, these educated Métis provided a core around which nationalism could take root and flower. In a colonial situation, it is imperative to have such an "intelligentsia" who can formalize and direct popular discontent.

4. G.F.G. Stanley, Confederation 1870: A Métis Achievement, Unpublished paper delivered at the University of Winnipeg in 1970.

5. D. Bruce Sealey and Antoine Lussier, ed. The Métis: Canada's Forgotten People, Manitoba Métis Federation Press, Winnipeg, 1975, P. 7.

6. Ibid. P. 6.

Most social change movements of the past have been lead, or at the very least, inspired by the intelligentsia. Cuthbert Grant, for example, who received his initial schooling in Montreal and further instruction in Scotland, founded the Métis settlement at Grantown, now known as St. Francois Xavier. Furthermore, during the pemmican war the North West Company appointed Cuthbert Grant as captain of the Métis and made other prominent Métis employee officers. After his appointment Grant worked solely for the ideal of a New Nation. With this ideal he stands at the beginning of the new nation as Louis Riel stands at the end. Riel, son of one of the leaders of the free trade in furs movement of the forties, received his early education in St. Boniface and for several years attended the College of Montreal. Riel did not stir up the métis to the insurrection which occurred in 1869; he only assumed the leadership of the discontent. His education, his eloquence in both French and English, and his ability marked him at once as the natural leader of the half-breed malcontents. The intelligentsia, therefore, in creating a theory and ideology regarding their oppression, lead the way in acceptance of such an ideology and form an indispensable part of any social change group.

During this period of growth for the Métis, the Company was engaged in a commercial war with the French. The Company persisted in its policy of remaining on the coast of Hudson's Bay and only managed to stay ahead of the French traders by offering goods of better quality, especially cloth, iron-ware, and tobacco,⁷ and also because the Company's trading routes were shorter. The French, however, did offer one item of trade which the Company would not handle and this was alcohol. It was easier to transport over the long trade routes the French were forced to use and many tribes soon developed quite a taste for it.⁸

This war rapidly ended in 1763 when the Treaty of Paris ceded Canada to the British. Learning their lesson from the French, the Company developed a policy of moving inland. With this expansion, the necessity of traders, workers, and representatives who knew the country, became clear.

7. Douglas Hill, op. cit. p. 6.

8. Ibid. P. 11.

The Métis quickly proved of immense value to the Company. They could trade with the various tribes and bands on a familial basis in the Indian's own language. They also took over the Company's enormous transportation needs by starting and running canoe and cart routes all over the vast country. Their real forte came, however, with the provisioning of the various Company forts and posts. The provisioning of such forts and posts from Canada was prohibitively expensive, and the traders were urged to secure as much of their food as possible from the countryside. The Métis, having learned the technique from the Indians, were most adept at buffalo hunting and the rendering of buffalo meat, skins, and pemmican. They became the natural choice as "food-getters" for the company. Some Métis eventually attained high positions in the Company's service, becoming interpreters, factors and traders, some even rising to command ranks. (e.g. Moses Norton, a mixed-blood, who became the governor for Churchill in 1759.)⁹

As soon as the Company expansion movement got underway, however, they soon discovered that the interior had already seen traders in the form of French, Scots, English or American independents known as "Pedlers."¹⁰ These Pedlers, like the French traders before them, used alcohol as their chief trading item. Because of the dangers involved in trading alcohol with the Indians and the constant pressure from the Company to leave Rupert's Land, these independent traders formed a trading partnership in 1784 known as the North-West Company.

For the next thirty years, a low-key commercial war was carried on between the Company and the Northwesters. Bullying, beatings, and the occasional arson was the order of the day. The Company was reluctant to enforce it's Charter in a British court of law as, during that time, national policy in England was moving away from the great trading monopolies toward economic liberalism; hence, the competition between the two companies was of the rawest kind. The Métis took no particular interest in these proceedings until 1813, with the arrival of the Selkirk Settlers into the Red River District of Rupert's Land. This started the "Pemmican War" into earnest.

9. D. Bruce Sealey and Antoine Lussier, ed. The Métis: Canada's Forgotten People, P. 8.

10. Douglas Hill, op. cit.

The major reasons for this outbreak were: firstly, a permanent settlement, attained by "improving" the land through land drainage and deforestation, would have meant a decline in the number of fur-bearing animals, and the North-West Company was certainly opposed to that. Secondly, the land given to Selkirk by the Company was straddling the Northwesters main transportation routes, and a Company colony would have blockaded the Northwesters from their eastern markets.¹¹ At this point the Métis rapidly became involved in war. The price fluctuations attendant to the commercial competition gave the Métis a sellers market and they sold furs and provisions to whichever company had the better price. The Company, which had long enjoyed an effective monopoly on the "trade and commerce" in the Territory, retaliated by declaring that only the Company could purchase pemmican, the staple food in the Territory and a mainstay of industry among the Métis. This move aroused the "Free Trade" sentiments among the Métis, and in the over-simplifications that occur in war, they looked towards the Company's rival, the Northwesters, as the protectors of "Free Trade" and as their natural allies.

The Northwest Company did much to incite their newly-acquired allies:

"... the Nor-westers carefully fostered the idea of half-breed territorial rights and informed ... Métis that the white settlers were interlopers who had come to steal the land from them."¹²

After much bloodshed, the war ended with the Northwesters being absorbed by the Company in 1821. The Métis had won insofar as the ban on the pemmican trade was lifted, an advisory body was set up to aid the Company Governor in running the Territory, and they had acquired and maintained a sense of identity. Historian George F.G. Stanley explains,

"Many of [the Métis] regarded themselves as the advance guard of a new economic and political order."¹³

11.D.Bruce Sealey and Verna Kirkness, Indians Without Tipis, Manitoba, William Clare Limited, 1973, P. 44.

12. G.F.G. Stanley, The Birth of Western Canada, Toronto, Ryerson Press, 1968, P. 1

13. G.F.G. Stanley, Louis Riel, Toronto, Ryerson Press, 1968, P. 45.

Hence, as the first quarter of the nineteenth century ended, the Métis had established themselves as the most influential group in the North West. D. Bruce Sealey suggests in Statutory Land Rights of The Manitoba Métis that:

"They had adapted some of the technology of Europe to the prairie environment. The buffalo hunt had been established as a commercial venture and Red River carts were opening the trackless plains as the canoes and York boats had opened the waterways. The first major conflict had arisen between the Métis and the incoming European settlers. Although, neither side won a decisive victory, a new respect and caution was obvious when Europeans dealt with the Métis. Churches and schools had entered the West and the refining influence of both was becoming apparent. Now most Métis had access to these services rather than just the privileged few as in the past. Many at Pembina, St. Boniface and Grantown were becoming a farming as well as hunting people. More and more inter-marriages between Europeans and Indians were taking place as the White male population increased. Thus the mixed blood people grew rapidly in numbers. The homes of these people would be Rupert's Land, for in all of British North America, it was the only place where to be of mixed blood was to be of the majority group and therefore socially acceptable".¹⁴

In addition, the Métis, because of their nomadic mode of life, did not establish elaborate social and political structures which are usually required even in a frontier society. Each Métis male had a direct hand in the running of his community's affairs. George Woodcock, author of Gabriel Dumont, in quoting Alexander Ross, an early fur trader and historian who lived among the Métis, relates:

"'Like the American peasantry, ... these people are all politicians, but of a peculiar breed, favoring the barbarous state of society and self-will; for they cordially detest all the laws and restraints of civilized life, believing all men were born to be free. In their own estimation they are all great men, and wonderfully wise; and so long as they wander about on these wild and lawless expeditions, they will never become a thoroughly civilized people, nor orderly subjects in a civilized community. Feeling their own strength, from being constantly armed, and free from control, they despise all others ... They cherish freedom as they cherish life".¹⁵

Woodcock goes on to say:

14. D. Bruce Sealey, Statutory Land Rights of the Manitoba Métis, Manitoba Métis Federation Press, Winnipeg, 1975, P. 37.

15. George Woodcock, Gabriel Dumont, Edmonton, 1975, Pp. 35-36. . . . 8

"Lawless perhaps in the technical sense of possessing no ... structure of government, no immutable code of laws, and yet the descriptions of Ross himself and many other observers agree on the splendid organization of the buffalo hunt, which was achieved by voluntarily agreeing on a series of rules and restraints which everybody accepted and observed. Nor should the degree of mutual aid which was shown during the hunt be overlooked, for most of the best hunters would give away much of the meat they killed to the poor or incapacitated people who accompanied every expedition. Perhaps the Métis attitude can best be defined as one of anarchic egoism, tempered by mutual respect among the strong and by generosity towards the weak."16

The Company monopoly was intact once again, but not for very long. Métis products were finding a new market in the United States. With American western expansion underway, the state of Minnesota began to develop and open trade. Since the closest centre of trade was the Red River District, it was natural that they would open a brisk trading business there. The "rub", at least to the Company, was that the Americans preferred to deal with the Métis whose prices were cheaper. The Company, in order to stop this trade, brought in a new set of restrictions on trade; no one could trade in buffalo hides, meat pemmican, or furs obtained in the Territory with anyone except the Company. Try as they might through the advisory body, the Council of Assiniboia, the Métis failed in having the regulations altered. Any decision by the Council was regarded as advice by the Governor who could overrule it at any time. All this gave rise to a smuggling trade into the United States which soon rivaled the buffalo chase in interest among the Métis.

This situation changed in 1849 when

... the Métis of the Red River ... broke the trade monopoly of the Hudson's Bay Company for forcing the Recorder's Court (The Company's court of law in the Territory) to acquit Guillaume Sayer, a Métis, on charges of breach of Company regulations (smuggling buffalo skins) ... The Company would no longer impose its monopoly on the Métis community." 17

16. Ibid, P. 36.

17. D. Bruce Sealey and Verna Kirkness, Indians Without Tipis, Manitoba, William Clare Ltd., 1973, P. 46.

Thus, when the new Dominion of Canada "secured" the Northwest Territory from the Hudson's Bay Company in 1870, the Government was confronted by a people with a high and idealized sense of nationality, capable of defending what they believed was theirs. The fact remains that the Métis were determined to be considered as a separate and unique people.

Canada was eager to secure this vast Territory so that Americans could be kept out. It was the north-westerly movement of the American frontier of settlement that brought home to Canadians the urgency of securing the north-western territories for British rule. Historian George F.G. Stanley comments in The Birth of Western Canada

"St. Paul had become the distributing centre for the Red River Settlement and the overland route via the United States had displaced Hudson Bay as the principal Trade route to the interior of the British North-West... The Americans were, as a rule, anti-British and strongly biased in favour of republican institutions, and the doctrine of 'manifest destiny' was a powerful force in American politics. Peaceable American penetration had been the preliminary step to the annexation of Oregon and Texas, and it was not beyond the bounds of possibility that Rupert's Land and the North-West might go the same way."18

In addition, the revival of Canadian interest in the North-West was influenced by economic as well as political considerations. Fear of U.S. annexation spurred Toronto's business community to apply pressure towards westward expansion, in order to preserve the area's wealth for Canadian business and their British allies. Toronto "Imperialism", while introduced by George Brown's Clear Grits* at a Liberal Convention in 1849, required the settlement of 1867, to relieve French Canadian fears of a huge addition to Canada West, to create a larger credit base, and to erect a strengthened political centre from which to exercise political control. Finally, as Professor J.M.S. Careless has illustrated:

"Brown used the North-West agitation to complete the re-unification of Upper Canada's liberal party, merging Toronto urban and business leadership with Clear Grit agrarian strength in a dynamic party front."19

Shortly after Confederation the Government of Canada embarked on a program of national economic integration of which the three basic components were: the settlement of the North-West; transcontinental transportation; and industrialization by protective tariffs. Early in its history Manitoba felt the impact of policies formulated to

18. George F.G. Stanley, The Birth of Western Canada, Toronto, University of Toronto Press 1968, P. 24.

19. J.M.S. Careless, The Union of the Canadas: The Growth of Canadian Institutions, 1841-57, Toronto, 1961, P. 206.

* After the realignment of political groups in 1854, the Clear Grit tradition in Canada West was the central core around which the Liberal Party of the 1860's and succeeding decades was formed. The Clear Grit movement included essentially some pre-1837 rebellion radicals and also an increasing number of new recruits and others attracted from Robert Baldwin's Reform camp.

implement the program. As H. Douglas Kemp argues in "Land Grants Under the Manitoba Act",

"The Manitoba lands were the first to be prepared for settlement by the projection of the township survey system; the first to be settled upon under the homestead regulations; and the first to be affected by the railway land reserve policies. These elements of the transcontinental development plan were in the trial and error stage during the years when the Manitoba land claims were demanding attention.²⁰

Furthermore, when the half-breed grant system was about to be put into effect prairie fires and the Fenian "raid" delayed its progress. Again, in 1873 with the defeat of the Macdonald Government, the new Liberal regime under Alexander Mackenzie was concerned primarily with the building of the CPR. In its early stages, then, the half-breed grant system was clearly overridden by policies of national concern.

The Métis themselves were more circumspect about union with Canada. The Company had already started preliminary negotiations with Canada without informing the Métis, thus putting the proposed union in a bad light. There were two major points which further concerned them. Firstly, if the Territory entered and continued as a Territory in Confederation, all the lands the Métis considered their own would be open for homesteading. Since the Métis did not have a deed system (and by the provisions of the original Hudson's Bay Company Charter, were squatters on any land they might have settled without Company permission), they could not prove their land titles and would be forced either to homestead what they considered their own land or sign treaty as Indians. Secondly, they feared that by living in a Territory they would not be allowed local legislatures or representation in the Canadian Parliament.

To present their ideas before the Canadian government, the Métis required some form of political organization. They were fortunate that a year lapsed between the time of the Company's surrender and Royal Assent to the imposition of Canadian jurisdiction (1870). Legally speaking, for that year, the Territory was without a government. In such circumstances, it is entirely legal for the people of a country to establish one, as was pointed out by Sir John A. Macdonald:

"... it is quite open by the Law of Nations for the inhabitants to form a government ex necessitate for the protection of life and property, and such a Government has certain sovereign rights by the jus gentium ..."²¹

20. H. Douglas Kemp, "Land Grants Under the Manitoba Act", Historic and Scientific Society of Manitoba: Papers, Series 3, no. 9, 1954, P. 33.

21. George F.G. Stanley, The Birth of Western Canada, Toronto, University of Toronto Press 1968, P. 85.

The Métis proceeded:

"(Louis) Riel assumed leadership and called a convention in 1869 for the purpose of uniting the whole body of mixed blood settlers who formed over eighty percent of the population of Red River, in a demand that Canada negotiate with them the terms of the Canadian Confederation ... Riel on December 8th issued a 'Declaration of People of Rupert's Land and the Northwest' to the effect that, since the Hudson's Bay Company had, without the consent of the settlers, sold the country to a 'foreign power' the people of the Red River were, in absence of any legal authority, free to establish their own government' and hold it to be the only 'lawful' as well as 'effective' government in the Red River.

Riel called another convention of French Métis, English half-breeds and (the few) French and Scotch settlers, which met on January 25th 1870 ... a new List of Rights was drawn up and ... a provisional Government established under the presidency of Louis Riel." 22

This "List of Rights" included the following provisions:

1. An elected local legislature
2. Representation in the Canadian Parliament
3. Appropriation of public lands for roads, schools, etc.
4. The official languages to be French and English.
5. Winnipeg to be connected with the nearest railway.
6. Steamboat connecting Lake Superior and Red River within five years.
7. The franchise to be granted to every man over twenty one.
8. Confirmation of all existing privileges, customs and usages."23

The ensuing arguments culminated in the rebellion of 1870. On 2 May 1870 the Manitoba Act, incorporating most of the features of the Métis List of Rights, was introduced into the Canadian House of Commons by the Prime Minister, Sir John A. Macdonald. Ten days later, it received the Royal assent. The Métis viewed the passing and Assent of this Act as a great victory. Indeed Louis Riel, who by this time was in exile in the U.S., was reported as saying,

"No matter what happens now, the rights of the Métis are assured by the Manitoba Act, this is what I wanted, my mission is finished." 24

22. A.E. St. Louis, "Powers of Half-Breed Commissioners to grant discharges from Treaty to English-speaking Half-breeds and French-speaking Métis", Public Archives of Canada, 1954, P. 2.

23. Ibid.

24. G. Dugas, Histoire de faité one préparé la mouvement des Métis à Rivière Rouge in 1869, Montréal, Librairie Beauchemin, 1905, P. 192. (Translation).

It should be pointed out here that before the acquisition of Rupert's Land and the North-Western Territories (also known as the Districts) by Canada in 1870, Métis involvement in Treaty or land cession activity was extremely limited. Government authorities considered mixed-blooded people to be either non-native, unable to take part in Indian treaty exercises but able to enjoy the privileges and responsibilities of citizenship, or as Indians who could participate in treaty but were unable to enjoy citizenship. The question still remains whether mixed-blood people have any valid aboriginal rights claims to lands not dealt with by Treaty activity or by the Royal Proclamation of 1763.

Prior to 1870, all major land cession exercises had been confined to pre-Confederation Upper Canada.* One of the first attempts to deal with people of mixed-blood occurred during the negotiations of the Robinson-Huron and Robinson-Superior Treaties of 1850. The Honourable W.B. Robinson wrote to Col. Bruce, Superintendent-General of Indian Affairs, that two chiefs had insisted that

"... I should insert in the treaty a condition securing to some sixty half-breeds a free grant of land of one hundred acres of land each." 25

However, because the Province of Canada preferred a final settlement to the Indian question in the Lakes area and did not wish to include a new class of people into the treaty and reserve system (a policy followed today as well) Robinson informed the chiefs that he was not empowered to treat the halfbreeds as a separate group from the Indians. However, he did allow some of the halfbreeds to enter Treaty as Indians.²⁶

The Manitoba Act, in keeping with the aspirations of the Métis, provided for the creation of a new province to be called Manitoba. This new province was to have two members in the Canadian Senate and four in the House of Commons (both to increase with population), manhood suffrage, a provincial legislature, two official languages of French and English, provisions for the extinguishment of the Indian title, and most significant of all to the Métis, a grant of land to be issued solely for the use of the Métis. The provision

25. Alexander Morris, The Treaties of Canada with the Indians of Manitoba and the North-West Territories, Toronto, Bedford Clarke and Co., 1880, P. 18.

26. Ibid, P. 16.

* with the possible exception of the Hudson's Bay Company, which initiated treaty exercises in the Red River District (Selkirk Treaty, 1817) and on Vancouver Island (by Governor Douglas 1850-54).

dealing with this reads:

"31. And whereas, it is expedient, towards the extinguishment of the Indian title to the lands in the Province, to appropriate a portion of such ungranted lands, to the extent of one million four hundred acres thereof, for the benefit of the families of the half-breed residents, it is hereby enacted that, under regulations to be from time to time made by the Governor General in Council, the Lieutenant-General shall select such lots or tracts in such parts of the Province as he may deem expedient, to the extent aforesaid, and divide the same among the children of the half-breed heads of families residing in the Province at the time of transfer to Canada, and the same shall be granted to the said children respectively, in such mode and on such conditions as to settlement and otherwise, as the Governor General in Council may from time to time determine." 27

Although the Métis were content with the Manitoba Act insofar as the Act provided for the creation of the province of Manitoba, there were two major points regarding the Métis land that were later to cause friction. One was that, in spite of the wishes of the Métis to be recognized as a separate and distinct race from the Indians, the land grant was based upon their Indian blood. On 2 May 1870 Macdonald, in introducing the Bill to the House of Commons, suggested the following:

"... the reservation (sic) ... is for the purpose of extinguishing the Indian title for all claims upon the land within the limits of the Province ..." 28

Secondly, the children of the Métis were the only ones eligible for the grant.

There were other provisions of the Manitoba Act that also upset the Métis. Historian Douglas Hill explains,

"... another provision of the Manitoba Act, designed largely to appease Ontario's thirst for punishment of the rebels, sent a military expedition ... to 'restore order' in the new province ... Their Commander, Colonel Wolseley, was a reasonable man, but many Ontarians in the force were not. They openly avowed their intention of

27. The Manitoba Act, Statutes of Canada, 1870.

28. Debates in the House of Commons, 2 May 1870, P. 1294.

seeking 'revenge' for [Thomas] Scott's execution ... Persecutions began. The soldiers treated the Métis with rough contempt ... The Métis, resentful and bitter, fought back ... fights, beatings, near riots broke out daily ... In one particular case, a crowd of Ontarians chased a young Métis into the river and hurled stones at him as he swam away. Reportedly, a stone struck him on the head. In any event, the boy drowned.

In another case, a band of Métis had established themselves on good land ... near a stream called the Rivière aux Ilets de Bois. Planning to farm and hunt, they left the land and moved on to the prairie after the buffalo. When they returned, they found a group of Ontarians had jumped their claim and settled on their land. The furious Métis were at the point of driving off the trespassers by force, but Governor Archibald persuaded them that violence, with soldiers on hand, would be disastrous for them and for all Red River Métis. So the band concluded that their alternative was to leave the area, to go as far away from the Canadians as possible. They moved west, into the empty prairie- while the Ontario land-grabbers, as a final insult, renamed the little stream 'the Boyne'." 29

This behaviour on the part of the new Canadian soldiers and settlers initiated a "volkstrek" among the Métis which has continued up to the present time.

On 21 April 1871 the Governor-General in Council established the mode whereby the land grant to those eligible, by Order-in-Council PC 874, entitled Distribution of the 1,400,000 acres appropriated under the Manitoba Act For the Benefit of the Families of Half-breeds. It is interesting to note that section one effectively repealed the "Child clause" of the Manitoba Act in that

"1. Every halfbreed resident in the Province of Manitoba at the time of transfer thereof to Canada (the fifteenth day of July, A.D. 1870) and every child of every such resident shall be entitled to participate in the 1,400,000 acres."

Sections two and three issued what the government considered the best possible terms for the Métis:

"2. The most liberal construction shall be put on the word 'resident'

29. Douglas Hill, op. cit., P. 85.

"3. No conditions of settlement shall be imposed in grants made to halfbreeds in pursuance of the provisions of the Act referred to, and there shall be no other restrictions as to their powers of dealing with their lands they granted than those which the laws of Manitoba may proscribe."

The method for selection of lots was to have been a lottery, drawn by the Lieutenant-Governor, and the claimants of the age of 18 or over were to receive their patents without unnecessary delays and minors on arriving at that age. A census was taken as soon as possible to facilitate the issue of the land grant. Trouble immediately plagued the distribution of the grant from the outset. No complete census was taken nor major amounts of land issued until 1876. Even those who received land had trouble. Historian D. Bruce Sealey points out that:

"One year the Métis had land, ... the next year it was taken away for redistribution. While immigration was pouring into the province and often, when a Métis went to claim the land granted to him, he would discover an immigrant family firmly in possession..." 30

These various "hold-ups" in land distribution caused many Métis to join the western movement. The Métis felt that by moving into the unorganized Northwest Territory and the United States, they would be able to resume their old style of living, and could be free of the racism and bureaucracy that the Métis felt the Canadians had brought with them. Such movement on the part of the Métis served as a vanguard for future European movement into the far West. (see appendix "B") The Métis, as in Rupert's Land, created transportation systems and supply routes which later Euro-Canadians found advantageous. Furthermore, the Métis had already alleviated many of the tensions that might have arisen among the Indians with Euro-Canadian immigrants by gaining the trust of many tribes.

To accelerate the process of grant issue in Manitoba, the Canadian Parliament passed the Dominion Land Act of 1872, which confirmed O/C PC 874 dated 24 April 1871 regarding land distribution to the Métis. From a census estimate, the

30. D. Bruce Sealey and Antoine Lussier ed., The Métis: Canada's Forgotten People, Manitoba Métis Federation Press, Winnipeg, 1975, P. 97.

allotment set for each "child" was 140 acres of land. However, the confusion continued. Because of the rapid diminution of the buffalo that by 1872 was rapidly underway, many of the Métis, who were not skilled in agriculture, were in need of money to buy "store-bought" food. The only assets that many of the Métis held were their land claims. In desperation, the Métis either sold or used their claims as collateral for loans.

In anticipation of an intrusion of land speculators into this market, on 14 May 1870 Sir John A. Macdonald reported the following in the Canadian House of Commons:

"...no land would be reserved for the benefit of white speculators, the land being only for the actual purpose of settlement." 31

On 8 March 1873, the Manitoba Legislative Assembly passed the Half-breed Land Protection Grant which provided that,

"... very many persons entitled to participate in the land grant in evident ignorance of the value ... have agreed ... to sell their right ... to speculators receiving only a trifling consideration, ... no promise or agreement ... made by any halfbreed previous to the issue of the Patent ... either for or without a money consideration, to convey to any person after the Patent issue...shall be finding on any half-breed, and no damages shall be recoverable against him or her ..."32

However, such a debt became a first lien on the property and a Métis could be sued the day after the Patent was issued. Although this Act was a good idea, given the circumstances, it further impoverished the Métis. Now many traders refused to extend credit to the Métis, believing erroneously the debt to be unrecoverable under this Act. This forced even more Métis to move west under the threat of starvation.

31. Debates of the House of Commons, 14 May 1870.

32. Statutes of Manitoba, 37 Vict. chap. 44.

On 26 May 1874 the Canadian Parliament passed "An Act respecting the appropriation of certain Dominion Lands in Manitoba."³³ Since the passage of the original Dominion Land Act, a new and more thorough census had been undertaken and due to the exodus of the Métis, the population eligible for the land grant was greatly reduced. Consequently, the original entitlement of 140 acres was increased to 160 acres per half-breed head of family (this clause effectively terminated the legal ambiguity regarding the "children clause" of the Manitoba Act) or 160 dollars in land scrip to be receivable in payment for the purchase of Dominion land at one dollar an acre. (see appendix "E") The scrip idea was a natural outcome of the backlog of the Métis Land Claim cases. As the surveying was not yet complete, it was still impossible to satisfy all the outstanding land claims with land, so it was thought that, by supplying Métis with promissory notes (i.e. scrip), the complaints would cease. Scrip, unfortunately, led to further complications. Traders would accept the scrip as money, but only at a fraction of its face value. Since the scrip was at hand and the times were hard, the scrip rapidly became a very marketable commodity. In the final analysis, not more than twenty-five per cent of the eligible Métis could either occupy or improve their land. The remainder had sold their rights.³⁴

After the defeat of the Macdonald government in 1873, the Liberal MacKenzie government investigated the accuracy of the original census. Finding it suspect (among other things, it did not indicate the number of parents and children)³⁵ a special commission was created to go to Manitoba and investigate the situation first hand. Accordingly, by Orders-in-Council dated 5 May and 14 June 1875, Messrs. J.M. Marchard and Matthew Ryan were appointed Commissioners to investigate land and scrip claims in Manitoba. At the same time, Superintendent Provencher was instructed by the Deputy Superintendent General of Indian Affairs to

"... assist the Commissioners ... and to hand to the Agent of Dominion Lands at Fort Garry, for their information, a complete alphabetical list of all the Indians of St. Peters and St. Clements ... indicating as far as possible ... those

33. Statutes of Canada, 37 Vic. Chap. 20.

34. Chester Martin, "Dominion Lands" Policy, Toronto, McClelland and Stewart, 1973, P. 21

35. Norman Anick, "The Question of Scrip", Ottawa, 1974, P. 3. (unpublished manuscript).

who are halfbreeds ... A similar list should be prepared of other Indians outside above-named parishes who may be claimants of halfbreed land."36

The Half-breed Commissioners had quite an awesome task. On account of the inadequacies of the census, no one was exactly sure who had received what. The vast movement of the Métis westward was also a hindrance as population figures would vary. To create some kind of order out of this chaos the Commissioners established a three-class system:

"1st., those had had their farms and homes and were practically living the white man's mode of live;
2nd., those who were entirely identified with the Indians, living with them and speaking their language;
3rd., those who did not farm, but lived after the habits of the Indians, by the pursuit and the chase."37

The first class would simply be confirmed in their farm holdings; the second would be dealt with as Indians under treaty; the third group would be the Métis eligible for the half-breed grant.

On 29 August 1876, the Half-Breed Commission issued its report to the Privy Council and recommended that because

"... the estimate of such (Half-Breeds eligible for land) based on the Census of December 1870 was very considerable in excess, the allotment should be raised to one hundred and ninety acres of land each or \$190 in scrip."38

Although the Government's largesse had increased, this benefitted the Métis little. Speculators exploited the pressing needs for food and clothing on the part of the Métis and conducted a thriving business in half-breed scrip. The Métis used it to pay bills which they had accumulated in the interim. This situation compelled more of the Métis to migrate further West with the hope of resuming life as it had been before the union with Canada.³⁹

36. A.E. St. Louis, "Powers of the Half Breed Commissioners...", Pp. 5-6.

37. Ibid, P. 1.

38. Privy Council Report No. 6452, 7 Sept., 1871, P. 1.

39. See Chester Martin, "Dominion Lands" Policy, P. 22. and D. Bruce Sealey and Antoine Lussier ed., The Métis: Canada's Forgotten People. Chap. 7

The Métis at this time divided into three separate groups. Approximately half decided to stay in Manitoba and struggle for a place in the new society. A sub-section of this group moved outside the boundaries of Manitoba to form small settlements along the lakes of Manitoba, where they became fishermen and trappers. The third group, those who had fled to the Central and northern parts of what is now Saskatchewan and Alberta, retained the semi-settled lifestyle of small farmers and buffalo hunters.⁴⁰

Even with this vast migration, the 1,400,000 acres set aside for the Métis by the Manitoba Act, was reported as being depleted by 1880.⁴¹ In effort to clear up this situation, by Order-in-Council of 23 March 1876, only half-breed heads of families could receive scrip. No new land was to be issued in Manitoba but claims could be settled with \$240. in scrip (Order-in-Council, 20 April 1885). The Indian Act of 1880, moreover, attempted to remove those Métis who had entered Indian treaty by presenting the attraction of ready cash:

"... any half-breed who may have been admitted into a treaty shall be allowed to withdraw therefrom on refunding all annuity money received by him or her under the said Treaty, or suffering a corresponding reduction in the quantity of any land or scrip, which such a half-breed as such may be entitled to receive from the Government." ⁴²

Manitoba saw the end of the Métis land grant in the early 1880's. There was no final cut-off date, but as more Métis accepted land or scrip or moved further West to the Districts of Assiniboia, Athabaska, Saskatchewan, Alberta and the Northwestern Territories, the distribution of land and scrip declined. The aggregate allotment in Manitoba was 1,448,160 acres (48,160 acres over the limit set in the Manitoba Act) and \$748,060 in scrip.⁴³ The emigrant Métis, furthermore, found the situation in the Districts even worse than in Manitoba. The buffalo had all but disappeared, and Government officials in the West had neither the power nor the ability to deal with ultimate starvation and famine.⁴⁴ When the new Indian Commissioner Edgar Dewdney arrived at Blackfoot Crossing in 1877, he found

40. D. Bruce Sealey and Antoine Lussier, op. cit. P. 107.

41. Minister of the Interior to the Privy Council, 12 April 1880.

42. A.E. St. Louis, op. cit. P.6.

43. Chester Martin, op. cit. P. 23

44. Sue Baptie, "Edgar Dewdney", in Alberta Historical Review, Vol. 16, No.4, 1968

"... about 1300 Indians in a very destitute condition... young men who were known to be quite hearty fellows some months ago were quite emaciated and so weak they could hardly work; the old people and widows, who with their children live on the charity of the younger and more prosperous, having nothing and many a pitful tale was told of the misery they endured."⁴⁵

In response to this, the Government introduced a system of rations and farm instruction in the hope that such a program would induce the Indians to take up farming and again become self-sufficient. However, these programs were intended only for treaty Indians, and consequently, the Métis were left waiting for the "scrip or land" system to progress to the Districts. A critical period came during the winter of 1883-84. The severity of the winter was unprecedented. The ration system collapsed as Canada underwent a period of economic recession and the Government was forced to cut back on expenditures. The Métis in the District became increasingly restless. Colonization and railroad development continued in the Districts, but there was no indication of another Half-Breed Grant. Many were quick to point out that it had taken five years in Manitoba between the passage of the Manitoba Act and the actual distribution of the Grant. The fact remains that indifferent politicians, changing governments, and frequently altered regulations resulted in many of them having to wait several years for their share. In their desperate state, such a delay signalled disaster.

Although the first Rebellion was primarily a political struggle confined to Métis participants, the second Rebellion included several Indian elements, such as adherents of Chiefs Big Bear, Little Pine and Strike-Him-On-The-Back. In the minds of Canadians, this changed the nature of the rebellion from a political struggle to an Indian war, somewhat similar to those occurring at that time in the United States. The District Métis were also in an actual state of rebellion as the aura of legality which surrounded the first Rebellion was absent from the second. Canada had actual legal title to the Districts, while she did not in Red River. Both these factors precipitated a panic reaction on the part of

45. Sessional Papers 3-4, Vol. 13, No. 3, 1880, No. 46.

the eastern Canadians and the sending of a large expeditionary force into the Districts. Although the Métis put up a stiff resistance, they could not prevail against a superior military force and they were forced to accept an unconditional surrender.

In direct response to the Rebellion on 30 March 1885 the Government created the Half-Breed Land Claims Commission. This Commission could only deal with those Métis who held some sort of claim on the Manitoba Act land grant. The Commission did increase the Government's largesse insofar as:

"To métis children born before July 15, 1870, was given the choice between a 'scrip' valued at \$240, which they could either negotiate for use for the purchase of federal lands, and a 'land scrip' which authorized them to pick out a piece of property of 240 acres of unoccupied Dominion lands. The 'heads of families' (the term 'half-breed head of family' applied to all persons married by July 15, 1870. The term 'métis child' applied without distinction of age to all persons not married by the same date) could also choose between these two kinds of scrip, but their respective values were limited to \$160 or 160 acres.... 46

Unfortunately, all those Métis who had received scrip in Manitoba were excluded from this exercise. It was later found that ninety-two per cent of the Métis who had taken part in the Rebellion of 1885 had already been dealt with in Manitoba.⁴⁷ Those who had received scrip soon fell victim to the land speculators, as had their brothers and sisters in Manitoba. Marcel Giraud, author of Le Métis Canadien, explains

"as soon as the scrip had been distributed, the métis lost no time in giving it up for a sum of money lower than its face value; a title worth \$240 was generally bought up to \$165, while one worth \$160 would go for only \$110. At St. Albert, the métis were glad to receive fifty percent of the value of the scrip ..."48

By this time, the buffalo were gone and the old way of life was fading fast. Many of the Métis, convinced they would suffer the same persecutions

46. Marcel Giraud, "The Western Métis After The Insurrection", Saskatchewan History, Vol. 14, No. 1, Pp. 2-3.

47. Chester Martin, op. cit., P. 21.

48. Marcel Giraud, op. cit., P. 394.

in the Districts as they had suffered at the hands of the settlers in Manitoba, fled either north into the Northern Territories or into the United States. In the United States, they settled mainly in Montana and North Dakota, in areas where they had hunted buffalo.⁴⁹ Those who had remained in Canada attempted to keep to the old ways by trying to follow a life of hunting and fishing. Even this was closed to them as the provinces attempted to conserve their wildlife and passed various regulations controlling hunting. For instance, in 1890, Saskatchewan passed a law forbidding the springtime hunting of partridge or duck, one of the particular methods of subsistence for the hunting Métis.⁵⁰

The Métis, however, continued to agitate, this time in the political arena. Indeed in the General Election of 1896" ... the Métis vote probably contributed to the victories of Frank Oliver in Alberta and T.O. Davis in Saskatchewan, both men having long championed the Métis cause.⁵¹ Even this, combined with an appeal in 1897 by the Saskatchewan Territorial Legislature calling for the federal government to recognize the claims of "all Half-breeds born before 1885,"⁵² only produced a promise by the Minister of the Interior, Clifford Sifton, to look into the matter at a later date.⁵³

Only the threat of another rebellion could produce any action. In July, 1897, news of the Klondike gold discoveries burst upon the world. As hundreds "flocked" to the gold fields to try their hands, they also managed to upset the Indians and Métis with their "disregard and contempt."⁵⁴ The N.W.M.P. reported that the Northern Indians and Métis "were very nearly in a state of rebellion. It would be necessary to negotiate a treaty with them.

In 1899, Sifton recommended that a Commission be formed to negotiate with both the Indians and Métis. The Commission was instructed that, while they were to listen to the demands and terms of the Métis, they " ... should

49. Ibid, P. 1.

50. Ibid, P. 7.

51. D.J. Hall, "The Half-Breed Claims Commission", Alberta History, 1977, P. 2.

52. Ibid.

53. Ibid.

54. Ibid.

not be accorded more liberal terms than were accorded the Half-breeds of Manitoba and the organized territories."⁵⁵ This presented a problem in that the instructions alluded to an Act that had been passed thirty years prior. In many cases, the claimants were dead and dealing with the heirs of such estates was proving to be an ungovernable mess. The Commissioners continued in spite of the problems involved, but the agitation for a separate Halfbreed Scrip Commission to grant scrip to those Métis born in the Territories between 1870 and 1885 to cover the Métis not covered by the Manitoba Act.

The Métis did have a way to force the issue, that is, they convinced the Indians not to sign Treaty No. 8 until the Métis had been satisfied. This tactic seemed to have worked, for in May 1899 a separate Halfbreed Commission under Major Walker and J.A. Coté was appointed. The Métis in the Treaty No. 8 area "would be dealt with as of the date of the treaty and those born in the Territories outside the original province of Manitoba between 15 July 1870 and the end of 1885 would receive their scrip as well."⁵⁶ Moreover, on account of the immense size of the area covered and the complexity of the issues involved, two more Half-Breed Commissioners were established in 1900. One with J.A.J. McKenna and Major Walker was appointed to handle claims in Assiniboia and Albert. The other, with J.A. Coté and Samuel McLeod, was to handle claims in Saskatchewan and those parts of Manitoba outside of the original province. (Order in Council, PC 438, 2 March 1900). All three of the Half-Breed Commissions outside Manitoba issued 3,166 "money scrips" worth about \$660,000 and 2,483 "land scrips" totalling 595,000 acres.⁵⁷

The final Métis Settlement came in 1921 with the signing of Indian Treaty No. 11. Oil had been discovered at Norman Wells the same year and the Indian title to the land would have to be extinguished before any exploitation of the oil resources could take place. In accordance with past

55. Ibid, P. 3.

56. Ibid, P. 5.

57. Sessional Papers. 1901, no. 25, xxxiv-xxxv; 1902, no. 25 xlvii, and Part vi.

practices, the rights of mixed blood people were to be extinguished concurrently with the treaty. H.A. Conroy was appointed commissioner to deal with half-breed claims in the territory. (O/C PC 1172 12 April 1921). The Order in Council of 12 April 1921 states:

"It is estimated that there are about fifteen families of Halfbreeds resident in that territory who will have to be treated with. The other Halfbreeds in this country, consisted approximately of seventy-five families mostly living the Indian mode of life, it is anticipated will in their own interests, be taken into treaty. (O/C PC 1172 12 April 1921)"

In order to avoid the confusion in the southern areas by half-breeds withdrawing from and being readmitted to treaties, all half-breeds who had taken Treaty No. 11 and were later discharged from treaty were not entitled to the cash grant. It was decided that their claims and those of their descendants to rights by virtue of their Indian blood were extinguished when they entered into the treaty. A final accounting took place in 1929, which revealed that in the fifty-nine years that scrip had been distributed in Alberta, Saskatchewan and Manitoba, "over 24,000 claims had been recognized ... land scrip of over 2.6 million acres and money scrip worth over \$2.8 million distributed in the course of the extinguishing of the aboriginal title of the mixed-blood population." ⁵⁸

In tracing this review of Métis-Government relationship, it is hoped that the important role of the Métis in the colonization and development of the Canadian West becomes clearly evident. The fact that they secured so few of the benefits of colonization should also be evident:

"As in Manitoba, there was in Saskatchewan and Alberta a minority that handled the situation with a degree of sophistication and derived some benefit from the possession of land by negotiating the scrip of their children to get cash to purchase livestock and machinery. Of these ... some did not have the technical agricultural knowledge or experience with livestock to be successful and, in a few years, unable to pay the taxes, they also lost everything. The Métis

58. D.J. Hall, op. cit., P. 7.

of St. Lazare ... kept their land, but by 1900 very few still retained possession of it ... The fact of the matter is that the Métis were asked to work within an economic structure they poorly understood, with obligations and responsibilities to be assumed that their previous lifestyle inhibited. Yet their stage of transition, coupled with a sense of nationhood, was such that it is extremely doubtful if they could have been treated as government wards and kept on reserves as were the Indians. The efforts of the Métis, hindered by the bungling of Ottawa, failed and many became discouraged and dispirited. After so many failures, further attempts at adaptation must have seemed futile, which may account for the apathy and lethargy which began to permeate the Métis people."⁵⁹

In retrospect, therefore, the fact remains that the significance of the Métis' role in the Euro-Canadian development of the Canadian West has not been sufficiently appreciated. Lord Dufferin, Governor General, however, proclaimed during an official visit to Manitoba in 1877:

"There is no doubt that a great deal of the good feeling thus subsisting between the red men and ourselves is due to the influence and interposition of that invaluable class of men the Half-breed settlers and pioneers of Manitoba, who, combining as they do the hardihood the endurance and love of enterprise generated by the strain of Indian blood within their veins, with the civilization, the instruction, and the intellectual power derived from their fathers, have preached the Gospel of peace and good will, and mutual respect, with equally beneficent results to the Indian chieftain in his lodge and to the British settler in the shanty. They have been the ambassadors between the east and the west; the interpreters of civilization and its exigencies to the dwellers on the prairie as well as the exponents to the white men of the consideration justly due to the susceptibilities, the sensitive self-respect, the prejudices, the innate craving for justice, of the Indian race. In fact they have done for the colony what otherwise would have been left unaccomplished, and have introduced between the white population and the red man a traditional feeling of amity and friendship which but for them it might have been impossible to establish."⁶⁰

59. D. Bruce Sealey and Antoine Lussier ed., The Métis: Canada's Forgotten People.

60. Alexander Morris, The Treaties of Canada with the Indians of Manitoba and the North-West Territories, Toronto, 1880, P. 293.