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**Métis claims research and funding**  
Office of Native Claims

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OTTAWA, Ontario K1A 0H4  
13 December 1976.

Fred Glynn,  
Policy, Research and Evaluation  
Branch,  
Indian and Eskimo Affairs.

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The only areas where we would diverge are on Ms. Wallace's personal observations and comments. Personally, I think she underestimates the number of possible claims. Once large sums of settlement money are announced anyone even thinking they have a trace of Indian blood will put in a claim. Certainly the government will have to set some "blood quantum" feature if it wants to avoid tens of thousands of claims. At any rate, the genealogical research entailed here would be monumental.

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G.E. Bell.

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Spoke with  
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Your file    Votre référence

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G.E. Bell.

CONFIDENTIAL

Ottawa, Ontario KIA CH4  
December 8th, 1976.

DEPUTY MINISTER

... You will recall that on June 29th, 1976, you met with Mr. A. Fortier and Mr. P. Ollivier to review the staff work required to develop a program of "mutually acceptable" claims research with respect to Métis and non-status Indians. It was agreed that the Department of Justice and the Office of Native Claims would prepare papers respectively on the legal and funding aspects of Métis claims. Attached for your information are copies of these two papers. Copies of this material have also been sent to Mr. Murray and to Mr. N. Faulkner.

At the last meeting of the Claims Funding Committee on December 1st, 1976, it was suggested that a general discussion of the funding paper might take place at the Committee's next meeting which is tentatively scheduled for December 16th. In the next few weeks officials will need to develop some advice for Ministers on this subject in anticipation of the first meeting of the Cabinet - NCC Committee, currently expected to be held in late January or early February. This task is made somewhat difficult since P.C.O. have not yet received a comprehensive funding submission from the NCC, although one was promised over two months ago. As you know, separate funding proposals were received this week from the Manitoba Métis Federation in the amount of two million dollars.

Finally, I understand that the P.C.O. expects to receive shortly an interim funding submission from the NCC totalling approximately \$600,000. If you agree, this latest request, along with the Manitoba proposals, should now be reviewed in the light of the legal and funding work already done by Justice and the Office of Native Claims.

ORIGINAL SIGNED BY  
JEAN T. FOURNIER

J.T. Fournier,  
Executive Director,  
Office of Native Claims.

c.c. Mr. G.S. Murray  
Mr. N. Faulkner  
Mr. C. Dolan ✓  
Ms. H. Labelle

METIS CLAIMS RESEARCH AND FUNDING

Cabinet considered in June 1976 a submission on Native Policy and adopted an interim government position with respect to the Metis and non-status Indians. In particular, the Cabinet agreed that a process of consultation between Ministers and representatives of the Native Council of Canada (NCC) should be established and that this consultative mechanism should serve as a means through which discussions could take place to develop a program of mutually acceptable claims research, which the federal government would be prepared to finance. The Prime Minister communicated the government's decision to the President of the Native Council of Canada and indicated that the Hon. Marc Lalonde had been nominated to lead the federal government in discussions with the NCC. Mr. Lalonde met with the new President of the Native Council of Canada, Harry Daniels, on September 23rd. That meeting was primarily to get acquainted and to discuss informally follow-up to the government's commitments. A further meeting took place on October 6th between the Native Council and representatives of various Departments. Mr. J.T. Fournier (O.N.C.) attended on behalf of this Department. The NCC indicated at the time that they would be submitting funding proposals shortly to Mr. Lalonde.

A meeting was held on June 29th with Mr. André Fortier, Mr. Paul Ollivier and Mr. A. Kroeger, to review the staff work required for the fall meeting and to allocate responsibility as between interested Departments. The outcome of this meeting was agreement to have the Department of Justice, in co-operation with the Office of Native Claims, undertake a preliminary assessment of the legal bases for the various types of claims the government might expect to receive from the Metis and non-status Indians. In addition, it was agreed that the Office of Native Claims would prepare a discussion paper on the funding aspects of claims research for Metis and non-status Indians, drawing on the experience the Department has gained over the past few years in providing funding to Indian and Inuit claimants. Finally, the Secretary of State Department undertook to do a paper drawing upon a variety of material produced by the NCC and provincial Metis and non-status

Indian associations in recent years regarding the likely nature of their claims proposals, as well as their funding and research requirements.

The work being undertaken by the Department of Justice is now completed. However, the Secretary of State Department apparently will require more time to complete its analysis of NCC submissions. The Office of Native Claims has completed a preliminary assessment of the kinds of claims the Metis and non-status Indians may wish to investigate. In addition, the Office has drawn together basic information on the Indian Rights and Treaties Research Program and developed general guidelines that may be useful in considering any claims funding proposals the NCC puts forward.

#### NATURE OF METIS CLAIMS

On the basis of a review of existing material on possible Metis claims, it appears that such claims would find their origin in the policies and practices undertaken by the federal government during the late nineteenth and early twentieth centuries vis à vis people of mixed European and Indian ancestry.

Initially, the term Metis was used to designate those people who were of French and Indian ancestry; those of Scottish or English and Indian ancestry were known as "half-breeds" or "country born". However, in more recent years the term Metis has come to include all those who consider themselves to be descendants of families in which Europeans and Indians inter-married.

At the time of Confederation, the new Dominion inherited from Britain the recognition of an aboriginal interest in the soil. Until the acquisition of the west by Canada the Metis and "half-breeds" had not proved numerous or significant enough in the older settled regions to require special treatment. But the Prairie Metis formed a coherent society which feared for its future amidst the changes associated with Canada's acquisition of the west, and they expressed this fear in the two Riel rebellions of 1869-70 and 1885. One result was the decision to issue "scrip" to the Metis as a

full means of extinguishing their aboriginal title. The policy began in 1870 with the setting aside of 1.4 million acres for Metis children in Manitoba by the Manitoba Act. In 1874 scrip was extended to include Metis heads of family in Manitoba, and later still, by the 1879 Dominion Lands Act and Order-in-Council in 1899 to cover both children and heads of family born or living in the then organized districts of the Northwest Territories between 1870 and December 1885. After this, from the adhesion to Treaty 6 in 1889 until Treaty 11 in 1921, Indian and Metis title were generally extinguished concurrently at the treaty negotiations, those Metis who lived with or like Indians being given a choice between taking treaty or scrip. Many chose the former.

Scrip itself was issued in the form of a certificate and was of two kinds: land scrip and money scrip. The former was made out for 160 or 240 acres, depending on whether the grantee was a Metis head of family or the child of a Metis head of family. It was non-transferable and (except for grants made out of the 1.4 million acres set aside under the Manitoba Act) was redeemable for unoccupied Dominion lands anywhere in the Northwest. Money scrip was made out for \$160 or \$240 on the same basis. Initially, it was redeemable in the purchase of unoccupied Dominion lands anywhere in the Northwest at the rate of \$1.00 per acre. Unlike land scrip however, it was easily transferable and so could be used as a form of money. Hence money scrip was more popular with the Metis and much of it fell into the hands of speculators. For this and other reasons the Metis got relatively little of the full amount of land to which they were potentially entitled through the issue of scrip.

On the basis of the work done so far it appears that Metis are likely to put forward claims on one or more of the following bases:

1. administrative action or error in allotting scrip;
2. exclusion of some Metis from scrip;
3. allegations of fraud or duress leading to the loss of land or scrip;
4. that the compensation provided for the extinguishment of Metis aboriginal title was inadequate;
5. discrimination between Metis children and heads of family in issuing scrip.

Our research to date suggests that a good deal of documentary evidence exists to enable us to deal with claims falling under categories 1 and 2. Claims falling under categories 3, 4 and 5, deal with policy matters, and while the evidence held may clarify the reasons for government policy, future settlements of these types of claims will depend upon how the government views its legal and moral obligations towards the Metis in this respect. Appendices 3 and 4 outline in more detail the nature of existing documentary sources for Metis claims and suggest research projects in which such sources could be utilized.

Appendix 2 suggests that the Government's approach to funding a claims research program should be cautious, particularly since we do not have a full understanding of the nature of claims to be investigated or the government's ability to deal with various types of claims in the context of current claims policy which is confined to discharge the government's "lawful obligations".

Office of Native Claims  
December, 1976.

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Background Report on Indian Rights and Treaties Research

During the 1968-69 fiscal year, the Department conducted a cross-Canada series of consultation meetings with Indian leaders to discuss possible changes in the Indian Act, culminating in a national conference held in Ottawa in May, 1969. Indian delegates at the conference concluded that there were too many unclarified items pertaining to "Indian Rights" to make major recommendations for changes in the Act and established the National Committee on Indian Rights and Treaties to study and define whatever Indian rights might exist. The National Committee acting through the National Indian Brotherhood, petitioned the government for financial assistance and was subsequently funded through the Privy Council Office from 1970 to 1972.

The experience of the National Indian Brotherhood in allocating research funds to member associations through the National Committee on Indian Rights and Treaties proved to be unsatisfactory and accordingly in April, 1972, the Brotherhood wrote to the Prime Minister asking to be relieved of its coordinating role. At the same time the National Indian Brotherhood proposed that research funds be increased sharply and be paid directly to the regional associations. In response the government decided that up to 7-1/2 million dollars would be spent over a four-year period in support of research into rights and treaties undertaken by Indian associations. Funds were to be allocated to the associations, and the National Indian Brotherhood itself, through the Department of Indian Affairs and Northern Development on the basis of core grants generally set at \$30,000 each and research project contributions approved by an inter-departmental committee consisting of representatives from the Privy Council Office, Public Archives and the Department.

While the Program research funds were employed initially in a general examination of treaty rights, the research tended to focus progressively on the non-fulfillment of treaties and other apparent deficiencies relating to the administration of Indian lands and other resources and assets. This in turn gave rise to the identification of specific band grievances which by the termination of the program on March 31, 1976 had resulted in the submission to the Department of approximately 110 specific band claims or notices of claim.

The Indian Rights and Treaties Research Program terminated on March 31, 1976 with only a relatively few specific claims yet developed to the point of presentation and with many more remaining to be developed. While an interim \$1,300,000.00 funding program has been put into place for the current fiscal year, it is meant only to keep the existing research capacity of the associations and bands intact and to complete specific claims research projects previously started. From 1972/73 to 1975/76 fiscal year, contributions provided under DINA Rights and Treaty Research Program amounted to \$7,606,354.00 (see attached table).

The results of the Rights and Treaties research program have not yet been evaluated fully. Moreover, it is difficult to be precise about the effectiveness of the program in terms of amounts spent on specific claims research and the resulting identification and development of claims, because of the fairly loose criteria applied to Indian research proposals and agreements. Contributions were accountable, but recipients were not required to disclose their research findings prior to the presentation of claims. Thus, while the general nature and subject matter of the research was known, its precise application was seldom known. Again, the actual number of specific claims submitted to date in any given region is not necessarily a measure of the effectiveness of the program in the specific claims area since most of the bands and associations are apparently holding back on their claims pending the establishment of a new claims process.

Nevertheless, it is clear that keeping with its original objectives the Indian Rights and Treaties Research Program resulted in a considerable amount of general research providing Indian associations and bands with required background and perspective. These have succeeded in building a considerable and frequently expert research capability that will enable the Indian researchers to continue the work already started. The extensive historical research accomplished by the Indian researchers contributed in giving them a better knowledge of their people, a greater pride for their history in addition to giving them the skill and ability to deal with government representatives in the research or settlement stage. This research program was also for the Indian researchers an invaluable educational benefit and the experience gained by the native researchers has enabled them to continue efficiently the historical research surrounding the administration of Indian Affairs, the making of treaties and the government legislation towards the Indian people. Moreover, in so doing they have also given thought to the means whereby redress for past injustices could be obtained, and it is anticipated that such work will make a significant contribution towards defining the work of the proposed Canadian Indian Rights Commission.

Metis and Non-Status Indian Claims Research

In the event that the government should decide to adopt an approach to Metis claims research which is analagous to the Indian Rights and Treaties Research Program, the following general guidelines are suggested.

General Guidelines

1. The fact that the Federal Government is prepared to negotiate settlements in areas of comprehensive claims and to have eligible Metis and non-status claimants included in them, along with status Indians, obviates the need for separate funding of Metis claims in those areas. Wherever the Metis are joined with Indians and already included in claims research and other claims activity they should be expected to share in existing claims funding programs. They now do in B.C., Yukon, and N.W.T. In those areas funds for claims research, development and negotiation, are currently provided through the Indian Affairs Program (B.C. and Yukon) and the Northern Affairs Program (N.W.T.).
2. In the matter of Metis claims in the scrip areas, the claimants concerned should be required to provide detailed substantiation of their case for funding, to relate clearly their research proposals to certain types of specific claims and to submit their requests on an individual project basis.
3. Initially, research funds should be made available in small amounts and be tightly controlled until we have better knowledge of the nature of the historical evidence available on Metis affairs. As the documentation is examined by Metis claimants and government officials, a better understanding of the nature and basis of Metis claims should be obtained and new and more specific areas for additional research may be discovered. Also, Metis claims funding should be limited until we have a much clearer idea of what is likely to emerge within the Cabinet - NIB framework in the way of special processes for dealing with the various categories of specific claims of status Indians.
4. Research projects forwarded by the national or provincial organizations should be governed by a Memorandum of Agreement, signed by the responsible Minister and the sponsoring organization.

To ensure that a tight rein is kept on any funding program that is developed, it is suggested that the following conditions might be included in any memorandum or agreement on individual claims research projects:

1. The details of the project to be carried out, including staff, timetable and funding requirements.
2. A condition that the association will undertake to proceed only with the study as specified by the Agreement.
3. Schedule of payments.
4. Requirements that accounting records be maintained in a manner consistent with generally accepted accounting principles and practices.
5. A stipulation that funds will not be used for purposes of litigation without the expressed written consent of the Minister.
6. A condition that financial statements and progress reports will be submitted at the end of each quarter or specific project phase, and a formal financial audit of the research funds received must be included with the organization's year-end audit.
7. A condition that progress reports will be reviewed at regular meetings between representatives of the association and of the Minister.
8. A condition that the audit is to be carried out by a privately accredited auditor, the cost of which may be included as an acceptable expense. The Minister reserves the right to appoint government auditors either to review the independent audit, or to carry out its own audit study.
9. A condition that no member of the House of Commons shall benefit from the research funds provided.
10. A condition that on completion of the project, the association/band shall return any unspent research funds.

APPENDIX 3.

Documentary Sources Relating to Metis Claims

I. INTRODUCTION

The following remarks are the result of a preliminary survey of the available documentary sources on Metis history, most of them located at the Public Archives of Canada in Ottawa. Because of the sheer mass of material and the limited time available in which to examine it, it has only proved possible to obtain a broad "overview" of the evidence. Attention has been concentrated largely on the more important series of papers, and an attempt made to get some idea of the quantity and contents of the existing records, together with an assessment of how useful they will prove in helping to resolve the kind of claims it is anticipated the Metis will make.

II. LOCATION AND EXTENT OF MATERIALS

Most of the relevant source material is to be found at the Public Archives of Canada. However in 1930, with the transfer to the various prairie provinces of responsibility for their natural resources, Manitoba, Saskatchewan and Alberta received certain Interior Department files relating to lands within their respective boundaries. These contain information on settlement and other land matters and will probably have to be consulted at some future date.

The quantity of evidence to be examined is huge. The Public Archives alone possesses many hundreds of linear feet of shelf space

of files, a similar number of microfilm reels and thousands of index and aperture cards which will have to be searched for relevant information. Unfortunately, the evidence on Metis is not located in a single, self-contained body of files, but is scattered throughout the records of several departments, the indexes to which are not always either full or accurate.

Chief responsibility for Metis problems rested with the old Department of the Interior, and in particular the Dominion Lands Bureau. Its records are the richest source of information on most aspects of Metis affairs. The Headquarters correspondence of the Dominion Lands Branch contains valuable material on administration and general policy matters, grants of land to Metis under the Manitoba Act and the later issues of scrip to half-breeds throughout the then North West Territories. Among the types of documents to be found are reports, correspondence and memoranda on policy and administrative matters, applications for scrip, scrip certificates, powers-of-attorney, patents for land and so forth. In general, the papers of the Bureau appear to be quite well indexed.

While the Interior Department had primary responsibility for dealing with Metis, many other departments had more or less incidental contact with these people, and their records too will have to be examined. Among them were the Departments of Indian Affairs, Secretary of State, Justice and Militia and Defence, as well as the RCMP and the Privy Council Office.

Finally, there are several useful collections of personal papers held by the Public Archives. Louis Riel's correspondence is an obvious source of information on Metis life and grievances during

the 1870's and 1880's, while among the federal and provincial politicians who had some measure of responsibility for the Metis people were MacDonalld, Dewdney, Laird and Alexander Morris. The larger of these collections are indexed, though not entirely satisfactorily.

### III. VALUE OF EXISTING SOURCES IN RESOLVING METIS CLAIMS

The degree to which the available evidence will help in resolving the problems raised in Metis claims depends largely on the nature of those claims.

In general terms, matters of policy and the administration of policy require lengthy research and the evidence will rarely provide clear or concrete answers. On the other hand, given certain basic information to begin with, it should prove easier to follow up claims relating to the issue of scrip to specific individuals, though the amount of work involved in researching any great number of such claims would be considerable, one case taking anywhere from 15 to 30 minutes to complete. Dozens of interlocking registers might have to be examined in order to assemble the whole story; but here again, half-breed allotments under the Manitoba Act and land scrip are much easier to trace than money scrip, which was easily transferable from one party to another and could be redeemed anywhere in the western provinces.

At present, about five broad types of claims have been identified:

1. administrative action or error in allotting scrip

2. the exclusion of some Metis from scrip
3. allegations of fraud or duress leading to the loss of land or scrip.
4. that the compensation provided for the extinguishment of Metis aboriginal title was inadequate.
5. discrimination between Metis children and heads of family in issuing scrip.

At least two of these areas (4 and 5) deal with matters of policy and so with opinion not fact. The evidence may help to clarify the reasons for government policy, but it will not provide a value-judgement on its justice. Any future settlement of these types of claims will depend on how the present-day government views its legal and moral obligations towards the Metis in this respect.

The evidence should prove more helpful in dealing with claims falling under categories 1, 2 and 3.

1. It should be possible to document a number of cases of administrative error in connection with the administration of the Manitoba and Dominion Lands Acts, but this would involve very lengthy research into the whole body of Dominion Lands Bureau files (among others), where the papers relating to Metis are interspersed among those dealing with all the other aspects of the administration of Dominion lands throughout Canada. However, there is an index to the series, and though large it seems to be generally accurate.

2. With regard to the exclusion of individual Metis from the issue of scrip, it should be possible to discover why some individual claims at least were not allowed. The Commissioners did not normally open a new file on every application for scrip, unless there was some complaint or enquiry about their decision which entailed

correspondence. Where scrip, once approved, was later cancelled, a reason was usually given.

The exclusion of certain classes of Metis from scrip is again a matter of policy and not the sort of question the evidence will easily help resolve.

3. Examination of a random sample of files among the records of the Dominion Lands Branch suggests that there were a number of cases in which scrip was obtained by persons not entitled to it, many of whom probably used dubious methods to secure it from the original grantee. While in some cases it would be possible to show fraud or duress beyond a reasonable doubt, this would not hold true for the majority of instances. Once again, any research into such claims would be a time consuming process.

#### IV. CONCLUSIONS

At this stage it is impossible to give a final analysis of the nature of the evidence on Metis affairs. As the documentation is examined new problems will arise and new areas for claims will be uncovered. Suffice it to say that the quantity of material is large and its contents cover almost every aspect of Metis life; but, as research into Indian claims has shown, it is generally safest not to expect too much of the evidence in the way of definitive answers to the problems and issues raised by Native claims. Much will depend on historical interpretation, and in the last analysis on the legal, moral and political stance adopted by the government with respect to these claims.

A Project Approach to Metis Claims

A comparison of research proposals, as outlined in the various submissions to the government by the Native Council of Canada and the examination of some of the available archival material by the Office of Native Claims, suggests that there might be several areas for study which would be of interest to both government and native groups. A research program could begin with a brief overview of a few broad subjects at a national level which would enable those involved in the work to become better acquainted with the materials and pinpoint the areas of major historical concern. After this general introduction to the sources, attention could focus on matters of regional concern, as research to date suggests that the Metis experience in western Canada can be divided into three historically valid areas:

1. Manitoba (the original Red River colony plus subsequent additions to the province)
2. The N.W. prairie (Treaties 4,6 & 7) - generally speaking those areas covered by the scrip issue of the 1883 Dominion Lands Act)
3. Treaties 8,10 and 11 (where Metis title was extinguished concurrently with Indian title at the signing of the treaty).

1. Research Framework

To date, Metis groups' suggestions about the nature and extent of an historical research program have been extensive, all-embracing and generalized. This is explicable in view of the sheer mass of documentary evidence relating to Metis which is scattered throughout Canada, and whose contents in detail are largely unknown. Such was also the case when the Indian treaty rights and research program began in 1970. However, experience with some aspects of that program and the specific claims process suggest that more fruitful results might be obtained if there were some sense of direction in programs for Metis claims research.

To achieve these ends, certain principles could be followed in determining research subjects:

- i) Focus: Individual research topics should be kept fairly limited in scope so that the documentary material can be easily handled and drawn together to form a coherent body of work with an identifiable purpose.
- ii) Practicality and Usefulness: As the main aim of any research program will be to help pinpoint factors which may give rise to Metis claims, conjecture and speculation about the past should be discouraged with attention focused on the collection of documentary evidence which could provide claims negotiators on both sides with factual information to analyse and discuss.

- iii) Coordination: Coordination of Metis and government research activities could considerably facilitate discussions about claims, as both parties would be discussing the same body of 'documentary evidence.
- iv) Education: The Native Council of Canada has expressed the desire that any claims research be educational as well as practical. They hope that in addition to identifying areas for potential claims, such work will also help people of Metis ancestry better to appreciate their heritage.

## 2. Suggested Research Project

On the basis of the work undertaken hitherto, a series of four Projects suggest themselves.

### Project A

Project A would be of an introductory nature. It would be designed to educate those involved in the broader historical problem areas of Metis-government relations and to give them an appreciation of the evolution of the policies and legislation affecting the Metis people. Such an appreciation would help determine the shape and scope of subsequent regionally-oriented research projects.

In contrast to later projects, Project A would consist of a broad overview, at the national level, tracing the main threads in government policy towards Metis rights and grievances, primarily as the policy was expressed through legislation and orders-in-council. A detailed investigation of the processes by which policy was made and implemented, would be avoided. Such in-depth work would fall under Project D.

Project A would place the Dominion's policy in its historical context, by examining the policy approaches to Metis claims of rights and special status that were adopted by officials of the Hudson's Bay Company in the pre-1870 west, and by government negotiators at the time of the 1850 Robinson Treaties in Northern Ontario. Consideration would also be taken of alternative policies for dealing with the Metis which were at various times considered by federal and company officials, but eventually rejected. By contrasting the policies which were considered but rejected with those which were implemented, a more complete understanding can be obtained of how government viewed the rights of Metis and their place in society as a whole. A compilation of government legislation would be an integral part of such a project, and would serve as a point of reference in future analysis and negotiations of claims in somewhat the same manner as the treaties and the Indian Act do for Indian claims.

The above project need not be excessively time-consuming. Having analysed and defined the main strands of government policy and the ensuing legislative framework, research work could then proceed to a series of regionally-oriented studies, along the following lines:

## Project B

A socio-economic study of the Metis in the period before the issues of scrip would be essential for a full understanding of the source and nature of Metis claims. In dealing with Metis society in the pre-scrip period, such work would also provide a point of contrast with the situation of the Metis after government scrip policies were introduced. Thereby, the research would shed some light on the effectiveness of the government policy objectives and implementation and relevance. Questions would be posed which pertain to the social context of potential claims. For example, were the Metis an identifiable group and what was their place in regional society vis a vis both whites and Indians? Were there unique aspects to Metis society within each region which would help us understand how the government viewed them and they viewed themselves? Furthermore, because of the continuous westward movement of Metis people during the nineteenth century, a broad look at Metis migration patterns would be helpful for later studies of scrip administration, and could also have a bearing on claims to aboriginal title. For example, in Alberta the Metis were relative newcomers; knowledge about Metis migration there could provide a basis for analysing claims of aboriginal title based on traditional use and occupancy of the land in that region.

The definition of pre-scrip patterns of Metis land holding would also form a part of this study. Such information could provide an understanding of the role of land in the Metis pattern of life, and would therefore be useful in assessing claims that the scrip policy failed to make the Metis a landed people. Sufficient material exists to study land-holding patterns for older settled regions like Red River and the south Saskatchewan, which had well established Metis communities by the 1870's and 1880's. Sources may also be available for those areas in which Metis lived chiefly on or near Indian reserves.

## Project C

The Metis view of themselves grew largely out of the social and economic conditions in which they lived; these conditions will have been examined in Project B. An historical investigation of past Metis claims in the different regions over the years would be an extension of that project. Project C would identify, collate and analyse Metis petitions, claims during treaty negotiations with the Indians, and the bills of rights issued during the two Riel Rebellions.

It is possible that the government's failure to meet past claims may be one basis for current claims to be put forward. Therefore, an appreciation of the context and substance of past claims would be useful in enabling the government to respond to present Metis submissions.

An example of past Metis claims is a bill of rights drawn up by Louis Riel in September 1884. It demanded that the Dominion Government set aside 2 million acres for the Metis people the "interest of the proceeds" of which should be used for schools, hospitals, ploughs and seed. But it appears that the Metis leaders felt that the native people's title could only fully be extinguished by "the annual payment of the interest (in perpetuity) on a capital representing the value of land in the Territories estimated to be worth... twenty-five cents an acre for the half-breed and fifteen cents for the Indians."

## Project D

Project D would be a region by region study of the government's response to Metis claims as manifested in legislation, orders-in-council, scrip and the criteria underlying the inclusion or exclusion of Metis from treaty. It could be ascertained whether or not the Metis were in practice treated as an identifiable group with special rights, and if so what the government perceived the nature of these rights to be.

A study of the implementation and effect of governmental policy, especially scrip, and the Metis response to these initiatives would form an integral part of Project D. Did the Metis in specific areas want scrip or would they have preferred to have taken treaty? How far did scrip alter the social and economic condition of the Metis people, as outlined in Project B, by turning them into a landed people? If it failed to do so, why was this so? This would lead to the clarification of aspects of scrip policy which the Metis have already identified as problematic, as for example, the question of loss of scrip through administrative error and delay or speculation. It would be impossible to examine each application for scrip in this way. However, a study of a representative sample of individual cases from each region would clarify any major irregularities in the administration of scrip which might constitute a source of grievance. For example, an alleged shortfall in land granted under the Manitoba Act has been a source of concern to the Manitoba Metis Federation for some time.

## Project E

Metis groups have indicated that they are also anxious to conduct oral interviews with their old people. There is always some degree of doubt about the historical validity of such evidence. However, an oral history project could be undertaken as a complement to the above work, provided the questions asked were well directed and pertinent to the main issues.

At this stage, too little is known with certainty about the detailed contents of the mass of resource material concerning Metis. Therefore, a series of projects could help provide some focus to the research and allow for continual control and re-evaluation of the scope and direction of the research program at various stages. The projects outlined above could be easily expanded, contracted or amalgamated in the light of new findings and insights.

### 3. Implementation

The responsibility for undertaking research should be shared with both the Government and native parties contributing resources and personnel to mount joint fact-finding projects.

In considering such an approach it must be remembered that Metis groups have indicated a strong desire to maximize the involvement of their people in research and analysis. Such involvement must be encouraged if the educational benefit is to be achieved for these groups. However, practical experience in dealing with Indian specific claims has suggested that more coordination throughout the period of research could considerably facilitate more fruitful discussion and negotiation and settlement of claims. A joint fact-finding approach could provide such coordination by enabling full and

open exchange of all evidence as it is discovered. Duplication of effort would be avoided by regular contact among members of the research team. Such joint research would also minimize mistrust caused by alleged government failure to disclose relevant information. In the long run, time could be saved as claims analysts and negotiators on both sides would have had access to the same material throughout. Thereby disputations about the existence of documentary evidence could be avoided and claimants would be in a position to present their case on the basis of all the available sources.

A Model for Implementation of Research into Metis Claims

Recognizing that it is unlikely that the projects discussed in Appendix 4 would be undertaken by government alone, the following model for implementation of research is intended to serve as a point of departure for discussion purposes only.

In planning the organization of the research, five guidelines have been considered:

- i) the research would be completed in two years,
- ii) sufficient financial resources would be available to undertake the required work
- iii) the researchers would all be experienced and their numbers would be sufficiently small so as to facilitate control, efficiency and the mutual sharing of ideas and information,
- iv) to ensure realization of research principals outlined in Appendix 4, there should be one officer known as the Program Director who would have responsibility for controlling the scope and direction of the program as a whole,
- v) as a rule, only one project would be undertaken at one time, with the possible exception of Project C and D which would be undertaken concurrently. This would help the Program Director keep abreast of the progress of research and maintain control of the overall direction of the program. It would also allow for the redefinition of future projects in the light of new insights gained during the project currently under way.

With the above points in mind, the organization of the research team could be relatively simple.

- 1) Heading the team would be the Program Director. This person would be at an SI-6 or equivalent level and would report to senior officers of the Department. This officer will have overall control of the scope and direction of the entire research program during the two years of its duration. The Program Director should have practical research and managerial experience, and some knowledge of Metis sources and history. He or she will be helped in the task of maintaining control by periodic consultations with the project officers.
- 2) Project Officer: It is envisaged that there would be at least one such officer for each project. He or she would be engaged by the Department on contract. Such a person should be a competent and experienced researcher, knowledgeable about archival practice and procedures and, preferably, familiar with the sources relating to Metis. Some managerial experience would also be desirable. The Project Officer would be responsible for the day-to-day supervision of the research and the allocation of work among the other researchers. This officer would report to the Program Director on the progress and findings of the research team, and could provide suggestions concerning implementation of future projects in the light of new insights. The final decision about research direction would rest with the Program

Director. A Project Officer would be paid at the SI-4 salary range.

- 3) The remainder of the research team would be made up of a group of researchers engaged in whole or in part on a contract basis. All should have had archival research experience with late 19th and early 20th century Canadian public records. Those with demonstrated experience in conducting research in Metis and or Indian sources would be preferred. Depending on experience, researchers would be paid at the SI-2 and SI-3 salary ranges.

It is very difficult at this stage to provide definitive estimates of the likely manpower requirements for the program as a whole, and of the time needed to complete each individual project. However, past experience with research in Indian Claims suggests that with a team of efficient and competent researchers, it should be possible to complete a research program of good depth and quality within two years. A cost breakdown for the research program follows:

Personnel Salary Scale (to be renegotiated this year)

Program Director: SI 6 (\$23,300 - 25,700) \$26,000\*\*  
 Project Officer: SI 4 (equivalent) (\$17,900 - 19,700) \$20,000\*\*  
 Researcher (depending on experience): SI 2-3 (equivalent) (\$15,000 - 16,500;  
 \$16,000 - 17,600) \$17,000\*\*  
 \*\*Per annum salary on which estimates are based.

Project Cost Breakdown

Project	Time	Staff	Cost
Project A	3 months	1 project officer 4 researchers	\$22,000
Project B	6 months	3 project officers 6 researchers	\$71,000
Project C*	15 months	1 project officer 2 researchers	
Project D*	15 months	3 project officers 12 researchers	\$397,500

\*Project C and D could run concurrently.

Project E is not included as the Metis would do this themselves.

Travel and Accommodation

Project	Time	No. of Researchers	Cost
Project A	1 month	One	\$1500
Project B	2 months	Two	\$6000
Project D	4 months	Two	\$12,000

Copying Costs

Based on an estimate of \$550 per month, the total over two years would be \$13,200.

Summation

Project Director	\$52,000
Research Staff	490,500
Travel & Accommodation	20,000
Copying	<u>13,200</u>
TOTAL COST:	\$575,700

The above does not take into account general administrative costs as it is assumed these would be subsumed within the general operating budget of the Branch under whose auspices the Program would be conducted.

INDIAN CLAIMS DEVELOPMENT FUNDING

	TOTAL FUNDING TO MARCH 31, 1976		FUNDING 1975-76		FUNDING COMMITMENTS 1976-77		PAYMENTS TO DATE 1975-77		BALANCE OWING 1976-77	
	Contributions	Loans	Contributions	Loans	Contributions	Loans	Contributions	Loans	Contributions	Loans
<b>PRUITHEES</b>										
Indian and Metis Assc. Nfld. - LNB	\$ 108,000	\$ -	\$ 41,000	\$ -	\$ 50,000 <sup>(3)</sup>	\$ -	\$ 45,000 <sup>(3)</sup>	\$ -	\$ 5,000	-
Union of NS Ind.	512,376	-	100,000	-	65,000	-	61,500	-	3,500	-
Union of NJ Ind.	445,367	-	99,700	-	65,000	-	55,500	-	9,500	-
Prince Edward Island	22,235	-	-	-	-	-	-	-	-	-
Tobique Band	4,101	-	101	-	-	-	-	-	-	-
Wagmatcook Band	5,000	46,240	-	46,240	-	50,340	-	20,000	-	30,340
	1,098,079	46,240	239,801	46,240	180,000	50,340	162,000	20,000	18,000	30,340
<b>QUEBEC</b>										
Indians of Quebec Association	695,018	-	140,000	-	86,000	-	70,900	-	15,100	-
Chicoutimi Band	31,700	-	9,200	-	-	-	-	-	-	-
Le Conseil Atkashek-Montagnais	-	-	-	-	49,000	-	28,500	-	20,500	-
Grand Council of the Crees	-	3,220,701	-	1,500,000 <sup>(2)</sup>	-	-	-	-	-	-
Northern Quebec Inuit Assc.	-	1,676,000	-	1,150,000 <sup>(2)</sup>	-	-	-	-	-	-
Naskapi Band	-	250,000	-	250,000	-	210,000	-	210,000	-	-
	726,748	5,146,701	149,200	2,900,000	135,000	210,000	99,400	210,000	35,600	-
<b>ONTARIO</b>										
Union of Ont. Ind. Assc. of Innuits & Allied Indians	513,888	-	124,300	-	110,000	-	67,500	-	42,500	-
Treaty #3	377,552	-	54,100	-	52,500	-	42,600	-	9,900	-
Treaty #9	211,100	-	65,000	-	55,000	-	47,900	-	7,100	-
Pukaskwa Park Cttee	254,310	-	130,500	-	107,714	-	92,500	-	15,214	-
St. Regis	25,000	-	-	-	-	-	-	-	-	-
Six Nations	11,000	-	1,000	-	-	-	-	-	-	-
Tenagami Band	80,000	-	80,000	-	32,500	-	30,300	-	2,200	-
	15,000	-	-	-	-	50,000	-	-	-	50,000
	1,488,850	-	455,900	-	357,714	50,000	280,800	-	75,914	50,000
<b>MANITOBA</b>										
Manitoba Indian Brotherhood	795,437	-	253,700	-	215,000	-	175,100	-	39,900	-
Flood Cttee	2,000	468,200	2,000	300,000	8,268	797,000 <sup>(5)</sup>	8,268	797,000	-	-
Dakota Objibway Tribal Council	15,000	-	15,000	-	-	-	-	-	-	-
	813,437	468,200	280,700	300,000	223,268	797,000	183,368	797,000	39,900	-
<b>SASKATCHEWAN</b>										
Federation of Saskatchewan Ind.	1,142,914	-	296,455	-	220,000	-	179,000	-	41,000	-
Dakota Assc.	29,000	-	-	-	-	-	-	-	-	-
Wittebeer Band	6,956	-	955	-	-	-	-	-	-	-
	1,178,870	-	297,412	-	220,000	-	179,000	-	41,000	-
<b>ALBERTA</b>										
Indian Association of Alberta	891,536	-	296,000	-	177,286	-	140,886	-	36,400	-
Blood Band	30,000	-	10,000	-	5,000	-	5,000	-	-	-
Blackfoot Band	8,000	-	8,000	-	-	-	-	-	-	-
Cree Band	57,000	-	13,000	-	-	-	-	-	-	-
Ketewin Band	6,000	-	6,000	-	10,000	-	8,300	-	1,700	-
Peigan Band	25,000	-	15,000	-	10,000	-	8,400	-	1,600	-
Sanson Band	30,000	-	11,000	-	-	-	-	-	-	-
	1,047,536	-	359,000	-	202,286	-	162,586	-	39,700	-
<b>BRITISH COLUMBIA</b>										
Union of B.C. Chiefs	863,454	-	30,000	-	-	-	-	-	-	-
Native Brotherhood of B.C.	19,000	-	-	-	-	-	-	-	-	-
Nishga Tribal Council	152,000	-	102,000	-	-	175,000	-	130,000	-	45,000
Council for Haida Nation	50,000	-	50,000	-	-	-	-	-	-	-
Kitwancool Band	-	100,000	-	100,000	-	-	-	-	-	-
	1,084,454	100,000	182,000	100,000	-	175,000	-	130,000	-	45,000
<b>YUKON</b>										
Yukon Native Brotherhood Council for Yukon Indians	452,426	-	-	-	-	-	-	-	-	-
	185,000	700,000	100,000	700,000	-	400,000	-	300,000	-	100,000
	647,426	700,000	100,000	700,000	-	400,000	-	300,000	-	100,000
<b>NORTHWEST TERRITORIES</b>										
N.W.T. Indian Brotherhood	438,390	300,000 <sup>(3)</sup>	100,000	300,000 <sup>(3)</sup>	75,800 <sup>(3)</sup>	-	65,800 <sup>(3)</sup>	-	10,000 <sup>(3)</sup>	-
Inuit Tapirisat of Canada	-	918,300 <sup>(3)</sup>	-	918,300 <sup>(3)</sup>	-	-	-	-	-	-
	438,390	1,218,300	100,000	1,218,300	75,800	-	65,800	-	10,000	-
<b>NATIONAL</b>										
National Indian Brotherhood	616,098	-	71,000	-	40,000 <sup>(4)</sup>	-	38,000	-	2,000	-
<b>TOTALS</b>	<b>\$9,139,818</b>	<b>\$7,679,341</b>	<b>\$2,235,013</b>	<b>\$5,264,563</b>	<b>\$1,434,064</b>	<b>\$1,632,340</b>	<b>\$1,170,954</b>	<b>\$1,557,000</b>	<b>\$ 263,114</b>	<b>\$225,310</b>

NOTES (1) Through a joint funding arrangement with the Indian Affairs Program, the Northern Program provided a further \$75,000 in 1974-75 and \$150,000 in 1975-76 to the N.W.T. Indian Brotherhood for Research and Claims Development

(2) Provided by Financial Services - IAND

(3) Provided by Northern Program - IAND

(4) \$10,000 provided from Consultation Funding.

(5) Bank Loan Guarantee.

FUNDING REQUESTS AND ACCOUNTABLE CONTRIBUTIONS PROVIDED

<u>ASSOCIATION/BAND</u>	<u>FUNDING REQUEST</u>	<u>TOTAL RECEIVED &amp; COMMITTED</u>
<u>MARITIMES</u>		
Union of N.S. Indians	\$ 75,300	\$ 65,000
Union of N.B. Indians	99,704	65,000
	<u>\$ 174,704</u>	<u>\$ 130,000</u>
<u>QUEBEC</u>		
Indians of Quebec Association	387,183	85,000
Attikamek Montagnais	152,020	49,000
Caughnawaga Band	52,700	-
	<u>591,903</u>	<u>135,000</u>
<u>ONTARIO</u>		
Union of Ontario Indians	222,663	110,000
Grand Council Treaty #3	147,075	55,000
Grand Council Treaty #9	418,988	107,714
Assoc. Iroquois & Allied Indians	79,500	52,500
Ontario Reserves Association	88,000	32,500
St. Regis Band	23,500	-
Gibson Band	18,340	-
Walpole Island Band	26,379	-
	<u>1,024,445</u>	<u>357,714</u>
<u>MANITOBA</u>		
Manitoba Northern Flood Committee	5,000	5,000
Manitoba Indian Brotherhood	1,276,100	215,000
	<u>1,281,100</u>	<u>220,000</u>
<u>SASKATCHEWAN</u>		
Federation of Sask. Indians	466,663	220,000
	<u>466,663</u>	<u>220,000</u>
<u>ALBERTA</u>		
Indian Assoc. of Alberta	177,285	177,285
Peigan Band	21,220	10,000
Kehewin Band	30,000	10,000
Blood Band	10,000	10,000
Blackfoot Band	38,600	-
Samson Band	30,000	-
Goodfish Lake Band	5,000	-
	<u>312,105</u>	<u>207,285</u>
<u>YUKON</u>		
Yukon Native Brotherhood	65,160	-
	<u>65,160</u>	<u>-</u>
<u>NATIONAL</u>		
National Indian Brotherhood	30,000	30,000
	<u>30,000</u>	<u>30,000</u>
<b>TOTAL</b>	<u><u>\$3,946,031</u></u>	<u><u>\$1,300,000</u></u>

November 5, 1976  
PRE