

VOLUME I: MANITOBA RECORD SOCIETY PUBLICATIONS

# MANITOBA



THE BIRTH  
OF A PROVINCE  
edited by  
W L. MORTON



Courtesy of the present Lord Iddesleigh

**SIR STAFFORD NORTHCOTE**

# **MANITOBA: The Birth Of A Province**

W. L. Morton

Volume I: Manitoba Record Society Publications

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**In Memoriam: Professor T. J. Oleson**

## Editor's Preface

The following collection of documents has been prepared in the belief that together they make up a readable and vivid account of the conflict of purposes that led to the birth of the original Province of Manitoba. Most have been published before, but are not readily available; the remainder are published for the first time, particular the important diary of Sir Stafford Northcote, Governor of the Hudson's Bay Company, kept during his visit to Ottawa in 1870. The convenience and novelty of having the major documents in one volume is thought to justify the reprinting of those already in print.

Debts as well as documents were collected in preparing the volume. I wish to thank the Manitoba Record Society, and especially its General Editor, Professor W. D. Smith, for help and advice in preparing the volume. The Provincial Archivist of Manitoba, Mr. H. W. Bowsfield, has greatly helped in this as in so much of my work. Dr. W. Kaye Lamb -and the staff of the Public Archives of Canada have, as always, been prompt to aid the researcher. Miss Malvina Bolus, editor of *The Beaver*, has identified Hudson's Bay Company personnel for me, as did the late Dr. Albert B. Corey of the New York Historical Society with other names. The staff of the Library of the University of Manitoba were as always helpful. My secretary, Mrs. J. C. Buchanan, and the secretary of the Department of History, Miss M. Kawata, have toiled cheerfully, as I trust, to give my writing and dictation the satisfying clarity of good typing. I must also thank Mr. Barry Hyman, MA., who as my historical assistant as the volume went to press did those things that had to be done.

I owe especial thanks to the present Lord Iddesleigh for permission to publish the diary of Sir Stafford Northcote, and to Professor G. F. G. Stanley, of the Royal Military College, Kingston, whose scholarly alertness and generosity first saved Rev. N.-J. Ritchot's journal from complete loss, and then granted me permission to publish an English translation of it. These two documents are the core of the volume.

I alone am responsible for the text of the introduction, the introductions to the separate documents, and the text of the documents, together with the notes.

University of Manitoba, 1965

W. L. Morton.

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## **Abbreviations**

AASB	Archives of Archbishopric of St.
Boniface	
BM	British Museum
MHS	Minnesota Historical Society
PAC	Public Archives of Canada
PAM	Public Archives of Manitoba
UML	University of Manitoba Library
USNA	United States: National Archives

## Introduction

The Province of Manitoba was born in 1870 of the need of Canada to expand and the desire of the Red River Settlement to have a voice in its own government. It came to birth in the transfer of Rupert's Land and the North Western Territory from the Hudson's Bay Company to the Dominion of Canada. The new Dominion had as its destiny the union under its government of all British territory in northern America. Its great central provinces urgently needed new land for farmers' sons and new markets for its business houses. But the people of the Red River Settlement and the North West, officers and servants of the fur companies, Scots half breeds and French métis Selkirk settlers and American and Canadian traders, had a half century of life separate and distinct from that of Canada behind them. Accustomed to practical freedom and a measure of self-government, they had for some time been on the brink of receiving more as a separate colony, no longer under the Company, but under the Crown. They had anticipated having more self-government, and they therefore wanted that also from the transfer, not merely a change from familiar to strange governors.

The desire of Upper Canada, become the Province of Ontario in 1867, to expand was well known. It had been declared with vigour in 1857 by the *Globe* of Toronto and the Legislature of Canada.<sup>1</sup> The accepted policy of the Canadian government came to be, indeed, to claim all the territory explored by the French as far as the Rockies as rightfully Canadian.<sup>2</sup> An exploring expedition from Canada studied the routes to the west and the resources of the Red and Assiniboine valleys from 1857 to 1859. Its report, published by H. Y. Hind, became one of the major sources of information on the North West, then as unknown and misunderstood much as the Canadian North is today.<sup>3</sup> An interest in the North West was

<sup>1</sup> For example, *Globe*, Dec. 23, 1856; Jan. 6, 1857; See also Canadian Library Association, *Canadian Parliamentary Debates*, 1857, Mar. 2 and Mar. -1; *Journals of Legislative Assembly*, 1857, 382.

<sup>2</sup> PAC, C.O. 42/609, Head to Labouchere, Jan. 9, 1857, with Minute of Executive Council setting out Canadian claim.

<sup>3</sup> H. Y. Hind, *Narrative of the Canadian Red River Exploring Expedition of 1857 and the Assiniboine and Saskatchewan Exploring Expedition of 1858*, (London, 1860).



created among the Canadian public. Ties were strengthened, or created, between the Red River Settlement and Canada, the French missionary ties with Quebec, the journalistic ties between *The Globe* and its offshoot in Red River, *The Nor'Wester*. Above all, a few Canadians settled in Red River, such as John Christian Schultz and Henry McKenney.<sup>4</sup> With some Red River people, such as James Ross, son of the historian of Red River and educated in Knox College, Toronto, they became the party of Canadian Manifest Destiny. The leader of this Canadian party came to be the energetic Schultz. From 1860 to 1869 this party worked and waited for the advance of Canada into the North West. By 1868 "the Canadas," as the suspicious métis called them, through Schultz had established contact with the first members of Canada First, a group of young Canadian expansionists in Ottawa and Toronto.<sup>5</sup>

"The Canadas" found their friends among the Selkirk Settlers, who were farmers for the most part and tied to Upper Canada through their pastor, Rev. John Black of Kildonan, and by bonds of kinship, education and religion with Upper Canada. Otherwise the Canadians were free traders, or dabbled in the free trade in furs. This gave them a few friends among the métis and half breeds, but made them rivals of the Hudson's Bay Company and its accepted free traders, such as Andrew McDermot and A. G. B. Bannatyne. Most of the Settlement preferred the continuation of Company rule and the direct connection with Great Britain to government of the colony falling into the hands of the Canadian party and its friends from Canada.<sup>6</sup> The Company was familiar; Great Britain was trusted; Canada was judged by the Canadian party. If any change was acceptable to a majority, and it was known change must come, probably the most acceptable change would have been to have Red River made a Crown Colony.

Distrust and fear of Canadian expansion was, in fact, general throughout the Settlement. But it was strongest amongst the French clergy, the French Canadians of St. Boniface, and the métis of the French parishes. There was much need for immigration from Lower Canada, now the Province of Quebec. Its people had been going to New England for a generation. Yet French Canada had historic ties of exploration and living ties of kin and mission work with the North West. Its nationalism, inflamed anew by the controversy over Union and Confederation, was prepared to see in the fate of the métis the fate of the French element in the North West. French Canada, however, was cut off from the North West by Upper Canada; it feared that expansion might benefit only Upper Canada; it seemed for this reason to become opposed to the acquisition of the North West.<sup>7</sup> As a result, Canadian expansion westward seemed to be only for the benefit of English Canada.

<sup>4</sup> W. L. Morton, *Manitoba: a History*, (Toronto, 1957), 110-111.

<sup>5</sup> G. T. Denison, *The Struggle for Imperial Unity*, (Toronto, 1909), 15.

<sup>6</sup> W. L. Morton (ed.) *Alexander Begg's Journal of the Red River Resistance and Other Documents*, (Toronto, Champlain Society, 1957), 10-12.

<sup>7</sup> PAC, *Globe*, Apr. 2, 1858; May 24, 1859; July 7, 1859; Sept. 15, 1859.

Thus the fears and doubts with which the people of Red River and the North West viewed the transfer to Canada were held much more strongly by the French of the North West, and especially by the métis. The Red River habit of self-government and the expectation of more with the end of Company rule were valued more by the métis than any other group. The British settlers and Scots half breeds might be prepared to trust the government of Great Britain to see that Canada did right by the people turned over to its sway. The French Canadians might even trust George-Etienne Cartier to see to it that his French compatriotes in the North West were justly treated. But the métis and the missionaries from France had not the connections that made such trust possible. They felt they had to rely on their own resources. These they had in the council and bonds of the buffalo hunt, with their traditions and habit of common action, and in their leader, born and educated with a sense of mission, Louis Riel fils.<sup>8</sup> The métis were determined to resist action by Canada in the North West, and the proclamation of its government there, until terms of self-government and explicit benefits had been negotiated with the government of the Dominion of Canada. From this determination came the Red River Resistance of 1869, one outcome of which was the birth of the Province of Manitoba.

## II

The Resistance of 1869 rested on the premise that Canada had no legal rights or powers in Red River, because the transfer had not been completed, and because the people of Red River had not been consulted. Its leaders asserted that the authority of the Hudson's Bay Company had ended with its agreement to the transfer. They held therefore that there was no legal government, that the people at Red River were in a state of nature, and might lawfully, under the law of nations, set up a provisional government for their mutual protection and security.<sup>9</sup> This exercise in natural law, somewhat clerical and somewhat American in its assumptions and terminology, overlooked both the sovereignty of the British Crown and the fact the Hudson's Bay Company authorities were to govern until a Canadian governor took over on the agreed date of transfer. And William McDougall, sent as governor designate from Canada, did indeed feel he must attempt to take over on what he supposed, or hoped, was the date of transfer.

These legal considerations, though important, were secondary in nature. The Resistance was in fact to initiate negotiations with Canada on the terms of the transfer, and the benefits the people of the North West might expect to receive

<sup>8</sup> PAC, Macdonald Papers, 103, "Notes on the Red River Troubles," written for Cartier by Ritcot.

<sup>9</sup> Ibid.; see also G. F. G. Stanley, *The Birth of Western Canada*, (Toronto, 1960), 57-58.

<sup>10</sup> Begg, *Journal*, "Declaration of the Inhabitants of Rupert's Land and the North-West," 447-448.

from Canada. No terms had been included in the Deed of Surrender other than those granted to the Hudson's Bay Company, such as the payment of £300,000 and the retention of one-twentieth of the land in the fertile belt of the North West." It was left to Canada to deal with the people of the North West. To study their circumstances and needs and recommend action was the chief function with which William McDougall and his advisory council were charged.<sup>12</sup> There can be little doubt that within the year measures for self-government, for land grants and titles, and for railway construction would have been recommended. There can be no doubt that these would have been well considered and just.

Unfortunately, many factors - the feeling of the métis that they had been abandoned by the Hudson's Bay Company, fear of a land rush by English speaking and Protestant Canadians, the likelihood of being swamped by an Ontario majority - all these things induced Riel to amuse the métis, to impose a check on the transfer and to demand terms, particularly terms of self-government and land titles. In doing this Riel and his associates were encouraged and aided by the clergy in Red River. Bishop Alexandre Taché, who undoubtedly would have reassured his people and maintained their rights, was absent at the Ecumenical Council in Rome. Riel was also aided and abetted, somewhat gratuitously, but in ways he was not yet prepared to reject, by the Americans, - H. M. Robinson of the village of Winnipeg, Enos Stutsman the fiery, legless lawyer from Pembina, and the newly appointed and overbusy Vice Consul, Oscar Malmros from St. Paul.<sup>13</sup> They hoped to obtain support from that city, deeply interested as it was, in the trade of Red River and the future of the North West.

Both the fear of trouble in Quebec and of American intervention under pressure from the annexationists of St. Paul led the Canadian Prime Minister, Sir John Alexander Macdonald, to respond to the news of the Resistance by recognizing at once its threat and its character. He stopped payment for the transfer and dispatched commissioners on Canada's behalf. The first two were sent to pacify the métis, and really to take the place of the absent Bishop Taché. They were Rev. J. B. Thibault, a priest who had served in the North West since 1838, particularly at Saint-Francois-Xavier, until retirement to his homeland of Quebec in 1868. He was universally loved and respected among the French and métis. His companion was Charles de Salaberry. A son of the victor of Chateauguay, de Salaberry had served as quartermaster to the Canadian government exploring expedition of 1857-59, knew Red River and its ways, and was widely respected throughout the Settlement.

<sup>11</sup> E. E. Rich, *The Hudson's Bay Company, 1670-1870*, Vol. II, 1783-1870, (London, 1959), 880-890.

<sup>12</sup> E. H. Oliver, *The Canadian North-West: Its Early Development*, II, "Instructions issued to Hon. Wm. McDougall as Lieutenant-Governor of the North-West Territories," Sept. 23, 1869, 878-880.

<sup>13</sup> Begg, *Journal*, 86.

Their function was to explain the intentions of Canada and to reconcile the leaders of the Resistance to the transfer, at least to the extent of not resisting the transfer by violence. Their errand, however, was rendered unavailing by the degree to which the movement had developed and by Riel's sharp refusal to deal with anyone not accredited by the government of Canada to negotiate terms of transfer with a provisional government of Red River. Thibault and de Salaberry were, in effect, politely detained in the Bishop's Palace in Saint-Boniface, and the copies of the Proclamation of the Governor General, Sir John Young, they had brought for publication were also held. (They peacefully remain in the Archives of the Palace to this day.) How Thibault spent his days is unknown; no doubt pleasantly enough. The more active de Salaberry, true to his martial lineage, organized and trained a boys' band.<sup>14</sup>

The Resistance was not to be subdued by blandishments, and perhaps little was expected of this first commission. The next commissioner was a more formidable man, and was given quite different instructions. This was Donald A. Smith, chief officer of the Hudson's Bay Company in the Montreal district. He was sent to strengthen and reassure by his presence the officers of the Company, and to revive its prestige, especially over the *métis*, some of whom it employed and whose furs and pemmican it bought. Moreover, he was empowered to treat with "the people of Red River" on the terms of entry into the Dominion.<sup>15</sup> His task, therefore, was to treat with the whole of the people of the Red River, and not just with Riel's Provisional Government.

That body had been declared to be in existence by Riel and his associates on December 8, 1869. A first attempt to unite the whole settlement, English as well as French, behind Riel and his program of resistance had already failed. A convention of representatives of all the families of the Red and the Assiniboine had met on November 16, and had produced the first "Bill of Rights." But its work had been harassed by doubts of the convention's legality, and was quite upset by the defiance of members of the Canadian party under Schultz and their rising at the call of Governor McDougall and his lieutenant, Colonel J. S. Dennis. The latter had led the Canadian surveyors, the stopping of whose work on October 11 had begun the Resistance. The outcome was the capture of the Canadians in Schultz's house in Winnipeg, their imprisonment in Fort Garry and the proclamation of the Provisional Government by Riel and the council of the *métis* alone. The Government was thus simply the council of the buffalo hunt elected for a political purpose. It remained military and insurgent in character, and was not fitted to be either a peaceful or a representative negotiator.<sup>16</sup>

<sup>14</sup> *Ibid.*, 82 and 90.

<sup>15</sup> Oliver, *Canadian North-West*, 11, "Commission issued to Donald A. Smith, appointing him special commissioner, Dec. 17, 1869," 907-08.

<sup>16</sup> Begg, *Journal*, 79-80.

The commission of Donald A. Smith empowered him to consider with the people of Red River and transmit to the Canadian government terms governing the future of those people in the Dominion. But how was Smith to communicate with the people of Red River? The Council of Assiniboia had ceased to sit, and had never consisted of elected representatives. The Settlement had neither as a whole nor in any open and formal way approved Riel's Provisional Government as representative of Red River. There was, therefore, no body of representatives of Red River as a whole. What Smith attempted to do in these circumstances was to undermine support of Riel by using the influence of the Company upon the métis, and by appealing directly to the people of Red River in a mass meeting held within the walls of Fort Garry. In these two things he came near to succeeding. Some métis were detached from Riel; a public meeting was summoned by Smith to hear him as Canadian Commissioner on January 19, 1870. As a result, Smith, not Riel, became for a moment leader of the movement to formulate the terms Red River wished to put before the Canadian government.<sup>17</sup>

It was for a moment only. On the night of the first meeting, that of January 19, the French clergy, along with Rev. J. B. Thibault, intervened, apparently to restore the métis support that had defected from Riel. As a result, Riel, badly shaken on the first day of the meeting, began on the second to recover his position, and in the office of interpreter to regain the leadership of the movement to negotiate. He might yet be able to have his own set of terms of union submitted to Ottawa rather than one negotiated between Smith and the people of Red River.<sup>18</sup>

The decision of the mass meeting was to elect a convention to prepare terms for submission to the Canadian government. This was done at once, and forty delegates met in the Court House just outside the walls of Fort Garry on January 25. The debates of the Convention, and its elaboration of the second "Bill of Rights," as the terms of union were called, are recorded in the columns of *The New Nation*. This was printed on a press seized by Riel, and at this time was edited by the American, H. M. Robinson. The main interest of these events for this narrative is that the procedure Riel had attempted in November, 1869, he now used again, and Riel tried, first by every proper means, and then by the threat of violence, to make his program prevail. That program contained, or came to contain, two items which a majority of the Convention was reluctant to accept. One was the establishment until union was complete of a provisional government based on general acceptance, not on the armed power of the métis; the other was the making of the North West a province of the Dominion.

The origin of the second item is by no means clear. The territory to be transferred consisted of Rupert's Land, at its greatest extent all the territory under the British Crown draining into Hudson's Bay, from what is now northern Quebec

<sup>17</sup> Ibid., 264-265; see Smith's Report, Apr. 12, 1870, as originally written p. 47. below.

<sup>18</sup> Begg, *Journal*, 266-270.

and Ontario to the headwaters of the Saskatchewan. The area in question also included the North Western Territory, that is to say, the Athabasca-Mackenzie river basin. In the Red River debates, however, the North West seems chiefly to have meant the plains from the Red River valley to the Rockies, with the Saskatchewan valley and the forest country to the north. Whether the North Western Territory was ever meant to be included is not clear. Not much thought, in fact, seems to have been given to possible limits, or to the relation of the territory to the distribution of population within it. It was simply assumed that all the North West would be added to Canada, and it had always been assumed, and was now held by a majority of the Convention, that it would be admitted as a "territory." (As a unit of administration, this term was chiefly familiar from American usage.)

Then, in the Convention on February 3, Riel suddenly thrust the issue of the North West being admitted to the Dominion as a province for the first time into the discussion of terms. For the remainder of the Convention Riel sought to have admission as a province one of the terms of union. When on February 5 a majority including four French members defeated his attempt to require that the terms of transfer with the Hudson's Bay Company be annulled, he was furious.<sup>19</sup>

Riel's motives are nowhere stated. But they are to be guessed with a reasonable hope of general accuracy. Underlying all the Red River Resistance was the question of title to the land. Fur had been the source of livelihood and wealth under the old order. But the new order that was coming was agricultural, and in it by definition, the source of livelihood and wealth would be land. The day of the fur trader was ending; that of the land speculator was dawning. For a decade uncertainty over land titles had disturbed the Settlement; the last two years had seen the beginning of land grabbing, some of it on lots already claimed under the jurisdiction of the Hudson's Bay Company.<sup>20</sup> All too evidently the success of the newcomer, the security of the old settler, and the very survival of the French and *métis* community, unready as it was for a new order it would no longer dominate, depended upon security of land titles, or at least upon new grants sanctioned by the government and Parliament of Canada. The agitation of the land question gradually made two things clear. One was that the government of Canada meant to make the annexation of the North West final and profitable by settling its lands and by building a railway into the North West in part by means of land grants. To do this the Dominion would need control of the lands. The second was that if the North West came in as a "territory" on the American model - there was no British or Canadian precedent, except perhaps the old Province of Quebec of 1774 to 1791 - the

<sup>19</sup> PAM, *The New Nation*, Feb. 11, 1870; see "Proceedings In The Convention," below.

<sup>20</sup> Archer Martin, *Hudson's Bay Company Land Tenures*, (London, 1898), Chaps. V and VI; PAC, Diaries of Dr. William Cowan, July 19, 1869.

Dominion would control the lands of the territory, as did the government of the United States the lands of the Territories. The North West would become a national domain, its public lands owned by Canada.

This was the main significance of Riel's sudden demand that the North West enter, not as a territory, but as a province. His aim was to make such terms with Canada as would enable the people of the North West to control its local government in the early days of settlement, and as would allow them to possess themselves, as individuals and as a people, enough of the lands of the North West to survive as a people, and to benefit by the enhancement of the wealth of the North West that settlement would cause. Riel had come by the idea, apparently in obtaining, by what means is unknown, a copy of one of the two first published accounts of Confederation, either Thomas Rawling's *The Confederation of British North America Provinces*, or John Gooch's *Manual or Explanatory Development of the Act for the Union*, published in 1865 and 1867<sup>21</sup>. Whichever it was, the volume seems to have contained a copy of the Quebec Resolutions or of the British North America Act of 1867. Resolution 43 (7) of the Quebec terms and Section 92 (5) of the AM explicitly stated that the provinces of the Dominion owned the Crown lands of the provinces. If, therefore, the North West were to enter the Dominion as a province, the government of that province would control the grant and sale of its Crown lands, the whole enormous area of fertile land from east of the Red to the foothills of the Rockies.

The possibility of such control made it too much for Riel to accept the rejection by the Convention of his policy of seeking entrance of the North West as a province, defeated although it was by the vote of February 3.<sup>22</sup> The Convention had with much reluctance, and only under pressure put on both the Hudson's Bay Company and the Convention, and only after hearing that the ailing Governor of Assiniboia, William Mactavish, urged the action, approved the setting up of a civil Provisional Government. Riel with equal reluctance was elected its President. The program with which he had set out in November, 1869, was now carried out, and the election by the Convention of Judge John Black of St. Andrew's, (not to be confused with Rev. John Black), Rev. Noel-Joseph Ritchot of Saint-Norbert and Alfred H. Scott of Winnipeg, as delegates to negotiate with the Canadian government completed its work, and set Riel's policy of insisting on negotiated terms of entry on its way to completion. This position gave him the means to pursue the policy the Convention had rejected.

<sup>21</sup> PAM, Ross Papers, Riel to James Ross, Feb. 21, 1870, in which Riel asks Ross for his book on Confederation. The books may have been Thomas Rawling's *The Confederation of the North American Provinces*, etc. (London, 1865) or John Gooch's *Manual or Explanatory Development of the Act the Union of Canada, Nova Scotia and New Brunswick under the Name of Canada with the Text of the Act*, etc. (Ottawa, 1867). The latter, from its nature, seems more likely.

<sup>22</sup> PAM, *The New Nation*, Feb. 11, 1870.

Riel at once used his position as a President elected by a Convention of representatives of all the Red River parishes as a ground for treating the delegates as delegates of his government, not of the Convention, and for rewriting the “Bill of Rights” of the Convention. He and his advisers produced in private a new, third, “Bill of Rights.” It provided by Article 1 that the North West was to enter the Dominion as a province.<sup>23</sup> Like the two previous Bills, it demanded a railway to Red River, but obviously its drafters had no thought of a railway to the Pacific. It not only claimed the status of a province for the North West; it also asked that special land grants be made to the métis in recognition of their share in the Indian title to the land. Thus, the demand for the creation of a Province, despite the resolution of the Convention, was to be put to the government of Canada. The “Bill of Rights,” however, was to receive yet another revision. George-Etienne Cartier, at the height of the troubles, had urgently asked Bishop Taché to return from Rome. The Bishop left the great Council of his Church and reached Ottawa in early February. He left it about mid-February, and set out for Red River by St. Paul. What passed between him and the government in Ottawa, and what he was empowered to do in Red River is uncertain. There can be little doubt that his mission was not merely one of conciliation, but that he was a bearer of concessions, or a negotiator of terms.<sup>24</sup> Certainly Riel at first received him with deep suspicion; “it is Canada that passes,”<sup>25</sup> he said as the newly returned Bishop went by to Saint-Boniface. That is, he saw Taché as the representative of the Canadian government, even as a Conservative, while his own sympathies and policies were nationalist and Rouge.

However that may be, Taché brought back with him, whether at the suggestion of the government, or of Catholic friends in Ottawa, or as a result of his own reflections, the belief that the terms of entry into Canada should contain a safeguard for confessional schools. The first reference to this, is to be found in a letter from a prominent French Canadian living at Pembina, Joseph Lemay, with whom Taché stayed on his way through. Certainly the need of such a safeguard, and an apparent reconciliation between Riel and Taché led to a fourth, and as it proved, a final rewriting of the “Bill of Rights.” This fourth version not only contained the demand for entry as a province; it also contained in Article VII provision for the continuation of the existing confessional schools of Red River. The new province would thus be bilingual by Article I, have a second chamber like Quebec to protect minorities, and a dual system of confessional schools like the Province of Quebec.<sup>26</sup> The province would not only control its own lands; it

<sup>23</sup> Begg, journal, 515-6.

<sup>24</sup> PAC, C.O. 42/685, Young to Granville, Apr. 11, 1870, “. . . Taché expressed himself as quite satisfied with the terms accorded himself and his Church.”

<sup>25</sup> Dom Benoit, *Vie de Mgr. Alexandre Antoine Taché*, (Montreal, 1904), II 59.

<sup>26</sup> George Bryce, “Two Provisional Governments of Manitoba,” *Transactions of the Historical and Scientific Society of Manitoba*, No. 38 (Winnipeg, 1890) also *Manitoba Free Press*, Dec. 27, 1889.



would create within one province that union of French and English institutions that had been accepted as between Ontario and Quebec, but not within Ontario. Thus, the demand for the status of a province had become one freighted with great significance for the future of the North West, and indeed of the Dominion.

It was the fourth “Bill of Rights” that Black, Ritchot, and Scott, without apparent demur, took with them to Ottawa in April. The government of Canada thus found itself confronted, in the terms borne by the delegates from Red River, with a lot of specific demands and also with the general request that the North West be admitted as a whole to the Dominion. It was to be admitted as a province with all the powers and with the status of a province; - a province with a constitution maintaining racial and confessional equality as understood in the Province of Quebec.

The idea had already been mentioned to the government by Commissioner Donald A. Smith. Smith had left Red River on March 18, and reached Ottawa early in April. His report, dated April 12, records the demand for the status of a province, but also its rejection by the convention. It recounts and correctly assesses the well intentioned but rash expedition of Canadians and their sympathizers from Portage la Prairie.<sup>27</sup> He knew nothing of the happenings in Red River since his departure. There the Provisional Government had proclaimed civil rule on May 9. Riel and the two elected secretaries of state, Louis Schmidt and Thomas Bunn, together with members of the former métis council such as Ambroise-Didyme Lepine, functioned as an executive. The revised Bills of Rights were their work. An Assembly was elected from the parishes, and sat from April 26 to May 9. Its principal work was a revision and codification of the laws, or regulations, of the Council of Assiniboia under which the inhabitants of the Settlement had lived, except the parishes at Poplar Point, High Bluff and Portage la Prairie. The normal seasonal life of the Settlement was resumed. The execution of Thomas Scott on March 4, a result of the Portage expedition, which Smith had striven to avert, and which by April was arousing anger among Ontario Protestants, had no apparent effect in the Settlement. It was either accepted as a necessity, or resented in shocked silence.<sup>28</sup>

In law, the execution of Scott had no relevance to the matter of the terms of entry. The legality of the first Provisional Government, by which Scott had been executed, had been recognized by no one, and certainly not by the Government of Canada. The Convention elected by the people of Red River had elected delegates

<sup>27</sup> Begg, *Journal*, 540, see also F. N. Shrive, “Charles Mair: A Document on the Red River Rebellion,” *Canadian Historical Review*, XL (3) Sept., 1959, 215-226. This interesting document is not included among those printed with Begg *Journal*, or here, because it was not contemporary, but written years after the event. Its interest lies in revealing the temper of the Ontario Protestant, unchanged after fifty years, and so unmistakably expressed at the time.

<sup>28</sup> PAC, Secretary of State for the Province, 1870, (78) J. J. Hill to Howe, April 22, 1870.

who might be sent as representatives of the people of Red River. The second Provisional Government was simply accepted without comment as a necessary stop gap; no officer or act of it was ever recognized and it was to vanish without a trace. But, in fact, the delegates, as representatives of the Convention of the people of Red River and not, as Riel claimed, of the Provisional Government, had to be received.

These gentlemen had made their several ways to Ottawa. Judge John Black had been secretary to Adam Thom, first Recorder of Assiniboia, and then an officer of the Hudson's Bay Company in Fort Garry from 1851 to 1852. The next ten years he spent in the Australian colonies. In 1862, however, he returned to Red River as Recorder, and there he had resided ever since. Popular with the established English people of Red River, whom he was elected to represent, conventional to a degree and full of common sense and legal prudence, he viewed the Resistance, the Convention and the Bill of Rights with a contempt that even his being Chairman of the Convention and delegate failed to hide. He acted simply in the interest of peace and in the hope of an issue out of the troubles. The judge left for Canada with Captain C. A. Boulton and traveled separate from the other delegates in a bustle of outraged dignity to St. Paul and Ottawa, where he arrived on April 17 and put up at the Russell House.<sup>29</sup>

Rev. N: J. Ritchot was quite a different character. Born in Assomption, Quebec, he had served in the priesthood there until 1862. In that year he had come to Red River at the invitation of Bishop Taché, and in 1863 began to serve as cure of the parish of Saint-Norbert in which he continued, except for a period on the Qu'Appelle, until the Resistance. When that began, Ritchot was one of the clergy who undoubtedly both encouraged Riel to resist Canada and helped him keep the movement and the impetuosity of his followers within bounds most of the time. Like his fellow clerics, he acted on the theory, mistaken though it was in law, of the right to set up a provisional government. It was natural, therefore, that he should be chosen as the representative of the French element in the North West. No one of education, other than Riel who could not be spared, or the Bishop who was not available, could have represented better the fears and desires of the French and *métis* community.<sup>30</sup>

Ritchot traveled with the third delegate, and before his arrival in Ottawa is discussed, it is necessary to record what is known of Alfred H. Scott. Scott was an American, probably of recent British origin, who with some few of his countrymen since 1860 had drifted into Red River, and in particular the new village of Winnipeg. This scatter of stores and saloons had been formed by free traders in opposition to the Hudson's Bay Company, and was the natural haven of Amer-

<sup>29</sup> Begg, *Journal*, 392; see also p. 97 below (Taylor letter, Apr. 19).

<sup>30</sup> L, A, Prud'homme, *Noël-Joseph Ritchot*, (Winnipeg, 1928), 1-21, sketches Ritchot's life before 1869.

icans, whether they came as free traders, saloon keepers, handy men, or deserters from the Union army. Whether Scott belonged to one, or any, of these groups does not appear. He seems to have been a drifter, popular in the saloons of Winnipeg, who acted for the more important members of the American party, Enos Stutsman, H. M. Robinson, George Emmerling and H. S. Donaldson. In a curious gust of frontier democracy - it seems to have been that, not contrivance by either the French or the American party - he was elected a delegate to represent the American element in Red River.

The interesting result was that of the four "parties" in Red River, British, French, American, and Canadian, only the last, its members either in jail or scattered by the execution of Thomas Scott, was not represented on the delegation sent to discuss terms of union with Canada. It had, however, two representatives, Schultz, who had fled by the Winnipeg River and Lake of the Woods to Duluth and St. Paul, and Charles Mair, who had snowshoed from Portage la Prairie over the plains to St. Paul. Their oratory was already arousing the Orange lodges and Canada Firstmen in Ontario to deal with the delegates of Red River when they should arrive.<sup>31</sup>

Ritchot and Scott, together with Colonel de Salaberry, were making their way by dog sleigh up the Red River and overland to St. Cloud. Scott had, so it was reported, some valuable mink furs from the Hudson's Bay Company stores, perhaps just to pay expenses, perhaps a bit of plunder all too likely to be carried by a traveller out of the fur country.<sup>32</sup> They made their way from St. Paul by rail across the United States to Buffalo. From there on the route was secret, but they were escorted to Ottawa, no doubt on Macdonald's order as Minister of justice, by members of the Dominion Police.<sup>33</sup> In that city, which they reached on April 12, they were arrested at once on a warrant sworn out before a city magistrate at the instance of Hugh Scott, the brother of Thomas executed outside the walls of Fort Garry. Scott had acted out of bitter anger, but this reception of two of the Red River delegates had been inspired by the agitation worked up by Schultz, Mair and George T. Denison, all members of Canada First.<sup>34</sup>

The negotiations were thus almost made impossible before they began. Ritchot and Scott were not jailed, however, but were held in the Episcopal palace of the Roman Catholic Bishop of Ottawa. When the news reached Lord Granville, Secretary of State for the Colonies, he cabled at once to ask if it had been done by the

<sup>31</sup> Begg, *Journal*, 8-10.

<sup>32</sup> *Ibid.*, 342 and 358.

<sup>33</sup> PAC, Macdonald Papers, 244.

<sup>34</sup> Begg, *Journal*, 126.

Canadian government. Sir John Young at once assured him that the act was the result of private initiative, and announced that the government had appointed the counsel for the defence.<sup>35</sup>

This occurred on April 23, and the two were set at liberty. With this contretemps ended, the government squarely faced the issue the arrival of the delegates had raised. Their coming was the result of an invitation issued by a Commissioner of the government, Donald A. Smith. But since they had been appointed, Thomas Scott had been executed and the anger of the Orange element in Ontario aroused by Schultz and Mair. To receive the delegates as formally accredited the government had never intended, for it had no intention of recognizing the Provisional Government. Even to receive them openly would be much more than would be politically prudent. On the other hand, Granville insisted that they be heard, even if only by the Governor General. Macdonald and Cartier, the members of the Dominion Cabinet appointed to confer with the delegates, therefore had no choice but to meet them. They could only insist that they were delegates of the people of the North West, not of the Provisional Government.<sup>36</sup>

The political circumstances the Resistance had created and in the midst of which the delegates were received were stated with force and vividness by one of our witnesses of the birth of Manitoba, Sir Stafford Northcote. On April 28 he wrote to Disraeli:

The situation here is curious and interesting. Macdonald and Cartier, so long as they hold together, and so long as Cartier commands the French vote, are very strong. Ontario, however, is the dominant element in the Dominion and tends to become more and more so, and Macdonald is not supreme in Ontario, if even he has a majority there. Quebec, on the other hand, is alarmed at the power of Ontario, and desires to neutralize it by creating a French Catholic province in the North West. This had a great deal to do with the origins of the present difficulties, which have been fomented by the French priest, Bishop Taché, it is supposed, throwing the first brand after a personal quarrel with Cartier, though he did not mean to do quite as much mischief. The result has been the almost open raising of a national struggle between French and English, the former openly advocating Riel's cause until he made the stupid blunder of shooting Scott and setting themselves strongly against an Expedition that it seemed very doubtful at one time whether Cartier would be able to retain his command of them. Ontario on the other hand has been for war and forcible measures from the first, and when Scott's death was known there was an outburst of fury, and a band of filibusters would have gone off had the Expedition been checked. Upon any division that might have taken place the English would have had a large majority in the House of Commons, for the opposition would have gone with Macdonald in this question. But it would have been a division between French and English (eo nomine), not between Catholics and Protestants (for the Irish would have all gone against the French) and the result would have been either to make a split between Macdonald

<sup>35</sup> PAC, C.O. 42/685, Young to Granville, Apr. 19, 1870.

<sup>36</sup> PAC, C.O. 42/685, Young to Granville, May 5, 1870.

and Cartier, or to destroy the influence of the latter with his own party - either of which results must soon have destroyed the present combination and would probably have produced permanent hostility between the two races. The two leaders have shown great skill and tact in avoiding the catastrophe.<sup>37</sup>

To receive the delegates, to meet their terms as far as possible, even to create a province in the North West, all were necessary to avoid a French and English break and to preserve Confederation.

The three delegates were therefore met privately and informally at the Bishop's Palace, and also at Cartier's house by Sir John Macdonald and Cartier on April 23. Black and Scott were apparently prepared to accept this mode of proceeding as adequate, and began to discuss the "Bill of Rights" as terms of entry. But the more interested, and more astute Ritchot declined to participate until the delegates were formally accepted as such in writing by the Canadian government. His refusal to begin the negotiations forced Joseph Howe, as Secretary of State for the Provinces, to write a brief letter welcoming the delegates to a conference with Macdonald and Cartier. The letter, however, was addressed to them as individuals, not as delegates, and carefully refrained from referring to them as such, or to the Provisional Government. As an official letter of acceptance it was manifestly inadequate, but it satisfied Ritchot and the negotiations began on April 25. They went forward speedily, and were to be completed by May 2.<sup>38</sup>

These conferences were secret, were not reported at the time, and have left few traces in the known surviving private papers of the participants. It is this secrecy and lack of record that makes some of the documents published of especial value: the diary of Sir Stafford Northcote and the letters of J. W. Taylor. Both men were deeply interested in the events at Red River and their possible outcome. Both had intimate sources of information, and they probably recorded all that was known by any one not actually at the conferences. It seems that, for the present at least, these documents, along with the journal of N.-J. Ritchot, constitute the chief sources of information for the birth of the Province of Manitoba.

It is therefore important to look briefly at these men. Sir Stafford Northcote came to Ottawa as Governor of the Hudson's Bay Company. That office he had assumed as late as January 5, 1869. The transfer of the proprietary rights of the Company in Rupert's Land had already been agreed upon. Sir Stafford was elected to his office to safeguard the Company's interests in the transaction. He was a member of a long established Devon family. He had risen steadily as a Member of Parliament in the ranks of the Conservative party, for which he had become financial critic. He had been in the Conservative cabinets of 1858 and 1866, and

<sup>37</sup> BM, Iddesleigh Papers, Add. Mss. 50, Northcote to Disraeli, Rideau Hall, Ottawa, Apr. 28-9, 1870.

<sup>38</sup> Prud'homme, *Ritchot*, Howe to Ritchot, 99; PAC, C.O. 42/686, Young to Granville, May 5, 1870.

was to hold high office in later years, and become Lord Iddesleigh. Northcote's election as Governor by a Court of Directors long under Whig-Liberal influence was perhaps an attempt to stand well with both parties at the crisis of transfer.<sup>39</sup>

The difficulties that the Resistance had caused of course endangered the interests of the Company as well as those of Canada. Its principal fort and storehouse had been seized; a year's trade was in jeopardy; the bargain with the British Government might be upset. Moreover, there was always the danger that the Resistance itself might have the sympathy, if not the support, of discontented winter partners of the Company. (The Resistance had indeed much sympathy and a little support from Company officers at Red River.) It was thought prudent by the Committee of the Court of Directors that the Governor should be in Ottawa when the delegates of Red River were there. It was even planned that Northcote should, if it seemed necessary to him, proceed to Red River itself, like Sir George Simpson before him, to deal with the threat to company interests on the spot. Sir Stafford had every reason, therefore, to seek to be as well informed as possible as to all attempts to end the troubles in Red River.

Very different from this agent of the old Company was the other source of information on the negotiations, J. W. Taylor. The former represented a vanishing regime and one phase of the ending of British power in America. Taylor represented an alternative new power in the North West. He was a representative of the local manifest destiny of St. Paul, its desire to make the British North West its commercial tributary. Born in Ohio, Taylor had become a publicist and historian who eventually had made St. Paul his home. There he became the tireless advocate of northwest settlement, a Pacific railway by a northern route, and of the commercial and perhaps the political union of the American and Canadian North West. This persistent belief, very much an assertion of faith when Taylor began to urge it in the 1850's, was to earn him the nickname of "Saskatchewan" Taylor and was to lead him, as American Consul, to make Winnipeg his final home.<sup>40</sup>

A Democrat, Taylor had supported the Northern cause as a War Democrat, and in 1861 was made an official in the United States Treasury. He had used his position there, and the opportunities for study which Washington offered, to continue his advocacy of the resources of "central British America," as he called the Canadian North West, and of the desirability of keeping them open to development by American commerce and capital. When there was trouble in Red River, therefore, and the American Vice Consul, Oscar Malmros, was forced

<sup>39</sup> Rich, *Hudson's Bay Company*, 11, 884; see also Andrew Lang, *Life, Letters and Diaries of Sir Stafford Northcote, First Earl of Iddesleigh 1*, (London, 1890), 323-25.

<sup>40</sup> See Theodore Blegen, James Wickes Taylor, *A Biographical Sketch*, (Minnesota Historical Society Bulletin Vol. I [4] ).

to retire because of the publication of indiscreet parts of his official reports, it was natural for the Grant administration to turn to Taylor. In April, 1870, Hamilton Fish, the American Secretary of State, sent Taylor to Ottawa as special agent to report to him on the conduct of the negotiations.<sup>41</sup> Taylor, therefore, had every interest in learning all he could to report to Fish. And just as Northcote had *entrée* in Ottawa because of his position and English connections, so Taylor had also through his longstanding acquaintance with politicians such as Joseph Howe.

What these two witnesses heard and recorded, are, with one other document, the chief evidence as yet available of what took place in the negotiations for the entry of the North West into Canada. The other is Ritchot's own account, which is included to round out the known primary documentation. Events then and in after years, however, made the character accorded the delegation and the question of a general amnesty to cover all acts, including the execution of Scott, much more urgent than the question of entry as a province or a territory. Neither Northcote nor Taylor, nor even Ritchot during the period of his diary had much reason to be greatly concerned with this latter issue, and accordingly our documents, scant enough in themselves, have little indeed to offer on the explicit question of why Manitoba became a province in 1870.

What does emerge from the documents, and from a consideration of the whole set of circumstances is that the question of self-government for Red River had been answered in advance. The Canadian government had never thought of not granting self-government. The only doubts had been as to when, and in what manner, and to what area. The demand for self-government was in itself evidence of the need to grant it, and there was thus, apparently no argument over the grant of provincehood to Red River. But the grant was confined to the actual Red River Settlement; the demand for the giving of self-government to the whole North West was quietly set aside, and not discussed thereafter. That vast area was to be governed from Ottawa, not by a Red River legislature. As the right to confessional schools had either been granted to Taché before he returned to Red River, or was granted without discussion to the delegates to keep Quebec quiet, the control of education, as part of provincehood, was also quickly conceded. So also were federal financial subsidies and the provincial institutions of a legislature and courts.

There, however, the grant of the status of a province stopped. The control of public lands, yielded to the British colonies after 1839 and made part of Confederation by the British North America Act, was not to be given to the proposed province of Manitoba. These lands, with those of the vast remainder of the North West,

<sup>41</sup> Taylor had been under instructions as a Special Agent on Red River since the beginning of the year. NAUS, Department of State, Instructions to Special Mission, 1852-86, Fish to Taylor, Dec. 30, 1869.

were to be withheld “for the purposes of the Dominion,”<sup>42</sup> or the rapid settlement of the lands by homestead grants and the rapid building of a Pacific railway subsidized in part by land grants to the builders.

The claim of the métis to the land in right of their Indian descent and participation in the Indian title to the lands of the North West, not yet extinguished by treaty between the Crown and the Indian tribes, and their desire for lands as a stake and a defence in the new order, were to be settled by the confirmation of the titles of halfbreed heads of families, and by grants of two hundred and forty acres each to their children.<sup>43</sup> Thus the lands of the North West did not pass under the control of a government dependent on support from the representatives of no more than twelve thousand people settled along the Red and the Assiniboine. Neither was a treaty made between the Crown and the métis as though they were aborigines. They were confirmed in their lands, and their children given land partly as settlers, partly as descendants of aborigines. As a people, and as individuals, they were given a stake in the new order, lands on which they might live safely as a people, or as individuals, as long as they chose to hold the lands, and to live by the land alone, without recourse to the hunt or to trade. These aspects of the bill that was taking shape were therefore an attempt, prudently calculated, to allay the fears of dispossession among the métis, to enable them to live in the new order, if they could adapt themselves to a sedentary life, and at the same time to leave the North West open to Canadian expansion, and make its lands the means by which that expansion was in large part to be accomplished.<sup>44</sup> The Manitoba Act, by its grant of provincehood and halfbreed lands, thus became the key to open the North West to Canada.

When these issues had been settled, the negotiations for the initiation of a new order in the North West were, in effect, at an end. Judge Black set out for England; Alfred H. Scott departed for New York. The legal draftsmen began putting the terms of the “Bill of Rights” and of the agreements reached through negotiation into legal terminology as a bill to be introduced into Parliament. But the work of Ritchot was only half done. He had to take back to Red River not merely a Manitoba Act; he had also to take unequivocal assurance that a general amnesty covering all offences would be granted. Young’s Proclamation of December 6 had promised one to all who laid down their arms, but it had deliberately not been proclaimed in Red River while some still had arms in their hands to resist the introduction of Canadian authority. An amnesty had no doubt been promised Taché as he was to claim, but that promise, if made, was made in February before the execution of Scott. Did the promise include such acts, or could it have been made, once such an act was known in Canada? Ritchot had to have the most

<sup>42</sup> Statutes of Canada, 1870, “Manitoba Act;” 33 Victoria, chapter 3, Section 30.

<sup>43</sup> *Ibid.*, Section 31.

<sup>44</sup> See “Debates on the Manitoba Bill,” p. 216 below.



reassuring pledge of an amnesty, if the Manitoba Act were to end the Resistance and persuade Riel and his followers to admit the agents and authority of Canada into Red River.

Thus Ritchot continued to press Macdonald and Cartier for such a promise while the Manitoba Bill was being drafted. On May 2 it was brought down in the House of Commons by Sir John. His speech introducing the Bill throws some light on the negotiations from which it came, and also on the circumstances in the House.<sup>45</sup> Macdonald's government was supported by the great majority of French members. It also had a large number of supporters from Ontario, but that Province had been predominantly Grit and Liberal for a generation. The government had, therefore, to pursue such policies as would hold as much French support as possible while losing as little English support as might be. The French supporters of the government, though not declared nationalists, favoured Riel's Resistance and the pass-age of a Manitoba Bill giving self-government, the use of the French language, and confessional schools. The Ontario members were either in opposition, and ready to make the most of the agitation caused by the execution of Scott, or government supporters who could not afford to yield too much of the demands of Red River delegates either in the Manitoba Bill, or by way of an amnesty. Between that Scylla and this Charybdis the Bill had to be steered.

Macdonald's task, then, was one of justifying the Bill as an easy and natural response to the realities before the government. He made no reference to the failure of the government to carry out its policy of unconditional transfer, none to the resistance of the métis, and none to the execution of Scott. The government on advice had simply decided then rather than later to grant self-government to the people of the Red River Settlement in the form of a province. The issue of province or territory he skated over quickly, by saying quite unconvincingly that the concept of a "Territory" as a political organization was American and had no place in Canadian usage. But on the lands he was firm; these must be controlled by the Dominion both in the Province and throughout the territory to be annexed.

Here, then, was the outcome of the Resistance, the Convention, and the negotiations; a restricted province in a restricted area; the acquisition by Canada of the North West and all its fertile lands, except those granted to the Hudson's Bay Company and to the children of half breeds. The expansion of Canada had been assured by the negotiations and confirmed in the terms of the Manitoba Bill; the old order of the Company and the halfbreeds had won such conditions in government, schools and lands that might make it possible for them to survive and reconcile themselves to the new order.<sup>46</sup>

<sup>45</sup> *Ibid.*

<sup>46</sup> See Begg, *Journal*, 384, on the spirit in which Ritchot's report as delegate was accepted in Red River.

Macdonald, who had rarely spoken better, thus carried his great work of political consolidation of the northern half of the continent one stage further. But on May 5 he collapsed in his office in the agony of an attack of gall stones.<sup>47</sup> He had been reported to be drinking, always a sign of strain with him, and the effort of the negotiations, to find terms that would hold his government together and bring the North West into Canada without American intervention, had tried him beyond endurance. His life was feared for at first; when he rallied, he had to spend the summer convalescing in Prince Edward Island. The burden of carrying the Bill through and carrying out its terms fell upon Cartier.

The not less difficult task of opposing it fell upon Alexander Mackenzie. He, in fact, chose to criticize rather than oppose. The acquisition of the North West had long been more a Grit than a Tory measure. George Brown had been its apostle as no other man had. And some of the Canadian party, and a good deal of expansionist interest came from Mackenzie's own country in the western tip of the Ontario peninsula. He therefore accepted the Bill in principle, and criticized the government's mismanagement of the transfer, on which there was much to be said. The actual terms he questioned in only one major aspect, - the placing of the western boundary so as to exclude the Portage settlements. As these were Protestant, English, and under Canadian influence - there were indeed a few Canadian settlers there - the settlements had perhaps been excluded purposely, although the province of the Bill was in fact simply the old circular District of Assiniboia made square. The government at once accepted the change and the western boundary was moved westward to the longitude of 99 degrees.<sup>48</sup> Neither Mackenzie nor any other participant in the debate touched on, much less opposed, the provision for separate schools, the use of the French language, or the provision of a legislative council.

The debate in fact became largely a battle between Joseph Howe, the Secretary of the State for the Provinces, and William McDougall over their respective roles in the Red River Resistance. The issue was purely personal and political, and had nothing to do with the creation of the Province.

Indeed, only in the speech of Adams G. Archibald of Nova Scotia, and that of Cartier, did the debate return to the theme of the purpose and character of the Bill. Archibald's speech was a plea for the need for reconciliation and the acceptance of the Bill as a deed of partnership between French and English Canadians in the development of the North West. It was a speech of moderating wisdom by a gifted man of much common sense, and the first example of the role the Atlantic provinces had been expected to play in the working of the new Dominion,

<sup>47</sup> D. G. Creighton, *Macdonald: the Old Chieftain*, (Toronto, 1955), 68. See "Diary of Sir Stafford Northcote", p. 98 below.

<sup>48</sup> *Statutes of Canada, 1870*, "Manitoba Act", 33 Victoria, Chapter 3, Section 1.

that of the creative third party.<sup>49</sup> And Cartier's speech was a typical piece of his brusque debating style. He defended the Bill against attack, and asserted the practical and indeed imperative necessity for the granting of provincehood if the North West was to be secured. In many ways, the original bungling of the transfer was his; so also was the recovery of the initiative by the acceptance in large part of the "Bill of Rights" and the establishment of French institutions in Manitoba and the North West Territory.<sup>50</sup> Not without reason does his bust stand, however little regarded, on the grounds of the Legislative Buildings in Winnipeg.

The passing of the Act, which became law on May 12, was, however, only a small part of the work Cartier had to do. Three urgent issues had still to be dealt with. One was to satisfy Ritchot and the Provisional Government that an amnesty would be granted for all acts of resistance, including the execution of Scott. Another was to determine the character of the military expedition that was preparing to march to Red River. The third was to install the government of the new Province of Manitoba.

The first matter was not settled by Cartier; it was to vex Canadian politics for four unhappy years. He took the line that, as all acts of resistance had taken place before the transfer was completed, political responsibility for all crimes lay with the government of the United Kingdom. But both he and Lord Granville's personal representative in Ottawa, Sir Clinton Murdoch,<sup>51</sup> undoubtedly led Ritchot to believe, by their verbal assurances, that an amnesty would be granted by the Imperial government to cover all criminal acts of the Resistance, including the execution of Scott. In this belief Ritchot returned to Red River; this assurance he gave to Riel; in this confidence the Manitoba Act was accepted.<sup>52</sup> Riel accordingly allowed the métis to go off on the buffalo hunt and boat brigades, while he waited unarmed to complete a peaceful transfer. And Bishop Taché's failure later in a worried summer to get written assurance of the amnesty led to the belief, not yet dead among descendants of Riel's followers, that he had betrayed Riel and sacrificed the métis to the Conservative party and the Canadian government.

The second issue was similarly clouded. The expedition had first been planned to forestall the threat of an Indian rising, or of American intervention. As time passed, the second factor became more and more important. The role the British

<sup>49</sup> See "Debates on the Manitoba Bill", p. 216 below.

<sup>50</sup> BM, Northcote Papers, Northcote to Lampson, Apr. 20, 1870; Creighton, *Macdonald: the Old Chieftain*, 64. Also PAC, C.O. 42/685, Murdoch to Rogers, Apr. 14, 1870,

<sup>51</sup> Murdoch, as Commissioner of Immigration, had been in Canada, and was commissioned by Granville to hold a watching brief for him over the action of the Canadian government. He had been in Canada with Lord Sydenham.

<sup>52</sup> "Memoir by Louis Riel," Begg, *Journal*, 546. Ritchot, however, had petitioned the Queen for an amnesty; PAC, C.O. 42/686, Young to Granville, May 30, 1870.

troops were to play in the expedition, that the Imperial government should show its authority by this final penetration of the continent on the eve of the withdrawal of all troops from Canada, became more and more significant.

With the passage of the Act, however, the likelihood of a peaceful transfer became so great that it was possible to consider dropping of the expedition. But a third consideration had arisen. Because of the anger aroused in Ontario by the death of Scott, many now demanded that the expedition should be punitive in character, and avenge Scott. Such an expedition would have contradicted the purpose of the Manitoba Act. This wild talk, and the probability of an expedition of filibusters if no expedition were sent, added to the urgency of its being dispatched as planned. The Red River Expedition, then, had three purposes in view; to reassure the Indians, to make it plain to the Americans of the Imperial government's interest in the transfer, and to establish order in Red River. But so fierce was the temper aroused against Riel, so many eager English Canadians entered the two battalions of militia, one from Ontario, one from Quebec, which with the 60th Rifles made up the Expedition that the whole Expedition, including its commander, Colonel Garnet Wolseley, seems to have thought that it had been sent to fight and capture Riel.<sup>53</sup> The English belief in the misnamed "Red River Rebellion" was already firmly planted.

The third task of the Canadian government, that of setting up a new government, of course depended upon the assurance of an amnesty and the success of the Wolseley expedition in assuring peace in the North West. There was first the difficulty caused by the fact that legally no government might be held to exist, once the transfer was completed and the Act proclaimed, until the assumption of the government by the new Canadian governor. The passage of the Act on May 12 led to the completion of the transfer from Company to Crown to Canada on June 23. The Act itself was proclaimed on July 15. The legal government of the Company would in law continue until replaced on the spot, but in fact it had ceased to function. Worried lest there should seem to be some practical cessation of government, or some recognition of the Provisional Government, Granville requested from the Company and received a commission making Sir John Young or his deputy Company Governor of Rupert's land in the interim. It was to be used if the Canadian government saw fit, as in fact it did not.<sup>54</sup> On July 15, 1870, the authority of the great Company ended, and Rupert's Land and the North Western Territory became part of the Dominion of Canada, which from that date extended to the Rocky Mountains and the Arctic Ocean. But the new government would not begin until the new governor arrived.

<sup>53</sup> Begg, *Journal*, 561-64.

<sup>54</sup> See "Sir John Young's Commission," p. 235 below; PAC, C.O. 42/686, Young to Granville, May 26, 1870.

This was to be the mild-mannered and bilingual Nova Scotian, Adams G. Archibald, whose reasoned and conciliatory speech had made it easy for Howe to bring a compatriot forward. Neither Quebecer nor Ontarian, the Nova Scotian assumed that role of third party to French and English in Canada that had been foreseen as a role of Maritimers in Confederation. The new governor traveled alone in August by the Canadian water route. He did not come in the baggage of the Red River Expedition. He failed to reach Fort Garry by the Dawson trail, perhaps through misadventure,<sup>55</sup> and thus was not, as might have happened, escorted to Red River by Taché and Riel. He arrived late and alone on September 2, nine days after Wolseley occupied Fort Garry and Riel fled. He was however, welcomed not by soldiers, but by Donald A. Smith, special Commissioner of the Hudson's Bay Company and President of the Northern Council, late of Rupert's Land. Smith, at Wolseley's suggestion, had assumed the civil government, on no more than the magic of the Company's name in order that Wolseley might avoid proclaiming martial law. The new and legitimate government was proclaimed by Archibald on September 6, ten months after Riel had stopped the surveys.<sup>56</sup> The Governor's Council was constituted on September 17 and in December the election of the first provincial assembly of Manitoba was held.<sup>57</sup> The Province of Manitoba was born, and Canadian sovereignty and local self-government were established in the North West.

<sup>55</sup> Begg, *Journal*, 142-46; G. F. G. Stanley, *Louis Riel*, (Toronto, 1963), 150-56.

<sup>56</sup> PAC, C.O. 42/689, Archibald to Howe, Sept. 10, 1870. See Archibald's "Assumption of the Government" below. See also Joseph H. Lehmann, *All Sir Garnet* (London, 1964), Chap. 6, on the Expedition.

<sup>57</sup> F. Milligan, "The Lieutenant-Governship in Manitoba, 1870-1882," (Un-published MA. thesis, University of Manitoba, 1948), Chap. 5.

## I.

# Canada's Provision For The Government Of Rupert's Land

*In the winter of 1868-1869 George-Etienne Cartier and William McDougall for Canada brought to a conclusion the long drawn negotiations for the surrender of the territory of the Hudson's Bay Company to the British Crown for transfer to the new Dominion of Canada.<sup>1</sup> In the early summer of 1869 the Canadian government introduced a Bill to make provision for the temporary government of the transferred territory. The Act that resulted is printed below. There was apparently little debate, and, probably, comparatively little thought was given to the matter. It seemed only common sense to set up, for the interim government of the transferred lands until conditions were known and a definite form of government could be provided, what a member of the government called, all too prophetically, "a provisional government."<sup>2</sup> It was, after all, a territory that was ceded, and a "territorial" form of government on the British colonial model would do for the ensuing year. Yet from this assumption much of the trouble that followed was to flow.*

An Act for the temporary Government of Rupert's Land and the North-Western Territory when united with Canada.<sup>3</sup>

WHEREAS it is probable that Her Majesty the Queen may, pursuant to "The British North America Act, 1867," be pleased to admit

<sup>1</sup> For the terms see Oliver, *Canadian North-West*, 11, 954-963.

<sup>2</sup> PAC, *Canadian Parliamentary Debates*, 1866-1870, May 29, 1869.

<sup>3</sup> Canada: Statutes, 32 and 33 Victoria, Chap. 3, 1869, 19. It was assented to June 22, 1869.

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Rupert's Land and the North-Western Territory into the Union or Dominion of Canada, before the next Session of the Canadian Parliament: And whereas it is expedient to prepare for the transfer of the said Territories from the Local Authorities to the Government of Canada, at the time appointed by the Queen for such admission, and to make some temporary provision for the Civil Government of such Territories until more permanent arrangements can be made by the Government and Legislature of Canada; therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. The said Territories when admitted as aforesaid, shall be styled and known as "The North-West Territories."
2. It shall be lawful for the Governor, by any Order or Orders, to be by him from time to time made, with the advice of the Privy Council, (and subject to such conditions and restrictions as to him shall seem meet) to authorize and empower such Officer as he may from time to time appoint as Lieutenant-Governor of the North-West Territories, to make provision for the administration of Justice therein, and generally to make, ordain, and establish all such Laws, Institutions and Ordinances as may be necessary for the Peace, Order and good Government of Her Majesty's subjects and others therein; provided that all such Orders in Council, and all Laws and Ordinances, so to be made as aforesaid, shall be laid before both Houses of Parliament as soon as conveniently may be after the making and enactment thereof respectively.
3. The Lieutenant-Governor shall administer the Government under instructions from time to time given him by Order in Council.
4. The Governor may, with the advice of the Privy Council, constitute and appoint, by Warrant under his Sign Manual, a Council of not exceeding fifteen nor less than seven persons, to aid the Lieutenant Governor in the administration of affairs, with such powers as may be from time to time conferred upon them by Order in Council.

## GOVERNMENT OF RUPERT'S LAND

5. All the Laws in force in Rupert's Land and the North-Western Territory, at the time of their admission into the Union, shall so far as they are consistent with "The British North America Act, 1867," - with the terms and conditions of such admission approved of by the Queen under the 146th section thereof, - and with this Act, - remain in force until altered by the Parliament of Canada, or by the Lieutenant-Governor under the authority of this Act.
6. All Public Officers and Functionaries holding office in Rupert's Land and the North-Western Territory, at the time of their admission into the Union, excepting the Public Officer or Functionary at the head of the administration of affairs, shall continue to be Public Officers and Functionaries of the North-West Territories with the same duties and powers as before, until otherwise ordered by the Lieutenant-Governor, under the authority of this Act.
7. This Act shall continue in force until the end of the next Session of Parliament.





THE SITUATION

## II.

### **The Proceedings In The Convention, February 3 To February 5, 1870<sup>1</sup>**

*The Convention of delegates elected by the English and French parishes of Red River, as had been agreed at the mass meeting of January 19 and 20, met first in the Court House outside the walls of Fort Carry on January 26. They were twenty delegates from the English parishes and the town of Winnipeg and twenty from the French parishes. Judge John Black was elected chairman. The record of the proceedings in English was kept by William Coldwell, an excellent shorthand reporter. Coldwell had been co-founder of The Nor' Wester, the first newspaper at Fort Garry and had married a daughter of Alexander Ross, the historian; and so was brother-in-law to James Ross.*

*The first days of the Convention were spent in examining the credentials of Donald A. Smith. Then the discussion of a "Bill of Rights" to be taken by Smith to the Canadian government began. It was into the course of this debate that Riel introduced on its ninth day the question of the admission of the North West to Confederation as a province.*

"A short interval having elapsed.

Mr. Riel again rose and said - The committee to whom was referred the consideration of the points to be brought before the Convention drew up two lists, one to be presented to Mr. Smith on the

<sup>1</sup>PAM, *The New Nation*, Feb. 11, 1870.

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event of our seeking admission into the Dominion as a Territory; the other in the event of our going in as a Province .2 The conditions under which a Province stands in the Confederation, are laid down in the Confederation Act.<sup>3</sup> It is a very simple matter, and probably in the forenoon of tomorrow might be discussed without difficulty. As a Territory we have made out our list; but the list for admission as a Province, has also its advantages. Mr. Ross<sup>4</sup> - It is a question whether we should not direct the Secretaries to make out for Mr. Smith a copy of the List of Rights, and present them, with a view to his being called on to pass an opinion on them tomorrow morning. Mr. Riel opposed the latter suggestion, and ultimately the Convention adjourned till the following morning.

## TENTH DAY

Feb. 4.

TEN O'CLOCK, A.M. - Convention in session.

Mr. Riel - I was very nearly induced to adopt your view, ex-pressed in committee, Mr. Ross, with regard to a Crown Colony. One important consideration which we must bear in mind, is, that as a Territory we escape a great deal of the heavy responsibility that may weigh on us as a Province. Of course it would be very flattering to our feelings to have all the standing and dignity of a Province. The exclusive powers to Provinces are considerable, and in themselves satisfactory, if we found them applicable to our case. (Mr. Riel then read the Confederation Act to show the powers conferred on Provinces.) He alluded specially to article 5,<sup>5</sup> which provides that the management and sale of the public lands belonging to the Provinces and of the timber and wood thereon, is vested in the Province. This, he alluded

<sup>2</sup> This was a committee of six, composed of Louis Riel, Louis Schmidt, Charles Nolin, James Ross, Dr. Curtis J. Bird, Thos. Bunn, to prepare a bill of rights for the Convention; Begg, *Journal*, 289. It was obviously in this body that the idea of admission as a province was first advanced.

<sup>3</sup> The B.N.A. Act, 1867, of course; the sections referred to are 58-68, and 92-95.

<sup>4</sup> James Ross, son of the historian of Red River, Alexander Ross; a brilliant half breed, who played some part in Red River politics, ruined his career by drink, and died young in 1871.

<sup>5</sup> Sub-section 5 of Section 92, the section which gives the subjects of jurisdiction in a province of Canada.

to, as one of the most important, as far as we are concerned. In looking at the advantages and disadvantages of the provincial and territorial systems, we have to consider fully the responsibility of our undertaking. Certainly the North-West is a great pearl in the eyes of many parties. The claim put forward for this country as a compensation for the Alabama claims, showed an appreciation of its merits. That Canada wanted us so badly, shows a further appreciation of our merits. Possibly our inexperience in the way of government, and small population, might conduce to this independence working disadvantageously. In several respects, such as the right to vote and the question of the public debt, we might as a Province, ask the same rights as a Territory [sic]. Speaking of the public debt, continued Mr. Riel, I would call attention to the fact that the apportionment of some of the money reimbursed to the various provinces was as follows: - Ontario, \$80,000; Quebec \$70,000; Nova Scotia \$60,000; and New Brunswick \$50,000 - in addition to the amount of 80 cents per head allowed to the provinces. In respect to Nova Scotia and New Brunswick they are allowed this 80 cents per head until the population of each province has reached 400,000. Now we certainly have not the population of any of these countries, but we have a vast territory. Canada, let me add, having dealt unfairly with Nova Scotia and New Brunswick regarding the apportionment of the public debts of the various provinces, subsequently agreed to pay, in addition to what was allotted to her [sic] on entering Confederation, \$150,000 for ten years. This was to make up for the injustice and sharp practice of which Canada had been guilty at the time of Confederation. It is in the disposition of Canada to cheat. She did so in these cases, and in some others that might be mentioned. As to ourselves, I do not say positively that it is for our own good to go in as a province; but I think it a fair matter for the consideration of the Convention. On the whole I think that the position of a Province might suit us better than that of a Territory, but found [sic] it very difficult to decide.

Mr. Sutherland<sup>6</sup> - I am unable to see the great advantages which might be secured by our going in as a Province. I think we ought to go in as a Territory. As has been remarked, Canada may have been pretty sharp about Confederation bargains, but I would

<sup>6</sup> John Sutherland (later Senator) of Kildonan.

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not fear her hereafter. If we get the bill of rights which has been made out, I do not think there is any necessity for taking up the time of the Convention with this other matter.

Mr. Riel - It is hardly the thing for a man employed in public business of importance, to complain of loss of time. If we had to spend a month here in such business, the time would be well spent. As to this question of a Province, let me ask, is it not possible for us to settle our own affairs in a satisfactory manner? Cannot we make regulations for outsiders, with reference to the sale and disposition of our lands? This land question, and that of our means of raising money, constitute perhaps the principal points in the whole provincial arrangement. As to the administration of justice, have we not in the chair a gentleman who has long acted in that capacity, and who is amply capable of administering justice in the Territory (cheers)<sup>7</sup> I would say, let us not go too fast. I have ample confidence in the good sense of our people for managing all matters wisely; and as to matters of a general nature, they will be managed by the Dominion (cheers).

Mr. O'Donoghue, seconded by Mr. Nolin,<sup>8</sup> moved an adjournment for dinner.

By consent, Mr. Ross was allowed to speak. For my part, he said, I am perfectly satisfied that going in as a Province will do us harm. This question was considered in committee, and I understood we were to let it drop. Our position, if we entered as a Province, would be very different than that of the other provinces. They entered the Dominion entirely equipped with roads, bridges, court houses, etc. They entered as full grown men and having everything. We are here asking to be admitted as men, when, in respect to our equipment and outfit, the country is only in its infancy (cheers). We are in a position to ask, and of course can ask it. But I am satisfied we can never get it. If we enter as a province we must take that position with all its disadvantages as well as advantages. We have never had the right of self-government in this Territory at all, and the bound from that to being a Territory, in the form in which we want it, is a very

<sup>7</sup> Judge John Black.

<sup>8</sup> W. B. O'Donoghue, an Irish American who came to St. Boniface as a teacher and candidate for Holy Orders in 1868, but joined Riel in 1869. A probable Fenian and annexationist: see below p. 26. Charles Nolin, member for Ste-Anne-des-Chênes and independent of Riel.

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great one. But not satisfied with that, we take another leap. Could we attain this object, it is very probable we would soon consider that we had hold of an elephant (cheers).

Mr. Riel - What are the responsibilities? The construction of roads and such like.

Mr. Ross - I will undertake to bring them out after the adjournment. But as an illustration of provincial responsibility, let me instance the qualification of voters. We wish that settled in a peculiar way in order to protect our people. But if we go in as a province, we must either forego that, or ask something peculiar, which is not granted to the other provinces - which is not, in fact, given to a province. Then there is the question of our credit. I am very doubtful what credit we could command. What money we could raise would be on our vast Territory; and I do not think we would be wise to endeavour to make money out of our public lands. Our best policy, I hold, ought to be to deal liberally with our public lands. They would go for very little if sold, and the opening up of the country would be very much retarded. I would favor a liberal land policy, as near the United States system as possible. If we are to be consistent in asking a homestead and pre-emption law, we will not endeavor to make money out of our public lands.

Mr. Riel - It is the first time you have had no ambition.

The Chairman - With the permission of the meeting I must say, that I feel rather surprised at finding myself called on to deal with this question of a Province, after we have so long been engaged in looking at ourselves in the light of a Territory, and adapting as far as we could, the details of our new garments to the new form which we expected to assume in the eyes of the world. I began to hope that we were prepared to bring our labors to a practical conclusion. But though you have been occupied for nearly two weeks in considering the advantages of our entering the Dominion as a Territory, we are now, apparently, to be called upon to go into an examination of the advantages and disadvantages of being admitted as a Province. How long this sort of thing is to go on, I am sure I do not know. But if, after doing what we have done, we are to proceed to the minute discussion of this new proposal, we may very likely sit here for all our days. I do not see why, after we have finally disposed of

this question, as we gladly thought we really had done, we should not consider whether we ought not to be an independent Colony of England; and after that, why we should not consider annexation to the States and so on (cheers and laughter). No doubt, we ought not to grudge any time that is properly spent in the discharge of our public duties. But at the same time we ought to see that we are spending our time on something out of which there may be some practical outcome. I concur very much with Mr. Riel when he says that we must not go too fast or too far. I believe we are about to try to do that. There is not the least doubt but that, as a community, we may be called young. Seeing that this is the case, and that, if admitted as a Territory we shall be taking a very great stride in our national life, why strain after that which is, in my opinion, unattainable? There may be advantages connected with the position of a Province which would make it desirable. But there are great disadvantages. Into these I shall not attempt to enter. I really hope this question may be disposed of without our being called on to go into the minutiae of the advantages and disadvantages of a Province. It is clear to me, that even if it were possible for us to be admitted as a Province, there are preponderating disadvantages. And if we are to go on looking at ourselves as a Province and straining after that high dignity, I am very much afraid that we may fall between two stools and be, perhaps, left to ourselves. If that is wanted, perhaps it might be as well to say so. But I believe it is not what is wanted. I wish to put it before you whether it is not utterly hopeless for us to look for immediate admission into the Confederation as a Province. Those Provinces which have been already admitted into Confederation, have been long accustomed to exercise the honors of self-government; they have population, wealth, importance and dignity, which do not belong to us, in this, the infancy of our days. What, then, is the use of our spending time in the discussion of a matter which is practically hopeless? Though I am far from underrating the resources of the country, I am afraid we may make a mistake as to its value. It does not follow that because Canada and the United States are very eager to get us; that this country is so very valuable after all. May we not, in this respect, be running the risk of making the same mistake the Beautiful Flirt sometimes does (laughter), who with a long train of ardent admirers, dallies and coquettes first with this one, then with that, and then with the other, - not knowing which of the adoring

swains to choose, until at last she finds herself obliged to put up with a very hum-drum sort of mortal after all (renewed laughter); while he, on his part, is gradually brought to a knowledge of the fact, that not only is the object of his worship not the perfect angel of whom he had at first dreamt, but that she is a very plain ordinary kind of being indeed (loud laughter). We want very much, no doubt, to be made a great people (cheers). Every individual wishes to get on in the world, and communities like individuals, wish to get on. As a community we share in that common feeling. And just now we are rather dazzled with the prospect of bounding all at once from a comparatively obscure position to the important, prosperous and wealthy position of a Province (laughter and cheers). But while we want this dignity, we do not see how we ourselves are able to bear the expense of reaching it. We therefore propose that the Confederation of Canada should erect, as it were, all the scaffolding by which we are to be carried up to this point of dazzling grandeur (hear, hear). In this respect we are in the position of that most excellent and admirable man who, as a benefactor - "Out of his great bounty built a bridge at the expense of the county." (laughter). By entering upon discussions which are beyond us, we may be letting slip that opportunity we now have of being admitted into the Confederation as a Territory, upon proper considerations. And standing here before you, with a sincere desire for the general good, I must give it as my conscientious belief, that if this country can be admitted as a Territory on just and equitable principles, it is as much as we can look for. If we are only reasonable and moderate, we have now within our reach something valuable. But if you hanker too long about it - if you dilly-dally too long - it may be that this opportunity will pass away (hears and cheers). I do therefore most earnestly say to you, gentlemen. waste no time needlessly. Take the tide as it now is, at the full, take it and I believe you are safe and will be prosperous. On the other hand, neglect it, and what will be your position? In a broker. and shattered ship, without helm, without compass, or chart, - in a dark and dismal night, you are adrift upon a stormy ocean amidst whose billows, and rocks and shoals, you are but too likely to founder and make shipwreck (loud cheers).

Mr. Riel -- I think the Chairman's speech is admirable - its words are very fine - but it has not the power to convince.



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At half-past twelve, the Convention adjourned for an hour and a half.

THREE O'CLOCK, P. M. - Debate resumed.

Mr. Sutherland - I move that further discussion on the question before us, be considered unnecessary.

Mr. Boyd<sup>9</sup> - I second the motion. It seems to me most important that we should first enter the Dominion as a Territory, and in due time take our position there as a province.

Mr. Riel, in French, - interpreted by Mr. Ross - Mr. Sutherland's motion seems to me, simply an exhibition of fear, without giving any reasons. A man who acts in this way, is a man who might not un fairly be entitled a coward. For myself, I say that discussion on this subject should not be shut off. As a Province, we would have a higher status; and it is certainly worth considering why we should not look for that higher status. It remains to be seen whether we would be best as a Province or as a Territory. I, too, am an English subject, but I do not wish to be so to excess. I never heard a more unreason-able request than that now made, and in attempting to choke off discussion in a matter of so much importance, Mr. Sutherland has shown himself not to be the man for us. I move an amendment that the discussion be continued.

Mr. Sutherland - If I pushed myself forward, I might take such remarks in very good part. But I am not here to represent myself, and I know that my constituents never expected that I would be detained here so long. As to my part in the discussion, I do not believe that any member here can teach me. We have considered the question this forenoon to no purpose. If anything can be brought out for the good of the country I am willing to support it. I have the good of the country at heart, and if I had not, I would not have been going round these last few months without fee or reward.

Mr. Riel - I spoke of Mr. Sutherland as the representative of a certain district - not personally. Personally I have a high respect for him, believing him to be a good representative and an honest man.

<sup>9</sup> Alfred Boyd, English merchant whose residence was "Redwood" in St. John's parish; later first Provincial Secretary of Manitoba.

Mr. Schmidt seconded Mr. Riel's amendment.

Mr. Bunn<sup>10</sup> - In favor of Mr. Sutherland's motion I would say that even if the subject were discussed, and the merits in both cases equal, still, as a matter of precaution, we ought not to enter as a Province first. By entering as a Territory we have four or five years of experience, and we do not shut off discussion - we merely take a longer time to it.

Mr. Riel - I cannot see the sense of the opposition to discussion. Why not look at both sides. We must not get discouraged at the delay, as the matter in which we are engaged is most important.

Mr. Ross - I think we ought to discuss the question on its merits, and think we will come to a just decision. I am not in favour of our entering as a Province, but am not against discussing it.

Mr. Bunn - Mr. Ross's course confirms me in my position. The whole Convention looks to him for information, and he says that when he has given us all the information he can, we will not seek to enter as a Province.

Mr. Riel's amendment was put and carried: - Yeas 20, Nays 19.<sup>11</sup>

An interval of a quarter of an hour ensued, after which Mr. Ross asked leave to make a few remarks on the question as to whether it was desirable to enter the Confederation as a Province or a Territory. At the outset, he said, I may say in one word, that I am opposed to our entering as a Province, and I am satisfied that my position will appear a just and good one - a position for the interests of the people of this country. If we enter as a Province, the first thing I have in my bill of indictment against that position is, that the man we want to represent us in the Senate of the Dominion, must possess, according to the fundamental act of union, \$4,000 worth of real estate or buildings, above all liability. Considering our peculiar cir-

<sup>10</sup> Louis Schmidt, educated métis and friend of Riel; secretary of the Provisional Government. Thomas Bunn, son of Dr. William Bunn; later English secretary of the Provisional Government.

<sup>11</sup> Apparently a vote of twenty French against nineteen English, reduced by one owing to the election of judge Black as chairman. In short, the Convention was at this vote rigidly divided between French and English on the question of admission as a province or as a territory.

cumstances, that would I think operate injuriously against us. The next point I will mention is, that the Senator, even if possessed of this property, must be nominated by the Governor-General of Canada - not elected by us at all (hear, hear). And the man so nominated may be thoroughly hostile to us in all respects. The next point I make is, that according to the act of constitution, after the census of 1871, we would lose largely of the representation we are now asking as a Territory. We ask four representatives if we enter in that way, and taking all things into consideration, we may get that number. But if we enter as a Province, after the census of 1871 - that is, next year - we would lose three, if not the whole of our representation, - because, according to the law of Confederation, we must have a certain population before we can be represented in the Federal Parliament. My fourth point is this, that the Dominion Parliament has the full control of all the funds for public purposes, - to be disbursed as they see right and proper - without heeding any suggestion, dictation or control from us. They have the right to impose taxes, at their discretion, for public purposes. This is something we did not contemplate when arranging the terms on which we should enter as a Territory. It is not that I see in this so much to fear for the people of this Territory, but I would rather they should not run the risk of it. If we enter as a Province, - and this is my fifth objection - the Dominion has a perfect right to annul any decision which our Local Legislature may come to. Now the very sense and spirit of some part of our discussion in the past, is that we should have control of our local affairs. Having enlarged on this point, Mr. Ross went on to say - I wish to call attention to the fact, that we have laid great stress on the qualification of voters, as was shown by the fact that we spent over a day in the discussion of the matter. If we enter the Confederation as a Province, we must at once take the qualification of voters prevalent in the Dominion.<sup>12</sup> We cannot expect exclusive privileges, if we want at once the status of a Province. Then, under the Confederation Act, - and this is the next point - Canada has the exclusive right to legislate with reference to the public debt. By the arrangement proposed as a Territory, we settle the public debt at once, and do so in a manner which can never be injurious to us, even if afterwards we become a

<sup>12</sup> An erroneous opinion; provincial voters' lists were used in federal elections until 1885, and again from 1897 to 1920.

Province of the Dominion (cheers). Again, the Dominion has the exclusive right to legislate in respect to the militia of the country. Are we to place ourselves in a position where any member of us can be impressed into the militia service of the Dominion in any way we do not choose? (hear, hear). The Province has the right to impose direct taxation, and there might not be any harm in that if our own people had control of the Local Legislature always. But the time is coming, perhaps, when foreigners, having very little sympathy with us, may exercise that right, and it may be that we will have but a small voice in the matter (cheers). As long as we remain a Territory, under the conditions we have set forth, there will be no fear of direct taxation except under the control of the Local Legislature.” We have been told further that we can borrow money on the credit of the Province. But that might or might not be an advantage. The people of Red River, if they had the right to borrow on the public credit, could borrow only on the lands of the country.

Mr. Riel - I do not admit that.

Mr. Ross - The money can only be raised in that way: and as soon as we attempt to make money out of the public lands, we deter emigration [sic]. All the money we can judiciously raise on our public lands, will not, in my opinion, pay for their survey and management. My next point against our entering as a Province, is that the Dominion has the right to appoint all our judges.

Mr. Riel - You have been in Toronto, and would be chosen.

Mr. Ross - If I were to consult merely my own personal interests perhaps I would wish this country to enter as a Province, but that would not be in the interest of the people of the country. Having alluded to the Red River people as a peculiar people, Mr. Ross went on further to argue against the country entering the Dominion as a Province.

Mr. O'Donoghue - I have heard many eloquent speeches on this subject. First of all I would refer to that of Mr. Ross. In the opening part of his speech, he said that, according to the Constitution, if we entered as a Province, we would not be entitled to more than one,

<sup>13</sup> In this Ross seems to be thinking of the status of an American territory - or state - before 1913.

or perhaps half a representative. In this I did not find him consistent with his position on a previous occasion. Then he told us that one could represent our interests as well as three or four. I did not oppose him strongly on that ground, because I knew it was a fact. And I have only to say if it was a fact two days ago, it is a fact today, and that being the case it refutes Mr. Ross's argument. As to the \$4,000 worth of clear property which is required from a member of the Senate, we must remember, in speaking of the Constitution of Confederation in this and other respects, that it was framed when the North-West was not a part of the Dominion (hear, hear). And let me add, that you will find in the Provinces already Confederated, some things which are not in accordance with the Constitution of Confederation. In Newfoundland, for instance, they have universal suffrage. Does any one fancy they will change the voting qualification there? They never will. And if the North-West is to enter Confederation, why should there not be special rules laid down as well in the event of its entering as a Province as a Territory? If under the Constitution of Confederation, we can get the bill of rights which we ask as a Territory, why are we not equally able to get it on entering as a Province? (hear, hear). Again. I cannot agree with Mr. Ross in saying that Canada can throw on us any share she likes of the debt of the Dominion. It would be unprecedented, and I am sure no one in this country who advocates its incorporation into the Dominion as a Province, would do so on the ground that we were to share the public debt of Canada. Mr. Ross made so many points that I can hardly remember them all. He alluded, among other matters, to the militia. He says that if we enter as a Province, the general government would have control of the militia here. If that is the case, it is surprising to me that Mr. Ross, as one of the committee, did not think of preventing that in the bill of rights. In that bill I find nothing inserted to prevent them from forcing us to go down and fight the battles of Canada, whether we existed as a Territory or a Province. With reference to the question of changing the Constitution, Mr. Ross argued that if it were once changed by the Province, it might be ruin to the country. I would simply say, in reply, that if this power of change is given, it contains the further power of repealing any act of a former Legislature which may be regarded as destroying the Constitution. If the enactment is found to be injurious to the country, it can be repealed.

## PROCEEDINGS IN CONVENTION

Mr. Ross - But at the time, the power may be in the hands of foreigners.

Mr. O'Donoghue - With reference to the Governor-General having the appointment of all the judges, I am very glad Mr. Ross reminded us of that. We were forgetting a stipulation concerning it in the bill of rights. If the Governor-General has the right to appoint judges in a Province, of course he will have the same right in a Territory, if no special condition prevents it. Mr. Ross further referred to our raising money on public lands and said that all we could raise from them would not pay for the survey. As a Territory, I would ask, have we any condition providing that we are not to be taxed for the survey of the lands.

Mr. Ross - As a Territory, we have nothing to do with the lands.

Mr. O'Donoghue - We do not give them up, and in my opinion ought not to do so. Besides, we raise money on the whole Territory - not on our actual farms, and I am sure the North-West can raise as much money as perhaps any other Province.

Mr. Riel - They want the North-West for that very purpose - to raise money from it.

Mr. O'Donoghue - I do not declare in favor of a Province or a Territory. Many things have to be considered. Mr. O'Donoghue here entered into a lengthy argument showing the riches of the Territory - that money could be raised from it by a Provincial Government - that they ought not to give up the public lands to the country they joined - that in the event of our entering Confederation, we had as much right to claim Canadian lands as Canada had to claim our lands. In support of the latter position, he cited Texas, which held its own public lands on joining the Union.<sup>14</sup> It had been hinted, he said, that if we did not close with Canada at once, we would have to fall back upon our oars, and remain as we are at present. Perhaps that would be best. He did not see why we should rush headlong into Confederation. Might we not do at least as well as an independent Colony, or almost anything else? We are independent

<sup>14</sup> This was in fact true: Texas was admitted with quite unusual conditions.

now. Why not continue so? We are all reputed rich? Why not continue so? Why not, as another alternative, alluded to by the Chairman - why not look forward to annexation? With annexation to the States we would not have to give up any of our Territory, rights or privileges.

Mr. Riel, in French, complimented Mr. O'Donoghue on his speech, and agreed with him in the main. Mr. Riel then proceeded to deal with the details that presented themselves in connection with this discussion. As to the point concerning the judges, and other points which had been raised, he argued that we had laid down some conditions as a Territory, and the fact of our entering as a Province did not deprive us of the right to lay down any restrictions. Having touched on other points, Mr. Riel referred again to the question of occupying the time of the Convention, which had been raised by some members, and urged that in matters of such vital consequence, the Convention should take full time to deal with them. Mr. Riel alluded to a remark of Mr. Ross in committee that it might not be bad for us to stay a while before entering Confederation, - that it might be as good for us as for Nova Scotia. H•. (Mr. Riel) was glad to hear such an authority as Mr. Ross on the question. It was not urged that we should stay out as long as Nova Scotia did - but merely to delay in case they were unwilling to grant what the Convention asked.

Mr. Fraser - No doubt, all parties have their minds pretty well made up. I, therefore move that in the opinion of this Convention we should enter Confederation as a Territory.

Mr. Tait seconded the motion.

Mr. Ross having spoken against entering as a Province, Mr. Fraser's amendment [sic] was then put and carried - Yeas 24. nays 15.<sup>15</sup> Mr. Ross, seconded by Mr. Taylor<sup>16</sup>, proposed that during the evening, the Secretaries furnish Mr. Smith with the List of Rights adopted, and that tomorrow he come and give his opinion on the list.

<sup>15</sup> It is possible that the five presumed to be French votes that had changed from the last division were those of the French independent of Riel.

<sup>16</sup> John Fraser, delegate with Sutherland from Kildonan; Robert Tait, delegate from St. James; John Taylor, delegate from Headingley.

Mr. Riel said that there was another article he desired to add to the list. He would move an amendment, seconded by Mr. Poitras,<sup>17</sup> that tomorrow the Convention consider an article, to be added to the list, providing that all bargains with the Hudson's Bay Company, for the transfer of this Territory, be considered null and void, and that any arrangements with reference to the transfer of this country, shall be carried on only with the people of this country.

Mr. Ross asked and obtained leave to withdraw his amendment, in order to allow of a discussion on the point raised by Mr. Riel.

At 7 o'clock P. M. the Convention adjourned till 10 o'clock next morning.

#### ELEVENTH DAY

Council Chamber,  
Feb. 5

ELEVEN O'CLOCK, A. M. - Debate resumed.

Mr. Riel - We must not regard the Company as something detestable. At the same time we must bear in mind that the public interests must be above those of the Company. I object to this getting one-twentieth of the land as is proposed, - as it would give them a very unreasonable influence in the country. It would perhaps enable them to double the number of their Forts and their influence against the people. It meant five acres out of 100, and is, in my opinion, altogether too large. With greatly increased influence wielded by the Company, what would be the result? Had this tremendous influence been in the hands of the Company, possibly when Dennis<sup>18</sup> was here, it might have been raised against us, - and the affair might have been so disastrous as to result in the death of many in the room (cheers). I do not say that the Company should be crushed, for they are a source of power in this country, but we must keep them on the same footing as the other merchants. They must take their chance with the people, as a portion of them, and not as a section having a predominant influence. We have seen how the agents of this Com-

<sup>17</sup> Pierre Poitras was one of two delegates of Saint-François-Xavier.

<sup>18</sup> J. S. Dennis, leader of the Canadian survey parties. Riel was here both putting pressure on the Company, and also resisting the decision just made to enter as a territory; see "Introduction," *Proceedings in Convention*, Begg, *Journal*, 96-97.



pany acted towards our forefathers, - how a man may toil for them, - spend years in labor for the Government, - and how after years were past, when he asks for land, it is granted provided he has £18 and more to pay for it (hear, hear). Very often, after a lengthened service with Company, and a term of liquor-drinking, these employees of the Company have returned poorer than they came, with scarce money enough left to take them home. Mr. Riel next alluded to some of his relatives who had lived long here, and died without attaining that competence which their labor and merits entitled them to, - owing to the screwing down process which the Company had adopted in this country (hear, hear). Again, on a late occasion they tried to sell us. There never was a parallel case. A Company of strangers, living beyond the ocean, had the audacity to attempt to sell the people of the soil. Instead of being the "Honorable" Company, as they were usually termed, they ought to be stigmatised with the prefix "Shameful" (laughter and cheers). To serve their interests and purposes, they endeavoured to subvert ours. But the truth of it is, the Half-breeds of the country must govern, with the other portion of the people if they are together. For four months the English speaking population stood aloof and took no part in the movement. But now they came forward and try to cut down the rights to half rights. This is a very serious matter. We have braved Indians and white men in maintaining our present position. And if we do not all join in support of the present order of things there will probably be massacre - not perhaps immediately, but within two years. Throughout, the Company has pursued a course which can only be called detestable, and it is our business to prevent them getting more influence (cheers). We, in this Settlement, must get control of all the lands in the North-West, or stipulate to enter as a Province shortly, in order to get that control (cheers).

Mr. Riel again rose and said - The presence of the Bishop of Rupert's Land" reminds me of something which was in my mind last night in speaking of the desirability of declaring the bargain for the Territory with the Hudson [sic]<sup>20</sup> Bay Company to be null and void.

<sup>19</sup> Rt. Rev. Robert Machray, 1831-1904, Bishop (later Archbishop) of Rupert's Land, 1865-1904. He was apparently present at the session as a visitor.

<sup>20</sup> Spelling errors of proper names in the documents have not been corrected but have been indicated on their first occurrence.

I remember that some stipulation has been heretofore made to the Bishop of Rupert's Land, and I go heartily for the continuance of these.<sup>21</sup> In the negotiations for the transfer of this country it was struck out, and I see it forms no part of the bargain as it stands. I would now move, instead of my former motion, that all arrangements and stipulations made by the Hudson Bay Company in the matter of the transfer of the Government of this country to the Dominion of Canada, be null, and that all arrangements on this subject on the part of the Government of Confederation, be made directly with the people of Red River. In explanation Mr. Riel stated that his motion had no reference to dealings with the Imperial Government, but simply provided that all negotiations for the transfer of the country should be carried on between Canada and the people of Red River and not between Canada and the Company.

X. Pagee<sup>22</sup> seconded the motion.

The Chairman - Yesterday we were engaged in discussing what may be called questions of high politics (laughter), Territorialism, Provincialism, Crown Colonial-ism, Annexation-ism (laughter). These are the prominent marks which bounded that wide region into which your thoughts were left to wander. And so large was the field of speculation on which some, at least, seemed inclined to enter, that, for my own part, I should have been quite prepared to hear almost any doctrine, any proposition, or motion (laughter). Indeed, if there were any one here, with a full faith in aerial machines, I should not have been very much astonished if such a one had invited us to consider carefully the advantages and disadvantages of our being annexed to one of the highest peaks of the mountains of the Moon (laughter) - a connection, which, whatever its drawbacks in other respects, would at all events have conferred on us the luxury of breathing a purely lunatic atmosphere (laughter and cheers). My object in rising is to make my position in this matter clear. The motion is of such a character, that were I to sit silent, I might be liable to be misunderstood. I do not feel that I can discuss the motion at all. The character and conduct of the Hudson's Bay Company is a theme on which I

<sup>21</sup> Presumably Riel refers to the grants made by the Hudson's Bay Company to the Church.

<sup>22</sup> Xavier Pagee, delegate of Saint-François-Xavier.

shall not here enter. But I would simply ask you, one and all, you who know the facts so well, that it would be superfluous in me to dwell upon them, - I say, I would simply ask you whether you believe that charge. The principal object, however, for which I aim is to say, that the question embodied in this motion is one which I cannot discuss. Whether it is a question you can deal with, is a matter you must determine for yourselves. It relates to arrangements between the Imperial Government, Canada and the Hudson's Bay Company; and if you think that any expression of opinion you may give, can alter or modify such arrangements in any way, of course you may offer it. But I hope the doctrine is not to be put forward that this Convention arrogates to itself the power of sitting as a Court of Revision upon arrangements made in a quarter where, I rather think, higher authority is held than you can touch. And it was satisfactory to hear from Mr. Ross the explanation, that although Mr. Riel's motion appeared to come into conflict with arrangements made by the Imperial Parliament, yet Mr. Riel did not wish to be understood as defying that authority. After some further remarks, The Chairman said - Of course if you think proper, you may go into the discussion of this question. I can have nothing to do with it. It lies beyond my reach. In conclusion I have but to ask every one of you to say from your own experience whether the Hudson's Bay Company in this country can fairly be described in the terms to which I have already referred, and whether, on the contrary, they may not be described as a Company who with a father's hand have led and often even fed you on many occasions? Let me hope that that past will not be wholly forgotten. If there are any in this assembly who do forget it, and if through such forgetfulness the Company, like the King of old, is to be taught by bitter experience, "how hard it is to have a thankless child," - yet the Company may under the smart of such fearful experience, draw consolation from the thought, that even if it should be so, it will not be the first time in the history of the world that the best of friends have been forgotten, and the most bountiful and generous of benefactors been abased (cheers). When Mr. Riel had translated the Chairman's address into French, Mr. Dauphinais<sup>23</sup> said - If the Company never evicted any one from their lands, they threatened to do it.

<sup>23</sup> Francois Dauphinais, of Saint-Francois-Xavier; he had apparently replaced Andre Beauchemin as a delegate.

A proposition having been made for adjournment, Mr. Riel urged that a great effort should be made to place the List of Rights in the hands of the Commissioners as soon as possible, - as the Canadian Parliament met on the 15th Feb[ruary].

Mr. Riel's amendment was then put and lost on the following division:-

Yeas - Messrs. Thibert, Birston, X. Pagee, Poitras, B. Beauchemin, O'Donoghue, Lepine, Genton, Schmidt, Riel, Parenteau, Laronce, Tournon, Lascerte, Delorme, Dauphinais, Scott - 17.

Nays - Messrs. C. Nolin, Harrison, Klyne, Cochrane, Spence, Bunn, Ross, A. McKenzie, Black, D. Gunn, Boyd, Bird, Fraser, Sutherland, Flett, Tait, Taylor, Lonsdale, IC. McKenzie, Cummings, G. Gunn, Spence - 22.<sup>24</sup>

Mr. Riel, (with great warmth, marching up and down the Council Chamber) - the devil take it; we must win. The vote may go as it likes; but the measure which has now been defeated must be carried. It is a shame to have lost it; and it was a greater shame because it was lost by those traitors - (pointing to Nolin, Klyne and Harrison).<sup>25</sup>

Mr. Nolin (jumped up and said with indignation, in French) - I was not sent here, Mr. Riel, to vote at your dictation. I came here to vote according to my conscience. While there are some things for which we blame the Company, there is a good deal for which we must thank them. I do not exculpate the Company altogether, but I say that in time of need we have often been indebted to them for assistance and kindness.

Mr. Riel - While I say this matter must be carried, I do not wish to speak disrespectfully to the Convention. But I say it will be carried at a subsequent stage. You must remember (he added angrily) - that there is a Provisional Government, and though this measure has been lost by the voice of the Convention, I have friends enough, who are

<sup>24</sup> For list of delegates, see Begg, journal, 285-6.

<sup>25</sup> This recorded vote and Riel's reaction are included to show Riel's disposition, the nature of the struggle for power - still really one with the Hudson's Bay Company in Red River - and the as yet relative unimportance of the question of admission as a province. That is, Riel had accepted his previous defeat without recorded comment.

## MANITOBA: THE BIRTH OF A PROVINCE

determined to add it to the list, on their own responsibility. (Turning to the French section of the Convention, he said, speaking rapidly and with great vehemence, and pointing threateningly at those he addressed) - As for you, Charles Nolin, Tom Harrison and Geo. Klyne - two of you relatives of my own - as for you, your influence as public men is finished in this country. Look at the position in which you have placed yourselves. You have lost your influence, (he added emphatically) - forever.

Mr. Nolin - Let me tell Mr. Riel that I was sent here by my parish. I never sought the position, and, personally, if I am lost to public affairs, I would be rather glad of it. You, Mr. Riel, did what you could to prevent my coming here and failed; and if it suited my purpose to come back again, I would come at the call of my parish, in spite of you.

On motion of Mr. Ross, seconded by Mr. Riel, the Convention adjourned till Monday at one o'clock, and the Secretaries were instructed to furnish Mr. Smith with a copy of the List of Rights at eleven on Monday forenoon, and request his answer at one o'clock the same afternoon.

At half-past one the Convention adjourned till Monday.

### III.

## Donald A. Smith's Report<sup>1</sup>

*On his return to Ottawa Smith at once prepared a full report of his mission to the people of Red River as special commissioner of the Canadian government. This has been, both because of its official character, and because of its impartiality and integrity, one of the principal documents of the events from which came the birth of Manitoba. Published at once as a Parliamentary Paper, it has been central to any study of the Red River troubles ever since.*

*The published document was, however, incomplete. The finished report had to be edited to avoid offending French supporters of the government, and public opinion in the Province of Quebec. The passages, edited probably by Smith himself for Howe's approval, were ruled out in pencil, but can still be read. All seem to have been re-moved to avoid any criticism of French or clerical influence. As there can be no doubt of that influence, it seems to be desirable to publish the report as a whole as an addition to the documentation of the birth of Manitoba. The deleted passages are printed in Italics below.<sup>2</sup>*

In pursuance of the commission confided to me by His Excellency the Governor General in relation to the affairs of the North-West Territories, I addressed you from time to time during my residence within Fort Garry, - a correspondence carried on under very unfavourable circumstances, as will appear from the report I have now the honour to submit.

<sup>1</sup> PAC, Secretary of the State of the Province, 1869 [sic], 1043, Smith to Howe, 12, 1870. Confidential.

<sup>2</sup> Canada, Sessional Papers, 1870, V (12). See p. 89 below.

Leaving Ottawa on the 13th December last, I reached St. Cloud, the terminus of railway communication on the 17th, continuing on the same day by stage, and arriving at Abercrombie on the evening of the 19th. Here we had to abandon wheeled carriages, and, procuring a sleigh, after a couple of hours' rest, we resumed the journey, and on the afternoon of the 21st, met Hon. Mr. McDougall and party about thirty miles beyond Georgetown. From him I learned how serious the aspect of affairs had latterly become at Red River; and, pushing on, we got to Pembina about 11 p.m. of the 24th, and to Fort Garry on the 27th.<sup>3</sup> The gate of the Fort we found open, but guarded by several armed men, who, on my desiring to be shown to Governor MacTavish's [sic] house, requested me to wait till they could communicate with their chief. In a short time, Mr. Louis Riel appeared. I announced my name, he said he had heard of my arrival at Pembina, and was about to send off a party to bring me in. I then accompanied him to a room occupied by ten or a dozen men, whom he introduced to me as members of the "Provisional Government." He requested to know the purport of my visit, to which I replied in substance that I was connected with the Hudson's Bay Company, but also held a commission from the Canadian Government to the people of Red River, and would be prepared to produce my credentials so soon as they, the people, were willing to receive me. I was then asked to take an oath not to attempt to leave the fort that night, nor to upset their government, legally established. This request I pre-emptorily refused to comply with, but said that, being very tired, I had no desire to go outside the gate that night, and promised to take no immediate steps forcibly to upset the so-called "Provisional Government," "legal or illegal, as it might be, without first announcing my intention to do so" - Mr. Riel taking exception to the word illegal, while I insisted on retaining it. Mr. O'Donohue [sic], to get over the difficulty, remarked "That is as he" (meaning myself) "understands it," to which I rejoined, "Precisely so." The above explanation, I am the most particular in giving, as it has been reported that I at once acknowledged the Provisional Government to be legal. Neither then nor afterwards did I do so. I took up my quarters in one of the houses occupied by the Hudson's Bay Company's officers, and from that date until towards the

<sup>3</sup> See Begg, *Journal*, 88-91.

## SMITH'S REPORT

close of February, was virtually a prisoner within the Fort, although with permission to go outside the walls for exercise, accompanied by two armed guards, a privilege of which I never availed myself.

All my official papers had been left in charge of Mr. Provencher,<sup>4</sup> at Pembina, as I had been warned that if found in my possession, they' would unquestionably be seized, as were those brought into the Settlement shortly after by the Rev. Mr. Thiebault [sic] and Colonel de Salaberry.

The state of matters at this time, in and around Fort Garry, was most unsatisfactory, and truly humiliating. Upwards of sixty British subjects were held in close confinement as "political prisoners;" security for persons or property, there was none; the Fort, with its large supplies of ammunition, provisions, and stores of all kinds, was in possession of a few hundred French half-breeds, whose leaders had declared their determination to use every effort for the purpose of annexing the Territory to the United States; and the Governor and Council of Assiniboia were powerless to enforce the law.<sup>5</sup>

On the 6th January, I saw Mr. Riel, and soon came to the conclusion that no good could arise from entering into any negotiations with his "Council," even were we to admit their authority, which I was not prepared to do. We learnt that on the 13th, the Grand-Vicar Thibeault and Colonel de Salaberry appeared before the "President and Council of the People," when some explanation and compliments were exchanged, after which the Very Rev. gentleman and his associate were politely bowed out and lost sight of. Meantime we had frequent visits in the Fort from some of the most influential and most reliable men in the Settlement, who gladly made known to the people generally, the liberal intentions of the Canadian Government, and in consequence one after another of Riel's Councillors seceded from him, and being joined by their friends and

<sup>4</sup> J. A. N. Provencher, 1843-1887, nephew of Bishop Provencher of Saint-Boniface, and Secretary-designate of McDougall's provisional council to be formed when the transfer was completed.

<sup>5</sup> This seems to be rather the statement of Smith's personal belief rather than the truth with respect to what Riel and his colleagues had done.



by many of their compatriots and co-religionists who had throughout held aloof from the insurgents, they determined no longer to submit to his dictation. This change evidently had a marked effect on Riel; causing him to alter his tactics and to profess a desire for an accommodation with Canada; accordingly on the 14th January, he called on me, informed me that he had seen Messrs. Thibeault and de Salaberry, whose instructions did not authorize them to give assurances that the people would be secured in possession of their rights on entering into the Confederation, their errand being merely "to calm the French Half-breeds." He then asked to see my Commission, and on my explaining that, owing entirely to the action taken by himself, it was not in my possession, in an excited yet faltering manner he said "yes, I know, 'tis a great pity, but how soon could you have it?" "Probably in five or six days," I replied. "That is too long, far too long," he responded, and then asked where the documents were deposited, requesting at the same time a written order for their delivery to his messenger. To this I would not accede, but on his assuring me that they would be delivered into my hands, and that I should be afforded an opportunity of communicating their contents to the people, I consented to send a friend for them. It was so decided, and immediately after the messenger had received his instructions from me, I was placed under strict arrest, a Captain's guard being assigned me, whose instructions were, not to lose sight of me for one moment day or night, and to prevent me from communicating either verbally or in writing with any individual. I protested, saying, "am I to consider myself a prisoner?" He replied, "certainly not, I have the utmost confidence in your honor, but circumstances demand this." It was now about 10 o'clock and my messenger having been marched out, I retired to bed, but only to be awakened 'twixt two and three o'clock in the morning of the 15th, by Mr. Riel, who with a guard, stood by the bedside and again demanded a written order for the delivery of my Official Papers, which I again pre-emptorily refused to give.

The well affected French party became aware of what had happened and not believing in Riel's good faith, determined to prevent the papers from falling into his hands. They got together some sixty or eighty men, who met my friend on his way back and were escorting him, when on the 18th about 10 miles from the Fort, they were accosted by Riel and some of his party, and by the Reverend Mr. Richot

[sic]. An altercation took place, Riel attempted to use his pistol, saying "he would not be taken alive in his own country," on which a revolver was leveled at his head, and Mr. Richot, having interposed, he was unceremoniously told to stand aside and "not to interfere any further with matters unconnected with his spiritual duties." It may be well to note that all those who took part in this affair were Catholics, and, with one or two exceptions, French Half-breeds. Nothing more serious happened at this time and the party proceeded together to Fort Garry, where they arrived in the forenoon. A few minutes before they entered the house, the Very Rev. Mr. Thibeault, Père Lestanc<sup>6</sup> and Colonel de Salaberry, called upon me and, with the exception of my guard they were the first individuals with whom I was permitted to converse since the 14th. They appeared to be much concerned, and said it was currently reported I had been endeavouring to incite the different parties to hostile collision. I repudiated any such charge; explained that I had acted only in the cause of peace and order, and with the desire of making the people, both French and English, fully acquainted with the liberal views of the Canadian Government, so that a peaceful transfer of the Territory might be affected, adding that I was pleased to think there was now every likelihood this would speedily be accomplished. In the meantime, the party in possession of my papers entered the adjoining room, in which Père Lestanc joined them, while Messrs. Thibeault and de Salaberry went outside. Immediately after they re-tired, Mr. Riel came to me, saying: "Your commission is here; but in the hands of men who have no right to have it." I expressed satisfaction that it had been brought in, and said being now in possession of it, I must be relieved from all restraint, and be permitted freely to communicate with the people. He at once removed the guard, and we went up to the party who had just arrived. Messrs. Riel and O'Donoghue, with a few of their friends, were present, and vehemently pro-tested against the action now being taken, while the ex-councillors accused them of treason to the Imperial Crown, and of using every effort to bring about the annexation of the Country to the United States. Riel replied, "that was only supposing the people desired it, but that he was willing the question should be submitted to them." Père Lestanc spoke warmly in favor of the "President," who, he said, had acted so as to merit the gratitude of his countrymen, and begged

<sup>6</sup> Father Jean-Marie Lestanc, O.M.I., 1830-1912, Breton priest in charge at Saint-Boniface during Bishop Taché's absence.

them still to place confidence in him. This evidently had no effect, and ultimately, after a good deal of recrimination it was arranged that a meeting of the inhabitants from all parts of the Settlement should be called for the morrow, the 19th, at which the papers bearing on the subject should be read, a guard of forty men remaining in the house to ensure the safe-keeping of the documents.

Riel's men were now falling away from him, while the loyal party expressed their determination no longer to be guided in the matter either by him or by Père Lestanc and his associates, but at the same time spoke warmly of their attachment to Rev. Mr. Thibeault, and complained of the restraint put upon him.<sup>7</sup> They were full of hope, and confident that the following day would bring with it complete success to the cause of Canada. That night, or rather about 3 o'clock of the morning of the 19th, Père Lestanc visited them, and, most unfortunately, the Grand Vicar Thibeault accompanied him, I felt convinced against his own better judgment for I believe him to be a truly honorable man, but wanting in resolution to withstand the pressure put upon him. Their visit occupied three or four hours, and resulted in the defection of a majority of the party, which of course had its effect on many outside. This we felt to be a sad blow - but, notwithstanding, it was determined to go on with the meeting which had been convened for noon that day. The hour for the meeting having arrived, and Col. de Salaberry not yet on the ground, I sent a friend, and afterwards dispatched a note to him expressing a hope that by his presence he would countenance the proceedings on the part of Canada. He at length came, accompanied by Rev. Mr. Thibeault, and I begged they would be good enough to take place with me on the platform, and requested Col. de Salaberry to act as interpreter, so that the contents of the several documents and any observations made in English might be faithfully translated to the French party. He readily promised to do so, but, perhaps, feeling some diffidence in himself, which I endeavored to overcome, he proposed that Mr. Riel should be appointed interpreter which was carried before the meeting had time to reflect on the import of the motion. This had a most damaging effect on the cause of older, but I am very far from saying that it was pre-meditated on the part of Colonel de Salaberry, although I feel it to be

<sup>7</sup> All passages in italics were struck out of Smith's original report as printed for the Secretary of State.

## SMITH'S REPORT

a duty to state the facts. At this meeting, and that held the following day, the reading of the Commission, the Queen's Letter,<sup>8</sup> and every other document was contested with much obstinacy, but ultimately carried; and threats were used to myself in the presence and hearing of the Chairman, of the Secretary, Judge Black, and others, more especially by Mr. Riel and Rev. Mr. Lestanc. At the commencement of the meeting, I requested the Chairman and those near him to begin by insisting that all arms should be laid down, and that the flag then flying (fleur de lis and shamrock) should be replaced by the British ensign; this, they thought, would come better at an after-stage; but the opportunity of doing so now lost, never recurred.

As is generally known the result of the meeting was the appointment of forty delegates, 20 from either side, to meet on 25th January, "with the object of considering the subject of Mr. Smith's Commission, and to decide what would be the best for the welfare of the country," the English as a body, and a large number of the French declaring their entire satisfaction with the explanations given, and their earnest desire for union with Canada.

On the 22nd, Riel had several conferences with the well affected French within the Fort[,] he was melted even to tears, told them how earnestly he desired an arrangement with Canada, and assured them that he would lay down his authority immediately on the meeting of the Convention. They believed him sincere, and, although I considered that their guard in the Fort should not be decreased, they held that ten men would be amply sufficient to leave while they went to secure their elections; the consequence was that they had hardly gone when repressive measures were resorted to, and the Hudson's Bay Company's stores which had hitherto been only partially in their hands, were now taken complete possession of by Riel.

Efforts were made to have the prisoners released, but without effect.

The Delegates met on the 25th, and continued in session till the 10th February. On the 26th, I handed to their Chairman, Judge Black, the documents read at the meetings of the 19th and 20<sup>th</sup>

<sup>8</sup> Smith's Commission is in Oliver, *Canadian North-West, II*, 907; the Queen's Letter was presumably Sir John Young's Proclamation of Dec. 6, 1869; see Oliver, *Canadian North-West, II*, 900.

January, and on the 27th, attended the Convention by appointment. I was received with much cordiality by all the delegates, explained to them the views of the Canadian Government, and gave assurances that on entering confederation, they would be secured in the possession of all rights, privileges, and immunities enjoyed by British subjects in other parts of the Dominion; but, on being requested by Mr. Riel to give an opinion regarding a certain "list of rights," prepared by his party in December last, I declined to do so, thinking it better that the present Convention should place in my hands a paper stating their wishes to which I should "be happy to give such answers as I believed would be in accordance with the views of the Canadian Government." The Convention then set about the task of preparing a "list of rights," embodying the conditions on which they would be willing to enter the confederation. While the discussion regarding this list was going on, Mr. Riel called on me and asked if the Canadian Government would consent to receive them as a Province - my reply was, that I could not speak with any degree of certainty on the subject, as it had not been referred to when I was at Ottawa, the intention then being that the North-West should, in the first instance, be incorporated under the Dominion as a Territory; but I added, that no doubt it would become a Province within two or three years. On this Mr. Riel, with much emphasis, exclaimed "then the Hudson's Bay Company is not safe yet," to which I answered, "Mr. Riel, that cannot influence me in the slightest degree, and I am quite prepared to act as may be required of me in my capacity as Canadian Commissioner."<sup>9</sup> This was on the evening of the 3rd February, on the following day the proposition to enter as a Province was negatived by the Convention, and on the 5th, another motion directed against the Hudson's Bay Company, also failed; the language used by Mr. Riel on the latter occasion having been violent in the extreme. The same evening, Riel proceeded to Governor McTavish, who had been dangerously ill for many weeks back, and was then barely able to sit up, placed a guard over him, and heaping reproaches and insults on him, declared that he would have him shot before midnight. Riel then sought out Dr. Cowan,<sup>10</sup> the officer in immediate charge of Red River District, upbraided him for his persistent

<sup>9</sup> It seems that Riel attempted to have entry as a province accepted by putting pressure on the Hudson's Bay Company; see Begg, *Journal*, 95-97.

<sup>10</sup> Dr. William Cowan, 1818-1902, Company officer in charge of Fort Garry in 1869-1870.

opposition to “the people,” the insurgents, and declaring that his name would go down with infamy to posterity for the part he had taken, demanded that he would immediately swear allegiance to the Provisional Government, or prepare for death within three hours, giving him a quarter of an hour for consideration. The Doctor immediately replied, that he knew no legal authority in the country, but that of Great Britain, to which his allegiance was due and that he would not take the oath required of him. He was then seized and put in confinement along with the prisoners taken in December last. I was also put under strict guard, but not removed from the house.

Notwithstanding this, and the painful doubt created in the minds of the English members of the Convention as to the course they should pursue after these arrests, the Delegates again met on the 7th, *but evidently, from this date, they felt that they were entirely in the hands of Riel and his friends.* On the 5th, they had resolved to place in my hands the List of Rights they had drawn up, which was done at 11 o'clock on the 7th, with an intimation that the Convention would be glad to meet me at 1 o'clock p.m., the intervening two hours being allow-ed me to frame my answers. In drawing up these, I was allowed no reference to any document either written or printed, except the “List of Rights,” and a guard stood over me to see that I should write nothing else than that to be presented to the convention. I had just finished writing when Mr. Riel and his “Adjutant-General” Lépine,<sup>11</sup> who was also a member of the Convention, came in, and Riel looking at the latter in a significant manner said “the answers to the List of Rights must be simply yes or no.” On this I remarked that I thought otherwise and would act as circumstances might appear to me to require. I then re-tired, and on returning to the room a few minutes later, found there Mr. Riel, the Rev. Mr. Thibeault and Colonel de Salaberry. We proceeded together to the Convention, and in course of conversation Col. de Salaberry said he would gladly have come to see me before, but could not as he “had been a prisoner throughout.”

The proceedings of the convention as reported in the “New Nation” newspaper, of the 11th<sup>12</sup> and 18th February, copies of which I have had the honor of addressing to you are sufficiently exact, and

<sup>11</sup> Ambroise-Dydime, Lépine 1834(?)–1923, Riel’s military leader of the métis.

<sup>12</sup> See “The Proceedings in the Convention;” p. 5 above.

render it unnecessary for me here to enter into details. Suffice it to say that a large majority of the delegates expressed entire satisfaction with the answers to their "List of Rights," and professed confidence in the Canadian Government, to which I invited them to send delegates, with the view of effecting a speedy transfer of the Territory to the Dominion, an invitation received with acclamation and unanimously accepted, as will appear by resolution hereto annexed, along with the List of Rights and my answer to the same. The delegates named were John Black, Esq., Recorder, the Rev. Mr. Richot, and Mr. Alfred H. Scott. A good deal of opposition having been offered to the election of the last named of the three.<sup>13</sup>

The proceedings of the Convention came to a close on the 10th February, by the nomination of a Provisional Government, in the formation of which several delegates declined to take part. Governor MacTavish, Dr. Cowan, and two or three other persons were then re-leased and the Hudson's Bay Company officers again allowed to come and go at pleasure, but I was still confined to the Fort, Riel, as he expressly stated to judge Black, being apprehensive of my influence with the people in the approaching election.

Riel promised that all the prisoners should soon be released. On the 11th and 12th six or eight of them were set at liberty, and Dr. Cowan was informed in my presence that as they were all to be discharged without delay, the rooms they had occupied would be placed at his disposal in a day or two, Riel remarking at the same time that he would have them thoroughly cleaned out.

Rumors now began to circulate of a rising at the Portage, and on the night of the 14th and 15th of February, some 80 or 100 men from the district passed down close to Fort Garry, and proceeded to Kildonan, where they were joined by from 300 to 350 men, principally English half-breeds, from the lower parts of the Settlement. Had these men, properly armed and organized, been prepared to support the well affected French party, when the latter took action, about the middle of January, or even in the beginning of February, during the sitting of the Convention, order might have been restored and the transfer to Canada provided for without the necessity for firing a single shot;

<sup>13</sup>"Individual" was excised, and "of the three" added.

but now the rising was not only rash, but purposeless, as, without its intervention, the prisoners would unquestionably have been released. The party was entirely un-organized, indifferently armed, unprovided with food even for one meal, and wholly incapable of coping with the French now reunited, who, to the number of at least seven hundred were prepared to offer the most determined resistance,<sup>14</sup> which, as they were in possession of a number of guns (six and three pounders), ample stores of ammunition, provisions, and every other requisite, they in a great measure could have done most effectually. My sympathies were wholly with the Portage men, whom I believe to have been actuated by the best of motives; but under the circumstances it was not difficult to foresee that the issue could not be otherwise than disastrous to their cause. The attempt was, therefore, to be deplored, as it resulted in placing the whole Settlement at the feet of Riel. The great majority of the settlers, English and Scotch, discountenanced the movement and bitterly complained of those who had set it on foot. Forty-seven of the party were captured on their way home, while passing within a few hundred yards of the Fort; the explanation I have heard given for their otherwise inexplicable conduct in having taken this route, instead of making a *detour* which would have ensured safety, being a supposed promise by Riel that they would be permitted to pass unmolested. Their messenger, a young man named McLean,<sup>15</sup> on being questioned by Archdeacon McLean<sup>16</sup> and myself in presence of the Rev. Mr. Gardner [sic]<sup>17</sup> and one or two other gentlemen, admitted that Riel on being asked "if the party would be permitted to pass," was silent, and only, on being informed that they intended next day to use the route just outside the town, remarked "ah! that is good," and for his purpose it no doubt was so. Captain Bolton [sic] led the party," and he and his friends at the Portage assured me that he exerted himself to the utmost to keep them from rising, and only joined them at the

<sup>14</sup> See Begg, *Journal*, 103-104.

<sup>15</sup> Whether John or Alexander McLean of the Portage party is not clear. The McLean's were a Canadian family settled in Portage la Prairie.

<sup>16</sup> Archdeacon John McLean, 1828-1886, Warden of St. John's College; later Bishop of Saskatchewan.

<sup>17</sup> Rev. Joseph Phelps Gardiner, incumbent of St. Andrews, 1865-1872; see Rev. T. C. B. Boon, *The Anglican Church from the Bay to the Rockies* (Toronto, 1962), 86.

<sup>18</sup> Captain (later Major) Charles Arkell Boulton, 1842-1899, member of Dennis' survey party and leader of the Portage party.



last moment when he saw they were determined to go forward. He was captured on the 17th, tried by "Court Martial," and condemned to be shot at noon on the following day, but at the intercession of the Lord Bishop of Rupert's Land, Archdeacon McLean, and, in short, every influential man among the English, and I have been told also, at the earnest entreaty of the Catholic Clergy, the execution was delayed till midnight of Saturday, the 19th. Further than this, Riel declared he could not, would not, yield, except, indeed, Dr. Schultz should be captured in the meantime, in which case *he* would be shot instead of Bolton. Archdeacon McLean had been in close attendance on Capt. Bolton for twenty-four hours, had administered to him the sacrament, received his last commands, and had promised to be present with him at the last moment, and when I met the Archdeacon on my way to see Riel, about 8 o'clock on the evening of the 19th, he was deeply affected, and had given up all hope. I found with Riel, Mr. H. M. Robinson,<sup>19</sup> of "The Nation" [sic] newspaper, and shortly afterwards Mr. James Ross, "Chief justice," entered, followed in a few minutes by Mr. Bannatyne,<sup>20</sup> Postmaster, who had been ordered to bring the key of the mail bag, which Riel opened, and examining the letters perused and retained one or more. Mr. Ross pleaded for Bolton, but was repulsed in the most contemptuous manner. I had already been speaking to Riel on the subject when interrupted by Mr. Ross' en-trance, and now resumed the conversation. Riel was obdurate and said that the English settlers and Canadians, but more especially the latter, had laughed at and despised the French Half-breeds, believing that they would not dare to take the life of anyone, and that, under these circumstances, it would be impossible to have peace and establish order in the country; an example must therefore be made, and he had firmly resolved that Bolton's execution should be carried out, bitterly as he deplored the necessity for doing so. I reasoned with him long and earnestly, until at length, about 10 o'clock, he yielded, and addressing me, apparently with much feeling, said "hitherto I have been deaf to all entreaties, and, in now granting you this man's life," or words to that effect, "may I ask you a favor?" "Anything," I replied, "that in honor I can do." He continued, "Canada has disunited us, will you use your influence to re-unite us? You can do so, and without this it

<sup>19</sup> Henry M. Robinson, American editor of *The New Nation*.

<sup>20</sup> A. G. B. Bannatyne, 1829-1889; Red River merchant and postmaster.

must be war - bloody civil war!" I answered, that as I had said on first coming to the country I would now repeat, that "I would give my whole heart to effect a peaceable union of the country with Canada." "We want only our just rights as British subjects," he said, "and we want the English to join us simply to obtain these." "Then," I remarked, "I shall at once see them and induce them to go on with the election of delegates for that purpose;" and he replied, "if you can do this, war will be avoided, not only the lives but the liberty of all the prisoners will be secured, for on your success depend the lives of all the Canadians in the country." He immediately proceeded to the prison, and intimated to Archdeacon McLean that he had been induced by me to spare Capt. Bolton's life, and had further promised to me that immediately on the meeting of the Council shortly to be elected, the whole of the prisoners would be released, requesting the Archdeacon, at the same time, to explain these circumstances to Capt. Bolton and the other prisoners.

The moment was a fearful one for the settlement, every man's life was in the hands of Riel and fully appreciating the significance of this, the Bishop of Rupert's Land and the Protestant clergy generally, now earnestly counseled the people to elect their delegates without loss of time as by this means they might to some extent control the course of events, while otherwise they were utterly powerless. I entirely concurred in this view of the case and, Archdeacon McLean having kindly offered to accompany me, we visited the different parts of the settlement, and found that in several parishes, the people, and those the most loyal to the British Crown and most desirous for union with Canada, had already chosen their Councillors. I explained to all, that the Council was to be Provisional, in the strictest sense of the word, intended expressly for effecting the transference of the country to Canada, and for ensuring safety of life and property in the meantime. In some instances, I found they had drawn up petitions to Mr. Riel as "President" expressing submission, &c., these I requested them to destroy, advising that nothing more should be done than under the circumstances was absolutely necessary, namely, that having made their election, you should simply intimate the fact in formal terms to Mr. Bunn, who had been named Secretary of the Council, and not to Mr. Riel. The elections in the English parishes having taken place on the 26th February I again saw Riel, who re-assured me, that all the prisoners would

be released within a day or two after the first meeting of the Council. On the 28th, he again sent for me and in presence of Mr. Fraser, delegate from the Scotch Parish, Kildonan, repeated his promise that the lives of the prisoners were secured, and that their release would shortly follow.

I had no further communication with Riel until Monday, the 4th March, when, about 10 o'clock in the morning, Père Lestanc called on me. He informed me of Bishop Taché's expected arrival, not later certainly than the 8th, and probably some days earlier, adding that his Lordship had telegraphed to request that, if about to leave for Canada, I should defer my departure till he could communicate personally with me. He then said that the conduct of the prisoners was very unsatisfactory, that they were very unruly, insolent to the "soldiers" and their behaviour altogether so very bad, that he was afraid the guards might be forced to retaliate in self-defense. I expressed much surprise at the information he gave, as the prisoners, without exception, had promised to Archdeacon McLean and myself, that seeing their helpless condition, they would endeavour to act so as to avoid giving offence to their guards, and we encouraged them to look forward to being speedily released in fulfillment of the promise made by Mr. Riel. One man, Parker,<sup>21</sup> was mentioned as having made himself particularly obnoxious by his violent conduct, but not one word was said on this occasion regarding Scott,<sup>22</sup> or the slightest intimation given, that he or any other person had been condemned to be shot. About 11 o'clock Père Lestanc left me and went upstairs to communicate to Governor MacTavish, as he said, "the good news that Bishop Taché was expected so soon." The Reverend Mr. Young,<sup>23</sup> Methodist clergyman, had just entered the house and meeting the Père in the hall, conversed with him a few minutes. Mr. Young then came up to me, and from him, I had the first intimation that it was intended to shoot Thomas Scott, and that the sentence was to be carried into effect at 12 o'clock, noon, that day. We agreed in believing that the thing was too monstrous to be possible, and Mr. Young mentioned that poor Scott himself was equally incredulous

<sup>21</sup> Apparently George Parker, who is said to have been condemned along with Boulton; see Begg, journal, 316.

<sup>22</sup> Thomas Scott, circa 1842-1870, an Irish immigrant workman on the Dawson Road.

<sup>23</sup> Rev. George Young, 1821-1920, superintendent of Methodist missions in the North West; founder of Grace Church, Winnipeg; author of *Manitoba Memories*.

on the subject, thinking they merely intended to frighten him. However, even to keep him in suspense was of itself a horrible cruelty, and it was arranged that as Mr. Young had been sent for to attend the man, he should see Riel, ascertain exactly how the matter stood, and, if really serious, to let me know at once. Mr. Young accordingly called on Riel, was informed that Scott had been condemned, that the sentence was irrevocable, and would not be delayed one minute beyond noon. Mr. Young begged for delay, saying "the man is not prepared to die," but all without avail. He was paralyzed with horror, returned to the prisoner, and immediately sent a messenger to inform me of the result of his visit. I determined to find out Riel immediately, but recollecting that Père Lestanc was still upstairs with Mr. McTavish, went to him, related what I had heard, and asked him if he knew anything about the matter. His answer I cannot give in precise words, but it was to the effect that they had seen Mr. Riel on the other side (St. Boniface), and had all spoken to him about it, by which I understand that *they* had interceded for Scott. Governor McTavish was greatly shocked on being informed of Riel's purpose, and joined in reprobating it. Père Lestanc consented to accompany me, and we called on Riel. When we entered, he asked me "what news from Canada." The mail had arrived the preceding day, and I replied, "only the intelligence that Bishop Taché will be here very soon." I then mentioned what I had heard regarding Scott, and before Riel answered, Père Lestanc interposed in French words, meaning "is there no way of escape?" Riel replied to him, "my Rev. Père, you know exactly how the matter stands," then turning to me, he said, I will explain to you, speaking at first in English, but shortly after using the French, remarking to me, "you understand that language." He said in substance that Scott had throughout been a most troublesome character, had been the ringleader in a rising against Mr. Snow,<sup>24</sup> who had charge of the party employed by the Canadian Government during the preceding summer in road making; that he had risen against the "Provisional Government" in December last, that his life was then spared; that he escaped, had again been taken in arms, and once more pardoned, - referring no doubt to the promise he had made to me that the lives and liberty of all the prisoners were secured - but that he was incorrigible, and

<sup>24</sup> John A. Snow, superintendent of the Dawson road party east of Ste.-Anne-des-Chênes.

quite incapable of appreciating the clemency with which he had been treated; that he was rough and abusive to the guards, and insulting to him, Mr. Riel; that his example had been productive of the very worse effects on the other prisoners, who had become insubordinate to such an extent, that it was difficult to withhold the guards from retaliating. He further said, "I sat down with Scott as we are doing now, and asked him truthfully to tell me, as I would not use his statement against him, what he and the Portage party intended to have done with me, had they succeeded in capturing me, when they surrounded Coutu's house,"<sup>25</sup> to which he replied, "we intended to keep you as a hostage for the safety of the prisoners." I argued with Riel, and endeavoured to show that some of the circumstances he had mentioned, and especially the last, were very strong reasons to urge why Scott's life should not be sacrificed, and that, if as he represented, Scott was a rash, thoughtless man, whom none cared to have anything to do with no evil need be apprehended from his example. I pointed out that the one great merit claimed for the insurrection was that, so far, it had been bloodless, except in one sad instance,<sup>26</sup> which all were willing to look upon as an accident, and implored him not now to stain it, to burden it with what would be considered a horrible crime *and which might make accommodation with Canada impossible*. He explained, "We must make Canada respect us." I replied, "she has every proper respect for the people of Red River, and this is shown in her having sent Commissioners to treat with them." I told him I had seen the prisoners some time back, when they commissioned me to say to their friends at the Portage, that they desired peace, and I offered to go to them again and reason with them, should that be necessary. On this he said, "Look here, Mr. Smith, Mr. Scott,"<sup>27</sup> the representative, went to see the prisoners at my desire, and on asking them whom they would vote for as Councillor, if they were permitted a choice outside of their own body? Thos. Scott came forward and said, "my boys have nothing to do with those ----- Americans. And when I remarked "this is really a most trifling affair, and ought not to have been repeated," he said "do not attempt to prejudice us against the Americans, for although we have not been with them - they are with us, and have been better friends to us than the Canadians." Much more was

<sup>25</sup> Henri Coutu, a relative of Riel's, lived in the village of Winnipeg.

<sup>26</sup> The shooting by Parisien of Hugh John Sutherland at Kildonan.

<sup>27</sup> Alfred H. Scott.

said on both sides, but argument, entreaty and protest alike failed to draw him from his purpose, and he closed by saying, "I have done three good things since I have commenced, I have spared Bolton's life at your instance, and I do not regret it, for he is a fine fellow, I pardoned Gaddy,<sup>28</sup> and he showed his gratitude by escaping out of the bastion, but I don't grudge him his miserable life, and now I shall shoot Scott." Lepine, the Adjutant-General, who was president of the Council of Seven, which tried Scott, - and five of whom, Riel told me, "with the tears streaming from their eyes, condemned him as worthy of death," a sentence which he had confirmed - now entered, and in answer to Riel, said "he must die." Riel then requested the Rev. Père Lestanc to put the people on their knees for prayer as it might do good to the condemned man's soul. Referring to Père Lestanc and making a final appeal unnecessary here to repeat, I retired. It was now within a few minutes of one o'clock, and on entering the Governor's house Rev. Mr. Young joined me, and said, "It is now considerably past the hour, I trust you have succeeded." "No, I said, "for God's sake go back at once to the poor man, for I fear the worst." He left immediately, and a few minutes after he entered the room in which the prisoner was confined, some guards marched in and told Scott his hour was come. Not until then did the reality of his position flash upon poor Scott, he said good-bye to the other prisoners, was led outside the gate of the Fort, with a white handkerchief covering his head, his coffin, having a piece of white cotton thrown over it, was carried out; his eyes were bandaged; he continued in prayer, in which he had been engaged on the way for a few minutes; he asked Mr. Young how he should place himself, whether standing or kneeling, then knelt in the snow, said farewell, and immediately after fell back pierced by three bullets, which passed through his body. The firing party consisted of six men, all of whom it is said were more or less intoxicated. It has been further stated that only three of the muskets were loaded with ball cartridge, and that one man did not discharge his piece. Mr. Young turned aside when the first shots were fired, then went back to the body and again retired for a moment while a man discharged his revolver at the sufferer, the ball it is said, entering the eye and passing round the head.

<sup>28</sup> William Gaddy, English half breed and plains hunter; a scout or messenger of the Portage party.

The wounded man groaned between the time of receiving the musket shots and the discharge of the revolver *and it has been asserted that he was alive about half an hour after, but of this we have no proof*. Mr. Young asked to have the remains for interment in the burying ground of the Presbyterian church,<sup>29</sup> but this was not acceded to, and a similar request preferred by the Bishop of Rupert's Land was also refused. He was buried within the walls of the fort. On descending the steps leading from the prison, poor Scott, addressing Mr. Young said "This is a cold blooded murder," then engaged in prayer, and was so occupied until he was shot.

After this date I held no communication whatsoever with Riel, except in reference to getting away from the country, which I was not allowed to leave without a pass. I felt that under the circumstances it was not desirable I should remain longer at Red River; but it was not until late in the night of the 18th inst. Riel gave permission for my departure.

Although not<sup>30</sup> accomplishing all that could have been desired, the mission to Red River, as I shall endeavour to show in a few words, has<sup>31</sup> been productive of *some*<sup>32</sup> good, and that it was not entirely successful may fairly be attributed<sup>33</sup> to the circumstances above referred to in connection with the action taken and meetings held in January last. *Messrs. Thibeault and de Salaberry will, no doubt, be able fully to explain their conduct in this matter, and one reason for it may, perhaps, be found in the fact (for that it was a fact the latter gentle-man himself informed me subsequently) that they were then under close restraint, and consequently, in a great measure, precluded from acting as they otherwise would have done. This I can readily believe, for my own position while at Fort Garry, and not only mine, but that of several others who acted in concert with me, was one of extreme peril, which, I trust, however, we were able to disregard in our efforts to accomplish the end [which we truly looked?] <sup>34</sup> to attain. Success,*

<sup>29</sup> Kildonan Church.

<sup>30</sup> "... far from ..." was replaced by "... not ..."

<sup>31</sup> "... not ..." deleted.

<sup>32</sup> "...some ..." inserted.

<sup>33</sup> "... may fairly be attributed ..." substituted for "... unquestionably owing ..."

<sup>34</sup> About four words are quite obliterated.

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although in a lesser degree, might also have been gained at a later period but for the rising in February, which, though rash and productive of results the most unfortunate, I can hardly blame, knowing, as already stated, that those who took part in it were actuated and impelled by the most generous motives.

On reaching Red River in December last, I found the English-speaking portion of the inhabitants greatly divided in opinion as to the comparative advantages of union with Canada and the formation of a Crown colony, while a few, a very small number, favored annexation to the United States. The explanations offered on the part of Canada they received as satisfactory, and, with hardly a dissentient voice, they would now vote for the immediate transfer to the Dominion. They earnestly requested me to assure His Excellency the Governor General of their warm loyalty to the British Crown.

The case is different as regards the French half-breeds. A not inconsiderable number of them remained true to their allegiance during all the troubles through which they have had to pass, and with these will now be found associated many others whose minds had for a time been poisoned by gross misrepresentations made by designing men for their own selfish ends. A knowledge of the true state of the case, and of the advantages they would derive from union with Canada, had been carefully kept from them, and they were told to judge of Canadians generally, by the acts and bearing of some of the less reflective immigrants, who had denounced them as "cumberers of the ground," who must speedily make way for the "superior race" about to pour in upon them.

It is also too true that in the unauthorized proceedings of some of the recent Canadian arrivals, some plausible ground had been given for the feeling of jealousy and alarm with which the contemplated change of Government was regarded by the native population. In various localities these adventurers had been industriously marking off for themselves considerable, and in some cases very extensive and exceptionally valuable tracts of land, thereby impressing the minds of the people with the belief that the time had come when, in their own country, they were to be entirely supplanted by the stranger, *and that a spirit of avarice and selfishness was to rule the new order of things*; a belief, however, which I have no doubt, might have been completely



precluded by the prevention of all such operations, until Canada had fully unfolded her policy and shown the groundlessness of these fears. Let us further bear in mind that many of the Catholic clergy in the country are not French Canadians but Frenchmen, and consequently, it may be presumed, not very conversant with British laws and in situations and with the liberty and privileges enjoyed under them. Warmly attached to their flocks, they deemed it necessary to exact some guarantee that in their new political condition, they would not be treated with injustice. It is unnecessary here to point out how the breach widened until at length it attained a magnitude and significance little dreamt of in the commencement, even by those who joined most heartily in the movement. It is far more pleasing to be able to state, which I do with much confidence, that a large majority of the French party have no misgivings as to union with Canada, and that joined by and under the guidance of His Lordship, Bishop Taché, and other members of the clergy who enjoy their confidence, they will very shortly prove themselves to be staunch supporters of the Dominion, firm in their allegiance to England.

In the course of the insurrection one deplorable crime and many grossly illegal acts have unquestionably been committed, but it would be alike impolite and unjust to charge<sup>35</sup> them on the French population generally, *and while Britain will not fail to punish those who have wilfully sacrificed life, I feel assured the people of Canada will not be less ready to act in a liberal and forgiving spirit even toward such as have erred deeply, but not intentionally.*

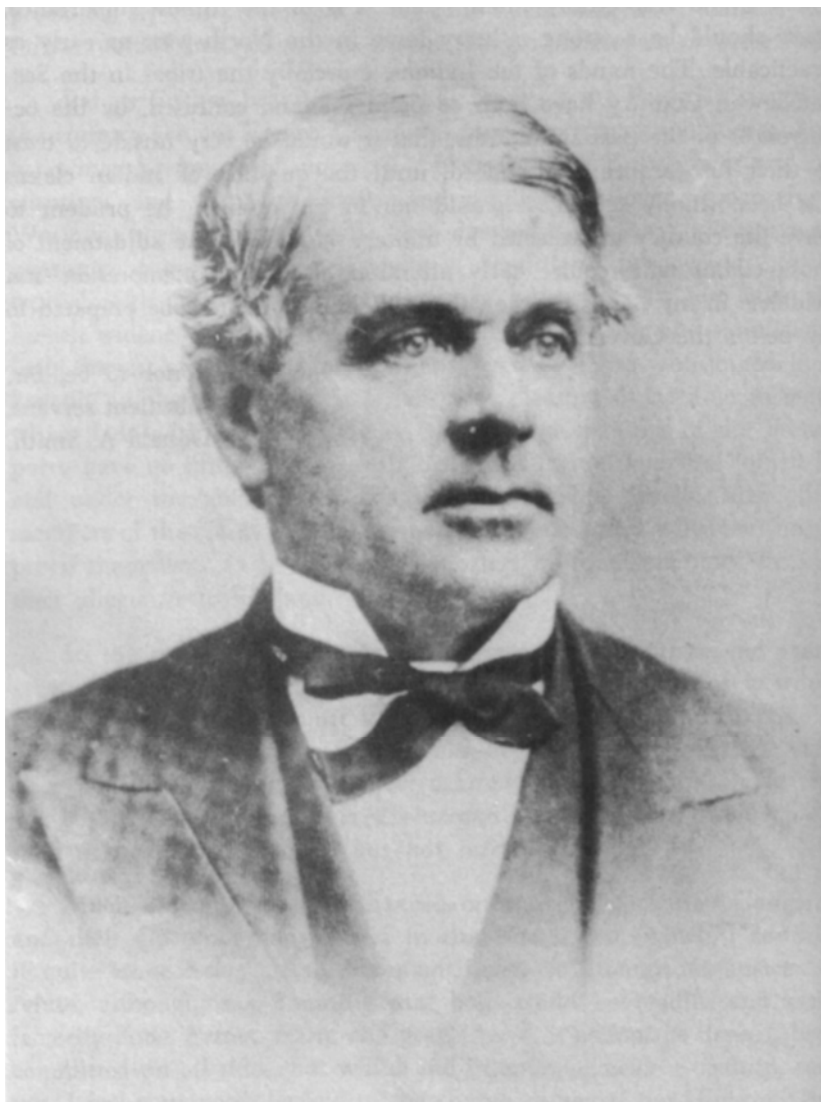
Much obloquy has been heaped on the Hudson's Bay Company and their Governor and officers in the North-west, which I consider it quite unnecessary at this moment, even to attempt to answer or refute, although, not doubting that both could be readily and satisfactorily done. Errors, many and grave, have, it cannot be denied, been committed on all sides, but wilful and intentional neglect of duty, cannot, I feel convinced, be laid to the charge, either of the Hudson's Bay Company, or their representatives in the Country. Personally, I have been entirely unconnected with the administration of affairs in that department.

<sup>35</sup> "... charge ..." substituted for "... visit ..."

## SMITH'S REPORT

I would respectfully submit, that it is of the utmost importance, there should be a strong military force in the North-west as early as practicable. The minds of the Indians, especially the tribes in the Saskatchewan Country have been so perplexed and confused, by the occurrences of the past six months, that it would be very unsafe to trust to their forbearance; and indeed, until the question of Indian claims has been finally settled, it would not in my opinion, be prudent to leave the country unprotected by military [forces]. The adjustment of those claims will require early attention, and some memoranda and evidence in my hands on the subject, I shall, if desired, be prepared to lay before the Government.

I have the honor to be, Sir,  
Your obedient servant,  
Donald A. Smith.



JAMES W. TAYLOR

## IV.

### Letters Of J. W. Taylor From Ottawa, April 19 To May 5, 1870<sup>1</sup>

*As already noted in the Introduction, J. W. Taylor had been made a secret special agent of the United States to inform the Secretary of State, Hamilton Fish, of the course of events caused by the Red River Resistance. Not only had Taylor a passionate interest in the North West; he also had many acquaintances in Canadian politics and business. Among these were Joseph Howe, Secretary of State for the Provinces, and C. J. Brydges, General Manager of the Grand Trunk Railway. He was thus in a position to learn much in Ottawa, some of it no doubt, direct from at least one member of the government. His letters are therefore of great interest, his comments are shrewd and his information is probably almost wholly, if not wholly, authentic.*

Taylor, Washington, to Hamilton Fish, Secretary of State, April 19, 1870.

I enclose the latest intelligence of the arrest of Messrs. Richot and Scott, Red River delegates.

First in order is a Telegram from Ottawa to the Toronto Globe,<sup>2</sup> opposition: but also enclosed is a dispatch to the Montreal Gazette,<sup>3</sup> a Conservative and ministerial journal.

I call attention to the circumstance that judge Black, appointed delegate by the Convention which accredited Richot and Scott – their colleague - is in Ottawa unmolested, “having rooms at the Russell House contiguous to Commissioner Smith’s.”

<sup>1</sup> MHS, Taylor Papers, (Microfilm in PAM)

<sup>2</sup> PAC, *Globe*, April 15, 1870.

<sup>3</sup> PAC, *Montreal Gazette*, Apr. 14, 1870.

These proceedings have greatly excited the French or Catholic population of Canada. Even at Ottawa, an indignation meeting is proposed. The press of Quebec or Lower Canada,<sup>4</sup> according to the *Toronto Globe* "have determined that the question at issue is whether or no French Canadians shall be obliterated from the Northwest Territory." The breach of faith by the Ministry, especially in the case of Rev. Mr. Richot, intensifies the public feeling in Catholic quarters.

I append a compilation by the *Montreal Gazette* on Fenianism<sup>5</sup> on account of several significant allusions to the Winnipeg situation.

Very respectfully, etc.  
James W. Taylor.

*Taylor, Washington, to Hamilton Fish, Secretary of State, April 19,*

On reaching this place to-day, I was informed of the discharge of Messrs. Richot and Scott, Red River delegates. There was an entire failure of evidence, except the general fact that the accused were known to be supporters of Riel's government. In the course of the investigations, Sir John Macdonald took the ground in the House of Commons "that the officers of the Dominion had no concern in the administration of criminal justice, which vested with the Government of each Province."<sup>6</sup>

In the course of the debate, the Premier further said that the Government had not yet received any communication on the part of any people coming from Red River, in the way of asking to be heard or of submitting any grievance. When pressed by the inquiry - "You have no official knowledge that they are here as delegates?", Sir John remarked "No person has presented credentials as yet. Rev. Mr. Richot called on the Secretary of State for the Provinces (Hon. Joseph Howe) and said he had come from Red River, but would defer submitting anything until the arrival of judge Black."

I hope soon to ascertain whether judge Black recognizes Richot and Scott as his colleagues, and will refuse to communicate with the

<sup>4</sup> PAC, *Le Nouveau Monde*, Apr. 12, 1870; *Le Canadien*, Apr. 12, 1870; *Le Journal de Quebec*, Apr. 12, 1870; *L'Ordre*, Apr. 12, 1870.

<sup>5</sup> PAC, *Montreal Gazette*, Apr. 15, 1870.

<sup>6</sup> Note the contradiction with what Sir John Young reported to the Colonial Office, p. xxi above.

Government in any other official capacity. There will be a great effort to separate judge Black from the other members of the delegation. Sir John Macdonald, in the conversation [sic] already quoted, remarked "He had the pleasure of meeting personally on Sunday evening (17th) with judge Black with whom he had a conversation on the country - a general conversation. Judge Black had been introduced to him by Mr. Smith, Government Commissioner: but had not as yet been officially recognized.

I also quote, as significant, the following:

"Mr. Dufresne - Were the Commissioners to the Northwest authorized to induce the people there to believe that in case they failed to arrange matters, delegates should be chosen to go to Ottawa?"

"Sir John A. Macdonald - Yes."

In reply to a question - "What credentials the delegates could possibly have" Sir John A. Macdonald is reported as follows:

"They could have the credentials of representatives from the meeting of the people. They all knew, as a matter of course - every one who read the newspaper knew - that they had an election there and also that Mr. Smith of the Hudson Bay Company, went there as a Commissioner, and suggested that they should have a meeting of the people from the different localities: that they should elect representatives and make a statement of grievances for the purpose of being handed to his Excellency. They knew that they had an election, and that certain bills of rights were agreed to, and certain delegates appointed to lay them at the foot of the Throne: but those formal statements had not yet come in an official manner before the Government, who could not call for them but must simply wait for them."<sup>7</sup>

I have not, as yet, had other opportunities of obtaining information, except by a careful reading of newspapers, but I am strongly impressed that:

1. The influence of the Government has been given to the discharge of Richot and Scott from the criminal prosecution.

<sup>7</sup> The quotations are extracts from reports of the question period in the House of Commons: UML, Microfilm, *Debates of the Parliament of Canada*, Apr. 19, 1870.

## MANITOBA: THE BIRTH OF A PROVINCE

2. That Ministers have no alternative except to treat them equally with judge Black, as delegates from "a meeting of the Red River people."
3. That while nominally treating with all three, yet there is a determined purpose to single out judge Black in the party to be flattered and influenced - inducing him to stand firmly on the original Bill of Rights, in opposition to any new demands borne by Richot and Scott.
4. In view of the opposition in Lower Canada, and on the part of the French everywhere, to a hostile expedition, I anticipate, with the aid of Bishop Taché, a resolute effort to effect a peaceful adjustment.
5. In that event the troops now in motion for Fort Garry, will be represented as a constabulary force, or allies of the Red River people, for defense against Indians.

All of which might be practicable, except for the cry of vengeance against Riel and his colleagues of the Provisional Government on account of the military execution of Thomas Scott. If the delegates are received, upon the appointment of the February Convention, it will be difficult to repudiate the government at Red River which was installed by the action of the same Convention. That Government has also a large degree of recognition from the Hudson Bay Company. Elsewhere than in an English colony, it would have long ago been recognized at Washington. I confess I do not see how the Canadian Government can reach the results they so ardently seek, through the intervention of the Red River delegates, without condoning the action of Riel's government - even to the execution of Scott. But, in the present excitement, this will be very hazardous.

I propose to communicate thus informally, while in Canada, asking permission on my return to transcribe these notes for the purpose of a more formal record.

Very respectfully,  
James W. Taylor.

*Taylor, Ottawa, to Hamilton Fish, Secretary of State, April 27, 1870.*  
Judge Black, Rev. Mr. Richot and A. H. Scott - the Red River delegates - have been in frequent conference with Messrs. Macdonald and Cartier of the Ministry during the last two days; and it was announced yesterday that a bill would soon

be brought in, establishing a territorial or Provisional Government [sic]<sup>8</sup> for the Red River country: and it is hoped that its provisions will be made satisfactory to the Red River delegates, or that Bishop Taché, now on the ground, will bring his people to accept the measure. Meanwhile, until Parliament is prorogued, there will be no diminution of military preparation: but I am satisfied that there is a resolute purpose to prevent, by liberal profusions, [sic: provisions?] the hostilities of the Red River people.

I hear the suggestion frequently, that with the substantial concession of the Red River Bill of Rights, Riel can be induced to emigrate to Dakota or Montana - receiving secretly a liberal *douceur* through Bishop Taché.

The Ministry is greatly in danger from the demand of Ontario, that extreme measures shall be proclaimed against all the leading members of the Provisional Government at Winnipeg. Against such a policy Lower Canada protests earnestly: and the Ministry is strongly inclined to overlook the events of the last four months: but the execution of Scott is likely to unite a majority in favor of extreme measures.

In regard to Scott, a member of the Cabinet mentioned to me that shortly before his capture, he broke into the house occupied by Riel at 2 o'clock in the morning, with an avowed purpose of assassination; but found Riel absent.<sup>9</sup> There is much evidence of his turbulent conduct since residing in Red River. He quarrelled with Mr. J. A. Snow, who was in charge of the party for the construction of a road from Fort Garry to Fort William, and was guilty of a gross personal attack on Snow. He was under the impression to the last, that Riel would not execute his sentence, and would make no submission - saying much to provoke his fate.

Within a few days, I observe much apprehension of the fate of the expedition, unless, by some means, its peaceful progress west of Lake Superior is assured. The hint that an Indian contingent would inevitably excite the jealousies and

<sup>8</sup> It is presumed that Taylor meant "provincial".

<sup>9</sup> The party from Portage la Prairie which marched to Fort Carry to release the prisoners held by Riel (see "Smith's Report", p. 34 above) marched by Fort Garry and through Winnipeg on the night of February 14, 1870. Some men, apparently including Thomas Scott, stopped at the house of Henri Coutu, Riel's cousin, apparently on the chance of finding Riel where in fact he sometimes spent the night; Begg, *Journal*, 307.



hostility of the tribes of the plains, is not without effect. Then the difficulties of the route are beginning to be understood. The *Montreal News* of April 25 remarks:

“Let us imagine the four regiments landed (at Fort William) with a steel battery and 134 boats that cost \$20,000: certain it is that 84 of them cost \$13,000. We want to know how Col. Woolsey [sic] would move his boats and war materials to Lake Shebandowan. The distance from Thunder Bay to Lake Shebandowan is 40 miles. There is neither horse nor ox to be found, because there are [sic] neither hay nor oats. All the hay and the horses to eat it, must be landed at Thunder Bay. Does Col. Woolsey intend that the men or the horses shall drag the 134 boats the 40 miles? Because, if cattle are to be employed, the sooner they are on the spot lugging the boats overland, the better. We venture to say that hardly a score of members of the Commons know the details of the Dawson road, and some of that score take care not to frighten the public or damage the interests of the Northern Transportation Company.<sup>10</sup> We shall furnish a few facts. The traveller who lands at Thunder Bay and proceeds over the Dawson road, must ascend 300 feet within the first half mile - a tough pull for man or beast when loaded. The road continues rising until, at 10 miles from Lake Superior, it reaches an elevation of 1060 feet. It then descends and continues falling till the Kaministiquie [sic] is reached - a point midway between Thunder Bay and Lake Shebandowan, or 20 miles from Lake Superior. From the Kaministiquie to Lake Shebandowan, the road rises and falls six hundred feet within twenty miles, and when that distance has been accomplished, the troops will have traversed the easiest and most agreeable portion of the route.”

One hundred and fifty miles of such obstacles must be passed, before the troops embark on Rainy Lake River [sic], and can use their boats to any special advantage.

Already, much delay is expected from the necessity of a portage at Sault St. [sic] Marie: but there are twenty-four such carrying places between Thunder Bay and Rainy River.

<sup>10</sup> The North-West Transportation Company had been formed in 1858 to open communications between Toronto and the North West.

September is the month now generally named for the arrival of the expedition at Fort Garry.

The necessity of a peaceful adjustment becomes daily more apparent: but the Canadian refugees, whom I met in considerable number, do not relish the idea of giving civil rights to the present population. They want a conquest, and a military rule, until a Canadian emigration can out-vote the present inhabitants. This was openly avowed to me this morning by one of the returned Canadians.

The Premier Sir John A. Macdonald promises to remove all doubt of the policy of the government within 24 hours.

Very respectfully,  
J. W. Taylor.

*Taylor, Ottawa, to Hamilton Fish, Secretary of State, April 28, 1870*

There are many evidences that something like a panic prevails among ministers. Finding a strong opposition to the duties proposed by the new tariff bill on wheat and coal - the consumers in the eastern provinces objecting to the duty on wheat (4c per bush.) and the manufacturers everywhere resisting the duty of 50c per ton on coal - the Finance Minister on Tuesday at 3 p.m., announced a purpose to place those articles on the free list, but after recess, changed position and insisted on the bill as it previously stood.

This vacillation results from a solicitude to retain all possible strength for the coming Northwest question.<sup>11</sup>

I cannot do justice to this sudden change of front except in the language of the actors. I quote from the report in the House of Commons on the 26th of April.<sup>12</sup>

This was during the morning session. A few hours later, after recess, the following debate occurred.<sup>13</sup>

On the following day (27th) the subject was resumed, and elicited an earnest debate which only closed at 4 a.m. this morning. It was opened by the following explanation from the Finance minister.<sup>14</sup>

<sup>11</sup> The "Northwest question" did not, of course, arise in a vacuum. Canadian politics were dominated by such questions as expansion, relations with the United States, respecting Reciprocity, the fisheries, the Alabama claims, and relations with Great Britain respecting defence, independence, etc.

<sup>12</sup> UML, *Dominion Debates*, Apr. 26, 1870.

<sup>13</sup> *Ibid.*

<sup>14</sup> *Ibid.*, Apr. 28, 1870.

April 29

After a protracted discussion last night, the House refused to strike out the duty on coal by 62 to 90. On Wednesday a motion to strike out the duties on flour and meal failed by 73 to 82. The majority of 8 [sic] would have been reversed except for the support of the Government measure by certain members of the Maritime Provinces, who, in turn, insisted upon the 50 cent per ton duty on coal and coke.

It is said that the sudden change of front on Tuesday was owing to a threat of open opposition by Dr. Tupper of Nova Scotia.

Hon. Mr. McDougall [took] part in yesterday's debate. I invite attention to his observations especially on the Fisheries.<sup>15</sup>

It is rumored that Sir A. T. Galt may yet embarrass the Government on the Tariff, but after the decisive vote of last night, I doubt whether he will attempt it.

On the Northwest question, which will now resume its prominence, I transcribe a conversation [sic] of yesterday:<sup>16</sup>

Besides the presence here of Sir Stafford Northcote, Governor of the Hudson Bay Company, I am informed by a member of the Government, that the Colonial office have sent Sir Clinton Murdoch, long connected with the Emigration bureau of that office, to advise with the Ministry on the Northwest question. Its gravity and difficulty can hardly be overestimated. Ontario passionately demands war - Quebec, or Lower Canada, resolutely opposes all hostile demonstrations, and how to forward an expedition and yet induce the Red River people to submit to Canadian jurisdiction, perplexes the Ministry greatly. Sir John Macdonald is almost unfit for business: Cartier cannot afford to oppose the French sentiment of Quebec, which finds apologies for all Riel's violence: and there seems a gloomy prospect for the Ministry, unless Hon. Joseph Howe and the members of the Eastern Provinces can interpose for the adoption of a moderate measure.

<sup>15</sup> *Ibid.*, the debate on the "Navy Discipline Bill," passed to assist Canadian patrols in enforcing the payment of licences by American fishermen fishing in Canadian waters.

<sup>16</sup> *Ibid.*, Apr. 29; the government was asked what delegates, and what reports, the government had received. Macdonald and Cartier were absent - obviously being with the delegates from April 26 to April 29. The House was therefore impatient for information and a statement of the government's policy with respect to the North West.

But a few hours will solve doubts, although it is rumored that a Bill for the government of the Northwest Territories will not be presented before Monday.

I had a long conversation with judge Black last evening. I suggested to him that he should require the re-publication of the text of the proceedings of the Fort Garry Convention, which accredited him and his colleagues, and which (but of this I said nothing to him) in-stalled the present Provisional Government. I am inclined to think that the Red River delegates will unite in a demand for a full and unqualified amnesty for all acts in Winnipeg prior to the passage of the proposed territorial act. This would be a test question.

I sent by mail the "Correspondence and Papers connected with Recent Occurrences in the Northwest Territories" - a Blue Book, which has been already received at the Department except, at pages 130-157, certain "Addenda" etc. I will send by next mail the Report of Mr. Donald Smith, Canadian Commissioner, etc.

I found in a bookstore, rather an amusing cartoon "The Situation" in a Canadian illustrated paper." Other marked contents will illustrate the prominence of Winnipeg matters in the public mind: al though late events have greatly embittered the discussion. Mr. Howe of Nova Scotia mentioned this morning, that Riel occasionally en-forced his arguments in the Fort Garry Convention, pistol in hand, and dwelt on other acts of violence on making it impossible to recognize his regime: yet how to avoid doing so, without war and all its contingencies, is the practical difficulty.

Yours respectfully,  
J. W. Taylor

*Taylor, Ottawa, to Hamilton Fish, Secretary of State, April 30, 1870.*

The report of Mr. Donald A. Smith, Canadian Commissioner to Red River, is published, and appears in the Toronto and Montreal newspapers: but, late last evening, had not been laid on the desks of Members. I will forward the document by next mail.

Meanwhile I enclose the newspaper reprint.<sup>18</sup>

<sup>17</sup> PAM, *Canadian Illustrated News*, 1 (13), Jan. 29, 1870, 195; see p.50.

<sup>18</sup> PAC, *Globe*, Apr. 29, 1870.

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It was announced yesterday that the new Territorial Bill will be introduced on Monday, May 2. I enclose the conversation [sic] in the House on the subject (Friday, April 29).<sup>19</sup>

The correspondent from Ottawa of the Toronto *Globe* 28th speculates as follows:<sup>20</sup>

On the Tariff bill, the Government continues to be sustained by a majority of 20, but it is still stated that Mr. Galt [Sir A. T.] will join issue vigorously in opposition to the final passage.

Respectfully,  
J. W. Taylor.

*Taylor, Ottawa, to Hamilton Fish, Secretary of State, May 2, 1870.*

Tomorrow (Tuesday, May 3) is Government Day in the House of Commons and the Northwest bill will then be introduced. It will substantially accord with the Bill of Rights presented by the Red River delegates.

In this respect, there is no difficulty: but the difficult question re-mains - how far will the Government go towards amnesty for the events of the last six months. The attempt to outlaw Riel and his associates means war: and the Ministry are most anxious to secure peace. The Red River delegates insist upon total amnesty - not excepting Riel - and I learned last night from Mr. Germ. Lojie [sic], editor of the Quebec *Constitutional*<sup>21</sup> and a relative of Sir George Cartier, that such will be the policy of the Government. Its announcement has been delayed, until the excitement in Upper Canada should somewhat sub-side; of which there are now evidences. The publication of Mr. Donald Smith's report (herewith enclosed and which I propose soon to review) has greatly mollified public opinion that the execution of Scott was necessary to prevent bloodshed between the prisoners and their guards and to assert the authority of the Provisional Government.

There is great dissatisfaction with the Tariff, which seems destined to pass, and it has not been strengthened by the bluster about "retaliation"

<sup>19</sup> *UML, Debates*, Apr. 29, 1870.

<sup>20</sup> *PAC, Globe*, Apr. 28, 1870.

<sup>21</sup> Taylor presumably meant Elzéar Gérin-Lajoie, editor of *Le Constitutionnel* of Trois-Rivieres, a journal published from 1868 to 1884. Elzéar was the brother of Antoine Gérin-Lajoie, assistant librarian of Parliament of that date, and remembered for his novel *lean Rivard*.

and a "national policy."<sup>22</sup> Its true defence is the necessity of one or two millions more revenue, in view of the events in the Northwest. Even on a peace footing, the additional expenditure may reach a million dollars on account of the military expedition from Fort William to Fort Garry: while if the troops are resisted by Riel, the expenditure will be more than doubled.

Every one constantly recurs to the possibility of avoiding force. There is no confidence of success, if Riel is driven to forcible resistance. The expedition will consist of a thousand regulars (British troops) and 800 Canadian volunteers. In Quebec, the people will not volunteer, while in the Eastern (Maritime) Provinces, there is no attempt to obtain recruits. It seems difficult to increase the expedition - hence the necessity that it shall not be opposed. But it will be, unless Riel is protected by amnesty.

Mr. A. H. Scott, one of the Red River delegates, intimated during a private conversation which I held with him yesterday that the civil amnesty would be full and proceed from Canada: while the Imperial Government would assume the responsibility of a pardon for criminal offences - which seems not unlikely.

J. W. Taylor.

*Taylor, Ottawa, to Hamilton Fish, Secretary of State, May 3, 1870.*

The Ministry brought in their bill yesterday (Monday, May 2) amending [sic] the Act of June 22, 1869 "for the temporary government of Rupert's Land and the Northwestern Territories,"<sup>23</sup> and establishing the Province of Manitoba. The Government concedes responsible government under a provincial form to a block of territory between the American frontier and Lake Winnipeg, (latitude 49 to 50<sup>1</sup>/<sub>2</sub>) and extending two and a quarter degrees of longitude (96 to 98<sup>1</sup>/<sub>4</sub>) from east to west. This area contains about 11,000 square miles. All the rest of the inhabitable country in the Northwest re-mains to be governed by Order in Council. The Lieutenant Governor of Manitoba, appointed at Ottawa, will have "a separate commission under the great seal of the Dominion," and in respect

<sup>22</sup> This term, to be part of Canadian history in the election of 1878, was much used in tariff debates of April, 1870, and the election of 1872.

<sup>23</sup> Canada: Statutes, 1869, 32-33 Victoria, chap. 3, see p. 1 above. Taylor's quotation is inexact; the statute reads: "and to make some temporary provision for the Civil Government of such Territories." The reference in the statute is to "the North-Western Territory:..."

to ninety-nine hundredths of the territory under his administration, will be responsible only to the Canadian Government. The proposition shows the tenacity with which the absolute control of a region, as large as six states of the size of Ohio, is removed to Ottawa.

I repeat the language of the Act of June 22, 1869 - The Lieutenant Governor is authorized and empowered "to make provision for the administration of justice therein (the Northwest Territories) and generally to make, ordain and establish all such laws, institutions and ordinances as may be necessary for the peace, order and good government of her Majesty's subjects and others therein, provided that all such orders in council (appointing said Lieutenant Governor), and all laws and ordinances so to be made as aforesaid, shall be laid before both houses of parliament as soon as conveniently may be after the making and enactment thereof respectively." The language is vague but its purport was expressed by Sir John Macdonald last night, as providing "that such portions of the Northwest Territory as are not included in the proposed Province, shall be governed as an unorganized tract by the Lieutenant Governor of Manitoba, and that until they are settled and organized they shall be governed by Orders in Council ."<sup>24</sup>

This is the programme, attempted to be carried into execution under Mr. MacDougall [sic], and which was defeated by the Red River insurrection. The insurgents, as will be seen, have carried their policy of responsible government for the immediate district on the Red and Assiniboine rivers occupied by their settlements - an area as large as New Jersey - but the Dominion carefully excludes representative institutions elsewhere in the valley of the Saskatchewan and the districts adjacent to Lake Superior on the East and the Rocky Mountains on the West. The latter, in the vicinity of Montana, already have a considerable population - around Fort Edmonton - and under the impulse of a gold excitement, may suddenly become as populous as the Red River section. In that event, the story of the Winnipeg insurrection may be repeated sooner than the Ottawa cabinet anticipates.

The Government throws away an opportunity to bind the Saskatchewan country to the Red River and the whole to Canada, under a single liberal government - similar to the Ordinance of 1787 which made the Ohio River and its settlements

<sup>24</sup> See below, "Debates on the Manitoba Bill," p. 164.

the base of political organization for the whole wilderness northwest, now organized as the States of Ohio, Indiana, Illinois, Michigan, Wisconsin and [part of] Minnesota - and overloads the little province of Manitoba with all the cumbersome machinery of a fully organized Province of the Dominion. This will more fully appear from the following summary of the measure, announced last night by the Minister of justice, but which will not be distributed in printed form until the second reading:

1. Boundaries and area have been already given.
2. The Executive is vested in a Lieutenant Governor, with a Council of five appointed by him.
3. The Legislature consists of a Senate, or Council, consisting in the first instance of seven members to be appointed by the Lieutenant Governor, and an Assembly of 24 representatives to be chosen in districts by the people. The Legislative Council, or upper branch, may be increased to twelve after four years.
4. *Suffrage* is given to every British subject who has attained the age of 21 years, and who is and has been a householder for one year.
5. The representation in the Dominion Parliament until the next census will be two (2) Senators and 4 members of the House of Commons.
6. The Premier remarked last night, after giving the foregoing de-tails - "All these clauses and stipulations are, of course, subject to alterations by the people themselves, except so far as they relate to the appointment of the Lieutenant Governor."<sup>25</sup>
7. The pecuniary clauses of the bill are quite liberal. As an equivalent for the federal assumption of the debts of the Eastern Provinces, \$27.27 per head on a population of 15,000, or the sum of \$459,550 will be paid by Canada in half-yearly payments to the Province of Manitoba: and in addition, 80 cents per head will be paid as an annual subsidy (\$12,000), which rate shall continue until the population reaches 400,000. There is a further provision that the Dominion will pay \$30,000 per year for the support of the Government, including salary of Lieut. Governor, postal service, collection of customs etc.<sup>26</sup>

<sup>25</sup> *Ibid.*, p. 167.

<sup>26</sup> Taylor's figures are erroneous; see p. 64 below.



7. This last subsidy is intended to represent the services thrown on the Dominion Government by the Confederation Act while the gross payment first named, and the annual payment of 80 cents per capita are on account and as aids of Local Government.
8. The public lands (after confirming all possessory rights) will be the domain of the Dominion: but 1,200,000 acres are set apart for the purpose of settlement by the half-breeds and the extinction of Indian title in the Province. I infer that the disposition of this reservation of lands is entrusted to the Provincial Legislature. No provision is made for school lands. As most of the half-breeds are already in possession of homesteads, the application of this land grant is a little in doubt. It is left very much under ecclesiastical influence in the Local Legislature: and may be intended as a compromise of embarrassing demands for religious endowments. The total area of the Province is about seven million acres - the above reservation is more than one-seventh of the entire Province.

There are other provisions, intended to allay discontents, to which I may refer when I obtain a copy of the bill.

Great pains were taken by the Ministers to represent the military force as a peaceful expedition, sent forward for no other object than to secure order and protect the settlement from Indian hostilities etc. It appears that the Imperial Government has only been induced to send 390 troops, or only one fourth of the force proposed, with a corresponding contribution to the expenses of the expedition. This is universally admitted to be a great disappointment. The payment of £300,000 was withheld in November last, and has not yet been paid to the Hudson Bay Company, on the ground that Great Britain should assume the whole, or most of the burthen of placing Canada in possession of the territory: and it was announced by Sir John Macdonald that only on Saturday last, after vigilant and frequent use of the Cable, was the English ministry brought to the lame and impotent conclusion of sending one fourth of the force and assuming one fourth of the expense of asserting the Queen's jurisdiction in Rupert's Land. The opposition was not sparing of their taunts on this point: and the ministry did not conceal their chagrin, as you will see when I forward the report of the debates, part only of which has yet appeared .<sup>27</sup>

<sup>27</sup> C. P. Stacey, "Fenianism and the Rise of National Feeling in Canada," *Canadian Historical Review*, XII (September, 1931), 238-261.

It also transpired during the discussion last night, that jurisdiction for crimes at Red River during the last six months (and of course previously) is not claimed for Canada, - indeed is expressly disclaimed by the Minister of Justice, Sir John Macdonald. This was elicited in response to an excited inquiry - "what is to be done with the usurper Riel?" It was substantially admitted that the English Government would alone be responsible for criminal proceedings - and everything now confirms the opinion expressed in former communications, that long before the expedition reaches Red River, the Queen's proclamation of complete amnesty will be issued. On this point, I expect much frantic denunciation: but the conclusion is foregone. The Finance Minister, Sir Francis Hincks, said expressly that the English Government was most solicitous to avoid hostilities - that their delay and reluctance to be a party to the expedition had withheld the Ministry from bringing down their bill.<sup>28</sup> and there is much other evidence that Riel and his associates have commanded fully as much consideration in London, as the Canadian ministers.<sup>29</sup>

The Government is fully committed to the policy of Peace at any Price, with the Red River People - even to the condonation of the execution of Scott. It remains to be seen whether Canada West can shake the ministry by the passionate issue, which was urged so fiercely a month since. It now looks that Riel will not only assure the rights of his people but his own immunity.

Respectfully,  
J. W. Taylor.

*Taylor, Ottawa, to Hamilton Fish, Secretary of State, May 4, 1870.*

Sir A. T. Galt,<sup>30</sup> formerly Finance Minister of Canada, called on me this morning and expressed a great desire that the terms of a proposition which

<sup>28</sup> UML, *Dominion Debates*, Apr. 28, 1870.

<sup>29</sup> *Parliamentary Papers*, 1870, Granville to Young, telegram, Mar. 5, 1870.

<sup>30</sup> Sir Alexander Tilloch Galt, 1817-1893, e Father of Confederation and Minister of Finance in the first cabinet of the Dominion, had resigned because of his involvement in the failure of the Commercial Bank in 1867. He was now an independent. Reciprocity was a special interest of his, as were all commercial and financial matters. He believed that the circumstances of the time, in England and America, pointed to Canada's best destiny being independence of the United Kingdom and the United States.

Once more, the relevance of western expansion to relations with the United States, as well as other major matters, is illustrated.

he understands that the State Department made some time ago on the subject of a commercial arrangement with Canada, and the answer of the Ministry thereto, should be made public. The Government have announced in Parliament, that the negotiation in question has terminated, but that it was confidential and they decline to make any statement of its terms. Mr. Galt, who has lately become a member of the opposition, is of the impression that the State Department at Washington would be willing to communicate, in answer to a resolution of Congress, the facts that a definite proposition was made, giving its terms, and that the same was declined.

Mr. Galt has no knowledge of my connection with the State Department. We are old friends: our views have accorded upon the general subject of Reciprocal Trade: and he assumes that all Americans must resent the tone of Sir John Macdonald in the late debate on the Tariff, of which I have previously furnished an abstract. He expressed a wish that there should be a settlement of the Fishery disputes: and seemed of the opinion that if you could renew the proposition that a remission of the duties on coal and fish should be exchanged for the freedom of the Fisheries, that it would be cheerfully conceded on the part of Canada.

I asked him if he thought that a list, including coal and fish but not including grain would be regarded as sufficient consideration for an arrangement for the enlargement of the Welland and St. Lawrence canals, as well as the freedom of the fisheries. He replied with some hesitation, but affirmatively - adding the opinion, that Canada West or Ontario would regard the question of canal enlargement as greatly in favor of that Province, indeed as an equivalent for the omission of the cereals from the free list.

I was able to say that I had no official connection with the negotiation in question. I did so because formerly I was known to Mr. Galt as an agent of the Treasury on this subject.

Mr. Galt has openly advocated the independence of the Provinces:" he is a member of the opposition mainly on account of his views on that question. He declined to accept knighthood, until the Government fully understood that he

<sup>31</sup> That is, Canada.

was in favor of the separation of the colonies in North America from England.

Parliament will probably remain in session ten days. It is respectfully submitted to the Secretary, unless some valid objection exists, that a very effectual treatment of the hostile disposition lately manifested here - the "retaliatory or national policy" of which so much was said - would be to furnish to the Associated Press an authentic statement of the proposition made by the State Department to Mr. Rose,<sup>32</sup> and the answer of the Ottawa government. There would hardly be time for a resolution of Congress and the response of the Department - unless expedition was used.

Under the circumstances, I do not feel at liberty to communicate with any member of Congress on this subject: but think myself justified in making the above communication.

The present ministry manifest a very hostile disposition to the United States: their course in this Tariff discussion is rancorous: they are reckless in their disregard of American interests in the Eastern Fisheries: and their persecution of independent members, like Messrs. Galt and Huntington,<sup>33</sup> is quite remarkable. If these gentlemen could be indirectly encouraged, at this juncture, by the publication above named - I should hope no objection exists to its expediency.

Very respectfully,  
James W. Taylor.

*Taylor, Ottawa, to Hamilton Fish, Secretary of State, May 5, 1870.*

The Government, after twenty-four hours consultation, have modified their Manitoba Bill by extending the Province westwardly three-fourths of a degree of longitude - from  $98\frac{1}{4}$  to  $99^\circ$  - retaining the other boundaries. The line first proposed excluded the settlement of Portage la Prairie containing 120 families who are mostly Canadian and it was charged by the opposition that their exclusion was intended to make French ascendancy more certain in the new Province. The Government claimed in reply, that there was reason to believe

<sup>32</sup> John Rose, 1820-1888, Canadian banker and politician. An able and charming man, Rose was soon to be instrumental in arranging the exchanges that led to the setting up the Joint Commission of 1871 which settled so many of the Anglo-American issues of 1870.

<sup>33</sup> Lucius Seth Huntington, 1827-1886, like Galt a businessman politician of Quebec, was, unlike Galt, an annexationist.

## MANITOBA: THE BIRTH OF A PROVINCE

that the Portage people were averse to political connexion with the Red River settlements - the distance between the two points is about 60 miles - and cited the fact that two years ago there was a Provisional organization at the Portage asserting independence of the colony of Assiniboia and taking the name of the "Republic of Manitoba."<sup>34</sup> However, there were parties here in Ottawa, who are residents of the Portage la Prairie, and as they expressed a decided preference for connexion with the new province, the above change of boundary was made.<sup>35</sup>

Two other important alterations of the bill were made in consequence of this territorial enlargement. The population with reference to the annual subsidy of 80 cents per head, is estimated at 17,000 instead of 15,000; and the grant of lands "for the benefit of the families of the half-breed residents" is 1,400,000 instead of 1,200,000 acres.

Although there are a few Indians of full-blood in the Province, yet this large endowment - fully one seventh of the whole area - is to be divided "*among the children of the half-breed heads of families residing in the Province* at the time of the transfer of the country to Canada." The 28th section confirms the titles of the half-breeds to lands now in possession: and this body of "ungranted lands" will be distributed among their children. Probably three-fourths of this class of population are French Catholic: and it is easy to see how prominent the religious feature of the question may become.

I enclose a printed copy of the bill.<sup>36</sup>

I correct my former statement of its pecuniary provisions. I was in error in supposing that the annual payment of \$30,000 included the salary of the Governor and other Dominion expenses. The latter constitute an additional allowance. I enumerate the "pecuniary provisions."

<sup>34</sup> See below, "Debates on the Manitoba Bill", p. 200; see also Oliver, *Canadian North-West !I*, 873-8; and Morton, *Manitoba: A History*, 113-4.

<sup>35</sup> Joseph Lynch and Rev. Wm. Fletcher, both of whom had resided in Portage la Prairie, were in Ottawa and in touch with the cabinet. See PAC, C.O. 42/685, Lynch to Young, enclosed in Young to Granville, Apr. 21, 1870.

<sup>36</sup> A copy of the Manitoba Bill was enclosed.

## TAYLOR'S LETTERS

1. Half yearly payments of five per cent on the sum of \$472,090 - the same being in lieu of the Assumption of Provincial debts.....	\$23,614.50
2. Yearly payment "for the support of the Government and Legislature" of Manitoba.....	30,000.00
3. An "annual grant in aid of said Province" equal to 80 cents per head of population estimated at 17,000, to be augmented after the census of 1881 until the population is 400,000. ....	13,600.00
4. Dominion expenses - including salary of Governor, "Judges of the Superior and District or county courts", customs, post-office, militia, geological survey, penitentiary etc. - which, judging from appropriations in Minnesota cannot be less than an annual sum of.....	<u>50,000.00</u>
Total annual payment .....	\$117,214.00

Liberal as this provision is, it is not in excess of the cost of our territorial system. In 1850, when the population of the Territory of Minnesota was about 6,000, Congress made direct appropriations for Legislative and Executive expenses, Public buildings and military roads, equal to the above amount, while the incidental expenses of the Land and Post Offices, customs and Indian treaties were as much more.

The upper branch of the Manitoba Legislature - seven councillors which may be increased to twelve - is appointed by the Lieutenant Governor - himself an appointee of Canada. These Councillors hold office for life. The Premier says that this feature of the Government may be changed by the Local Legislature. (See also Sec.10)<sup>37</sup>

I anticipate a resolute effort still further to enlarge the limits of the Province. The French party will oppose, thinking, with some reason, that as the bill stands the influence of the Catholic element will be dominant.

I will forward full reports of the debate.

Respectfully,  
James W. Taylor.

<sup>37</sup> Under Section 92, sub-section I, of the B.N.A. Act, 1867; also under Manitoba Act, Section 10, as indicated. The Legislative Council was in fact abolished in 1876.



Courtesy of Public Archives of Canada  
City of Ottawa, 1864

## V.

### **The Ottawa Diary Of Sir Stafford Northcote<sup>1</sup>**

*When news of the Red River Resistance reached Ottawa on November 22, the Prime Minister, Sir John Macdonald, at once refused to order the payment of the £300,000 by Canada to the Imperial Government for the Hudson's Bay Company in consideration of its surrender of Rupert's Land to the Crown. Macdonald refused to make the payment on the ground that Canada was entitled to quiet possession. It was incumbent on the Imperial Government to restore order before completing the transfer. By this act he hoped to leave the government of the Hudson's Bay Company intact, and so deprive the Provisional Government of any legal excuse for existence. He also hoped, by leaving the government of the Empire directly responsible for order in Red River, to discourage American recognition of Riel's government.*

*The Hudson's Bay Company was thus caught between the responsibility, real but powerless in Red River, of the Imperial Government and the refusal of Canada to assume responsibility until order was restored. It did not receive the £300,000 on December 1. Its post of Fort Garry, its provisions, goods, furs and ammunition, were at the disposal of the Provisional Government. The boatmen and cart-men who moved its trade goods, furs and provisions in summer were for the time being in Riel's armed forces. The whole trade of 1870 was thus in jeopardy, with the disorganization a loss of a year's trade would cause in the two to three year cycle of the fur trade of the North West.*

<sup>1</sup> BM, Iddesleigh Papers, Add. Mss. 50,063A. The diary has been copied and published by the gracious permission of the present Lord Iddesleigh. For a life of Vorthcote, see Andrew Lang, *Life, Letters and Diaries of Sir Stafford Northcote, First Earl Iddesleigh*, I-II (London, 1890).



*The Company had every interest therefore in aiding in the restoration of order in Red River. That would ensure the payment of the £300,000. It had then to seek compensation for the losses it had suffered. Both would necessitate at least some negotiation with the Canadian government. Much Canadian opinion was critical of, even bitterly hostile to, the Hudson's Bay Company. The government, even if it did not share this opinion, might have to defer to it. The Company had need, therefore, of someone to speak for it with authority and with tact.*

*It was for these reasons that Sir Stafford Northcote, Governor of the Company, 1869-1874 was sent to Ottawa, to be there when the delegates from Red River arrived, and, if he thought it necessary, to go to Red River itself. He was to safeguard the Company's interests, obtain compensation, and help restore peace in Red River, if he could.*

*Northcote was an excellent choice. He was head of an ancient Devonshire family, a brilliant student at Oxford, a successful man of affairs in London, a rising politician who had held office under the two Conservative administrations of Lord Derby. His most notable public service before 1870 was that performed as a colleague of Sir Charles Trevelyan in preparing and signing the report of 1853 by which competitive examination became the sole means of entrance to the Civil Service. A Conservative who was a liberal, he was a close friend of W. E. Gladstone, and like Gladstone, took a keen interest in public finance. He was indeed to be Chancellor of the Exchequer in Disraeli's government in 1874-1880. He knew intimately men of the world of finance in politics and business in London and New York, and was to impinge on Canadian affairs again as a member of the British section of the Joint Commission which negotiated the Treaty of Washington in 1871.*

*Intelligent, shrewd and imperturbably cheerful, Northcote quickly saw to the heart of any matter, met people easily and took things as they came, perceptively but placidly. He was never censorious, not even in the privacy of his diary. Hence, the revealing and friendly account he was able to give of Ottawa in the tense days in which the terms of the Manitoba Bill were negotiated and during which it passed. Hence, also, the confidence with which all treated him, and the informing and*

*illuminating knowledge of the inwardness of Canadian politics he was able to record. He is a witness of unusual value; informed, impartial and discerning. It is unlikely that there exists any better record of the events that were the birth of Manitoba.*

April 5, 1870. We held our Committee meeting this afternoon to consider the answer to be made to Lord Granville's<sup>2</sup> request that the Company would appoint Sir J. Young Governor of Rupert's Land with power to appoint a deputy, so as to obviate any danger of want of authority.<sup>3</sup> Having decided on the substance of the answer, the Committee requested me to put it into shape, and when I returned they told me they had been talking over the question of my going to Canada, and that 6 out of the 8 were disposed to think that I had better not go, Mr. Potter<sup>4</sup> and Mr. Hamilton<sup>5</sup> being the two who adhered to the other view. I was asked what advantage I thought would result from my going, and I said that the advantages I looked to were various. I thought it would be useful that I should make personal acquaintance with the Canadian Ministers and other public men, should be able to ascertain their real feelings with regard to the Company, perhaps to disabuse them of some misapprehensions as to the conduct of our officers in the commencement of the present troubles, and to acquire a more complete knowledge of the facts than I had at present so that I might be better able to conduct the Company's case either with the Government or in Parliament. The advantage that might result from the saving of time in case of new proposals being made was of course obvious. The Committee were, I believe, pretty well satisfied on the whole, though they expressed some anxiety lest my going should place the Company in a position of responsibility with regard to the policy to be pursued towards the settlement which they were very desirous to avoid. They maintain that we have ceased since the 1st December to be in any degree politically responsible for the conduct of affairs, and that we are entitled to

<sup>2</sup> George Leveson-Gower, second Earl Granville, 1815-1891, Secretary of State for the Colonies, 1868-1870.

<sup>3</sup> See Commission of Sir John Young, p.230 below.

<sup>4</sup> Richard Potter, member of the Committee of Hudson's Bay Company since 1863; President of the Grand Trunk Railway of Canada, 1869-1876; father of Beatrice Potter, remembered as Mrs. Sydney Webb.

<sup>5</sup> Edward William Terrick Hamilton, member of the Committee of Hudson's Bay Company to 1890.

claim from those who are so responsible an indemnity for all our costs charges and losses. This claim they fear we may weaken by taking or appearing to take any share of the responsibility of Government, and they thought my journey to Ottawa might give this appearance. I pointed out that we might weaken our position by appearing too reluctant to be of service, quite as much as by the assumption of responsibility; that Lord Granville obviously wished me to go, and that the convenience of my being on the spot might under not improbable circumstances be very considerable. If the Government should be impeded in the execution of its plans by any delay which might be occasioned by the necessity of communicating with us, it might raise a serious prejudice against us. Some of the directors expressed a fear that I might be called on to give instructions to the Lieut. Governor whom, under the newly proposed arrangement, we were to appoint. I said that was very unlikely, considering that he was to be-appointed by Sir John Young; but that if by chance I were asked to give him instructions or indeed to do any other act savouring of an official character, I should simply say that I had no authority and could only refer to the Board. My going was ultimately resolved on.

I saw Lord Granville at the House of Lords in the evening. He gave me a letter of introduction to Sir John Young, mentioning in it that I was going simply as the representative of the Company and without any commission from the Government.

April 6. C. H. and A. with Humphrey, started for Liverpool by an early train. Dymont and I came later,<sup>6</sup> as I had a good deal to do. Reached the Adelphi about 8 and found that C had been very poorly in the train and had gone to bed. Jack<sup>7</sup> had come over from Newcastle to see us off, and he, I, and H. dined together.

April 7. C. still poorly with a severe cold. Went out with H. & J. to arrange for going on board. F. Braddy,<sup>8</sup> on whom we called, was very helpful, and had arranged that we should have a special steamer to take us to the 'Moravian'<sup>9</sup>

<sup>6</sup> These were Cecilia Frances, Lady Northcote, Humphrey Northcote and Amyas S. Northcote. Dymont has not been identified.

<sup>7</sup> Jack is unidentified.

<sup>8</sup> Unidentified.

<sup>9</sup> S. S. Moravian of the "Allan Line", i.e. the Montreal Ocean Steamship Company, formed in 1860.

before the general rush took place. We found this highly convenient, as the regular boat, which came an hour after, was extremely crowded with passengers, their luggage, and their friends. We had already settled ourselves pretty comfortably before they came.

April 7-18. It is hardly worth recording the events of our most uneventful voyage. Our passage on the whole has been a good one, and the vessel comfortable, though she rolls a good deal. We have had some rather rough sea occasionally, but nothing of much consequence. Captain Brown has been a steady, cautious sailor, and an agreeable companion. We have liked our friends in the saloon very well, some of them very much. Mr. Weir Anderson,<sup>10</sup> who is going out to Toronto as manager of the Canada Trust and Loan Company, is an acquaintance worth making. Mrs. Hodgetts, (née Bouchette) is a lively, clever, young Canadian lady.. Amongst other names to be remembered, in case one ever comes across them, are those of Captain Herriman, (of Belfast, Maine, U.S.) Mr. Laver (of the firm of Fuller & Laver, architects), Lieut. Hirst R. E., Mr. Thompson of St. John's New Brunswick, Mr. Macgregor of Milwaukee, and Messrs. Jones and Mackay of Liverpool - the former a ship owner, the latter a timber merchant and eccentric character. The Misses Ryall we shall probably never hear of again." We had nearly 800 emigrants on board, of whom 69 were Germans or Scandinavians, the rest Irish or English. It is said that the Irish Protestants chiefly come in the ships of this Company, (the Montreal Ocean S. S. Co., subsidised by the Canadian Government), as they prefer Canada to the U.S.

April 18. A most tantalising morning. I was up early and on deck about 6.30, when the officer on duty said we should reach Portland before 9 o'clock. We packed up everything, but by 7 o'clock there was so thick a fog that we were obliged to lie to, and from that time till about 2 we were on the tenderhooks of uncertainty whether we should not have to put out to sea again and spend another night on board. The captain was very nervous, and had he not been encouraged by

<sup>10</sup> Weir Anderson is otherwise unidentified.

<sup>11</sup> All these people, other than Laver, are unknown to the editor. Augustus Laver was one of the architects of the Parliament Buildings, Ottawa.

Captain Herriman, who knows the coast well, we should certainly have been kept out, and a rough night we should have had. The fog lifted a little, however, and Capt. Herriman pronounced the land near us not to be Cape Elizabeth but Wood Island, a place about 18 miles to the south of it. We steered north and at last were cheered by the welcome sight not only of land but of buildings which were speedily recognised. A pilot came on board a little before 3, soon after which we went down to dinner, and before dinner was over we felt the vessel stop. Almost immediately afterwards, Mr. Richotte came on board with a message for me that Mr. Brydges<sup>12</sup> had sent the Director's carriage for us, and that there would be a special train for us in an hour or so. The little man was in a wonderful state of excitement, and produced a strong impression upon our nervous system, leading us to believe that it was a question of minutes whether we should catch the train at all. We were hurried on shore; our smaller packages collected with great bustle and some rapidity; we were told that our heavy baggage must be left and sent after us; M. Richotte then seized on C. and guided her by a sort of cross country route, over rails, through mud, and among trains, to our car, where we were not a little glad to find our-selves safely installed. After inspecting its magnificent accommodation, and hearing that it would still be an hour before the train started, H. and I set off to look at the town, when we were again taken into charge by the indefatigable Richotte and carried through the muddy streets at a pace not much short of that which prevails on the Grand Trunk Railway. There was not much to see, and what we did see was seen in a violent hurry in order that we might be back in time for the train. When we got back we had about two hours to wait at the station. Our train was a special, designed to take us to Island Pond in time to enable us to proceed to Montreal by what is called the 6.15 train next morning. Its movements therefore depended on the arrangements for other trains, the G.T.R. being, like other American railways, a single line. We started at last about 7 o'clock, when it was becoming too dark to see anything of the country. The motion of the carriage was somewhat uncomfortable, resembling that of a cart without springs drawn over a newly stoned road at the rate of 18 or 20 miles an hour. In all other respects we were luxuriously provided for, having a comfortable large saloon, two

<sup>12</sup> Charles John Brydges, 1827-1889, General Manager of the Grand Trunk Railway, 1862-1874, of which of course, Portland, Maine, was the Atlantic terminus in winter.

bedrooms, one containing a double bed which C. & I occupied, the other two berths which were allotted to A. and Humphrey. P. slept on one of the sofas in the saloon," and Dymont in the ante-room of the car. We had a W.C., a small locker or two, well stored with wine and biscuits, water turned on in the bedrooms and the passage, a couple of stoves and an abundant supply of wood for fuel. We made ourselves some tea and a little grog, and went to bed, but found sleeping a rather difficult matter till we got to Island Pond which we reached about 5 and from which we did not start till past 7.30.

April 19. A very enjoyable run through the Eastern Townships of Canada. Our car was at the end of the train, and, having a glass door at the back (out of which one could step on to a little platform, with steps to get down to the ground) as well as windows on both sides gave us a complete view of the scenery. The woodland in the early part of the day, and the long reaches of the Ste. Marguerite and the Richelieu rivers, were very beautiful in the eyes of poor people who had been staring at nothing but the desolate Atlantic for the last ten days. There were some fine hills here and there, and one great lump, with a deserted Church (built for the Indians) on the summit, was very striking. We crossed a good many streams and noticed that all the bridges were covered overhead, which Mr. Richotte told us was done to add strength to them. There were a few patches of snow and ice still left, but the spring was commencing (a week earlier than usual and the palms [sic] were blossoming, though the trees generally did not show any bud. The country was one of timber in every sense. Here were lots of felled trunks waiting to be floated down. There the river was studded with snags placed so as to enable the property of different lumberers to be kept separate as the several lots float along. There were enormous piles of sawn wood in one place, great saw-mills in another, and at one station we inspected a very queer circular saw machine worked by two horses on the principle of a squirrel's cage. The latter part of our journey lay through a less interesting country, as far as beauty went, thickly studded with small farms. The land seemed ill-drained and the roads looked execrable; but it was of course a bad time of year for them, just as the snow was disappearing. The

<sup>13</sup> P., like Dymont, is unidentified; presumably they were personal servants.

Victoria Bridge<sup>14</sup> was beyond my expectations, and is a really great work; worthy of the St. Lawrence, which is really a great river. Mr. Brydges met us at our last halting place, and came into the town in our car. He told me that the executing of Scott<sup>15</sup> had greatly changed the public feeling in Canada, and especially had excited the people of Ontario. There was now no question but that the matter must be energetically taken in hand; and it was certain that if the government failed to deal vigorously with it they would be turned out. He said "We have really no Government, that is, no Government policy; all they attempt is to follow public opinion." He complained of the want of vigorous support from England, and told me (afterwards) that he thought a great opportunity had been missed; that if when this difficulty arose the Home Government had come forward and said, we see that this is a matter affecting the integrity of the Empire, we will take it in hand and settle it for you, it would have given immense encouragement to the Canadians, who are at present intensely British, but who have an uneasy feeling that England wishes to take an opportunity to cast them off. He told me that there was a good deal of jealousy between the French and English parties in reference to this Red River affair; that many of the Quebec papers and Lower Canadians were defending Riel and were anxious to pro-mote a settlement which would give the priests what they want; while in Ontario the feeling against the priests was very strong, and the Government was blamed for having sent Thibault and his companions as being too favourable to the insurgents. Their mission seems to have been a mistake, and even Bp. Taché is not thought likely to do much good. The execution or murder of Scott seems to have been a great blunder on Riel's part, unless it is part of a desperate policy, either his own or one suggested by others, for making a complete rupture and defying the Government.

We reached Montreal about 4, and went at once to the St. Lawrence Hall, a very comfortable hotel. I went down to the Hudson's Bay House and heard that D. Smith was at Ottawa, but Mr. D. M'Tavish<sup>16</sup> was staying in our hotel.

<sup>14</sup> The tubular iron bridge built for the Grand Trunk Railway, and opened by the Prince of Wales (later Edward VII) in 1860; it was the longest bridge in the world when built.

<sup>15</sup> Brydges at once brought the excitement of Canadian affairs to Northcote, isolated to a great extent since leaving Liverpool.

<sup>16</sup> Dugald Mactavish, 1817-1871, nephew of John George Mactavish and brother of Governor William Mactavish in service of the Company from 1832; and Chief Trader from 1851; transferred to Montreal, 1868.

Went back and dined in the Coffee-room where we found Mr. M'Tavish and took him up to our room. I don't think that he told me much that was important though we talked over the situation at some length.

April 20. After breakfast went down to see Genl. Lindsay,<sup>17</sup> who is staying here, and had some talk with him. He confirmed what Mr. Brydges said of the eagerness of the Ontario people, and remarked that if an expedition were not sent filibusters would go. He thought he ought to have a larger proportion of regular troops. He is at present to take 250 British and 750 Canadians. He would have liked to take 400 British. He complained of the difficulty of getting reliable information as to the road between Lake of the Woods and Red River. Mr. Dawson,<sup>18</sup> who had been surveying for the Government, and Mr. Hopkins,<sup>19</sup> our ex-Chief Factor, differ as to the nature of the ground and the possibility of finding a bottom.<sup>20</sup> He said if any opposition was made to the advance of the troops it would be in those 90 miles. He anticipated no objection on the part of the U.S. to our passing through the Canal at Sault Ste. Marie. He asked me what we could do to assist the troops in the way of supplies when they got into the country, and I said I would consult Mr. D. M'Tavish as to the possibility of our drawing any from Norway House or other stations. I afterwards saw Mr. M'Tavish, who said the stock at Norway House would be too small to be of any service and that he thought the force must depend on supplies from Canada and from Minnesota.

After luncheon walked with C. towards Montrose (or Rosemount) where P.[rince] Arthur<sup>21</sup> is now staying. Just as we reached the road

<sup>17</sup> Lieutenant-General Hon. James Lindsay, commander of British forces in Canada, a position to which he had just succeeded.

<sup>18</sup> Simon James Dawson, C.E., 1820-1902, of the Red River Exploring Expedition and surveyor of the "Dawson Route" from Fort William to Fort Garry.

<sup>19</sup> Edward M. Hopkins, once Secretary to Sir George Simpson, and after him the Company's chief officer in North America; see Rich, *Hudson's Bay Company II*, 921.

<sup>20</sup> Obviously a reference to possible muskegs between the Lake of the Woods and Ste-Anne-des-Chênes.

<sup>21</sup> Prince Arthur, 1850-1942, youngest son of Queen Victoria, later first Duke of Connaught and Governor General of Canada, 1911-1916; then on a visit to Canada.



which leads up to it we met Major Elphinstone<sup>22</sup> riding, who told us the Prince had gone out and had gone to call on us. We therefore turned back. Major E. rode by our side giving us some of his Canadian experiences, and mentioning as a proof of the extraordinary amount of electricity in the cold weather that he had himself, after walking over a thick carpet, lighted gas by merely putting his finger to it. Mr. Brydges afterwards told me he had done the same, but it appears that it is a power not possessed by everybody, nor even by the same person at all times or in all states of health. Found on our re-turn to the Hotel that the Prince had called and had seen H., who was greatly alarmed, but less so than A. who fled the room and expressed his firm conviction that the Prince would kill H. Mr. Wm. Rose<sup>23</sup> called to invite us to go to the inspection of the Volunteers, which H. and I did, C. being tired with her long walk. The Volunteers<sup>24</sup> mustered about 1800, and had some fine men among them, but the officers were not well up to their duty. Genl. Lindsay does not appear much pleased with the French, and does not like the idea of having so many of them as are proposed to take part in the expedition. Dined with Mr. Brydges and met Lord A. Russell, Col. and Mrs. Bolton, Mr. and Mrs. King, Genl. Lindsay etc.<sup>25</sup> Mr. Brydges said he had received a telegram from one of the U.S. Marshals warning him to look out for a Fenian attack on the bridge (Victoria) to-night. April 21. Mr. Donald Smith came to see me this morning and gave me a long account of his proceedings at Red River, showing me also a copy of his confidential Report to the Government. He said that if it had not been for the proceedings of Mr. Thiebault and de Salaberry he should have succeeded in bringing about a settlement, that he had detached many of the leading men among the French from Riel, and that everything was ripe for an arrangement when on the night before the meeting which was to decide the matter Père Lestanc, one of the most active of the fomenters of trouble, had got hold of M. Thiebault and had taken him to see the French, and had then talked them over

<sup>22</sup> Major Elphinstone is unidentified, but was presumably a member of the Prince's staff.

<sup>23</sup> William Rose is unidentified.

<sup>24</sup> The volunteers were organized units of the Canadian militia that were ready for immediate service.

<sup>25</sup> These people are all unidentified except General Lindsay, and Edwin H. King, President of Bank of Montreal, 1869-1873, who had an important influence on the union of British North America.

to Riel's side again, Thiebault apparently following his lead through sheer weakness of character. The next day neither Thiebault nor Salaberry would address the assembly as Smith wanted them to do, and proposed that Riel himself should interpret Smith's speech to the French part of the audience; and the result of the meeting was that everything went back into disorder.<sup>26</sup> Smith complained also of Mr. Black's weakness, and said that if he and the English party had acted firmly they could have commanded Frenchmen enough to insure a majority on every point, but Black said it would be necessary to give in to Riel on some points, and the result of his doing so was, to increase Riel's influence and to throw the French into his arms.<sup>27</sup> As regards our own officers, he said that Govn. M'Tavish had undoubtedly shown great want of energy at the beginning of the affair, especially in not removing the guns from Fort Garry to the Stone Fort, where they would have been quite safe under the protection of the English. The state of his health accounted for his inactivity, but it was a very unfortunate element in the case. Some of our officers, he thought, had connived at, or even encouraged, Riel's proceedings, and he especially mentioned Mr. John M'Tavish<sup>28</sup> (a clerk, not related to the Governor) as having done so. He also said that the avowed dissatisfaction of a large number of our officers with the existing state of things and with the bargain with Canada had had great effect.<sup>29</sup> The shooting of Scott he attributed mainly to the irritation caused by the injudicious proceedings of Dr. Schultz and his party, and to the rising of the Portage men for the purpose of liberating the prisoners, an object which they had succeeded in accomplishing when a detachment of them, having, got separated from the rest, had been themselves captured by Riel. He thought Riel was to some extent under the influence of liquor at the time of the execution. Smith feared that our loss would be a very heavy one, and would not be covered by £100,000. I said "I suppose we shall have some trouble in getting compensation"; he said, "Very great; though I believe that when Bishop Taché went up he was told that, if he found that the Company's Government had been re-established, he was to offer compensation for their losses. Unfortunately

<sup>26</sup> See restored passages of Report of Donald A. Smith, pp. 30-1 above.

<sup>27</sup> This is an invaluable commentary on Smith's official report, especially as edited; see pp. 30 and 34 above.

<sup>28</sup> See Begg, *Journal*, "Introduction", 7.

<sup>29</sup> MHS, Taylor Papers, Taylor to Hamilton Fish, Jan. 25, 1870.

he did not find their Govt. re-established; but that was owing to the fault of the Canadian Commissioners themselves.” He further told me that he feared our trade was now in so disorganised a state that it would be difficult for us to carry it on even after order should have been restored. At all events if it were to be carried on, it must be under an entirely new system. He thought that if he had the men we might reorganise our machinery and place our business on a footing which would render it far more profitable than it had been of late; but he did not know where we were to find the men to do it. The views of our officers were, he said, very unreasonable; they considered themselves entitled to share in the £300,000 which they clearly had no right to, and they thought they ought to have a much larger share of the profits of the Company. But, unreasonable as these demands were, he thought the men had good ground for dissatisfaction at the reduced amount of their gains coupled with the advance in the price of necessaries. In short, the fur trade, as hitherto conducted, is ceasing to be the remunerative business it used to be, and unless some vigorous measures are taken, and that soon, the whole will collapse. On the other hand the Company has still a great position, and if it knows how to use it, may turn it to excellent account. Its business should, he thought, be of a more general character, and it should cease to depend upon the fur trade alone. It might constitute itself the great organ for the supply and development of the new Settlement and thus possess itself of a highly lucrative business. He said the difficulty would be in finding a man to put at the head of the concern; that Governor M<sup>r</sup>Tavish had told him that he did not know of a single servant of the Company who was fit even to take charge of Red River, much less had we any one competent for such functions as he contemplated. I asked if he thought we could find such a man in England; he said no, it would be more likely that we might find one in Canada. (I don't know if he had any idea of suggesting himself.) I asked him what firms there were who knew much of the North Western Trade, and he gave me the names of Mr. M<sup>r</sup>Innes<sup>30</sup> and Mr. Sandford<sup>31</sup> at Hamilton, and of Mr. M<sup>r</sup>Master<sup>32</sup> at Toronto. He then went on to tell me that Mr. Hugh Allan<sup>33</sup> had been in

<sup>30</sup> Donald McInnes, 1824-1900, manufacturer and President of the Bank of Hamilton; member of Senate of Canada, 1881-1900.

<sup>31</sup> W. E. Sanford, 1838-1899; woollen manufacturer and clothier; member of Senate of Canada, 1887-1899.

<sup>32</sup> William McMaster, 1811-1887; wholesaler; founded the Canadian Bank of Commerce, 1867; endowed McMaster University; member of Senate of Canada, 1867-1887.

<sup>33</sup> Sir Hugh Allan, 1810-1882; formed Merchant Ocean Shipping Co., 1860; a founder of the Merchant's Bank, 1861. It is interesting to see how advanced the thinking on the building of the Pacific Railway was and how great the rivalry to win the right to construct it. See Begg, *Journal*, 323 and 362.

communication with the Government about a Railway, and had submitted to Sir J. A. Macdonald a plan for constituting a Commission, vesting 50,000,000 acres of land in them, and authorising them to employ them in raising money for a Railway to the Rocky Mountains. He thought it would facilitate this arrangement if we came to terms with the Government for the surrender of our land-reserves, which he thought we should have great difficulty in turning to account our-selves. I afterwards called on Mr. Allan who spoke much as Smith had done as to the position and prospects of the Company, and was very confident that a good turn might be given to them, but thought we should not find the man we want in Canada. He considered with regard to the Railway that we ought to facilitate the scheme by granting alternate blocks to the promoters, retaining the remainder. A great number of persons called on us today, amongst others Dr. Schultz, who is a man of very quiet manners, but has a rather untrustworthy expression of countenance. I asked him if he thought there was any foundation for the allegations that had been made in some quarters, that our officers had been concerned with Riel's movement. He seemed a little startled by my putting the question so plainly and said "Do you wish me to speak frankly?" I said, "Certainly, I wish to get at the truth." He said "Well then speaking frankly, and of course confidentially, I do." I said "Who were the men who you think were implicated?" He said "That is a question that I could not answer, even to you." I said, "I think as the representative of the Company I am bound to try to find out whether there is any foundation for the allegations that are made, and with respect to which we have had no information. Our object has been throughout to support the Canadian Government and we ought to know if any of our officers have played us false." He only replied, "No one has for a moment thought of suspecting the London Board of complicity in the matter." We did not pursue the subject. I spoke to him of the possibility of Riel's making his escape when the troops come near, and carrying off our property. He said, "I suppose your agent in Minnesota will look after that." Some time after he had left me D. Smith returned, and I spoke to him on this point. He said Mr. Kittson<sup>34</sup>

<sup>34</sup> Norman W. Kittson, 1814-1888; a Canadian who traded from St. Paul to Fort Garry; he had become forwarding agent for the Hudson's Bay Company in St. Paul.

had already consulted an U.S. lawyer who told him that if Riel carried off any property which we could identify an U.S. Marshal would arrest him for us. We discussed the propriety of desiring Kittson to communicate with Governor

M'Tavish on the subject, and to place men at Pembina and elsewhere who might stop Riel if necessary. Smith told me the Government had applied for permission to make use of Fort Garry, the Stone Fort, Fort Frances, and our Steamer and that they had suggested our ordering off our boats to Norway House, so as to get them out of Riel's way. Of course we can give them the permission they require; but care must be taken in sending orders about the boats.

April 22. Started for Ottawa by the 8:30 train, and reached Rideau Hall<sup>35</sup> about 5:30. The view of the town is striking, and the Parliament Buildings<sup>36</sup> are really a noble object. The view of Rideau Falls is also very beautiful even now, and must be delightful when the trees are in leaf. We found Sir T. C. Murdoch<sup>37</sup> here. Genl. Lindsay was coming by the boat and did not arrive till quite late. Sir John Young<sup>38</sup> showed me a telegram just received from St. Paul giving a more hopeful account of the state of things at Fort Garry. Bishop Taché has done a good deal to remove misunderstandings, and has encouraged the people to expect a favourable arrangement with Canada. Riel has issued a proclamation,<sup>39</sup> announcing that peace is restored and that the H.B. Co. may now resume their business. It is said he has given up to them the property he had confiscated. The proclamation seems rather ambiguous, but is probably indicative of a desire to be conciliatory. The Sioux are beginning to cause great uneasiness, and the settlers see that they must unite for self-preservation. They desire to temporise and keep them in good humour by presents until a force sufficient for their

<sup>35</sup> Built in 1838, Rideau Hall was first leased and then bought to be the residence of the Governor General. The Northcotes were guests of Sir John Young at least part of the time; Ritchot says Northcote stayed at the Russell Hotel; see p. 144 below.

<sup>36</sup> The Parliament Buildings had been completed and first occupied in 1865. The Parliament of the Province of Canada first sat there in June, 1866.

<sup>37</sup> Sir T. Clinton Murdoch; see p. 54 above.

<sup>38</sup> Sir John Young, 1807-1876, later Baron Lisgar, Governor General of Canada, 1865-1872; he had been Lieutenant Governor of New South Wales, 1861-1867.

<sup>39</sup> See Begg, *Journal*, 522.

protection arrives. Sir J. Young is hopeful, and thinks the Government will come to a satisfactory arrangement with the delegates. Black<sup>40</sup> is quite satisfied with what the Ministers propose. Scott,<sup>41</sup> who is a mere creature of Riel's is quite im-practicable. But there is reason to hope that Richot will assent to the terms, and in that case Sir J. Young thinks the French party here will be satisfied also. It is very desirable to avoid a decision on the question, as, though the English would have a large majority, it would be injurious to revive the spirit of national animosity, of which there is some danger.<sup>42</sup> If it had not been for the shooting of Scott on the one hand, and the arrest of the delegates on the other, matters would look very well. The arrest seems to have been prompted by that restless mischief maker, Col. Dennis [sic],<sup>43</sup> who told Col. M'Neill (the Mil. Sec.)<sup>44</sup> with much self complacency that he had put Scott's brother up to it, and seemed to think he had done good service. If some one would arrest Dennis and Schultz and lock them up for a twelve-month there would be a hope of a settlement.

April 23. After breakfast walked in to Ottawa with Murdoch. Stopped to look at the falls of the Rideau, which are in their beauty, and give one a great idea of the strength of water. They present a striking contrast to the mad boiling cauldron of the Chaudière rapids, the one all quiet, vigorous, and sweeping, the other excited, leaping, eddying, dashing hither and thither, but vigorous enough too. The water coming down the Rideau is an unit, the waters coming down the Chaudière are millions of separate ways each seeming to have an individual life, and destiny, and a character of its own. One could fancy them so many young River-gods rushing out of school, some leaping into the air, others springing over the backs of their fellows, and amongst the eddies you could make out surly waves charging the rush of their comrades and trying to push them back,

<sup>40</sup> Judge John Black.

<sup>41</sup> Alfred H. Scott.

<sup>42</sup> This passage is obscure. It seems clear that the ministers, Macdonald and Cartier, had offered terms so consonant with the Bill of Rights that Ritchot was prepared to accept. By "the question" Northcote presumably means the question of the shooting of Scott and the amnesty.

<sup>43</sup> Colonel George T. Denison, 1839-1925, one of the founding members of Canada First; leader with Schultz of agitation in Ontario, against Riel; author of *Modern Cavalry*, *The Struggle for Imperial Unity*, and other works; a fierce English-Canadian patriot and imperialist. Thomas Scott's brother was Hugh Scott; see Begg, *Journal*, 111.

<sup>44</sup> Colonel J. C. McNeill, V.C., has not been further identified.

or to push them over. The Rideau falls are on the river of that name; the Chaudière are on the Ottawa. The town stands on the point of land formed by the junction of the two rivers. There is a fine precipitous bluff, on which the Parliament buildings stand. They show best from the suspension bridge over the Chaudière, whence the rock has much the same commanding appearance as the Acropolis of Athens. The buildings are very fine and do great credit to Mr. Laver, our fellow-passenger in the Moravian. They hardly need his apologetic disclaimer of the faults which he said I should doubtless find in them, and which he attributed to the interference of successive Ministers of Public Works. The one who had aggravated him the most was Macdougall,<sup>45</sup> who had at one time insisted on having the exterior painted. Laver stipulated that he should at least be permitted to choose the colour, and, on Macdougall's assenting to this, said, "Then I will paint them green to harmonise with the surrounding scenery!" They have cost about £700,000. There are three blocks of building arranged as three sides of a square. The Eastern and Western blocks contain the public offices, and the Northern contains the Houses of Parliament. The Parliament library is at the back of the Houses and is still unfinished. The collection of books now in the temporary library is a very good one, consisting of about 60,000 volumes. It is open, not only to the members of the Legislature, but to the public, who are even allowed to take books home from it. I failed to find any of the Ministers whom I wished to see, and walked on by myself, after going over the public buildings, to the Chaudière crossed the bridge and came down the left bank of the Ottawa to the ferry opposite New Edinburgh,<sup>46</sup> where I recrossed and made my way to Rideau Hall. Lady Young had a reception at 4 o'clock, which was pretty well attended. The situation of Rideau Hall is a very unfortunate one. The spot itself is not well chosen, being swampy and damp, and its distance from the town is a serious obstacle to the exercise of Viceregal hospitality. The cab-drivers charge from 3 to 5 dollars for the conveyance of passengers which is a heavy tax on the Members and their families who are not rich, and who have already been put to

<sup>45</sup> Hon. William McDougall, 1822-1905; Clear Grit and Reformer politician; Minister of Public Works, 1862-1864, and 1867-1869; Lieutenant Governor of North West Territories, 1869-1870.

<sup>46</sup> New Edinburgh, a village and post office in Russell country below Rockcliffe.

great expense by coming from long distances to attend Parliament at this remote spot. The peril of crossing the miserable wooden bridges over the Rideau must also be taken into account. Lady Young said she had been obliged to give up the attempt to hold evening receptions. An excellent site was offered for the Governor's House just below the Public Buildings,<sup>47</sup> but Lord Monck<sup>48</sup> (or Lady M) preferred that now occupied. Malicious people say that her Ladyship thought it pleasanter to receive excuses from her invited guests than to receive the guests themselves. Ottawa is a larger and more thriving town than I had expected to see, and will now of course retain its position as the Capital; but it is a very inconvenient one, and the only defence for its selection is that, as it is inconvenient for everybody, nobody can complain of his neighbours' being better off than himself.

At the reception I saw judge Black, and had a good deal of conversation with him. He was hopeful as to the progress of the negotiations between the Government and the delegates, and he also augured well from Riel's proclamation<sup>49</sup> which he attributed to Bishop Taché's influence. He was, however, very gloomy over the prospects of the Company, and told me that Gov. M'Tavish was still more so and had given him as a parting message to the Directors that the best he could hope for was, to save the concern from bankruptcy. He spoke strongly of the want of able men among our officers, also of the dissatisfaction which prevails among them.<sup>50</sup> Mr. M'Tavish himself, he thought, was wanting in the qualities necessary for a Governor and which had distinguished Sir G. Simpson. I asked him what he thought of D. Smith. He said he thought he should have shown more vigour than M'Tavish, but he did not appear to have a very high opinion of his powers. He told me he did not at all believe that any of our officers had abetted Riel's movement, though some of them had perhaps been lukewarm. I asked as to Mr. John M'Tavish, and he said

<sup>47</sup> Presumably on Nepean Point, or just behind where the Chateau Laurier now stands.

<sup>48</sup> Charles Stanley, Viscount Monck, Governor General of the Province of Canada, 1861-1867, of the Dominion, 1867-1868.

<sup>49</sup> See footnote 39 above.

<sup>50</sup> Judge Black here touches on two great difficulties of the Hudson's Bay Company after 1860, how to find a replacement for Simpson as manager of its business in North American, and the resentment of the "wintering partners," the chief factors and chief traders, who were dissatisfied with the change of ownership in the Company in 1863 and in their exclusion from the terms of transfer worked out in 1869; see Rich, *Hudson's Bay Company*, II, 892-894.



all he had done was to endeavour to keep on good terms with those who had got the power in their hands, but that he had not favoured the movement. I had sub-sequently some more conversation with D. Smith, who pressed on me very strongly the importance of making some immediate communication to our Northern Council, who will meet in the beginning of June, in order to prevent a collapse of our business. Looking to the condition of the country, and the wretched prospects of the fur trade for the coming outfit, he thought it quite possible that when the Council met they might throw up the business unless they received some assurances from us which would satisfy them as to the future. I told him of the letter which was on its way from London and which I hoped to be able to show him this week; and I added that I thought it might be possible to induce the Board to promise the Council that they would recommend to their Shareholders to continue the guarantee for one year, in order to give time for the consideration of future arrangements. He thought this very desirable. He remarked that the young men were not much attached to the service, and that they thought they could at any time cut themselves adrift and set up on their own account as fur traders. He feared they might do so at once. He asked me if I had considered the desirableness of selling our whole concern. I said of course it had crossed my mind but that I had never seen my way in the matter. He thought capitalists might be found who would purchase. I asked him what he thought of having a joint board of English and Canadian directors. He thought it might answer.

We had a dinner party in the evening consisting exclusively of gentlemen, all of them, I believe, members of the Legislature. My neighbour was Mr. Anderson,<sup>51</sup> a senator from Nova Scotia; C.'s was Mr. Macpherson from Toronto,<sup>52</sup> to whom Sir John Rose had given me a letter of introduction and who very kindly invited us to come and stay with him at Toronto after the close of the Session. Mr. Anderson told me it took him six days to come here from Halifax, though by travelling night and day he might accomplish it in four. No slight tax this on a Senator or a member of the House of Commons. Mr. Macpherson is a stout free trader, and said very neatly to me "We have unluckily discovered a fine Salt

<sup>51</sup> John H. Anderson, 1805-1870, member of Senate of Canada.

<sup>52</sup> (Sir) David Lewis MacPherson, 1818-1896, railway promoter, member of the Senate, 1867-1896.

mine in Upper Canada, but its owners find they cannot produce Salt so cheaply as the Americans, so a duty has been put on imported salt, and the result is that the price of the article is to be raised in consequence of the discovery of an additional supply."

Sir John Young tells me that he finds that the Gov. Gen. here has far less power than in New South Wales. There his Ministers al-ways consulted him upon their measures before submitting them to the Privy Council. Here the process is reversed and the measures are settled by the Privy Council before they are submitted to him. He says, however, that there is far more loyalty here than there is in Australia, and that any communication coming direct from home commands far greater respect here than there.

Lady Young<sup>53</sup> spoke with much disrespect of Dilke's "Greater Britain,"<sup>54</sup> which she said had made people here furious. It was mere impudence on his part to write as he did of Sydney, where he only spent three days. She saw him there on the race-course and said several things to him, which she saw he had quietly transferred to his book as though they had been his own observations.

April 24. (Sunday) After breakfast Sir J. Young showed me a telegram just received from the Col. Office saying that the troops might advance on the following conditions: - (1) That Rose be authorised to pay the £300,000 at once, and H. M. Govt. to make the transfer complete before the end of June. (2) That the British Govt. should pay the expense only of the British troops, which should not exceed 250; Canada to send at least 500 regularly trained soldiers with them. (3) That Canada should agree to abide by the decision of H.M.'s Govt. upon any points that might remain in dispute with the settlers. (4) That the military arrangements should have the approval of Genl. Lindsay." Genl. L. does not seem to like the limitations contained in Article 2. Col. Wolseley<sup>56</sup> told me that on the British troops being recalled from Canada there was a large

<sup>53</sup> Lady Young, Baroness Lisgar, nee Annabelle Adelaide Dalton.

<sup>54</sup> Sir Charles Wentworth Dilke, 1842-1911, English politician and author, published *Greater Britain* in 1868 after a tour of the British self-governing colonies.

<sup>55</sup> PAC, C.O. 42/685, Granville to Young, Apr. 22, 1870.

<sup>56</sup> Colonel Garnet Wolseley, later Field-Marshal, Lord Wolseley, 1833-1913, was to command the expedition to Red River. Already known as a reformer of training and tactics, he was to become famous as a skilful leader of expeditions into difficult country, and as the remaker of the army as a fighting force between 1870 and 1900.

quantity of staves available, and that these had been offered to the Canadian Govt. at cost price for the equipment of their own force; but that no notice had been taken of the offer, and that the Govt. had ordered everything new from New York, - about the most expensive market they could have picked out. No doubt there was a good deal of jobbing in the matter. Lady Young told me, as we walked home from Church, that the Irish were greatly preferred to the English here as servants or labourers. Her cook will never allow her to engage an English kitchen-maid but always desires a good useful Irish girl.

Sir J. Young showed me in the afternoon two letters from Red River, one from BP. Taché dated the 11th March,<sup>57</sup> the other from the BP. of Rupert's Land dated the 18th.<sup>58</sup> The former gives an account of the ill-advised movement of Boulton and Scott, with others; and of the execution of Scott, who had made an attempt (he said), to capture or kill Riel at the house of one of his relatives on the night of the 13th Feb. The Bishop says that there is an impression among the French that there is a design on the part of the Canadian settlers to drive them out of the country or to reduce them to slavery. He counsels the Govt. to retard immigration. He also says that the people are very sore at the idea of having been bought and sold; that they do not consider themselves to be in any way bound by the transaction between the Govt. and the H.B. Co., and that they are therefore indignant at the application to them of such phrases as 'rebels', 'insurgents' and the like. He hopes that time and good treatment will calm their minds. The Bishop of Rupert's Land complains of the many mistakes that have been made by all parties, and especially of the not sending troops to keep order long ago. He blames the Imperial and the Canadian Governments and the Directors of the H.B. Co. for their inattention to the rights and the feelings of the people, and says of the latter that they "almost seem to have thought only of their shareholders, and to have forgotten that what they professed to surrender involved weighty responsibilities. They treated with anything but proper courtesy Govt. M'Tavish and the Council of Assiniboia!! Between the reticence of the Company and of the Govt. of Canada the authorities here had

<sup>57</sup> Taché's letter is published in *Report of the Select Committee on the Troubles in the North West* (Ottawa, 1874), 21.

<sup>58</sup> Machray's letter is published in Begg, *Journal*, 502.

no information of the course of events. Every step came as a surprise." The Bishop represents the English-speaking population as strongly Canadian in their sympathies and as becoming more and more so. The difficulties have arisen entirely from the French and R.C. section of the community. He is "perfectly sure that no dissatisfaction of the Employees of the H.B. Co. had anything to do with these troubles." He thinks the real cause of the troubles is, that the French half-breeds "will not stand the new state of things to be developed by a considerable emigration, at any rate unless they can raise some break-water... The difficulty that has stood in the way of any settlement is, that the rights that have hitherto been put forward by the French and debated are not what they really care for, but that they wish for a section of the country to be restricted to the French population." He says that the present unpopularity of the H.B. Co. has arisen from "a groundless suspicion" on the part of the English, and from an *odisse quem laeseris*<sup>59</sup> feeling on the part of the French. The 'groundless suspicion', I presume refers to the idea that our officers had some-thing to do with the original disturbances. He speaks highly of D. Smith as a most conscientious and devoted representative of the Dominion Govt.

Mr. R. Hopkins,<sup>60</sup> our ex-agent at Montreal, called on me this afternoon and talked over the prospects of the Company, which he like everybody else thinks serious. He thought it might be well for us to undertake a more general class of business, and to become the bankers and outfitters of the new settlement, if we had men competent for the task. But we have not. He said this was greatly owing to the policy of Sir J. H. Pelly<sup>61</sup> in introducing the half-breeds into the service, the consequence of which was, that we had now a very inferior class of officers. Of our leading men he said that the two M'Tavish's were broken in health and energy; D. Smith was an able man, but did not possess the requisite knowledge of the country, and was moreover advancing in years.

<sup>59</sup> The quotation has the following notation: "Proprium est humanae naturae odisse quem laeseris; it is part of our nature to hate those whom we have injured." The correct quotation is "proprium humani ingenii est odisse quem laeseris" from Tacitus, *Agricola*, 42, 4.

<sup>60</sup> An error for Edward M. Hopkins.

<sup>61</sup> Sir John Henry Pelly, 1777-1852, Governor of the Hudson's Bay Company, 1822-1852. Pelly was an Evangelical and concerned with the betterment of the lot of the Indians.

Graham<sup>62</sup> was an able man, but too conceited and not well suited to work with others. Hamilton<sup>63</sup> was a good, out-door rough and ready, officer, but wanting in the superior qualities. There was hardly any one else to look to. He said he thought it worth consideration whether, instead of having a single agent at Montreal, we might not establish a Committee there, comprising such men as Mr. Allan, Mr. Brydges, and Mr. King, to whom we might delegate authority to deal with the 'personnel' of our concern, reserving to ourselves the control in matters of finance. I liked the idea, and said I hoped if such a step were taken we should have the advantage of his own assistance. He observed that this proceeding would give the Company more of a Canadian character, which would be of advantage to us in dealing with the Govt. He did not think any advantage would be gained by adding Toronto men to the Committee, and spoke slightly of Toronto as compared with imperial Montreal. I asked him what he thought of our giving a year's guarantee to our servants in order to prevent the collapse of the fur trade. He thought it not at all impossible that without some such step the trade might collapse, but asked whether it was worthwhile to make any effort "to keep such a set of men together." He thought a break-up might simplify matters and enable the new Committee to make a new start and quietly get rid of inefficient men. He asked me whether I could not join Sir J. Young and Genl. Lindsay in their proposed excursion to the Red River, and said they were to go under his guidance. They should start about the 20th July and get back about the 20th September.

In the evening Sir J. A. and Lady Macdonald<sup>64</sup> came to dinner. I had some general talk with him on Colonial matters, but kept off Red River topics as much as I could, as I thought he had shown very little forwardness to communicate with me and that I ought not to show eagerness. I asked him when he expected to bring forward his proposals, and he said he should know better after his next conference with the delegates which was fixed for the next day.

April 25. Had intended to make M. Richot's acquaintance to-day, but on reflection thought it better to wait till the Govt. and the delegates had come

<sup>62</sup> James Allen Graham, Chief Factor, and chief commissioner after 1874.

<sup>63</sup> Hamilton has not been further identified, but it is almost certainly Robert Hamilton, Chief Factor, 1867, Member of North-West Territory Council, 1872-1874.

<sup>64</sup> Susan Agnes, Lady Macdonald, nee Bernard, married Macdonald as his second wife in 1867.

to terms, so that it might not be supposed that I was interfering with the negotiations. Saw D. Smith, who showed me the comments made on his draft report by M. Langevin<sup>65</sup> on the one side and Mr. Morris<sup>66</sup> on the other, and asked my advice as to the propriety of mollifying it to meet their objections. I recommended him to omit some expressions of opinion and some matters of hearsay, but to stand firm on the statements of fact. If the Ministers think there are points in the report which should not be made public they must take on themselves to present extracts only. Called on Mr. Howes<sup>67</sup> and Sir F. Hincks,<sup>68</sup> both of whom I saw.

April 26. Went in to town with Col. Wolseley who told me he understood he was to be Lieut. Govr. of the North West.<sup>69</sup> He seemed to like the idea, and to be very well disposed towards the Company. In the afternoon went in to the House of Commons, where I saw Sir G. Cartier<sup>70</sup> who apologised for not having been to see me, saying that he had been extremely busy with the delegates, but hoped soon to be able to have a talk with me on the Company's affairs. Sir J. A. M.[acdonald] also came and spoke to me, telling me they had been discussing the difficult question of an amnesty and indemnity.

April 27. Having heard that there was a probability that actions might be brought against the Company by persons who had sustained losses or had had their property confiscated in the rebellion, I went into town for the purpose of consulting judge Black. He was at Sir G. Cartier's, and when I went there Sir George was the first person I saw. He told me that the delegates were asking for an amnesty, but that the Govt. could only say that that was a question which must be left to H.[er] M.[ajesty]. As regards an indemnity, that, he said, was a matter for the local legislature to deal with. He said, M. Richot drew a distinction

<sup>65</sup> Hector-Louis Langevin, 1826-1906, French politician, and Cartier's successor as leader of the Bleus.

<sup>66</sup> Alexander Morris, 1826-1889, Father of Confederation, Conservative politician, later Chief Justice, 1871-1872, and Lieutenant Governor, 1872-1877, of Manitoba.

<sup>67</sup> Joseph Howe, 1804-1873, Nova Scotian politician, deeply involved as Secretary of State for the Provinces in the Northwest question.

<sup>68</sup> Sir Francis Hincks, 1807-1885, Canadian politician and former Prime Minister of Canada; Minister of Finance since Oct. 2, 1862.

<sup>69</sup> Presumably as deputy for Sir John Young.

<sup>70</sup> Sir George-Etienne Cartier, 1814-1873, French politician and formerly Prime Minister of Canada; Minister of Militia since 1867, and as chief French leader in the government, deeply involved in the North West question.

between different kinds of property taken, - admitting that what had been taken from the Canadian officers was “booty”, but claiming what had been taken from the H.B. Co. as public property legitimately applicable to public purposes, and promising to render an account of it. Sir G. spoke of the “interregnum” and volunteered the observation that Canada was to some extent responsible for what had occurred, because they had made a blunder in appointing Macdougall. He said that as far as the indemnity was concerned, if it was a mere question of money it could be arranged; but that there would be much difficulty in arranging the amnesty, as the question was one which excited a good deal of feeling on both sides. I afterwards saw Black, who seemed uncertain whether a claim for compensation for losses could be brought against the Company. I at once telegraphed to Lampson<sup>71</sup> advising that an opinion be taken on the question of the Company's liability, and that we should ask a Government indemnity against actions before the transfer of our rights.

This morning C., A., Humphrey and Dymont went to Montreal by the Steamer, with Lady Young and her suite. In the afternoon Sir John Young took me for a drive to the Chaudiere and on the opposite side of the Ottawa. I told him of my conversation with Cartier, and he said “If Sir G. makes a promise he always tries to keep it, and in such a matter as this he has more power than Sir John A.” I spoke to him of my idea of giving the Company a Canadian board, and he ad-vised me to consult Mr. Reynolds,<sup>72</sup> the manager of the St. Lawrence and Ottawa Railway, and Mr. Kenny<sup>73</sup> the Senator from Nova Scotia.

April 28. H. went to Montreal this morning, with Genl. Lindsav, Col. Wolseley and Col. M'Neill. Our party is now reduced to Sir J. Y.[oung], Murdoch, Mr. Ponsonby<sup>74</sup> and myself. Went to see D. Smith, and found that the conference with the delegates was still going on. The point under consideration now was, a demand made by Richot that 150,000 acres should be allotted to the French half-breeds to

<sup>71</sup> Sir Curtis Miranda Lampson, 1806-1885, Deputy Governor of the Hudson's Bay Company, 1863-1871.

<sup>72</sup> T. Reynolds has not been further identified. The St. Lawrence and Ottawa Railway ran from Ottawa to Prescott, and was opened in 1850.

<sup>73</sup> Sir Edward Kerutey, 1880-1891; he was the Roman Catholic politician from Nova Scotia for whom, to meet both religious and regional requirements, Thomas D'Arcy McGee had to stand aside in the formation of the first Dominion cabinet.

<sup>74</sup> Mr. Ponsonby has not been identified.

do what they please with. Sir John A. had proposed 100,000, with which Richot was not satisfied; and Cartier had suggested 100,000 to the French and another 100,000 to the English half-breeds, but Richot had said he didn't care for the latter. They are, however, as 7 to 5 of the French. (There are 7,000 & 5,000).<sup>75</sup>

April 29. Called on Smith and saw both him and Black. The mail was just going to England and we noted down the points which had been thus far agreed on with the delegates. Black told me it had been suggested that he should be the first Lt. Govn. of the new province. He did not seem to wish it. I told him I did not feel able to ex-press an opinion, but that I had thought a military Governor would be desirable at first, and that I thought a military man might have a chance of inducing the Home Govt. to have British troops here longer than they otherwise would. As I was going out to Rideau I fell in with Sir John Young, and walked back to his office, where I wrote my letters. I spoke to him of our claim for compensation, and said I thought it ought to be acknowledged before we made our surrender of the land. He told me he was to see Sir G. Cartier and could mention the subject to him. Sir J. A. M.[acdonald] is now unfortunately *hors de combat*. He has for several months been practising total abstinence from wine and has been getting into a very exhausted state. Various circumstances, - the sudden death of a friend, the worry about the Tariff, (with respect to which a very awkward evolution has just been performed which is only comparable to our Ten Minutes' Reform bill),<sup>76</sup> and the troublesome Red River negotiations, - have told upon him and he has had recourse to the bottle again and is not likely to be up to work before Monday. Went into the House of Commons, and heard some sharp cross-questioning of the Government on the subject of their Red River policy by Macdougall, Holton, Mackenzie,<sup>77</sup> Dorion<sup>78</sup> and others. Neither Macdonald nor Cartier being present, the other Ministers made the best fight they could. The whole proceeding seemed to be highly irregular.

<sup>75</sup> The Census of 1871 reported 5,720 French half breeds, 4,080 English half breeds, and 1,600 white settlers; Census of Canada, 1871.

<sup>76</sup> The reference is to the passage of the Reform Bill of 1867, when to conciliate two members who threatened to resign, Lord Cranborne and Lord Carnarvon, the Derby cabinet revised the Bill in, it was said, ten minutes.

<sup>77</sup> Alexander Mackenzie, 1822-1892, leader of the Liberal opposition; later Prime Minister of Canada, 1873-1878. Luther Hamilton Holton, 1817-1880, leading Quebec Liberal and member for Chateauguay.

<sup>78</sup> Antoine-Aime Dorion, 1818-1891; leader of the Rouges in Quebec; Minister of justice. 1873-1874; member of the Court of Queen's Bench of Quebec, 1874-1891.



In the evening Sir J. Young told me that he had spoken to Sir G. Cartier about our claim for compensation, and that he thought we should not have much difficulty about it. Sir George had admitted that the conduct of the Canadian Government in the matter of Macdougall's appointment had given us an equitable claim against them. He had said 'I hope Sir S. N.[orthcote] will be moderate in his demand.' Sir John had replied 'He generally is.' I telegraphed in the evening to Sir C. Lampson asking him what the Company would take as compensation, saying that Black and Smith put our loss at forty or fifty thousand pounds and asking if I might propose £50,000 and accept £30,000.

While I was in the House this afternoon Mr. Macdougall came over and entered into conversation with me. He blamed the Government very much for not having paid the purchase money and accepted the transfer of the land on the 1<sup>st</sup> December, and seemed to think that all would have gone right if they had done so.<sup>79</sup> He observed that the Company would be the heaviest losers, and that he thought they had been very hardly treated, and that the suggestion that they should resume the government of the territory was a most unfair one. At the same time he said that he thought some of our officers were to blame for the disturbances. I asked him, Who? and he replied, Mr. John M'Tavish,<sup>80</sup> Mr. Bannatyne, and the Sheriff McKenna [sic].<sup>81</sup> I observed that neither Bannatyne nor McKenna were servants of the Company, and [he] replied No, but they were members of the Council of Assiniboia! He went on to complain of Governor M'Tavish, who, he said, might have stopped the whole affair by shutting the gates. He added that he believed Governor M'Tavish, as well as others of our officers, disliked the change of Government as diminishing their own importance, and he said that the Governor, in passing through the States, had talked very improperly of its being the natural destiny of the territory to be-come American. He said Mr. M'Tavish complained of not having had proper notification of what was going on. I reminded him that Mr. M'Tavish was in

<sup>79</sup> This was McDougall's unchanging position: see "Debates on the Manitoba Bill", p. 178, below.

<sup>80</sup> John H. McTavish, 1837-?, repeatedly mentioned as the officer of the Company who arrested the insurgents, was Canadian born, the accountant in Fort Carry and no connection of William Mactavish, Governor of Assiniboia. It was never proved that he helped the métis, but his Roman Catholic faith may have made him sympathetic with them, or at least a target for accusation.

<sup>81</sup> Henry McKenney, a Canadian trader of Winnipeg; half brother of Schultz; father-in-law of Charles Mair; Sheriff of Assiniboia, 1862-1870.

London while the negotiations were still in progress; that he was personally made aware of them, that I had asked Sir G. Cartier and himself whether there were any steps which they wished us to take, and that they had suggested that we should desire Mr. M'Tavish to visit Ottawa on his way back to Fort Garry and to confer with the Canadian Government, which he had done; and that after-wards, at his own request, I had written a letter to Mr. M'Tavish, impressing on him the duty of supporting the Canadian Government, which, I added, had given pain to Mr. M'Tavish because it seemed to throw a doubt upon his loyalty.

April 30. I asked Mr. Smith to come down to Rideau this morning, and to bring me any data respecting the amount of our losses. He came, and I showed him the copy of the Inventories of May 31, 1869, which I had brought out from England, and which showed the Stock of Country Produce at Red River to have been then £16,474 and European goods £58,022, making £74,500 in the whole. He said the amount on the 1st December must have been considerably larger, as unusually great quantities of tea, sugar, and other articles, had been sent out last year, and as, unfortunately, a quantity of ammunition, which should have been left at York Factory, had been sent on to Fort Garry. He put the value of our stock at, probably £80,000 or £85,000. Of this, more than half, perhaps two-thirds, had been taken. As regarded the furs, he gave me a list of those which had been packed for transmission to England, and note[d] that there were 134 packs that had not been examined. He thought we might estimate the value of these furs at £30,000. It is now said that Riel has restored them to the Company, but Smith doubts whether it will not be found that some of the most valuable have been taken out. We considered at what sum we should state our probable loss, and Smith thought £50,000 would be a fair estimate as regards the stores, - though he would take £14,000 for a prompt settlement. As for the furs, we should give in our list, and claim to have any deficiencies made good.

In the afternoon Sir J. Young showed me a letter addressed to Mr. Howe by Mr. Hill,- an American merchant writing from St. Paul, who had left Fort Garry on the 9th April. He describes matters as improving under Bishop Taché's

<sup>82</sup> J. J. Hill, 1838-1916; Canadian trader from St. Paul; later founder and president of the Great Northern Railway. The letter is quoted in part in Begg, *Journal*, note I, 116.

influence. The Company had resumed business and had received back the keys of their storehouses and the contents, except the offices and one building which was being used as a barrack. Riel had also restored to them the large lot of furs which had been taken by his orders. In consideration of this an agreement had been made that the Provisional Government should receive in money or goods a sum of £3,000, with an additional sum of £2,000 if required; and that the Company's officers throughout the country should be instructed to acknowledge and respect the Provisional Government. But, though matters were now in a better state, almost all the English and Scotch and about one-third of the French were earnestly desiring the establishment of Canadian authority and the arrival of a force which might keep the Indians in check. Many of the settlers were contemplating emigration to Minnesota if the Canadians did not come soon. The Sioux<sup>83</sup> were mustering between the Portage and the Turtle Mountains, and they had only been kept in good humour by considerable presents. The Crees, on the other side, were becoming exasperated at the idea of advantages being given to other tribes than themselves, and there was great uneasiness lest an Indian war should break out. Of all things which were to be deprecated the introduction of any strange Indians either as auxiliaries or as guides to the force was the most to be dreaded. As to Fenians, Mr. Hill thought there was no fear. The scene is too remote for them.

Received this evening a reply to my telegram. The Board think it undesirable to negotiate in Canada, and consider that the question of compensation should be reserved for Lord Granville.

The Governor General had a dinner party this evening. My neighbour was Mr. Mackenzie, the leader of the Upper Canadian section of the Opposition. He is a shrewd, sensible, Scotchman, speaks very fairly and with great moderation of tone, is a strong opponent of Church establishments or endowments. Had some conversation after dinner with Mr. Howe, who expressed his wish to be of service to the H.B. Co. at any time.

May 1. (Sunday) After luncheon I went into Ottawa and called on Mr. T. Reynolds, the Manager of the St. Lawrence and Ottawa Railway, whom

<sup>83</sup> These Sioux were refugees from the war of 1862 in Minnesota. Their descendants still reside at Portage la Prairie and Griswold, Manitoba.

Sir J. Young had strongly advised me to consult as to the idea of any reorganisation of the Company's business. I missed him, as he had just gone down to Rideau to call on me. Called on Mr. Macpherson, whom I found at the Rideau Club. We took a walk round the Cliff, where there are beautiful views of the river and of the Chaudière falls. Mr. M. said the events of the last two months had greatly reconciled him to Ottawa as the seat of Government. Had the Parliament been sitting at Montreal or Toronto during the excitement about the Scott murder, it would have been mobbed, and perhaps driven to violent measures. In Ottawa the population is pretty evenly divided between French and English, but there is little or no animosity between them. He spoke warmly of Sir J. Macdonald, greatly regretting his present prostration, but saying that it was regarded as a disease. As to the Opposition, he said no regular opposition policy had yet developed itself. There were various sections, held together by the memory of old quarrels in the pre-confederation days, but though they joined in opposing the Government there was no sympathy between such men as M. Dorion and Mr. Mackenzie. He lamented the proceedings of the Government in the matter of the Tariff, and threw a good deal of blame upon Sir F. Hincks. He was incited by a glance at the river to express a wish for an Export duty on lumber with a view to bring the Americans to terms, which I thought came strangely from so staunch a Free-trader. He said that we were parting with our capital in parting with our pine timber, for that there was no getting it to grow again. Nothing but a kind of poplar would come up in its place.

In the evening dined with Sir G. Cartier. The party consisted of M. and Madame Langlois,<sup>84</sup> M. Chauveau<sup>85</sup> (the Premier of Quebec) Col. and Mrs. Robinson [sic] Ross,<sup>86</sup> and Judge Black. Our host was very agreeable and lively. He has the happy quality of being always thoroughly well satisfied with himself, and this makes him very good humoured with other people. But he is much more than good humoured. He has the great merit of being thoroughly honourable and loyal. Everyone says that when once he has given his word he is quite sure

<sup>84</sup> M. and Mde. Langlois have not been identified.

<sup>85</sup> Pierre Joseph Oliver Chauveau, 1820-1890; formerly Superintendent of Public Education in Quebec; Premier of Quebec, 1867-1873.

<sup>86</sup> Colonel Patrick Robertson Ross, Adjutant-General in Canada, 1869-1873.

to keep it if he can. The misfortune is, that being very sanguine he sometimes makes promises which he cannot perform. He is be-having remarkably well at the present crisis, taking the whole responsibility of the negotiations upon himself, but refusing to supplant Macdonald. Sir J. Young told me that the other Ministers had asked Cartier to take the Premiership, but that he had refused to do so, and had kept the Cabinet together. After dinner I asked for some music, knowing that it was the right thing to do. Mrs. Ross played, and Sir George sang us several Canadian boat songs, which may be pretty enough when heard on the water and sung by a party with good voices. Great scorn was poured by all the party on the idea of "Row, brothers, row" being a Canadian boat song; it is suited to the oar, but not to the paddle.<sup>87</sup> We were all invited to join in the burdens of the songs; and finally we were drawn up in two lines, facing each other as in a country dance, and holding hands. When the refrain began we danced forward and backward singing it, and then stood still for the next verse.

May 2. Sir John told me this morning that the U.S. Government would not allow the Sault Ste. Marie Canal to be used in any way for the purposes of the expedition.<sup>88</sup> It was well he had insisted on asking the question, as his Ministers, in their usual spirit of over-sanguine confidence, had declared there would be no difficulty, and that it was not worth while to inquire. Sir John thinks arrangements can be made to dispense with the necessity of using the Canal. He said he supposed the Government measure would be ready to-day. I asked whether it would be sent to him before it was introduced. He said, No, that he had arranged with Cartier that this need not be done. He seemed to be very much in the dark as to the nature of the arrangements, especially as regarded the reservation of land for the half-breeds. Finding that he could tell me little or nothing, I walked up to Sir G. Cartier's house, and sent in my card. He came to speak to me, leaving the delegates with Sir J. A. M.[acdonald] in the next room. I said, "I have not liked to intrude upon you while the negotiations have been going on, but as I understand they are now nearly concluded I venture to ask

<sup>87</sup> This, of course, was Thomas Moore's *A Canadian Boat Song*, written during Moore's tour of the United States and Canada in 1803-1805.

<sup>88</sup> That is, for the shipment of soldiers or military supplies through the American lock at Sault Ste. Marie. There was no adequate Canadian canal. The American government was quite within its rights.

whether you will allow me to see the measure before it is introduced, in order that I may see whether it in any way affects the interests of the Company.” He said, “We propose to form a small province and to give it a constitution which will be fit for it, but we do not mean to give the local legislature power over the lands, because we have to provide for the extinction of the Indian title, for our engagements to the H.B. Co., and for the construction of a Railway. We therefore mean to keep the power of dealing with the lands in our own hands, making a larger contribution to the provincial expenses than we usually do in consideration of our doing so. But we propose to allot 1,500,000 acres, or thereabouts, to the half-breed population, who seem to have a kind of Indian claim to some land.” I asked, “How are these 1,500,000 acres to be given? Will a block of land be set apart, and will not this affect the Company's claim?” He said, “It cannot affect the Company's claim. The Company's bargain with Canada takes precedence of any other, and if we break it you will have a claim for indemnity from Canada, which I suppose you won't object to.” I understood him to say further that there would not be a block set apart for the half-breeds, but that each person whose claim to land was recognised would receive an order entitling him to claim his allotment at any time. I said I supposed, then, they would be much in the same position with the Company and that both they and we would come and claim our allotments as the blocks were set out. He appeared to agree that this would be so, but again added “If you find you are injured you must come to Canada for an indemnity in some shape or other;” and then, as I was going out, he added, laughing, “Mind, I don't say this officially.”

I called again on Mr. Reynolds whom I found in his office. I asked his opinion as to the Company's undertaking Banking business. He said, “Will there not be a risk of your being plundered?” I said, “That is an argument against the establishment of any Bank at all in the settlement, but surely there must be one.” He said, “Yes,” and seemed to waive the objection. I asked him whether he thought it would be well to have a Board sitting at Montreal. He did not at first see any advantage in it, but afterwards seemed to come to a different opinion, and spoke of Mr. Allan,<sup>89</sup> and Mr. King as good men for the

<sup>89</sup> Mr. Morland has not been identified.

purpose. He praised D. Smith as a very good man of business, and said he had thought well of him from the moment he came to Montreal. I asked him whether he did not think our having some influential Canadians connected with us might be of service to us in case of any disputes with the Government. He said it would certainly be so, that we should be sure to find that the absent were made the sufferers, and he told me what had happened with regard to a bargain made for the construction of a street Railway in Ottawa, which the Municipality had afterwards tried to set aside (without any compensation) on the plea that they were not bound by the agreements of their predecessors. They would have succeeded in getting the bargain cancelled by the Ontario Legislature if he had not gone to Mr. Sandfield Macdonald<sup>90</sup> and put the iniquity of the transaction so strongly before him that he induced him to use his influence to stop it. There is no security here that a bargain will be held to be a bargain if the party who has the power of breaking it thinks it his interest to do so.

Mr. Reynolds took me into his drawing room to introduce me to his daughter, a very nice looking person. Lady Macdonald was sitting with her and gave a good account of her husband. Mr. Reynolds spoke to me of Sir John's infirmity in the same spirit in which almost every one here seems to speak, - except perhaps Mr. Macdougall. Sir John Young says he is a man whom everybody likes, and that people do not attribute his drinking to vice, but to a physical state of exhaustion which renders him obliged sometimes to have recourse to a stimulant, and which gives the stimulant a very powerful effect. When he once begins to drink he becomes almost mad and there is no restraining him till the fit is over. No doubt all this is occasioned by intemperance in times past.

After luncheon I went up to the House of Commons, and was just in time to hear Sir J. Macdonald's speech introducing the North-West bill.<sup>91</sup> He seemed feeble and looked ill, but spoke with great skill. He makes no pretension to oratory, but is clear and dexterous in statement, and gave very ingenious turns to his difficult

<sup>90</sup> John Sandfield Macdonald, 1812-1872, Prime Minister of Canada, 1862-1864; Premier of Ontario, 1867-71.

<sup>91</sup> See "Debates on the Manitoba Bill", p. 162 below.

points. The new province, Manitoba, (*Dieu qui parle*)<sup>92</sup> is to contain about 11,000 square miles. The population is reckoned at 15,000. Sir John interrupted himself by offering to point out the limits on the map, which he took to the table, and explained to a number of members who crowded round him. He then gave an outline of the proposed constitution, and, observing a smile at the Senate &c. for so small a territory turned round and asked if honourable members were aware what was the population of Upper Canada when its first constitution was granted, - under 10,000, and now there are upwards of 1,600,000. He took care not to point out that Upper Canada contained a good deal more than 11,000 square miles. His mode of introducing the vexed question of the land reserved for the half-breeds was ingenious. He treated the land (1,200,000 acres) as being reserved simply for the purpose of extinguishing the Indian claims, and he threw in the suggestion that the grants to the people who might be entitled to them were to be made in much the same way as the old grants to the U.E. Loyalists, (United Empire Loyalists, to whom grants were made in Canada after the Independence of the United States), a reference very acceptable to the Ontario men. The speech was well received, but there is never much cheering or noise in this House, so far as I have observed. Mr. Mackenzie made a regular opposition comment on the measure, ridiculing some parts of the scheme, and complaining of the costliness of the machinery. He was answered by Sir G. Cartier, in a speech which was probably intended for (the) English, delivered with considerable energy, and very provocative of laughter, though there was plenty of good sense in it. After a few observations had been made by one of the French members, and one or two questions had been asked and answered, Sir George got up again and said that with the permission of the House he would repeat his speech in French, which he accordingly proceeded to do. A little buzz of conversation began to make itself heard on the English benches, but Sir George having rebuked the offenders and restored quiet went on with his speech entirely to his own satisfaction. Mr. Howe, who came and sat by me while this was going on, remarked that all the French members understood English though some of the English did not understand French.

<sup>92</sup> "The speaking god". The Geographical Board of Manitoba says the name is Cree, and it was applied to Lake Manitoba because of the sound made by waves on the limestone ledges of an island in the Narrows of the Lake. Why the name was chosen is unknown: see Begg, *Journal*, 136.



The Manitobans, he said, would prove themselves more instructed than any others, for they would be able to speak English, French and Indian. Mr. Mackenzie in the course of his speech had asked whether compensation was not to be made to those loyal men who had suffered in the disturbances, to which Sir J. Macdonald replied that this was not the proper time for dealing with the question of compensation. This was a bill for settling the government of the territory. The question of compensation for losses must be taken up by and by, if it was taken up at all; and it would have to be considered to whom claims should be addressed, - whether to the Govt. of Manitoba, or the British Govt. I remarked to Mr. Howe, that I supposed it would be better to defer sending in claims for losses till the province had been quietly settled and the amount of the losses ascertained. He said, "Yes," and added "I suppose the greatest losers have been the Canadian Govt. whose stores of pork and flour were pillaged, and the Hudson's Bay Company who had everything taken; but whether we are to pay you or you are to pay us is another question." I laughed and said, "Well we shall send in our claim at the proper time." After Cartier had ended his Gallican [speech] Macdougall got up and made a pretty fierce attack upon the Govt., speaking very fluently and well. He took up the point of compensation due to those who had suffered for their loyalty to Canada; declared that the troubles were mainly due to the policy of the Govt. in refusing to pay the purchase money and complete the acquisition of the territory, which he described as unworthy and injurious to the credit of the Dominion, and which he attributed to a desire on the part of the Ministry to throw upon England the expense of restoring order. He also said that it was perfectly well known that these disturbances took their origin with the priests, and that he feared that the Govt. in framing their measure had taken counsel with that party alone. Sir F. Hincks replied with a good deal of animation, charging Macdougall with having been himself the cause of the mischief, and saying that it was now quite clear that, if he had been quiet, and awaited the instructions of the Govt. instead of sending Col. [J. S.] Dennis to stir up strife, the Govt. would have quieted the people by a mission like that of the Grand Vicar Thibeault. He defended the Government for not paying the money at once, saying that it was not for the sake of evading a burden, but because Canada could not at that season of the year have sent a force, and where would have been the use of sending up a general by himself?

It was better not to expose the Dominion to mortification by acting before they could support their action. The discussion was then broken off by the adjournment for dinner. I did not hear what passed in the evening as we had Mr. Reynolds and Mr. Carling<sup>93</sup> to dine at Rideau. I understood that there was some sparring, but that the general result of the discussion was satisfactory.

May 3. Went up to the town and met M. Ritchot at judge Black's room. He is a fine looking vigorous man, apparently about 40, with a great black beard. He does not speak English, but makes up by speaking French with marvellous rapidity, so that I had some difficulty in following him. He was very polite and expressed great friendliness towards the Company. I explained to him how it had happened that we had made no official communication to the people of the Red River on the subject of the surrender of our territorial rights to the Crown, and assured him that it had given me pain to hear it said that we had attempted to sell the people. He said that the m6tis respected the Company, and that the Company would always play a great part in the territory, describing their various advantages. He complained of 'les intriguants' who had done so much mischief, also of the imperfect appreciation of the character of the people. I told him we had been much struck in England by the debates in the Convention as reported in the *New Nation*, at which he seemed much pleased. I spoke to him upon the subject of the exclusion of spirits, and he said it was a matter of the highest importance. I said I thought that the Company, from considerations both of morality and of interest, and the Clergy, from consideration of religion and humanity, ought to co-operate in this matter, and that if there were an entente cordiale between them from the first they might do much to check the evil which newcomers might be tempted to introduce. He agreed. I asked permission to correspond with him; and we parted very good friends. The three delegates after-wards had an interview with Sir J. Young and Sir C. Murdoch. The latter says that M. Ritchot told him that there were 10,000 children in the Settlement. Murdoch expressed some doubt as to this, the whole population being stated at no more than 15,000; but M. Ritchot adhered to the statement.

<sup>93</sup> (Sir) John Carling, 1828-1911, brewer and politician, MY, 1867-1874, as well as earlier and later; also member of the Cabinet at various times and of the Senate, 1896-1911.

I visited Mr. Pearly's [sic]<sup>94</sup> saw-mills, and Mr. Eddy's<sup>95</sup> Lucifer Match, and Wooden Pail making works at the Chaudière falls, both well worth seeing, and came back grumbling at the fearful eddies of dust and the condition of the unwatered roads. Ottawa certainly makes very little use of its magnificent "water privileges", as Mr. Eddy's foreman calls them. The dusty roads are bad enough, but what is worse is the supply of water for the use of the town. There are no water works,<sup>96</sup> and all the drinking water, as well as what is required for other purposes, is brought up from the river in water carts, which go right down into the stream and stir up the mud while they draw the water. In case of a fire the means of extinguishing it are infinitesimal and the charge made by the water carriers is of course exorbitant. It is said that the municipality neglects to provide a water supply partly from fear of expense, and partly because the water carriers' vote is too important to be lost by offending them!

May 4. As this is to be my last day here I sent notes to Sir John and Sir George asking for a farewell interview, and intimating that I should be glad to speak to them on the subject of our claim for compensation. On reaching the office I fell in with Mr. Black, with whom I had some conversation on the subject of the alleged misconduct of some of our officers. I asked how far the Company could be held responsible for Mr. Bannatyne and Sheriff M'Kenna. He said the former was not one of our servants, but that he was one of the Council of Assiniboia, all of whom were nominated by the Company on the recommendation of the Governor, who selected those whom he thought likely to have the confidence of the people. The Sheriff was appointed by the Council. In a certain sense, therefore, the Company might be held responsible for these men, as well as for their clerk John M'Tavish, (who was, he said, no relation at all to the Governor). I asked what these men had done. He said they had been familiar with Riel and his party, had talked encouragingly to them, drunk with them &c &c, and Mr. Bannatyne had assisted Riel in the matter of stopping the Mails, opening letters &c. He said, however, that it would be difficult to prove anything against them,

<sup>94</sup> William G. Perley, 1820-1890, founder of one of the great lumbering firms of the Ottawa.

<sup>95</sup> Ezra Butler Eddy, 1827-1906, who began the manufacture of friction matches at Hull in 1854.

<sup>96</sup> As Egerton Ryerson mentioned with horror, and an implication of all that meant to visitors: C. B. Sissons, (ed.) *My Dearest Sophie*, (Toronto, 1955), 84.

as different people would give different accounts of their conduct, and as they had sometimes acted on one side and sometimes on the other. He thought anything like an inquiry into their conduct was to be deprecated.

I afterwards saw Sir John Macdonald, who showed me the clauses in the bill which affect the Company's claims. They seem satisfactory. I asked him how the allotments to the half-breeds were to be made, and he said that when blocks were set out the Government would make provision for giving lots to such of the half-breeds as were claimants, taking care not to put them all together.<sup>97</sup> Our twentieths would of course be reserved to us whether the rest of the block were sold or given away. I then spoke to him on the subject of compensation, telling him that I considered the proper official course to be, that we should make our claim upon the Imperial Govt., who would naturally communicate with the Colonial Government upon it; that I supposed the time for making such a claim was not yet come, but that I thought it might be convenient that I should know confidentially what the views of the Government of Canada were likely to be. I said that we had pressed the acceptance of our bargain upon our Shareholders by representing to them that, although the price was low, their property would be improved by the establishment of a strong Government; that as matters had turned out, our property, instead of being improved, had been seriously injured; that we had already suffered a heavy actual loss, and that we had reason to fear a complete disorganisation of our trade; that with regard to this last mentioned evil we could not look for compensation, but that we held that we had a good claim to have our actual loss made up to us by some one. Who that some one might be, was another question. The Canadian Govt. were perhaps responsible on account of the proceedings of Mr. Macdougall. Perhaps the Home Govt. were to some extent responsible for not having made proper arrangements to give effect to the transfer. These were questions into which I did not desire to enter. All I maintained was that we were entitled to compensation from somebody. I added that of course we were equally entitled to be held harmless against any actions which private persons might bring against us in respect of their own losses,

<sup>97</sup> The result of course would be, whether intended or not, to ensure that the métis would not settle such lands, as they always lived as a community, and the land claims would be sold quickly.

if indeed such actions would lie at all. Sir J. A. M.[acdonald ] replied that he was quite well aware of our claim for compensation, which we had made to Lord Granville and which had been notified to the Government of Canada; that the present was not the proper moment for considering it; that he for his own part did not feel so sanguine as did some others about the termination of the present business; that he thought Riel was acting a part, and that he did not at all expect him to be satisfied with the terms proposed; that the best hope was that Bishop Taché might detach his men from him, and that Riel might make off, taking what booty he could lay his hands on; but that he feared that the excited language now used against the priests might have a bad effect upon Bishop Taché's influence, and even on the Bishop himself, who, he said, will of course stand by his order. Reverting to my question, he went an to say that, speaking without prejudice and quite confidentially, he must admit that we had a strong moral, if not a legal, claim to compensation; and that he could not deny that Canada had incurred a good deal of responsibility in consequence of the acts of Macdougall and Dennis, which he called the acts of mad-men. He thought we should have a perfect right, when we had ascertained the actual amount of our loss, to send in our claim. I must be aware that Parliament would make a difficulty about voting any considerable sum of money to meet a claim of this kind. Much would depend on the amount. But he thought compensation might more easily be made in the shape of a grant of land. Fortunately the Opposition had already taken up the question of the claims of the "loyalists" to compensation for their losses. These would no doubt be pressed, and then the Govt. could deal with all claims, including those of the Company, together. Sir G. Cartier came in while we were talking and I repeated to him the substance of what had passed. He assured me that the Government, in declining to accept the transfer of the country in December, had not been influenced by pecuniary considerations, but by others of a political character; and that amongst other things they had feared that if Canada accepted the transfer the status of the insurgents might be held to be altered and that the U.S. might claim a right to recognise them as belligerents, whereas so long as the country remained under the Government of the H.B.C., to which no objection was taken, the affair could only be regarded as a riot. I said, I had no desire to question the conduct of Canada in declining to accept the transfer, or to inquire into the motives of the Government.

What the Company was concerned with was the refusal of H.M.'s Government to accept the surrender, and that I held that we had a good claim in respect of that refusal, it being for H.M.'s Government to settle afterwards with the Govt. of Canada how that claim was to be met. Both the Ministers concurred that we had a good claim, and that Canada was to some extent at all events responsible. They said the Home Government had behaved very shabbily in the matter, - a sentiment which I was not disposed to dissent from.

Dined with Mr. Reynolds, and met the Speaker (M. Cauchon),<sup>98</sup> Mr. Macpherson, Col. Robertson,<sup>99</sup> Col. M'Neill &c. After dinner went into the House and heard Sir John Macdonald explain the changes in the North-West-bill.<sup>100</sup> The bill having only just been placed in the hands of members, the debate on the second reading was adjourned.

May 5. Left Rideau Hall about 6:30 and took the Steamer to Montreal. Met Mr. Doble [sic]<sup>101</sup>, Mr. Macpherson's son-in-law, who was on his way to Quebec, where he lives. He spoke very contemptuously of the want of energy among the French population, and could not say much for the energy of any class of the Canadians, but thought that perhaps they were happier as they were than if they were turned into go-ahead Americans. He liked the manners of his own people better than the American manners. He lamented the withdrawal of the British troops in a social sense, saying that their presence had done a good deal to keep up the standard of manners here, and that their withdrawal would have a tendency to make society less polished and more democratic. He hoped that wealthy Englishmen would come out and take shootings or Salmon fisheries here in the sporting season; and that there would be more communication between the two countries. For himself, he thought less of a journey to England than he used formerly to think of a journey from England to Scotland. A French Canadian who was on board expressed himself strongly against the Government policy with regard to the Northwest, objecting to the acquisition of the Territory, to the appointment of Macdougall,

<sup>98</sup> Joseph Edouard Cauchon, 1816-1888, French journalist and politician; Speaker of the Senate, 1867-1872; Lieutenant Governor of Manitoba, 1877-1882.

<sup>99</sup> It seems likely that Northcote is referring to Col. Robertson Ross; see note 86 above.

<sup>100</sup> See "Debates on the Manitoba Bill", p. 200 below.

<sup>101</sup> Richard Dobell, 1837-1902, merchant and politician.

and to the expedition. He said that if M. Masson's<sup>102</sup> motion (against applying the money in the hands of the Government to the purposes of the Expedition) had been pressed, all the French members but 15 would have voted for it, and that the Government would have been beaten. I said the Ontario members of the Opposition would have gone with the Government. He said, "No", though McKenzie [sic] and a few others would. He was very much against Confederation. We passed old M. Papineau's<sup>103</sup> pretty house, and heard he was still vigorous, and as much of a politician as ever. He is much opposed to Confederation, and dislikes the present Ministry. Lower Canada evidently begins to feel herself swamped. At the St. Ann's [sic] bridge we came up with the steamer '*Beaver*' which had contrived to knock off her bow, and had sunk close by the landing place. The water was not deep enough to cover her upper deck, but all below was under the Ottawa. We did not see any '*rari nantes*', nor indeed was there any quantity of property floating about; but the bank was a scene of confusion equal to that of the Virgilian tempest<sup>104</sup>; men, women, and children gazing hopelessly on goods and livestock of every description. Our captain, after shooting the rapids, good naturedly turned back to take the passengers and cargo on board his own steamer, and we soon found ourselves embarking the whole contents, living and dead, of the unlucky '*Beaver*'. Bedsteads, tables, carts, stoves, and other articles of domestic and farmyard furniture were easily put on board; more difficulty was experienced with the horses, cows, calves, sheep and pigs. The latter were especially troublesome, and one of them which contrived to fall into the river, gave us at least a quarter of an hour's sport before it was pulled out by the ears. A lot of bulls were also rather unmanageable. Meanwhile a steady old sailor was standing on the deck of the sunken vessel probing the bottom with a long hook and fishing up turkeys and other poultry from the bottom of the stream. We spent considerably more than an hour in this way, making it evident that those of us who were going to Montreal would be late for their dinners, and those who were going further would miss the Quebec boat and have to spend 24 hours in Montreal. But the Canadian patience is not easily exhausted, nobody remonstrated with the

<sup>102</sup> See p.21 above. For Masson's views, see "Debates on the Manitoba Bill", pp. 190-1 below.

<sup>103</sup> This of course was Louis-Joseph Papineau, 1786-1871, and his house and estate of Montebello, the present Seigneurie Club.

<sup>104</sup> *Aeneid*, Bk. 1, l. 118.

Captain, and the Captain accepted "the last 4 calves" with the faintest possible protest against being kept waiting while they were brought from the neighbouring yard. After all, I reached Montreal just in time for our dinner at Ravenscrag (Mr. Hugh Allan's); my friend Mr. Doble was less fortunate as regarded the Quebec boat.

May 6. Donald Smith called this morning, and talked to me for some time about the defects in the recent management of the Company's affairs, and the measures which in his opinion are necessary for the proper conduct of the business hereafter. He spoke openly of the want of energy shown by M'Tavish, and of the unfortunate influence of his wife,<sup>105</sup> a strong Roman Catholic, sister to Mr. Macdermott [sic] and to Mrs. Bannatyne the wife of the Post master, who took Riel's part in the early days of the troubles. He said that there had been a great deal of favouritism, and a great want of vigour in enforcing discipline among our officers. Sir George Simpson had latterly fallen into a lax system, and had discouraged the employment of young men of the superior class from which our service had formerly been recruited. He considered that the whole executive authority ought now to be concentrated in a chief officer who should be placed in Montreal. There would be no difficulty in his visiting the several departments from time to time, taking the Northern one year, the Saskatchewan another, and so on. Lads of from 16 to 18 should be sent out from England or Scotland, and should be examined before appointment, as we now suffered from ill-educated young men. They should be admitted as apprentices, and on trial only.

Went to an afternoon party at Mr. King's to meet P.(rince) Arthur. Had a few words with Mr. King on the question of our reorganising the Company, and also of our undertaking Banking business. He said he thought it impossible for us to conduct the business effectively from London, and had no doubt it would be a good thing for us if we could get some substantial men in Canada to take shares in the Company and to take a part in the management; but he did not seem very sure that we should find such men and inspire them with confidence. He observed that we had several old servants of the Company now living in Montreal, and that we might perhaps look to them to take shares.

<sup>105</sup> See Begg, *Journal*, 7 and 11. Mrs. William MacTavish was a daughter of Andrew McDermot, and like her sister, Mrs. A. G. B. Bannatyne, had been educated in the Grey Sister's School, and brought up a Roman Catholic.



As regards banking, he doubted whether there was likely to be much room for a bank in the Colony yet a while. I asked his opinion of D. Smith. He said he was a safe man, but he thought him slow.

May 7. Went out with C. and made some purchases of photographs and Canadian articles. In the afternoon called on Lord A. Russell and Lady Cartier.<sup>106</sup> Heard of Sir John A's alarming illness. Dined with the Kings.

May 8. (Sunday) Saw D. M'Tavish at breakfast. He thought his brother would not leave Fort Garry till the beginning of June. Was very sceptical as to the supposed satisfactory state of things at Red River. Went to St. George's Church with Mrs. King, and heard a good sermon from Mr. Carmichael.<sup>107</sup> Called on Mr. and Mrs. Hopkins<sup>108</sup> in the afternoon. Her drawings of their journey to the North West last year are very interesting.

May 9. Had some talk with D. McTavish, who thought it would be very desirable that we should at once establish a system of communication with Fort Garry, following in the track of the expedition. He was favourable to the establishment of [a] banking system. Did not seem to like the idea of a committee in Montreal. Went down to the Hudson's Bay House, and read over the letter to the Northern Council with Smith and D. M'Tavish; the latter said he could not pronounce an opinion upon it off-hand. C. & A. came down and we looked at the Canoes, packing cases, axes and other articles of outfit. Ordered a tent-bag to put our wraps &c in. On coming back had a visit from Mr. Hopkins, who thought there would be no use in our attempting to establish communication with Fort Garry. The regular forwarding Companies would be sure to do it, and would do it better than we could. Mr. Hopkins spoke of D. Smith's being about to take up a canoe for those who were going to attend the Northern Council, and said he hoped it might be arranged that the men should come back in time to take the Governor General and his party in July. I said it would be desirable that D. Smith should attend the Council, at which he did

<sup>106</sup> Lord Russell has not been identified; Lady Cartier, wife of Sir George Cartier, Delle Hortense, née Fabre, died 1898.

<sup>107</sup> Rev. J. Carmichael, incumbent of St. George's Church, 1868-1902, then Bishop of Montreal.

<sup>108</sup> Mrs. E. M. Hopkins, n& Frances Anne Beechey, 1838-1918; her paintings are well known, especially "Lake Superior," and "Portage on the Red River Expedition."

not seem very much pleased, and said, first, that he thought the Council would be of no use, and, secondly, that D. M<sup>t</sup>Tavish would be a better President than Smith. There is clearly no love lost between Smith and Hopkins. In the afternoon walked down to Mr. Stephen's<sup>109</sup> office to look at the woollen and flannel goods. Had some conversation with Mr. S. on Canadian politics and found him inclining to independence, with a view to, not a political but, a commercial, union with the U.S. He said Canada did not require independence herself, but that it would be fair to the Home Govt. that if England found the colony a cause of embarrassment on account of its relations with the U.S., she should be freed from it. He said the Canadians would feel more free to make commercial arrangements with the U.S. if they were unconnected with England. They would at present "think it shabby" to make arrangements which would give a preference to American over British manufacturers. Had some talk with him about the Hudson Bay Co. He thought there would not be much difficulty in finding capitalists here, who would take shares in it with proper arrangements for giving them a share in the management. Started this evening for Quebec with C., A. & Humphrey, leaving Harry to go to Mad. Masson's<sup>110</sup> ball.

May 10. Reached Quebec about 7 a.m. when Mr. F. Gautier<sup>111</sup> (son of the French Consul) came to meet us, and took us up to the Consulate, where C. & A. sat down to rest till breakfast, while I walked with Mr. F. G[autier] round the upper part of the town, and went over the University (Laval)<sup>112</sup> which is a handsome building and contains good collections of models, and other necessities for lectures in Mechanics, Chemistry, Natural History, Astronomy &c. Came back to breakfast with the family, with whom we were much charmed. Madame is English (a Lascelles), and they have had a great deal of experience of different parts of the world, having been stationed at Singapore, in California, and elsewhere. After breakfast M. Gautier

<sup>109</sup> (Sir) George Stephen, first Baron Mount Stephen, 1829-1921, woollen-manufacturer; director of Bank of Montreal, 1873; first President of Canadian Pacific Railway, 1881-1888.

<sup>110</sup> Mde. L. F. R. Masson, n6e Louisa Rachel Mackenzie, died 1880.

<sup>111</sup> Frederick Gautier became French Consul at Quebec, the second to be appointed in Canada by France, in June, 1864.

<sup>112</sup> The University of Laval was founded in 1520 on the basis of the Grand Seminary founded by Bishop Laval in 1663.

took me to call on the Lieut. Governor, Sir Narcisse Belleau,<sup>113</sup> whom we found at his office. He was very gracious for so great a man. There is something rather ludicrous in the position of these provincial Lieutenant Governors. Sir N. F. B. never goes out to dine or lunch with any of his subjects; but consented on the present exceptional occasion to return my visit at M. Gautier's about 2.30, and if luncheon should happen to be announced while he was there and he should happen to be asked to come down, he was "positively and actually" prepared to do it the same honour as Messrs. Pyke & Pluck did to Mrs. Nickleby's pot of mild half-and-half.<sup>114</sup> Madame Gautier told us that upon the occasion of the first public ball attended by the Lt. Govr. she received a gracious invitation to attend Lady Belleau "*comme dame d'honneur*." She replied that she meant to go to the ball and should be very happy to go with Lady B. Madame Gautier took us to the Montmorenci [sic] Falls, with which we were much struck. They are 100 feet higher than Niagara, but of course much narrower. At luncheon we had, besides the Lt. Govr., the Chief Justice (Meredith)<sup>115</sup> and Mr. and Mrs. Olhill Stuart.<sup>116</sup> We returned to Montreal by the Steamer in the evening. The Captain (Labelle) was very friendly and agreeable. I also made acquaintance with M. Gautier's Vice consul (M. Fere).<sup>117</sup>

May 11. Reached Montreal at 6, but did not go on shore till 7. Rainy day. Letters from England. Sir A. Galt called and we had some interesting conversation. His views appear to be much like those of Mr. Stephen. He looks to independence with a view to a Commercial Union with the U.S. and thinks it would be made on a basis more liberal than the present U.S. tariff. The influence of the Western States of the Union will be more felt after the Census of 1871, and if the weight of Canada were thrown into the Free Trade scale a Revenue Tariff might be looked for. The trade of Canada is, and must be, mainly with the U.S., and her prosperity depends on her free access to the American markets. He thought the present Canadian budget could not stand another year.

<sup>113</sup> Sir Narcisse-Fortunat Belleau, 1808-1894, French lawyer and politician; Prime Minister of Canada, 1866-1867; Lieutenant Governor of Quebec; 1867-1873.

<sup>114</sup> Charles Dickens, *Nicholas Nickleby*, chap. 27.

<sup>115</sup> William Collins Meredith, 1812-1894, Chief Justice of the Superior Court of Quebec.

<sup>116</sup> Mr. and Mrs. Stuart have not been further identified.

<sup>117</sup> M. H. Fere acted as Vice Consul for France from Oct. 1863, when the Consul, Gaudree Boilleau retired, until June, 1864, and continued as Vice Consul.

It was a mere sop to some special Nova Scotian and Ontarian interests. We talked of the recent Colonial debate in the H. [ouse of] C. [ommons]<sup>118</sup> and he said he was glad to find that Gladstone did not mean absolutely to abandon the Colonies. He thought the question of Colonial relations a very difficult one in itself, and that it was made more difficult by the failure of Englishmen to distinguish between the circumstances of different Colonies. He told me he had advised Lord Granville in December to take the Red River into the hands of the Imperial Government and to settle the questions which had been raised before transferring it to Canada. I told him this was precisely the advice I myself had given, and we agreed that if this course had been taken we should have escaped from much of the present difficulty. Made some calls in the afternoon, but found no one at home except Mr. Stern.”” Dined at Rose Mount. The R.C. Administrateur of Montreal<sup>120</sup> the Leblancs, Kings, Stephens &c were there, and M. Beaubien,<sup>121</sup> who came late and made no apology. The Prince took C. in to dinner, I took Mrs. King, and H. found himself next to Miss Brook, so we were all very well pleased.

May 12. Started for New York in the afternoon (4 p.m.) by the G.T.R., to Lachine, crossed by ferry boat to Caughnawaga, train to Plattsburg, Steamer on Lake Champlain to Burlington, (we might have slept on board and gone on to Whitehall, but though we should have had more comfortable quarters we should have been some hours longer in reaching New York), from Burlington to Troy in a sleeping car of the frowstiest description, and from Troy to New York by the Hudson R.R.R. in a “drawing room car” from Albany, so that we had a beautiful view of the Hudson all the way down. Of course being on the left bank, we only saw the right bank; and, equally of course, we were afterwards told that the left bank was the beautiful one.

May 13. Reached N.Y. about 11, and got to the 5th Avenue Hotel a little before 12. Had some breakfast in our bedroom and did a little

<sup>118</sup> United Kingdom, Debates, (Commons) 3rd Series, Vol. 200, Mar., Apr., 1870, 1817-1908, Gladstone spoke with unusual clarity and made it evident that no formal change was intended.

<sup>119</sup> Stern has not been further identified.

<sup>120</sup> As Mgr. Ignace Bourget would be in Rome at the Oecumenical Council, the Administrator would be either Very Rev. A. F. Trudeau, or Very Rev. P. Billelaudele.

<sup>121</sup> Probably Joseph-Octave Beaubien, 1825-1877; the Leblancs have not been identified.

washing, after which I went out to leave my cards and letters of introduction. There was a thunderstorm in the afternoon, after which I took C. out for a short walk. We dined in the Coffee-room with a very uncommunicative party, but whether of New Yorkers or of strangers we did not clearly make out. The gentleman at the end of the table seemed to be employed to tout for the Hotel, for all we could get out of him as to what was worth seeing in New York was, that if we would apply downstairs they would provide us with a guide. Betook ourselves after dinner to the sitting rooms, which have a pretty good supply of ottomans and chairs, but are as bare of tables as if the guests had eaten them (like Ascanius).<sup>122</sup> The company evidently had no use for such articles. They spent their time in walking about the corridors, or in sitting on the ottomans, talking or gazing as the case might be. There was not a book, or a piece of work, or a game of any sort, to be seen; neither did we hear a note of music. The general impression produced was, that the party were a number of unburied ghosts wandering about till their term of probation was over and Charon ready to take them across the Styx; or perhaps a modern would rather compare them to a number of passengers, without luggage, loitering in a waiting room till the train should arrive. One quite understands, now, how these people take to whittling sticks. A person with the smallest energy must do it in self defence. C. & I., after musing a bit, decided on a game of bezique,<sup>123</sup> and walked twice through the rooms to find a place to play. At last we discovered a small marble table to which we drew our chairs, and began to play. The effect was something like that produced in the streets of London when an ordinary looking individual suddenly stops, pulls off his coat, discloses a mountebank's costume and begins to perform. The Company began to cluster near the table, or at all events to stand at the door of the room, and to gaze at us with unmixed astonishment. As we got up to go, a gentleman came up to me "What game might you be playing, sir?" "Bezique," says I. "Wal, now, was that bezique?" 'Yes' "Wal, I've played it with six people; can you play it with two?" 'Yes'. "Guess you've got two packs" 'Yes' (If the packs had not been very dirty ones we should have proposed to him to play) C. explained

<sup>122</sup> Ascanius, son of Aeneas, who by eating the pancake on which his food was served, fulfilled the prophecy the fugitive Trojans would find a home where they ate their tables. *Aeneid*, Bk. VII, l. 116.

<sup>123</sup> Bezique, a game of cards in which knave of diamonds and queen of spades together form "Bezique."

to him there were sets sold for four or six players, and he said that must be better because there was more room for cheating. We wished him good night and as he fell back to his friends, who were looking on at this interview, we heard him say, 'Wal, I guess I can't make out what game it is'. Found a note from Mrs. Morton,<sup>124</sup> in acknowledgement of my call, regretting that Mr. M. was in England and asking us to dinner on Wednesday.

May 14. Just as we sat down to breakfast, Mr. Cyrus Field's<sup>125</sup> card was brought up to me. He was most anxious to do anything for us, and when I told him I wanted to see some of the Charitable Institutions he at once set off to get me some orders. After breakfast Mr. Duncan<sup>126</sup> called; and, somewhat later, Mr. Ewarts.<sup>127</sup> Both were very anxious to help us. Mr. Ewarts told me he thought the present Republican majority would break up by reason of its magnitude. He thought the questions which would be fought at the next elections would be questions of administration, economy, and tariffs, and finance, rather than questions of State rights. The battle between North and South had now been fairly fought out, and the weaker party had given in. The question of Georgia was now the only part of the reconstruction which remained unsettled. C. & I, took a carriage and called on Mrs. Morton, a very pleasant and friendly person. We then drove southward along Broadway as far as Stuart's [sic]<sup>128</sup> great store; returned to lunch, soon after which Mr., Mrs. and Miss Field and Mrs. D. Dudley Field<sup>129</sup> called. Mrs. and Miss Field took H. for a drive in Central Park. Mr. Duncan called for C. and me at 4 and sent us in his carriage round Central Park, having himself to drive his father somewhere else in one of the lightest of dog-carts. We returned at six, and H. & I went to dine quietly with the Duncans, C. preferring tea at the Hotel, after which she produced a commotion

<sup>124</sup> Levi P. Morton, 1824-1920 of the banking firm of Morton, Rose, etc. Mrs. Morton was born Lucy Young Kimball.

<sup>125</sup> Cyrus West Field, 1819-1872, American businessman, famous for his interest in ocean telegraphy.

<sup>126</sup> Mr. Duncan has not been identified.

<sup>127</sup> Mr. Ewarts has not been identified.

<sup>128</sup> A. T. Stewart's, one of the great retail stores of New York at that time; the Eaton's of New York; after 1896 Wannamakers'.

<sup>129</sup> Dudley C. Field, a son of Cyrus Field.

among the ladies by taking her work into the sitting room. She heard comments on her being “very industrious” which we presume were meant for compliments. Central Park is well worth seeing, especially now that the Spring is breaking. It has been opened about ten years, and the trees are young, though they have grown rapidly. It contains about 1,200 acres, being 2 and a half miles long by  $\frac{3}{4}$ ths of a mile broad. The reservoirs for the supply of the city occupy the centre of it. There are two or three roads across it which are kept out of sight either in tunnels or deep cuttings. The grass is beautifully kept. The public are only allowed to go on those parts of it which are pointed out by boards marked “public.” These boards are moved from time to time to different portions of the park. We were delighted with one great space which had been set apart for a playground; it being Saturday afternoon, a swarm of boys from all the schools of the City were spending their half holyday [sic] there in various games. The carriages were not very smart, nor were the ladies' dresses particularly so. We admired the open public cars, which take people round the Park at 25 cents a head. One is struck in New York by the little sparrow houses put up in the trees and elsewhere. Mr. Duncan said that till six or seven years ago the verdure had always been destroyed by clouds of caterpillars; but that since sparrows”” had been imported they had kept down the grubs and saved the trees. I said ‘I suppose they are never killed’; “No”, he said, “but they are often stolen. They are such valuable birds.” Mr. Duncan is a pretty strong politician, but the complication of parties is such that H. & I as we walked away could not agree whether he was Republican or Democrat. His indignation seems to be directed against a combination in New York called “the Ring”<sup>131</sup>, comprising some evil minded Democrats and the bulk of the Republicans, and having various personal objects to serve. He was very contemptuous over the President<sup>132</sup> and the public men of the Republican party, but could not name any Democrats who were much superior to them. He came out grandly against a paragraph in one of the newspapers announcing that there would be several coloured cadets at

<sup>130</sup> The house, or English sparrow, *passer domesticus*, first introduced in 1850 and 1852 to combat the cankerworm.

<sup>131</sup> The local political combination led by William Marcy Tweed, 1823-1878, boss of Tammany Hall.

<sup>132</sup> President Ulysses S. Grant, 1822-1885, President of the United States, 1869-1873. The “Grant era” was one of exceptional political corruption at all levels of politics.

West Point next term, "I should think all the gentlemen would take their sons away, then." He defended the ballot for the sake of peace at the polling time, and described the system under which bribery and intimidation were carried on by agents stationed 100 yards from the boxes, (they must not come nearer), who give the voters the cards they are to put in and watch them drop them into the boxes. The voters, however, sometimes defeat them by carrying slips of paper, with gummed backs, in the hollow of their hand, and sticking them over the ticket with which they have been supplied, thus substituting a different list.

Sunday, May 15. Went this morning with Mr. & Mrs. Dudley Field to join a party who were going over the Charitable Institutions, which are under the management of five Commissioners appointed by the Municipality. Two of these, Mr. Bell<sup>133</sup> and Mr. Frere,<sup>134</sup> were of our party, the greater number of whom were, however, officers belonging to an Association called the "Grand Army of the Republic",<sup>135</sup> who were coming to see the provision made for old soldiers in one of the City Institutions. We steamed up East River, past Blackwell's Island and others, all covered with hospitals, workhouses, penitentiaries &c, and landed at the Institution for the old Soldiers, who had been picked out of the ordinary poorhouse, and placed in more comfortable quarters. The Committee of the Grand Army seemed well pleased with the arrangements. I had some difficulty myself in understanding their connection with the matter, and in making out whether they were a political or a charitable association. Col. Marshal<sup>136</sup> and Col. Pell<sup>137</sup> were the two whose names I learned. The account they gave me of themselves differed from that given of them by Mr. Bell and Mr. Field, who regarded the whole association as a secret political society,<sup>138</sup> as I suppose it is. Adjoining the institution is an Asylum for Inebriates where gentlemen who have taken an extra glass, at Mr. Pickett's<sup>139</sup>

<sup>133</sup> Mr. Bell has not been identified.

<sup>134</sup> Mr. Frere has not been identified.

<sup>135</sup> The "veteran's association" created by former members of the Northern armies in the Civil War.

<sup>136</sup> Colonel Marshall has not been identified.

<sup>137</sup> Colonel Pell has not been identified.

<sup>138</sup> The Grand Army naturally tended to be pro-Republican, as that party had made itself the party of the Union for which, of course, the veterans had fought. <sup>139</sup> Mr. Pickett has not been identified.



or elsewhere, come in for a few days retreat on red herrings and sodawater. We were told with great candour that no cases of cure were as yet known. We then visited in succession the Children's home, the Lunatic Asylum, the Hospital for Incurables, the Workhouse, and the Penitentiary. The discipline in the last-named place seemed to me far too indulgent. The work was light; there was no treadmill, crank, or other system of really hard labour. The food was abundant; meat was given every day; the prisoners were frequently unable to finish their ration of bread (particularly good bread it was); and a record of their weights showed that most of them grew considerably heavier, and apparently none grew lighter, in prison. They were confined in separate cells, with grated doors, and could easily converse with one another. They worked and took their meals together. Each prisoner's name and sentence was hung up outside his cell. There was no system of letting out labour or of making the prison self-supporting. The sentences were too short for that. Dined with Mr. Duncan, and met Mr. Ewarts, Mrs. Sherman<sup>140</sup> and her son and Mr. Lloyd.<sup>141</sup>

May 16. C. and I took a long drive with Mrs. Dudley Field and Miss Field (who is engaged to marry Governor Musgrave<sup>142</sup> of British Columbia). We went over to Staten Island where we enjoyed ourselves very much. I had gone in the morning with Mr. D. Field to see the offices of the Erie Railway Company, of which he is the legal adviser. They are magnificent, forming part of the same building as the Opera House, which is the property of Messrs. Gould<sup>143</sup> and Fisk,<sup>144</sup> the Chairman and Vice Chairman of the Railway Co. On the first floor there are a number of Clerks' rooms, separated one from the other, but all commanded from above by a gallery running round the second story. The directors' rooms are, of course, secluded; so are the dining rooms, I think, and the barber's saloon &c, the house being furnished with that and other appliances of comfort. The basement is used as a printing office, - the Company doing their own printing.

<sup>140</sup> Mrs. Sherman cannot be identified for certain.

<sup>141</sup> Mr. Lloyd remains unidentified.

<sup>142</sup> Sir Anthony Musgrave, 1828-188?, Lieutenant Governor of Newfoundland, 1864-1869; of British Columbia, 1869-1871; he used his official influence to bring British Columbia into Confederation.

<sup>143</sup> Jay Gould, 1836-1892, American financier and railway promoter.

<sup>144</sup> James Fisk, 1834-1872, one of the most notorious of New York's financiers of the Grant era.

There was an ingenious piece of mechanism for printing of tickets. I was introduced to both Mr. Gould and Mr. Fisk, - the latter a fat, vulgar, jolly-looking fellow who was sitting in his shirt sleeves, with his legs disposed in the traditional Yankee fashion, and with a diamond pin of most magnificent dimensions. Mr. Gould is a small, spare, dangerous-looking, little man, with very decent manners. They are the twin King Hudson's<sup>145</sup> of New York just now, and are said to own, or to be principally interested in, 18 Railways, 3 theatres, several Coal mines, three or 4 lines of passenger steamers, and other concerns which have slipped my memory. Amongst other things Mr. Fisk has gone in for a patent for preserving fish by making blocks of ice round each. Fisk was a pedlar's son, who began life by accompanying his father, till he had seen enough to warrant his saying, "Father, I'd like to boss this concern;" on which his father came to terms with him, and he took the management, making his father an allowance. A story is current of a friend having stepped, on board one of their steamers the other day and observing the portrait of Gould on one side and of Fisk on the other, said "There should be one of our Saviour between them" - referring to the two thieves. Gould, it is said, did not like the joke.

After our return from Staten Island, called on Mr. Hamilton Fish, the U.S. Sec. of State, who happened to be in New York for a day or two. Dined with the Cyrus Fields.

May 17. The D. Fields called for us, and took us to the station of the Erie Central R.R. where Mr. Gould also met us. We should have had his private car if it had not been out of order. As it was we had moderately comfortable seats in a "drawing room car", with the advantage of being franked to Buffalo. The line runs along the course of the Delaware and Susquehanna rivers, through a really pretty, though not very bold, country. There are some good points in the Allyghanies, I sic] but the hills are generally round-headed. The windings of the rivers, which are pretty closely followed by the railway, are very pretty. We reached Buffalo about 11 and went to the Tiff House hotel, where we had ordered rooms by telegraph. It is a comfortable and commendable house, with very civil people.

<sup>145</sup> George Hudson, 1800-1871, the great English promoter of railways in the 1840's.

May 18. Left Buffalo (which is a thriving looking town) by 11 o'clock train and reached Niagara Falls soon after 12. Were bamboozled into going to the Spencer House. Either the Cataract or the International would have been better. The Clifton house, on the Canadian side, is in every respect by far the best, but it is not yet open. The season is unusually early this year. Had dinner at 1 and then took a carriage (charge \$8) to go round the points of view. Drove first to the New Suspension Bridge," in crossing which we got our first view of the Falls, seeing the whole group at once, the Horseshoe in front, the American on our left, with the centre fall coming out of the woods between them, and the pretty Bridal Veil on the extreme left of all, rather behind us. The impression made on us all was of a far finer scene than we had expected. The great brilliancy of the day, and the beautiful colour of the fresh green foliage, added immensely to the charm of the waters. A. at once fastened on the Horse Shoe as the most beautiful fall. C. from this point, was inclined to prefer the American. I was doubtful. We drove on to Prospect House on the Canadian side, over Table Rock, and went up to the top, whence we had a truly grand view, looking towards the American fall across the Horse Shoe. The Horse Shoe here, by universal consent, was installed in the place of honour, from which it has not since been deposed. It was here that we first saw the rainbow, - a very perfect and brilliant one. After making one or two purchases, we drove on to the Burning Spring, where a lad performed all sorts of prodigies in the way of setting the water on fire, winding up by giving us a glass of it to drink. It was as good as Sulphur and Magnesia could be expected to be. The sight is worth seeing. We then drove to the Lundy tower, which is not worth wasting one's time over. We were enticed to ascend by the promise of a sight of Lakes Erie and Ontario, but found that our guide could only console us by assuring us that *he* could make out the former, and by pointing to the quarter in which he said people sometimes saw the latter. We descended grumbling, and were very distrustful of our driver when he proposed to take us on to the old Suspension Bridge to see the Rapids. We found, however, that this digression was well worth the making. We descended the face of the rock by an elevator and found ourselves at the head of a flight of steps which led down to the water's edge. It was a grander Chaudière,

<sup>146</sup> New Suspension Bridge, Niagara, opened 1869, the old had been completed in 1856.

characterised by the same individuality among the waves which had struck us on the Ottawa: but, instead of recalling the idea of boys rushing merrily though tumultuously out of school, the waters rather suggested that of Milton's fiends flying headlong from Heaven to Hell, recoiling with horror from what was before them but driven forward by the greater fear of what was behind. After remaining here some time we drove back to the Falls, and at last found ourselves on Goat Island and in the *crème de la crème* of the scenery. Upon the whole, I think I liked the view from Luna Island, which lies between the Central and the American falls better than any other. That from Terrapin tower, overhanging the Horseshoe, is also very grand. We had not time to go over the bridge connecting Goat Island with the Three Sisters, but we admired the cheerful little rapid over which it is thrown, and which contrasts pleasantly with the awful rapids at the Suspension. Here you have schoolboys again, but all hurrying in the best spirits to catch up the main body which has started on a pleasure excursion and must be rejoined as quickly as possible. They seem to be crying, "By Jove, we're late." Returned to the Hotel to tea, much charmed with our day's work. As night drew on and the noises of the day came to an end, the sound of the falls became more conspicuous. Perhaps that is a bad word to use; but the sound was one that impressed itself on more than a single sense. It was (like the Egyptian darkness) something that could be felt.

May 19. Took early walk and fell in with "my friend" who warned me against the impositions of the drivers and recommended me to purchase some of his son's spar cuttings. After breakfast we went down to Point View, between the Goat Island bridge and the new suspension bridge, and enjoyed the falls even more than yesterday. They grow upon one very much. H. & I descended the slide and got down to the bottom of the American fall. Our time being short, we did not cross the ferry. Started at 12 by the G.[reat] W.[estern] R.[ailway] (in the director's car) for Toronto. We stopped for an hour or more at Hamilton where Mr. D. M'Innes gave us lunch. He told me he did not believe in an early settlement of Manitoba. The difficulty of establishing communication would be too great. We reached Toronto about 5, and found Mr. M'Pherson waiting for us at the Station. He drove us up to his House, Chesnut Park, about two miles from the station.

There was a dinner party comprising Mr. Sandfield Macdonald, Chief Justice Draper,<sup>147</sup> Dr. M'Caul<sup>148</sup> (the President of the University) Dr. Ryerson<sup>149</sup> (the Ch. Supr. of Education) Mr. Hilliard Cameron,<sup>150</sup> Mr. McMaster (Pres. of the Bk. of Commerce and chairman of the G.W.R.) Justice Morrison,<sup>151</sup> Mr. Cumberland,<sup>152</sup> the Mayor of Toronto (Harman)<sup>153</sup> and others.

May 20. Visited the Normal School where Dr. Ryerson did the honours, called on the Lt. Governor (Mr. Howland),<sup>154</sup> visited Osgood Hall, (the law Courts) and the University, where Dr. M'Caul set H. and me to look over some Greek Iambics. Drove in the afternoon with Mrs. Macpherson and C. Went to Notman's<sup>155</sup> and invested in more photographs. The Not[mans] are as widely spread over the Dominion as the Rothschilds<sup>156</sup> over Europe or the Budds<sup>157</sup> over England. Another dinner party, comprising the Howlands, the Gzowffskys, [sic]<sup>158</sup> &, followed by a dance.

May 21. Went over the Lunatic Asylum with Mr. S. Macdonald. Much taken with the Superintendent, Dr. Workman.<sup>159</sup> The Asylum is well arranged and

<sup>147</sup> Chief Justice William Henry Draper, 1801-1877, Attorney General of Canada, 1841-1842, and 1843-1847; elevated to the Bench of Upper Canada, 1847; Chief Justice of Commons Pleas, 1856; Chief Justice, 1863.

<sup>148</sup> Dr. John McCaul, 1807-1888, President of University College of the University of Toronto, 1853-1880.

<sup>149</sup> Dr. Adolphus Egerton Ryerson, 1803-1882, Methodist preacher and journalist; Superintendent of Schools, Canada West, 1848-1882.

<sup>150</sup> John Hillyard Cameron, Q.C., 1817-1876; Upper Canadian lawyer and politician, strongly Conservative and Protestant.

<sup>151</sup> Joseph Curran Morrison, 1816-1885, Reform lawyer and politician; appointed to the Bench of Canada West, 1862.

<sup>152</sup> Frederic William Cumberland, 1821-1881, engineer and architect; architect of St. James Cathedral, Osgood Hall and University College in Toronto.

<sup>153</sup> S. B. Harman, Mayor of Toronto, 1870-1871.

<sup>154</sup> Sir William Pearce Howland, 1811-1907, businessman and politician; Lieu-tenant Governor of Ontario, 1868-1873.

<sup>155</sup> William Notman, 1826-1891, was the famous Canadian photographer; his offices were in Montreal, Halifax, Toronto, other Canadian cities, and even New York.

<sup>156</sup> The great banking family, of course, of Europe.

<sup>157</sup> I am obliged to Mr. Roger Fulford for the suggestion that the Budds referred to were the numerous and well known family, many of whom were doctors in England at the time. Dr. George Budd practised in North Devon, and may have been personally known to Northcote; he was the son of Mr. Samuel Budd, surgeon, seven of whose nine sons were medical doctors. Budd, *Dictionary of National Biography*, III.

<sup>158</sup> Sir Casimir Stanislaus Gzowski, 1813-1898, Polish refugee from rebellion of 1830; engineer; contractor in construction of Grand Trunk Railway; builder of International Bridge on Niagara River.

<sup>159</sup> Dr. Joseph Workman, M.D., 1805-1894, was in charge of the asylum, 1854-1875.

managed. It is a strictly Provincial Institution; but persons who can afford it are charged for their keep. There are no private asylums, and all classes are sent to this. Lunched with Mr. S.[andfield] M.[acdonald], and then went to call on the great George Brown,<sup>160</sup> whom I found at the *Globe* office. He was very friendly, and gave me his history of the North West question at full length, expressing himself as still very sanguine of the future importance of the territory. He *thought* no time should be lost in commencing a Railway from Lake Superior, but agreed that we had not yet sufficient information as to the best line, and that we should wait to learn the result of the exploration of the country between the Nipigon and Fort Garry, and the merits of the line proposed by Mr. Bell.<sup>161</sup> Mr. Macpherson's view is, that we ought immediately to commence a line from Fort Garry westward to the Rocky Mountains, and take our time to explore the country from Nipigon, which it is supposed may prove more favourable for Railway construction than the rough country near Fort William. Mr. S. Macdonald says that country will be fully explored this summer. Mr. Macpherson told me that he understood that but for his illness Sir J. A. M.[acdonald] would have brought the subject of Railway communication before the House this last session,<sup>162</sup> and he intimated to me that his plan would have been to connect Fort Garry with Pembina at once, and to commence a line westward towards the Rocky Mountains, exploring at the same time eastward towards the North of Lake Superior; but he begged me to consider this confidential, as Sir John had not yet mentioned it to his colleagues, among whom, he observed, there were several leaky vessels. George Brown told me he had been recently at Chicago and had there had some conversation with the Manager of one of the chief American lines (I have forgotten both the man and the Railway) who had confirmed his own previous impression that the Western States were rapidly filling up, and that the tract of uninhabitable desert was being found much larger than had been supposed. Consequently, attention was being directed to our territory as the next for settlement. His friend was also of opinion that the Union Pacific Line would not pay, and that the true Pacific

<sup>160</sup> Hon. George Brown, 1818-1880, Scots-Canadian journalist and politician; one of the principal fathers of Confederation, and especially active in the annexation of the Northwest.

<sup>161</sup> Dr. Robert Bell, C.E., of the Geological Survey of Canada, 1841-1917.

<sup>162</sup> An interesting piece of information, not otherwise confirmed.

line would be found close to, or within our borders. Dined with the Howlands (or 'Owlands as the lady calls them) in their own house. The new Govt. House, which we inspected this afternoon, will not be ready for a fortnight.

*May 22.* Went to Yorkville parish church. Dull enough. In the afternoon called on judge Morrison. Mr. Cumberland, the Manager of the Northern Railway, who is also the Architect of the University, called to make arrangements for our trip to Lake Simcoe tomorrow. Col. Fielden<sup>163</sup> and Ch. Justice Draper came to dinner.

*May 23.* Awoke by a thunderstorm. Advised C. to give up the Lake Simcoe expedition, which advice she cordially accepted and rolled herself up in the bed clothes. Rain continued while we were at our early breakfast, but seemed to be stopping about 7.30, so we started, our party consisting of Mr. and three Misses Macpherson, H. and myself. We picked up Chief Justice Draper, and [at] the station were met by Mr. Patteson [sic]<sup>164</sup> (Asst. Sec. to Govt. of Ontario) and Mrs. Beresford,<sup>165</sup> a daughter of Sir F. Hincks. Her brother, Capt. Hincks,<sup>166</sup> joined us at the next station. We reached Bell Ewart about 10 o'clock, went on board the '*Emily May*' steamed round Lakes Simcoe and Couchinco [sic]<sup>167</sup> stopping at Orillia and other stations, and returned to Bell Ewart by 6, where we took the train again and reached Toronto soon after nine, very much charmed with the beauty of the lakes. I had a good deal of talk with Chief J. Draper and with Mr. Patteson. Both of them are sceptical about the durability of the Confederation, Draper thinking the French impracticable, and Patteson foreseeing difficulties between the Ontario Government and that of the Dominion. They both, I think, incline to a Legislative Union, which would of course ultimately, if not immediately, insure the complete preponderance of Ontario. I asked C. J. Draper who would replace Sir John Macdonald, and he said with great emphasis "No one." He spoke very warmly of Sir John, - whom he had himself brought into public life, and who had developed far beyond his anticipations. He said Mr. Hilliard Cameron, or Sandfield Macdonald, might be looked to as his

<sup>163</sup> Colonel Fielden is not otherwise identified.

<sup>164</sup> Perhaps T. C. Patterson, later editor of the short-lived *Mail*.

<sup>165</sup> Mrs. D. Beresford, nee Matilda Hincks, daughter of Sir Francis Hincks.

<sup>166</sup> Captain A. S. Hincks, Sir Francis's eldest son.

<sup>167</sup> Couchiching, presumably.

successor. The former was clever, but too much of a mere lawyer; the latter much liked, but not a man of much breadth of mind. He had, however, shown energy in fighting his way up, having been the son of a small tradesman in a Gaelic-speaking community, and having when quite a boy insisted on being sent to Montreal, taught English, and trained as a lawyer. He had been in Mr. Draper's own office and very useful. He seems now to be very popular in Ontario (of which he is the prime minister), and to be administering the Government well and, above all things, economically. It is curious to see what an amount of public spirit pervades the province. Large sums have been, and continue to be, voted by the municipalities in aid of Railways, Drainage schemes, and other public purposes. In these matters the municipalities act on their own prompting, being shrewd enough, however, (as Mr. Macpherson observed to me), to vote no money for projects that were not likely to benefit the district. Nothing of this sort takes place in Quebec. There the Government are expected to do everything. Mr. Patteson said that before Confederation the jealousy between Upper and Lower Canada rendered it necessary to spend as much in the one province as in the other, so that, when money was voted for really important work in Upper Canada, equal sums had to be voted for works which often were not wanted in Lower Canada. Now, the question is as to the amounts of subsidy which the several provinces shall receive from the Dominion Treasury, and it is feared that Quebec and New Brunswick too will follow the example of Nova Scotia, and that the three provinces will combine against Ontario, which will have to carry them all on its back. The revenues of the provinces consist of the Dominion subsidy (the main portion of which is the capitation grant of 8Qc per head) and of the produce of the land sales. The chief items of their expenditure are the charges of the administration and the support, or grants in aid of the support, of certain public institutions (Lunatic Asylums, Normal Schools &c) in the Province. The municipalities raise money by rates and expend it on municipal purposes, (roads, schools &c); and matters which interest more than one municipality are dealt with by the County boards, which are composed of representatives, or "reeves", of the municipalities. The municipal valuations for rating purposes are revised (I think by the county) every year.



May 24. The Queen's birthday is kept at Toronto, and apparently throughout Canada, in a much more distinguished style than in England. Every one seemed to be making holyday, and more than half the shops were shut. The main streets were very gay with flags as we drove to our steamer. Mr. Macpherson talked to me a good deal about the North West Territory, and recommended the employment of Sir A. Galt to make a report on the whole question. He thought he might do it in 3 months, visiting Fort Garry and the Saskatchewan. A fee of \$5,000 would be about the right sum to offer. Mr. W. M. Simpson"<sup>168</sup> M.P. for Algoma (D. M'Tavish says Mr. Simpson is of rather weak intellect) might perhaps be joined with him, if he left the Company's service on friendly terms, - or Galt might choose some other companion. Mr. M. spoke highly of Galt's ability and breadth of view, but thought him too sanguine and too changeable. Took affectionate leave of our kind host and hostess, whom however we shall probably see again at Montreal before we leave. Started for Montreal by the steamer "Champion" at 2 p.m. Wrote to Sir G. Cartier asking if he saw any objection to our employing Galt's services. Posted my letter at Prescott.

May 25. Woke at 5 and found we were just entering the port of Kingstown [sic]. The City Hall looks well, but I could see little more of the old capital of Canada. We reached the Thousand Islands about 7, and thoroughly enjoyed the lovely scenery. It looks as if Jupiter, when he had done making the world, had found that he had a number of little gems still to dispose of and had thrown them all into the St. Lawrence. Or it may be that Paradise, when Adam had been turned out of it, had been broken up and scattered on these waters. We shot the 'Long Sault' rapid about 1.30, the Cedars, Coteau, Cascade, and finally the Lachine, rapids in the course of the afternoon. That there is some danger, is shown by the hull of a vessel which was lost on the Coteau last year, and might be inferred from the fact that the authorities do not allow the troops to be taken down the rapids, and require the vessels, when conveying them, to pass through the Canals. We met Col. Gray-9 (M.P. for St. John N.B.) at Prescott. He gave a poor

<sup>168</sup> Wemyss M. Simpson, M.P. for District of Algoma, 1867-1871; commissioner of Indian Treaty No. I, 1871.

<sup>169</sup> Colonel John Hamilton Gray, 1814-1889, of Saint John (not to be confused with John Hamilton Gray of P.E.I.) a Father of Confederation, M.P. for Saint John, 1867-1872.

account of Sir John A., and said Lady Macdonald was very low about him. Sir J. Young was, he said, very uneasy about the Fenians. He said that one of our Steamers had got aground in passing through the Canal at the Sau It, and that 4 American tugs, which had come alongside, had refused to assist her. We reached Montreal soon after 7 and found the whole city in an uproar. The Fenians had really crossed the frontier, and there had been actual fighting at Pigeon Hill.<sup>170</sup> The volunteers had gone out full of ardour. One corps, we are told, actually carried ropes with them to hang any Fenians they might catch. All sorts of details were given; most of them subsequently proved incorrect; but there was a real incursion and real bloodshed. Three Fenians certainly have been killed, and one gun taken. General O'Neill<sup>171</sup> seems to have allowed himself to be taken by the U.S. authorities. The two centres of Fenian strength are at Malone and St. Alban's. The object of the invaders at Pigeon Hill was to seize St. John's,<sup>172</sup> and so command the approach to Montreal. This attempt has been defeated. Had it succeeded, the rails would have been taken up on the G.T.R., so as to prevent the Fenians from running trains upon it. As it is, the rails are lifted at certain points, and trains examined before they are allowed to proceed. Besides the force which attacked us at Pigeon Hill there is another which is moving in the direction of Huntingdon.

May 26. Sir A. Galt called on me this morning. Not having yet heard from Sir G. Cartier, I did not make any serious proposal to him on the subject of the report, but I told him I had been considering the propriety of having one drawn up and added, laughing, that Mr. Macpherson had recommended him as reporter. He laughed and said, you had better employ one of your own officers. Later in the day I received telegram from Cartier, "No possible objection to name you propose to select as agent. You cannot make better selection." I there-upon wrote to Galt, asking whether he would receive favourably a proposal of this nature should it be made. Went down to H. B. House, and discussed the arrangements for the Northern Council with Mr.

<sup>170</sup> Really Eccles Hill; see G. F. S. Stanley, *Canada's Soldiers* (Toronto, 1960) 231, but the name of the skirmish at Pigeon Hill in 1866 was used in 1870. The Fenian attack at Pigeon Hill in 1870 ranks in importance, if not in drama, with that at Ridgeway in 1866, and at Pembina in 1871; all three helped strengthen Confederation.

<sup>171</sup> "General" J. O'Neill, leader of the Roberts faction of the Fenians, was to be captured by the U.S. Calvary at Pembina in 1871.

<sup>172</sup> St. John's on the Richelieu.

D. M'Tavish and Mr. Smith. Judge Black came in, and we talked over Red Rivers affairs rather uneasily. We all fear that Riel may yet give trouble; but what we fear more is an Indian difficulty. Judge Black said he had heard that Dr. Schultz had not only received large compensation for his losses, but that he was to be appointed to some place of authority. Such a step would be very mischievous. Schultz and his like are just the men to stir up an Indian war. His compensation may be accounted for by his having a good many influential creditors in Canada, who don't see any way of getting their debts paid except by getting him a grant from the public purse. His rumoured appointment, if true, is a sop to Ontario, intended to counteract the reception of Richot and Scott, and the provisions in the Manitoban Act which are thought too favourable to the French. This sort of balancing is the unsatisfactory feature in Confederation politics."<sup>173</sup> It has led to the miserable tariff, to many of the North-West blunders, and no doubt to countless jobs and extravagances. Even in the fitting out of the expedition there has been much loss of time and efficiency, because Cartier would not allow Col. Wolseley to recruit in Ontario, where he could have got any number of zealous volunteers, but required that a due proportion of men should be taken from Quebec, which has furnished them tardily and has sent far less efficient soldiers. Called on General Lindsay, who gave me various particulars, which I have already noted. Mr. Brydges and Mr. Gzowsky came in while I was there, - the latter much excited, and declaring that he would give up his passage in the Scandinavian and 'go to the front.' He spoke very bitterly of the English neglect of Canada, and said that many people were now asking how long this state of things was to last. The constant alarms, the interruption to business, the heavy expense, occasioned by Fenian scares are beginning to make people ask whether the Mother Country did not mean to remonstrate much more energetically than she had yet done with the American Government. Suppose such a state of things to exist on the borders of France and Germany, for instance, would the one power tolerate the existence of such conspirators against the other within its borders? and if it did, would not the power aggrieved by them demand redress or go to war? It is easy to say all this, and there is some truth in it; but the Federal Government of the U.S. is a very weak Government, and I am not at all sure that Canada is in a position to throw stones.

<sup>173</sup> It is, however, of the essence of Canadian politics.

The withdrawal of the British troops is generally condemned, and certainly seems to me an unfortunate step. At the same time it is evident that Canada has not done all she ought to retain them. There are questions as to the barracks and other charges, and as to the non-organisation of the Militia, which must be investigated before one can come to a conclusion as to the policy of the Home Government. It would be satisfactory if advantage could be taken of the feeling raised by the actual withdrawal, to reopen these questions and to come to some distinct arrangements. A question might be raised as to the advantages and disadvantages of a Federal form of Govt. as illustrated by the United States; the Dominion of Canada, and the British Empire as a whole, which is fast becoming a Federation. Dined with D. Smith at the Club<sup>174</sup> Our party consisted of judge Black and his brother, Mr. Hugh Allan, Mr. Hopkins, Mr. Ritchie,<sup>175</sup> Q.C. (the legal adviser of the H.B.C.) Mr. J. Swanston,<sup>176</sup> and Mr. G. Barnston,<sup>177</sup> two of our ex-chief-factors, the former very genial, the latter very cantankerous, Chief Trader Fortescue,<sup>178</sup> Mr. Watt,<sup>179</sup> Mr. Ogilvy,<sup>180</sup> and Mr. Anderson<sup>181</sup> (all old servants of the Company) Mr. D. Mactavish and Redvers Buller,<sup>182</sup> who has just come out to join his regiment (60th) and go up to Red River with them. Mr. Barnston spoke very bitterly of the neglect of the Board in not communicating more freely with the wintering partners, as was formerly done. His principal complaint related to the trans-action of 1863.<sup>183</sup>

May 27. The greater part of the day spent in receiving visitors who came to say Goodbye. Sir A. Galt came two or three times, and ended

<sup>174</sup> The "Club" has not been identified.

<sup>175</sup> Hon. J.W. Ritchie, 1808-1890, Nova Scotian politician, member of Senate of Canada, 1867-1870; before going to the Bench of Nova Scotia.

<sup>176</sup> J. Swanston, retired as Chief Factor in 1858.

<sup>177</sup> George Barnston, circa 1798-1883; fur trade with Hudson's Bay Company, and Chief Factor, retired to Montreal.

<sup>178</sup> Probably Joseph Fortescue, Chief Factor.

<sup>179</sup> Probably William H. Watt, Chief Trader at that date.

<sup>180</sup> Ogilvy has not been identified.

<sup>181</sup> The Andersons were so numerous in the Company's service there can be no certainty as to which one this was; perhaps William Anderson, Chief Trader, or Alexander Caulfield Anderson, Chief Trader.

<sup>182</sup> Lieutenant (eventually Major-General Sir) Redvers Henry Buller, 1839-1908, later unhappily famous as the defender of Ladysmith in South Africa.

<sup>183</sup> The sale of the Hudson's Bay Company to the International Finance Society.

by accompanying us to Quebec. He at first told me that he felt much inclined to accept my proposal, but must consult Sir G. Cartier before deciding. I told him I had already done so and showed him a copy of my letter and Sir George's telegraphic reply. He afterwards came back, saying that if he were to go he thought he ought to be present at the meeting of the Northern Council, when he would have an opportunity of seeing some of our officers from the distant districts. I said that as the Council was to take place immediately I did not see how this could be managed, as I had no authority from the Board to make any proposal to him, and I must consult them. He said, he thought that in that case he had better put off the journey till next year. I said that would be to lose most valuable and important time, and I proposed to telegraph to the Board on the subject, but we found it would be impossible for me to get an answer, and I could hardly have given a sufficient explanation by telegraph. I observed that I could not take on me to authorize the expenditure of the money; to which he quickly replied, "Oh, if that's all, don't think of the money. I am quite indifferent about that." I sent for Donald Smith, who seemed to approve the idea of Galt's going, and who mentioned to me that, at dinner last night, Mr. Hopkins passed a note to Hugh Allan, "Shall I propose the establishment of a board of Co-directors, yourself, myself, and Sir A. Galt?" on which Mr. Allan had put a decided negative. I asked D. Smith to come down to Quebec with us and talk the matter over. We left the St. Lawrence Hall about 6.30 and drove down to the Quebec Steamer, where we met Mr. Macpherson, Mr. Brydges, M. & Mlle. Cavillier,<sup>184</sup> Mr. Hopkins, and others who had come to see us off. Sir A. Galt and D. Smith made their appearance, I introduced them to each other and we sat together pretty late drawing up memoranda on the subject of the trip. Smith left us at Sorel, and took the return boat to Montreal. Galt remained till the next morning, and came on board the Scandinavian to see us off. Fine Northern Lights.

May 28. Up about 5, wrote final letter to Galt. Reached Quebec at 6 but did not breakfast till 7.30. After breakfast H. & I ran tip to the Terrace but the haze prevented our seeing any distant view. Went on board 'Scandinavian' about 9.30, and did what we could to pack ourselves in our small berths. Received telegram from D. Smith asking for final instructions, and wrote to him to prevent misunderstanding.

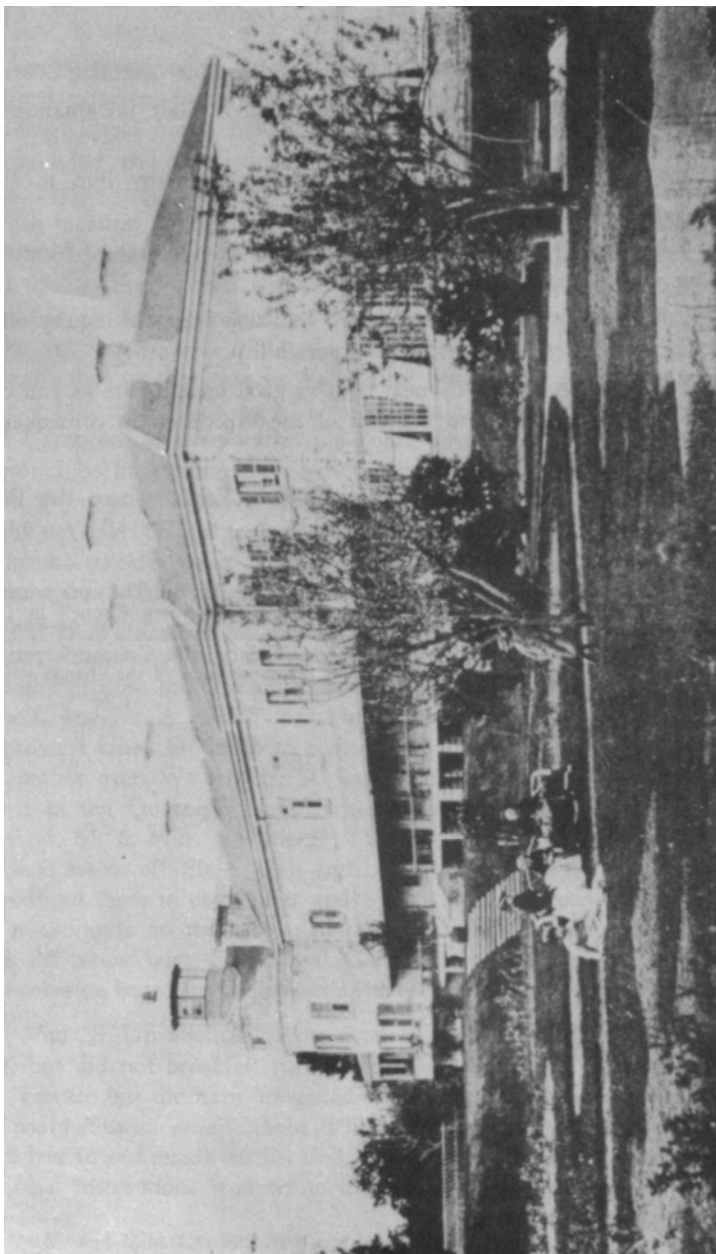
<sup>184</sup> M. and Mlle. Cavillier have not been otherwise identified.

## NORTHCOTE'S DIARY

1. You are to go to Norway House and preside over the Council.
2. You will provide accommodation for Sir A. Galt, his amanuensis and his servant.
3. Unless otherwise directed, you will accompany him to Fort Garry and the Saskatchewan &c.
4. You will request Mr. D. Mactavish to take charge at Montreal during your absence.
5. You will understand that Sir A.'s mission is one of inquiry only, and that he has no authority or responsibility.
6. You will send me by next mail as good an estimate as you can of the probable addition to the cost of the expedition in consequence of Sir A. G.'s going.

Gave my letter to be posted at Father Point, where the Pilot leaves.<sup>185</sup>

<sup>185</sup> The Diary ends here. Galt did not undertake the mission. The work proposed fell to Smith to do, who was made President of the Northern Council in 1870 and Chief Commissioner of the Hudson's Bay Company in Canada in 1871. Thus the Manitoba Act made possible the peaceful ending of the Company's part in the transfer of Rupert's Land to Canada, and the supervision of the change within the Company fell to Smith.



Courtesy of Public Archives of Canada  
RIDEAU HALL

## VI.

### **The Journal Of Rev. N.-J. Ritchot March 24 To May 28, 1870<sup>1</sup>**

*The journey of the delegates from Red River to Ottawa, and the negotiations between them and the representatives of the Canadian government, Sir John A. Macdonald and Sir George-Etienne Cartier, are told by one of the delegates in Ritchot's Journal. Ritchot, bearded, burly, bland with a touch of cunning, was in fact the outstanding delegate of the three; Alfred Scott was a mere symbol and was largely ignored; Judge Black was of course respected and influential, but was in fundamental agreement with the Canadian ministers. On Ritchot, then, fell the burden of the negotiations of all that was of peculiar concern to the French, the land grants to the métis, the use of French, the school system, the status of Red River and the North West as a province or a territory. He had the vexed question of an amnesty to deal with;*

<sup>1</sup> The following text is a translation by the editor of a typescript made from the original in the archives of the presbytery of Saint-Norbert, Manitoba, of a diary kept by Rev. N. J. Ritchot of his journey to Crow and the negotiations that led to the Manitoba Bill. The document also contains his comments on the draft of the Bill. The original no longer exists, as it was destroyed by fire when the presbytery burned. Professor C. F. C. Stanley, Head of the Department of History in the Royal Military College, had fortunately been allowed to photograph the copy before its destruction and it is through his courtesy that the following translation appears in this volume. Professor Stanley has already published with his editorial comments the original French text as it has survived in the issue of *La Revue d'Histoire de l'Amérique Française*, March, 1964. The blanks were the result of Ritchot's very difficult script. The man himself, insistent, precise, devoted to the cause of the people he had adopted, comes through very clearly, it makes it evident that here, as much as anybody, was one of the makers of the original Manitoba and the account adds greatly to the depth of content and clarity of outline in our knowledge of the negotiations in Ottawa.



*as his journal shows, he thought he had dealt with it successfully. No other document reveals more clearly the fundamental reason for the creation of the province of Manitoba, that it was to be an area in which French as well as English would have roots in the land and a voice, in their own language, in the conduct of government. And Ritchot, like Taché, turned at once to search in Quebec for French Canadians who would give to the French element in Manitoba the leadership that Rid had begun to give, and had in fact forfeited - accordingly, we see the names of Dubec and Champagne at the end of the journal.*

### JOURNAL

"Left Red River. On March 24, 1870. Colonel de Salaberry and I, at out from Pointe Coupée,<sup>2</sup> in St. Norbert parish, fifteen miles from Fort Garry. Mr. Scott, one of the delegates, came to join us at that place early in the morning; at the same time Mr. Black set out from Fort Garry to overtake us on the way. We reached Pembina on the 25th in the evening at about nine o'clock and put up at the house of Mr. Joseph Rolette, Sr.<sup>3</sup> After the routine formalities with the customs on the following morning we set out to cross the prairie; it was Saturday, March 26. On Monday Mr. Black caught up with us and together we caught up with Mr. Provencher<sup>4</sup> at a place which is called Grand Forks. We continued on our way to arrive at Georgetown on Thursday towards noon. Mr. Provencher had remained behind a half-day's journey. We went on the rest of the day without progressing very much, we covered only ten miles, the trails were frightful.

April 1,<sup>5</sup> Friday, we were on our way again at 3 o'clock in the morning in order to reach Fort Abercrombie the same day, where in fact we arrived towards nine o'clock in the evening after having changed horses in the middle of the day's journey. Mr. Black and Colonel [sic] Bouillon, who accompanied him, remained about ten miles behind because of the fatigue that the trip caused him.

<sup>2</sup> Near the present Ste.-Agathe.

<sup>3</sup> Joseph Rolette, Sr., the famous French Canadian Minnesotan, who came from Prairie du Chien to reside at Pembina and to represent Pembina County in the Minnesota Legislature. His son Joseph was customs collector at Pembina.

<sup>4</sup> See page 27 above.

<sup>5</sup> There is no indication of the passage of March 30 to 31, but clearly these were spent in traversing the greater part of the miles between Georgetown and Fort Abercrombie, near the present Grand Forks and Moorhead, respectively.

April 2, Saturday, we took the stage coach for St. Cloud, where we arrived Wednesday morning, April 6, after having travelled two whole nights, a part of other nights and the whole of each day. It was the first trip [of the season] on wheels and the trails were almost impracticable. At St. Cloud we scarcely had time to get on board the railway train which carried us to St. Paul, Minnesota, which we reached the same day at two o'clock in the afternoon. Thursday, the 7th, at eight o'clock in the morning, we took the train by way of Buffalo, Rome, and Ogdensburg, New York, where we arrived, Monday, the 11th, at one o'clock in the afternoon.

At the station at Ogdensburg we met Mr. McMicken,<sup>6</sup> who told us that he had been sent to meet us, by the government, to offer us the protection of his presence. We reached Ottawa at five o'clock p.m., and I was taken to the Episcopal Palace where I was received as guest by the Rev. Father Administrator<sup>7</sup> as guest with the respect owing to my character.

April 12, at two o'clock, I was introduced by Colonel de Salaberry to Sir George Cartier, Minister of Militia. That gentleman received us with a great deal of respect and politeness. He chatted rather a long time with us and told us that all our business would turn out well; that the members of the government would not pay attention to the outcries of a class of men who only sought to cause trouble for the government; that they regretted the execution of the said Scott in that it had given ground for the agitation which it had produced in men's minds, but that it would not be a reason that the government should not profit by the means of pacification which it found in the persons of the delegates of the North West, that they hoped that the agitation would calm down soon and that they could treat with us as soon as Mr. Black arrived. He begged me to come back on the morrow at the same hour to introduce Mr. Scott to him, the other delegate who had arrived with me. He begged me also to allow time for minds to calm down before beginning negotiations, while assuring me that the government was glad to see the delegates arrive, and that it was ready to listen to them and to do them justice in every particular,

<sup>6</sup> Gilbert McMicken, 1813-1811; stipendiary magistrate at Windsor during the Civil War; served as a member of the "Dominion Polite", until 1877.

<sup>7</sup> The Bishop, Monsignor Joseph E. Guigues, was of course in Rome at the Vatican Council. Ritchot means the respect owing to his character as delegate, which was in fact a point of controversy.

April 12, Tuesday, Colonel de Salaberry introduced me to the Secretary of State for the Provinces, Hon. Joseph Howe who was at his office. I told him that we could enter into discussions with the government as soon as Judge Black had arrived, and that I expected that gentleman on the 14th. Mr. Howe received me with politeness.

The evening of the same day, Tuesday, the 12th, there were rumors circulating that warrants for our arrest had been issued at Toronto. In fact, at ten o'clock that evening Mr. Scott was arrested and committed to gaol.

Next morning, Wednesday the 13th, I was told that I was to be arrested, as people were very excited. Some friends told me that the authorities very much wished me to give myself up to the police. I replied that having broken no law whatever, I would take no step without having received a legal order, that if however these friends thought I ought, to prevent a riot, betake myself to some place other than the Bishop's Palace I would gladly accompany these gentlemen wherever they wished to take me on pretext of going for a walk. Someone went to take my reply to the authorities, who replied that that was all right, and one o'clock p.m. Mr. Futvoye,<sup>8</sup> first secretary of Mr. Cartier [sic], Dr. Beaubien<sup>9</sup>, Rev. Mr. O'connor, D.D.<sup>10</sup>, and I myself made our way to the court house, where the warrant was served on me. The court was adjourned until two o'clock to take the affair under advisement. Judge Galt<sup>11</sup> before whom it was put, remanded it until the next day at one o'clock.

From the court we were taken to the police station. After certain formalities we were sent to our separate lodgings, but under guard of a policemen, and under instruction to appear on the morrow at one o'clock.

Thursday, the 14th, we were brought over before the judge who declared that the magistrate in Toronto having no jurisdiction over us, we ought to be set free. At once, in the courtroom itself, I was served with another warrant for arrest signed by an Ottawa magistrate, Mr. [no name].

<sup>8</sup> Major Georges Futvoye was Deputy-Minister of Militia.

<sup>9</sup> Dr. Beaubien has not been further identified.

<sup>10</sup> Rev. J. L. O'Connor was the Secretary of the Diocese.

<sup>11</sup> Judge Thomas Gait of the Court of Common Pleas of Ontario.

Arrested by this gentleman, Mr. Scott and I were led to the house where after having waited as long as nine o'clock in the evening and after a thousand difficulties we were entrusted to some policemen who conducted us each to our place of residence with orders to guard us until the next day at nine o'clock am. Our lawyer, Rev. Mr. O'Connor and other gentlemen of the city took every means to have our case put off until Monday; this they could obtain only twenty-four hours at a time.

The 18th, Monday, at nine o'clock a.m., we were conducted once more to the Court-house. Our case was adjourned until one o'clock p.m., at one o'clock p.m. it was put over until the next day at one o'clock p.m.

Tuesday, the 19th, it was put over until the 20th at nine o'clock a.m., then until one o'clock p.m. After the pleadings judge Gait replied that the question of jurisdiction being raised, the court had nothing to do in this case. The affair was referred to the police magistrate, to come up at three o'clock p.m. Adjourned until the next day Thursday, at three o'clock before Magistrate O'Gara.<sup>12</sup> Warnings, admitted to bail, and remanded until Saturday, at three o'clock, the 23rd.

On the 19th Mr. Dunkin<sup>13</sup> had come to meet me; he struck me as being very likable.

On the 20th, seeing that things kept on in the same condition I thought I ought to appeal to the Governor General by the address written out below.<sup>14</sup>

On the 22nd there was a visit by Sir George and an invitation to a semi-official interview with Sir [John] Macdonald and Sir George.

On the 23rd Saturday at eleven o'clock [I had] an audience at the home of Sir George Cartier.

Present [were] Sir John Macdonald and Sir George Cartier on one side, Mr. Black and Rev. Mr. Ritchot on the other.

<sup>12</sup> Magistrate O'Gara has not been further identified.

<sup>13</sup> Christopher Decide, M.P. for Drone, 1812-1881; in Parliament 1851-1871; Minister of Agriculture, 1869-1871; famous as a critic of the terms of Confederation; later member of the Superior Court of Quebec.

<sup>14</sup> This paper is not attached to the present document. It is quoted in Prud'homme, Ritchot, 93-95.

The whole conference was pretty well confined to asking questions or requests for information on the respective positions of the two parties. Our instructions were not asked for.<sup>15</sup> We were received with great courtesy. We were given to understand that we should be given a good government.

At three o'clock p.m. our friends, in the number of which were Dr. Beaubien, Dr. Paquette,<sup>16</sup> Rev. Mr. O'Connor, D.D., Rev. Mr. Talon,<sup>17</sup> core of the Seminary;<sup>18</sup> O'Connor,<sup>19</sup> the lawyer, came to look for me at the Bishop's Palace in order to go with me to the police court, where there were to appear she witnesses announced on the previous Thursday. Magistrate O'Gara was on the bench. The prosecuting lawyer announced that he would withdraw his case, having no proof against us. The magistrates declared that we were therefore at liberty.

On going out we found a crowd of French-Canadians at the door and a great many Irishmen, a very, great number of members of Parliament and the leading citizens of the city. All congratulated us, cheering and wishing to demonstrate. I requested them, and even begged them, to make no demonstration whatever, that in doing so they would give me pain. They yielded to my wishes and accompanied me to the Bishop's Palace.

April 24: Sunday a great number of calls.

April 25: Monday morning Mass with the Rev. Sisters of Charity. All the good Sisters, as well as their pupils, were keeping vigil and praying for the success of our mission.

At ten o'clock a.m. we went, Judge Black and I, to Sir George Cartier's in order to meet with Sir John Macdonald, the prime minister. These gentlemen stated to us that it would be necessary for us to begin negotiation by explaining to them the Bill of Rights already in their possession, work of the Assembly of Twenty-four<sup>20</sup> sent by Hon. Wm. McDougall, then that of the Convention of Forty, then after all that we should compose a list we

<sup>15</sup> The instructions given the delegates by the Provisional Government.

<sup>16</sup> Dr. Paquette has not been further identified.

<sup>17</sup> Rev. Mr. Talon has not been further identified.

<sup>18</sup> The Ecclesiastical Seminary of Ottawa.

<sup>19</sup> O'Connor has not been further identified.

<sup>20</sup> That elected by the twenty-four parishes of Red River to meet on November 16, 1869; Begg. *Journal*, 58-59.

could finally present to them.<sup>21</sup> The whole appeared very pleasing indeed to Mr. Black, who found it all very good.

I had not said a word during the presentation of the plan for which I hadn't much taste. They had exchanged several words with my companion to which I had not paid much attention.

When I was questioned on the subject I replied to the gentlemen that having to deal with a matter I thought very important, I wished to deal with it very seriously, that in consequence I wished to employ methodical steps, of which the first was to define the position of each, to become familiar with the ground on which we stood.

I remarked to them that it was already two weeks since we had arrived and that we had not yet received an official word, that I by no means wished to speak of certain particular circumstances that had happened, but that apart from that I was far from being satisfied with the conduct observed towards us, that on my arriving for the first visit I had the honour to pay Sir George, he had told me that tempers were extremely aroused, that it would be good not to meet them head on, that the government was deeply embarrassed, that the Scott affair was doing harm, that however that should not prevent the ministry from bringing about a settlement. And that it would still be comparatively easy to settle the matter, provided that the leading difficulties were faced, that he [Sir George] gave me to understand that the government wished to find the means to give the initial reply in such a way as not to inflame tensions further. I then recalled to Sir George that I had then replied that I understood very well, and that I was ready so to do everything that would help the government provided that it was not harmful to the success of on, mission, and that we discuss then the means to take in order to succeed.

And I asked of Sir George if I had not understood him and whether until that day I had not acted accordingly. He replied to me, yea. I then said to him that I was reaching the end of my patience, that more than once I had been barely able to contain my indignation and that I wished there and then to say some things clearly and frankly, that in consequence I had to say that

<sup>21</sup> Canter and Macdonald were trying to conduct the negotiations, not with the delegates and Bill of Rights of the Provisional Government, but with those of the people of Red River.

we had nothing to do so long as we did not know where we stood officially.<sup>22</sup>

Sir [George] replied that we were officially recognized, since he himself had come to make me a visit in the name of all his colleagues, that to-day again they were delegates, Sir John and he, of the ministry sent to hear us. I replied to him that we were much honored at that, that in particular I thanked him very much but that I took the liberty to say to him that that did not show us in a favourable light before our constituents not in the eyes of the public who would have the right soon to demand an accounting of us, whatever might be the result of our mission. He told me that in Parliament Sir John had said that we were recognized and that we were going to be heard. All that is [tic] magnificent, but that does not put us on a proper footing. He promised then to reply to our request in writing.<sup>23</sup>

We say that a general amnesty is a condition *sine qua non* of any settlement. N.B. I had made our observations on the dispatch of troops.

The same day, the 25th, Monday, after we had been promised a formal reply by the evening, we began the discussions. Sir John told us that the government wished to make the territory a province later, that in the meanwhile it was necessary to nominate some men to organize matters. Mr. Black approved that; we object.<sup>24</sup> Sir John believes that in setting a period that would be practicable objections, resistance! He asks a year, then six months, then two months; the same objections on our part, except from Mr. Black.

Sir John then proposes a government partly elected, partly nominated by the [Ottawa] government.<sup>25</sup> That government could be composed of twenty-six members, of whom six would be nominated by the government and the others elected. We refuse. Mr. Black thinks that we ought to accept.

The ministers insist on the measure which we refuse in the name of the people and we give our reasons for it.

<sup>22</sup> This is the scene paraphrased in Prud'homme, Ritchot, 98-99. See page 50 above.

<sup>23</sup> Howe did this but extended recognition to them as delegates of the North-West, not of the Provisional Government; AASB, Howe to delegates, April 28, 1870.

<sup>24</sup> Ritchot has not mentioned that Scott was present, but uses "we" when speaking of his own opinions. Presumably the plural includes Scott. Scott is mentioned only twice in the entries made in Ottawa, a measure of his significance.

<sup>25</sup> A Crown Colony form of government then still in use in British Columbia.

After [prolonged?] discussion they come to accept a responsible government composed of two chambers.<sup>26</sup>

Sir George makes it understood that there would have to be several provinces its the North West. I made a pretence of not understanding. He often came back to the question. There was no talk of the sums of money to be allotted to the government.

Tuesday, April 26, at ten o'clock we were given in writing a reply to our demand for [recognition?]. We presented our request to enter anew on negotiations.

In view of the size of the province twenty thousand [dollars] a year were allowed; the interest of the sum of debt allowance, granted *per capita*.<sup>27</sup> We spoke of the school system. We spoke a little of the land question in general and particularly of property held at the present time. It was agreed to leave secure the lands held by Company title and to treat liberally those who were on ungranted lands. [Copyist's note. "A line scored through making allusion to lands granted by Selkirk contains some indecipherable words."]

A long discussion developed on the right of common," and was finished by freely granting all the lands occupied on which rights were exercised on the coming into force of the present agreement.

The nineteenth of our clauses was discussed.<sup>29</sup> Sir John and Sir George told us that the affair was not within their competence that they wish to treat only of affairs that concerned them, that that was a matter solely for the local government or for England. We told them that any arrangement would be useless with the arrangement embodied in that clause.

They told us that they would undertake to see the matter settled and that it was easy by such or such means that they indicated to us - provided that the matter is settled, it is all that matters to us. The discussion ended at half past five o'clock p.m.

<sup>26</sup> This is the precise moment at which the creation of a province was decided on.

<sup>27</sup> Ritchot's understanding of this matter, or his text, is confused.

<sup>28</sup> See Archer Martin, *Land Tenures of the Hudson's Bay Company*, 90-92.

<sup>29</sup> This was the clause in the Third and Fourth Bill of Rights that required that a general amnesty be granted.



Wednesday April 27. Wednesday at ten o'clock we met again at the house of Sir George. Sir John and Sir George were present. They presented us with a draft of a bill, which we discussed at length, then came the question of lands and the control of lands. The plight of the Company played a certain role here, the sale approved by England, the rights of the Indians, the survey, the works to be undertaken, etc. We maintain our rights in common with the other provinces.<sup>30</sup> Mr. Black finds it just that the Dominion should have control of the lands, he finds extravagant the pretensions of the inhabitants of the North West to claim the lands as theirs. I reply and prove that not only is it not extravagant but just and reasonable. Sir George supports me, Sir John is of the same opinion, but they reply that to reach a settlement it is necessary to make some concessions. After a long discussion on the subject, in which I had shown that making a settlement was not everything, but that it was also necessary to have it accepted, that as far as I was concerned I neither could no, wished to charge myself with getting accepted those offers made by the ministers and accepted by Mr. Black, that if that gentleman wished and could get them accepted by the people, I would accept them willingly. Mr. Black said frankly that he could not get those arrangements accepted.

Then the ministers asked us what we wished to do in the matter of lands. Reply, she control of those lands at requested in our instructions. Impossible, said the ministers.

We could by no means let go control of the lands at least unless we had compensation or conditions which for the population actually there would be the equivalent of the control of the lands of their province. Sir John and Sir George offered the following, that is to say:

[Marginal note by Ritchot] It is Tuesday the 26th that we dealt with this.

1. The free possession of all the lands or establishments on the lands of the Company (or lands to which the Indian title has been extinguished) for those who possess them by contract or connection with the Company and who have paid for them in whole or in part.
2. The same possession for those who have s contract or a connection with the Company, but who have not paid for them.

<sup>30</sup> How quickly the infant province learned to speak!

3. The same possession (gratis) for those who possess lands of the Company without having a contract or a connection with the Company ought to be granted to them - after some objection on the part of the ministers: they agree to that third clause.

After prolonged discussion they grant the same possession gratis to all settlers possessing lands outside the lands of the Company.<sup>31</sup>

After having explained the reasons at length we obtain rather easily the right of common.<sup>32</sup>

After the exposition of these conditions that we accept a long debate arises on the rights of the métis. (End of the account of the 26th).<sup>33</sup>

The ministers make the observation that the settlers of the North West claiming and having obtained a form of government fitting for civilized men ought not to claim also the privileges granted to all. They do not claim them, they wish to be treated like the settlers of other provinces, and it is reasonable. But there are some expenditures to be made for roads and improvements, for the Indian title to be bought out, for the lands to be surveyed, etc. etc. The Dominion has only to pay for and has nothing to hope from the North West. That makes no difference in principle. It will draw off our revenues, let it pay our expenses. It ought to take us for better or for worse.<sup>34</sup>

From another side the settlers of the North West in asking a form of government similar to those of the provinces of other subjects of Her Majesty do not propose by that to deprive of their rights any one among them who possesses rights either personal or national, and because these settlers wish to be treated like other subjects of Her Majesty does it follow that those among them who have a right as descendants of Indians should be obliged to lose those rights. I don't believe it; thus in asking control of the lands of their province, they have no intention of causing the loss of the rights that the métis of the North West have as descendants of Indians. They wish only to have

<sup>31</sup> Presumably outside the limits of the Selkirk grant of 1817 of two miles on each side, along the Red and Assiniboia River.

<sup>32</sup> That is, title to the lands of the "hay privilege" behind the river lots.

<sup>33</sup> The preceding four paragraphs seem to have been a later insertion made after the first writing up of the events.

<sup>34</sup> The diary in these pages seems almost to repeat the actual discussion.

the rights common to the other provinces of Confederation, and to my mind nothing is more just, and I repeat that we cannot yield those rights without compensation, as said above.

The ministers persisted in claiming control of the lands and offered one hundred thousand acres of land to be bestowed on the children of the métis. Impossible to accept that. But after we reflect seriously on it we could perhaps yield control of the lands of the province on the following conditions, that is to say:

1. All the settlers at present established in the country, men and women, could take where they would in a single parcel or in several each 200 acres of land and have them *gratis*.
2. Each of their children, born or to be born, and each of their descendants beginning from a fixed date as far as to the year, a period which will be fixed at not less than [indecipherable] will have also the right to have each 200 acres of land, being of the age of sixteen years (with a safeguarding law to keep the land in the family.)

The ministers offered 150,000 acres, 200,000 acres to be divided among heads of families to be hold for their children. Mr. Black found that vary reasonable, we refuse, then we withdraw. It is five o'clock. We are to return next day at ten o'clock a.m.

April 28, Thursday, at ten o'clock we presented ourselves at Sir George's house. Sir John came there also. We were given a draft of a printed bill. We began to examine it, but Sir John was indisposed. We put off the examination until next day, Friday, April 29.

On Wednesday Sir George had had the courtesy to invite us to dinner with him on 28th; he repeated his invitation for the evening at six o'clock, saying that he would have some friends from Montreal. We accepted and at six o'clock we had the pleasure of dining with Mr. and Mrs. [Cartier].

April 29, Friday, at ten o'clock at Sir George's home for the examination of the bill. Sir John was not there, he was indisposed. I presented my list of replies to Sir George. We discussed it. Then came the question of the lands. Sir George asked what I wished or what we wished in order to settle the matter. The same thing as yesterday in

fixing the period in which would end the right of the children to be born at not less than fifty or seventy-five years. Mr. Black found that too much. Discussion of the subject. How many acres of land now would you wish that one might chose where one wishes? - I had said to Mr. Black while coming 3,000,000 acres for the children. Impossible, but in order to come to a settlement we tried to agree on one million five hundred thousand (1,500,000 acres). Long discussion on the quantity and on the manner of division. Sir George ventured to take it on himself to propose to his colleagues to grant 1,000,000 acres, but not more and it is a good deal. We stood the matter over until the next day.

April 30, Saturday, at ten o'clock at Sir George's. Sir John was not there. We talked over certain points. I recalled to Sir George the promise of the amnesty. Reply in the same sense.

May I, Sunday. Visit of Mr. Chauveau<sup>15</sup> and of several members of Parliament. High Mass at the Cathedral.

May 2, Monday, at ten o'clock at Sir George's. Sir George and Sir John were present. Examination and discussion of the draft bill; land question. The ministers offered 1,200,000 acres of land to be distributed among the children of the métis. We discuss anew the form or manner of distributing the lands. We continued to claim 1,500,000 acres and we agreed on the mode of distribution as follows, that is so say: The land will be chosen throughout the province by each lot and in several different lots {sic} and in various places, if it is judged to be proper by the local legislature which ought itself to distribute these parcels of lands to heads of families in proportion to the number of children existing at the time of the distribution; that these lands should then be distributed among the children by their parents or guardians, always under the supervision of the above mentioned local legislature which could pass laws to ensure the continuance of these lands in the métis families.<sup>36</sup> The clause itself should follow.

That evening Sir John revealed in Parliament the tenor of the Bill and explained it.

<sup>35</sup> See above p. 95.

<sup>36</sup> This of course was never done and the good priest's hope of anchoring the métis on land perpetually theirs was not realized.

May 3, Thursday, Sir George sent for us to ask us if we had any objection to allowing the settlers of Portage to come into the province of Manitoba. We replied no, that it was necessary to remark that it was not the same thing for the expenditures of a small province, that it would be necessary to increase the grants and the amount of land, etc.

He told us that they would look after it.

At half past two p.m., I was introduced to Sir Stafford Northcote who was staying at the Russell Hotel and who had requested through Mr. Black that he might meet me, as he wished, cry much to see me and speak with me.<sup>37</sup> As we had no business to settle between a the gentleman wished only to explain to me the reasons that had led the Hudson's Bay Company to follow the line of conduct it had during the business of the transfer.

It had never had any intention of depriving the settlers of their rights. If it had neither consulted nor warned the settlers of the country, it was because the members of the Crown (he named some of them to me) said that the Company had nothing to do with the settlers of the country on the subject of the transfer, that it was the Crown cod Canada only that were to handle the matter. The Company wished to have the friendship of the settlers and to defend their interests. He regretted the trouble that the transfer had caused; he [indecipherable -spoke?] in the name of the Company with reference to [*auprés des*] the inhabitants of the country, then he told me that the Company will be happy to work for the prosperity of the people of these regions; he wished the new government so pass severe laws against the introduction of spiritous liquors into the country, especially among the Indians; he said that the Company will do everything in its power to prevent strong drink being distributed among the Indians. He asks us to keep in touch with him, he says that he can help its in England. He gave me his address and asked to write him often and in detail about the affairs of the North West, He told me that there was surprise in London at the [high quality of the] debates among the settlers.

At four o'clock we presented ourselves to His Excellency the Governor General who had invited us to go to see him at the suggestion of Sir George Cartier.

<sup>37</sup> See p. 101 above.

His Excellency received us very graciously. He introduced Sir Clinton Murdoch' as having been sent by the Crown to help settle the affairs of the North West with us if we could not reach an understanding with the government of Canada, but that he hoped and even felt assured that we would settle the matter without their intervention.

The audience lasted a long time. His Excellency, as well as Sir Clinton Murdoch, sought information on the country and its settlers; then there were comments about the troubles, about the clergy's role in the movement and without going into any detail one circumstance allowed me to say to His Excellency that the clergy had stayed in their proper place in that as in all things and that it was not to play the humbug that we left everything that we held most dear to sacrifice ourselves in new countries. I remarked to him at the same time that we did not create the principles that bound consciences, but that we guided ourselves and guided others according to established principles, that we had no right to alter to suit our taste and that it was supported by the principles of law that we in particular (for we alone had been by circumstances in the midst of the people at the first disturbances) had been obliged to content ourselves to make such observations as prudence alone could dictate. And I take the liberty to ask of your Excellency whether we ought, or even could, have done otherwise when we had before us no document that obliged the people to submit to the said \V, McDougall, And in fact, I should like to ask Your Excellency, could we of our own will or authority oblige in conscience the people to submit to Mr. W, McDougall when we had no knowledge of the mission of that gentleman than reports in the paper?" His Excellency appeared to be very embarrassed. He began to laugh and said that the McDougall affair was over, and there was no more need to speak of it. His Excellency said that he well understood that the people had never had any intention of revolting against the Crown, but against McDougall, and he began to laugh.

He asked me if I had ever had knowledge of the proclamation that was based on the telegram of Lord Granville and in which he had said that neither he the Governor no, the government of Canada wished to mislead the people of the North West, that on the contrary they would always be

<sup>38</sup> See p. 59 above.

<sup>39</sup> Ritchot, as always when carried away, relapses into the historic present.

ready to hear their complaints and to do them justice. I told him that I had known of the telegram and of the proclamation, but that I could not recall the wording of the said proclamation.

His Excellency told me that in the said proclamation he, the Governor General, promised in the name of Her Majesty that no one of those who had taken part in that unfortunate violation of the laws would be troubled, that in effect there would be a general proclamation of amnesty, that Her Majesty asked nothing more than to reestablish peace in the Dominions, that Sir Clinton Murdoch, special representative of Her Majesty to help settle the difficult question, knew fully the intention of Her Majesty on that subject.

Then Sir Clinton Murdoch told us that Her Majesty's government desired only one thing, which was to re-establish peace and to pass the sponge over all the facts and illegal acts which had taken place in the North West and its territories.

We remarked so him once more that we had nothing in writing on a subject so important and that it seemed necessary to have it. He replied to roe that at a time when one dealt with men such as those before whom we were, it was not necessary so dot all the i's, that they must have a certain latitude, that it would he more advantageous for us to have it so, etc.<sup>40</sup>

I thought I should have to yield to these observations, but I observed the people would not be satisfied without having some assurances on this subject.

His Excellency told me that everything would go well, that the settlers of the North West could be reassured, that no one would be troubled.

May 4, Wednesday. Sir George asked us how we had found our interview with the Governor and Sir Clinton Murdoch. We told him that we were well enough satisfied. Sir George told us then that the government wished to treat us like spoiled children and to grant us much more than all the other provinces, etc. We continued to discuss the Bill on the land question, and nothing new arose.

<sup>40</sup> Here we have Ritchot own account end understanding at the famous scene in which he was undoubtedly led to believe that a general amnesty would be forthcoming, but was not formally pledged it in writing.

May 5, Thursday, the Bill appeared very much modified. Several clauses displeased me fundamentally. I saw our colleagues and some friends. We saw Sir George and Sir John; we complained to them. They declared that in practice it amounted to the same thing. For us they promised that they would give us by order in council, before our departure, assurance of the carrying out of our verbal understandings; but that for the present it would be impossible to get the Bill passed if one changed its form, that they would have a bad enough time to get it passed just as is was, that in any case we had nothing to fear, our verbal agreements were known and approved by the ministry who had promised to give us the order in council for the execution of our understandings.

The two ministers seeing that we were strongly opposed promised us, among other things, to authorize by order in council the persons we would choose to name ourselves as soon as might be after the Bill should be passed - to form a committee charged with choosing and dividing, as may seem good to them, the 1,400,000 acres of land promised. I promised for my part in take the matter into consideration and to yield to their desire, if I could convince myself that I could do it. I saw several friends afterwards who assured me that that would not only be well, but even better. Concerning a great number of comments on my part they said that in all events the Bill as edited was advantageous for us, that it was necessary to strive to get it passed.

May 6, Friday. After a more intense scrutiny of the Bill we went anew to see the ministers, Sir John and Sir George. We discussed once more the land question, among ether details the fourth of the lands, designated as outside the lands of the company. They told us that these lands not being theirs and that the Indian title not being extinguished, they could not dispose of them, but the governor in council could and would arrange a matters in such a manner that the existing proprietors would get them for nothing.

The government gave 1,400,000 acres for nothing, how could they not dispose of those lands? On another side the children of the same settlers would have free land grants and the parents who had cleared and held them for a long time could not have them on the same conditions? Precisely for that reason the government cannot do other than give them freely and will give them. It is already settled -



and we will be given all the desired guarantees before our departure. It is impossible to get the Bill passed, if it is changed in this respect.<sup>41</sup>

Seeing that it is impossible to obtain what we ask, we content ourselves with remarking that it would only be in accord with the conditions that we made between us, and which we mutually accept, that we can take it upon ourselves to get them adopted by our people, that without that it would be impossible to see the matter through.

We know that England and Canada can destroy our population, but it is not a question of that. It is a matter of settling affairs peacefully and we can do that.

May 7. Saturday. Nothing out of the way. Our Bill was discussed in Parliament. We spoke of enlarging our province as far as 93° East. That is to say, so as to enclose Rainy Lake in the province of Manitoba.

Visit of Hon. Louis Archambault,<sup>42</sup> Ross<sup>43</sup> and Brousseau<sup>44</sup>. The last said that he had written to Quebec that we were not opposed to the dispatch of the troops. I told him that I had never said anything on that question, seeing that it did not relate to our mission, that besides the government not having invited us (and for good reason) to touch on that subject, we had had no reason to take any responsibility whatever on the issue in approving or disapproving it, that for my part I did not wish to say anything on the matter while our Bill had not been sanctioned, and our other affairs had not been settled, that then only would I see what I might have to do and say on the subject of the troops, that in the meanwhile I could not approve of Mr. Brousseau when he had taken it on himself to say that we were asking for troops.

May 8, Sunday. Nothing out of the way. Vespers at Hull. Supper at the home of Mr. L.R.<sup>45</sup>

<sup>41</sup> This passage illustrates how intense was the conflict between the fears of squatters in Red River and the hopes of incoming settlers from Canada, the conflict that was perhaps the fundamental issue of the Red River Resistance.

<sup>42</sup> Hon. Louis Archambault, M.P. for L'Assomption, birthplace of Ritchot, and Commissioner for Agriculture and Public Works in Quebec.

<sup>43</sup> Hon. John J. Ross, M.P. for Champlain and Member of Legislative Council for Quebec.

<sup>44</sup> Jean D. Brousseau, M.P. for Portneuf.

<sup>45</sup> Not identified.

May 9, Monday. Visit of Mr. [indecipherable) sheriff of Ottawa,<sup>46</sup> and of Mr. Doust,<sup>47</sup> Mr. Scott and I went to the home of Sir George to ask him to explain certain words of the Bill, among others of these words, clause 27, residents with domicile - *tenant feu et lieu*. He told us that included all the métis who were winterers or tripmen who had not left the country to establish themselves in another; but who passing a great part of their lives on trips or in wintering, regarded the Red River Settlement as their home. The government knew that part of the métis are nomads, and it considers them to be settlers of the province of Manitoba.

May 10. Tuesday. I saw several Members of Parliament. They have no doubt the Bill will pass almost with unanimity among the French Canadians members.

I sought opinion on the extent of the province. I was advised to say nothing. Besides it was not prudent to touch the basis of the Bill. That could provoke other amendments prejudicial to our Bill.

At three o'clock p.m. I went to the House, the debate was warm. Speeches by Hon. Mr. Fortier,<sup>48</sup> Mr. Bellerose,<sup>49</sup> and Mr. Bechard.<sup>50</sup> In the evening, the Bill is hotly discussed by the Torontonians. All the amendments are rejected by a vote of three or four to one. At midnight it passed third reading. Everybody is pleased with the Bill, except the Toronto hotheads, such as McDougall, McKenny,<sup>51</sup> etc.

After the third reading of the Bill comes the question of the Expedition. There were several speeches in opposition to the expedition. Mr. Dufresne, Montcalm,<sup>52</sup> brought before the House the expense and danger of such an expedition. He see the House at the moment of the negotiations among the Company, England and Canada and asked what Canada would have done if one had told it then that it would have to pay for an expedition to got the country. He did not believe the House would have agreed to acquire the country at that price.

<sup>46</sup> Not identified.

<sup>47</sup> Not identified, unless J. B. Daoust, M.P. for Two Mountains.

<sup>48</sup> Moise Fortier, M.P. for Yamaska.

<sup>49</sup> Joseph H. Bellerose, M.P. for Laval.

<sup>50</sup> François Bechard, M.P. for Iberville.

<sup>51</sup> There was no member of the Senate or House of Commons of this name: Ritchot is in error.

<sup>52</sup> Joseph Dufresne, M.P. for Montcalm.

## 150 MANITOBA: THE BIRTH OF A PROVINCE

What if England were wounded in her rights or her honour she could without help from Canada settle the matter or make herself respected. As for himself, he would be against the government if the government should wish to charge itself with that expedition.

Hon. Mr. Masson from Soulanges,<sup>53</sup> said very much the same thing and said that 1,000 men were both too much and not enough, too many for peace and not enough for war. On the other hand the expenses will increase by at least two or three million a year.

Another member asked if the troops would be enlisted by compulsion or freely.

Sir George replied to the three members by explaining the government's intention in the matter. The subject was referred to a committee and the House adjourned.

May 11, Wednesday, by ten o'clock I had been to see Sir George in order to convey to him certain special matters. Sir John is very ill. Interview with Colonel de Salaberry. Conversation with Mr. Black. Sir George told me that Dr. Schultz had told him that he very much wished to see me; Sir George asked me to make a point of seeing him. I have no objection to seeing him, on the contrary I should be very glad to see him. And as I propose to go to Montreal shortly I shall see him to-day.

Our interview was very satisfactory. The doctor [Schultz] seemed to me to have a despondent air- He made some attempts to appear gay; then he became serious. He asked me 1. Whether, at the time of his arrest,<sup>54</sup> I had encouraged the métis or whether I had wanted to stop them. 2. If I had been glad to see him in prison. - [I replied:] You must have had some reasons for your manner of seeing things, of acting, as you did then, as I had also to censure myself a line of conduct supported by some principles, and then I had to act accordingly. But it is not the time to-day to say what I did then, nor what I thought, nor what I have experienced, etc. It would serve no purpose to-day to say that I gave such and such advice. It is a matter of which there is no more need to speak. Those were exceptional events in which

<sup>53</sup> L. F. R. Masson, 1833-1903. M.P. for Terrebonne; friend of Riel; editor of *La Bourgeois Le Compagnie du Nord-Ouest*, I-II (Quebec, 1889-1892).

<sup>54</sup> By Riel on December 7, 1869.

it is not easy to demand an account of each, etc. He appeared to understand what I was saying to him.

May 11, 1870, at five o'clock p.m. I received letters from Riel and Bruce, Riel, April 17, 1870.<sup>55</sup> Letter of instruction: Bruce, April 8, 1870, private letter.

May 12, Thursday. It rained. Prorogation of Parliament. Interview with Mr. Black.

May 13, Friday. Left at half past six for Montreal. Arrived at Montreal by steamboat at 5 o'clock. On the boat met Mr. Papineau, *avocat*,<sup>56</sup> and a great number of members of both Houses of Parliament  
Saturday visited at the house of [indecipherable]. Left for Assomption at three o'clock, arrived at half past eight. Pleasant reception by Captain Roi.<sup>57</sup> Meeting with Dr. LeBlanc.<sup>58</sup> Interview with Mr. Prud'homme,<sup>59</sup> Notary Public.

May 15, Sunday, High Mass. Then to my parents' home. At eleven o'clock p.m. to the College.

May 16. Monday left Assomption at seven o'clock; arrived at Montreal at eleven. Dined with the Rev. Grey Sisters, meeting with Rev. Hentenbergh.<sup>60</sup> Then to the Bishop's Palace. It rained. Interview with Mr. Prud'homme and Mr. Dubuc,<sup>61</sup> *avocat*, and with Mr. Charland.<sup>62</sup> The last recommended to me his brother, Arthur Charland, *avocat*, He is a good young fellow, but in need of being guided. He is going with the Red River Expedition. Mr. Pine Ryan, optical employed in the office of Mr. Chevrier<sup>63</sup> of Montreal offered himself for Red River (Mr. Plamadon).<sup>64</sup>

May 17. Tuesday left Montreal for Ottawa at half past eight am., arrived at Ottawa at five o'clock p.m. Passage \$4.75 - by boat \$3.50 and \$4.00 with dinner.

<sup>55</sup> Archives of St. Boniface, Rid to Ritchot, April 17; see Begg, *Journal*, 136: Bruce was John Bruce, first and figurehead leader of the Provisional Government.

<sup>56</sup> This Papineau cannot be identified.

<sup>57</sup> Unidentified.

<sup>58</sup> Unidentified.

<sup>59</sup> Was this the father of L. A. Prudhomme?

<sup>60</sup> Unidentified.

<sup>61</sup> Was this Dubuc father of Joseph Dubuc, later Sir Joseph Dubuc of Manitoba?

<sup>62</sup> Unidentified.

<sup>63</sup> Not otherwise identified.

<sup>64</sup> This reference cannot be explained.

From Mr. Pare two chandeliers (12 [dollars] crosses (8 dollars).

May 17. Tuesday evening to dine at seven oclock as the home of Sir [George Carrier; see below]. Present were Hon. Macdonell<sup>65</sup> and Langevin,<sup>66</sup> and the adjutant Ross.<sup>67</sup>

The talk was of the affairs of the country - of the métis. They have only what civilization they have acquired from Christianity, understanding, as they do, the mere rudiments of the faith, that consists of rendering to each what belongs to him, in not doing to others, etc. etc.

They are clever travellers, they know the use of arms, they are skilled horsemen, etc.

Policy of the clergy, their conduct in the troubles; conduct of Father Lestanc - Smith - his report.

My conduct in the aff

airs of last winter. It is to be approved and was approved, seeing there was no law to oblige one to take another course.

Sir George took advantage with pleasure of the presence of his colleagues and friends to compliment me on the prudent, wise and independent conduct that I had pursued he thanked me and said that he was very grateful - he said that he would recall for a long time the long and interesting interviews around his table - he had learned with interest a multitude of things that are not known in other countries. He made me recount a host of things I had explained to him before, etc.

The adjutant would be glad to see the French Canadian métis come in great numbers to meet the troops and serve them as guides. Riel and the others need not be disquieted.

Our affairs will be settled, said Sir George. I replied: they will settle themselves easily? - I find some difficulties - he admitted that and promised to work at it. He told us that we would see the Goernor General on the subject on May 19.

<sup>65</sup> Hon. Macdonell is a mystery. No one of that name, or a like appropriate name, can be found.

<sup>66</sup> See p. 89 above.

<sup>67</sup> See p. 95 above.

Before at six o'clock p.m. I had seen Mr. Black. He was to set out next day for Montreal with his sister. He had no more business with the governments. He had all he needed and even more. The amnesty, the land question, were none of his business. The convention had charged him with the business of the English métis and me with the French Canadians. He was pleased with me. Without me, he said, we should not have had the half of what we had. The people of Red River, English and French, as also Canada owed me a great deal, etc."

Miss Black" said the same thing; she thanked me a thousand times in the name of the settlers of Red River and wished me a thousand good wishes. She is very kind, and has always seen me with pleasure. She was pleased to make a comparison between our discussions that were so well bred with the debates of Parliament which were so controversial. She was happy to be able to say that she will long remember the generous effort that I have made for the people of Red River in general without distinction of origin or belief.

May 18, Wednesday, a letter to Mr. Cartier. The ladies beg me to give an evening to [indecipherable]. After consultation I can't yield to their request. Mr. Black left for Montreal.

Tuesday the 19th at half past ten o'clock at Sir George's. He comes back at 1 p.m. He has received my letter of comments, he is working to arrange things, and will continue at it. The hour set for going to see the Governor General is five o'clock. At a quarter past four Sir George Carrier pays me a visit and we set out to go to the Governor's residence (with Scott).

Residence of the Governor at Rideau, magnificent establishment. The Governor receives us very well. His Excellency says that there is nothing to fear for the settlers of Manitoba who have taken part in the movement of last autumn and winter, that Canada has no jurisdiction at Red River, that he is not yet Governor of that part of the British possessions, that when he will be, he will only make peace prevail, that the English troops have nothing to do before the establishment of the new governor and government, that then the new government will be obliged to follow the orders of His Excellency which are

<sup>68</sup> This is an unrecognized historical truth.

<sup>69</sup> The sister of Judge Black, not otherwise identified.

very favourable to the settlers of Manitoba, that the Imperial Government has shown in the telegram of Lord Granville on which he based his proclamation in which he said that those who have taken part in the movement will not be molested so long as they are willing to recognize British authority.

I made the observation to His Excellency that, as I had already said to him, the Manitobans had never resisted England, but that proclamation was only for the past, and other events had happened since that time; that as for me I very much wanted to believe all that His Excellency told me, but something more was needed to make the people understand.

We considered the land question, explaining to His Excellency our understanding on the subject. His Excellency put some questions to me and assured me on what Sir George had said, that the settlers would have their choice of land and that they would have it gratis. I had remarked to His Excellency that the settlers at Portage were on lands on which the Indian title was not extinguished [*affranchis*]. He authorized Sir George to give me in writing the promise made to me to put in practice what had been promised on the subject of lands. This paragraph is contained in the original text, paragraph 48.<sup>70</sup>

His Excellency told us that the Proclamation of December 8 is enough to assure us that a general amnesty is going to be proclaimed immediately, that it is not necessary to give another guarantee in writing. I remarked to him again that that proclamation was dated December 6. 1869, and it could happen that it would not be sufficient and not include events that had taken place since. His Excellency assured me that it would suffice, that, moreover, Her Majesty was going to proclaim a general amnesty immediately, that we could set out for Manitoba, that the amnesty would arrive before us.<sup>71</sup>

I told him this was impossible. His Excellency told me that in any event it would arrive before the lieutenant governor. That meantime he was going to give me assurance in writing the assurance that no one would be molested while awaiting the proclamation of the amnesty, that tomorrow he would send me the document. His Excellency told me that he was authorized to do

<sup>70</sup> The allusion is not understood.

<sup>71</sup> It must be accepted that Young, an honest man, believed what he said. Why the Imperial government failed to proclaim the amnesty remains a mystery.



so in virtue of a wholly special commission because at present he (the governor) had no jurisdiction over the North West, that the government of the Dominion had no jurisdiction in Manitoba.

The same day at nine o'clock received my travelling expenses.

May 20. I have written several telegrams. I have received a telegram from Mr. [indecipherable] of St. Paul.

I have written Mr. Black asking him for a lesser on the subject of our negotiation with the Canadian ministers.

Visit of Mr. Dunkin - he is glad to see that Riel had judged the government of Canada well. He thanks me for the telegram that I sent on the occasion of my arrest - he thanked me warmly for it.

May 21, Saturday. Mass at the Sisters of the Good Shepherd. It rained a little. I went to Sir George Carrier's - he was away.

May 22, Sunday. High Mass at the parish church. Dined with Mr. Taché.<sup>72</sup> Supper with Mr. Richer.<sup>73</sup> La famille Rivard.<sup>74</sup>

May 23, Monday at nine o'clock at Sir George's; he arranged an interview at noon at his office. At noon at Sir George's office, He had been working to answer my comments of the 18th, he showed me the jumble.

I talked with him again of the amnesty, of the route of the governor, of his lodging house, of his departure from Canada. The troops - anticipation of the troops. Du [indecipherable] at Red River. What had been distributed of the meaaagea will remain distributed; the rest ought to be put away. The effects of Schultz. How much does the G.P. [Gouvernement du Puissance - Dominion Government] owe to the Company? Arrival of Dubuc.<sup>75</sup>

May 24 Tuesday. the Queen's Birthday, Photograph. Sir George Cartier has me informed on behalf of His Excellency the Governor General that we

<sup>72</sup> J. C. Taché, brother of Bishop Taché .

<sup>73</sup> Mr. Richer is unidentified.

<sup>74</sup> Unidentified.

<sup>75</sup> Joseph, later Sir Joseph, Dubuc, a young lawyer, who with a law student, Charles Champagne, (see below), was to come to Red River as one of Bishop Taché's "carpet-baggers" to assist the French community in Manitoba.

should forward a petition to the Queen, that His Excellency would support it. That would be the best means of obtaining the amnesty immediately, I refused to do so at first and I ended by consenting because it is only a matter of form, I was told, that it was necessary to forward a document to Her Majesty and that the Governor was a little embarrassed at the thought of presenting it himself lest he should compromise himself.

May 25 Wednesday. Exchanged my money ([\$]500.00) for £100 sterling (Mr. Smith) £300 in paper for the gold.

Telegram to Monsignor Taché. The Fenians are giving some trouble. Departure of troops. Arrival of Mr. Champagne.

May 26, Thursday, interview with Sir George, [blank] and Mr. Taché on the subject of the petition. Changes and corrections.

I signed the petition which I sent in the name of my colleagues and in my own proper name. Receipt of Mr. Riel's letter.<sup>76</sup>

May 27 Friday. Interview with Sir George on the subject of the petition which he approves. He gave me the letter which he [had] promised me and which he had made out in the name of his colleagues and of the Governor General.

After [indecipherable]. I hand it back to him to get him to add some guarantees on the subject of the 31st clause of the Act regarding the choice and division of lands that were to be distributed to the children. He promised me to see to it.

In the evening Mr. [indecipherable] printer [?] came to see me in order to come to Red River. Mr. Lefebvre<sup>77</sup> came also in the evening. Arrival of Mgr. Pinsonneau.<sup>78</sup> Mr. Taché told me for Sir George that the petition is only a means of opening the negotiations to get the amnesty proclaimed, that if the government had not wished to support the petition he would not have drawn it up to get me to sign it, that in any case it is only a matter of form.

<sup>76</sup> This letter is unknown.

<sup>77</sup> Lefebvre is unidentified.

<sup>78</sup> Mgr. Pinsonneau is not listed as a member of the hierarchy of the church or of the clergy of the diocese of Ottawa. Perhaps Ritchot meant Mgr. Pierre-Adolphe Pinsonault, 1815-1883, Bishop of London, Ontario 1856-1866.

May 28, Saturday. Interview with Mr. Langevin. I talked to him of Beupré, introduced him to Messrs. Dubuc and Champagne, he complimented them and encouraged them. The young people are accepted.

The Fenians are withdrawing.

The fifty-six pages above make up the "Journal" that I kept during our negotiations at Ottawa. The whole is written by me except the first two pages which I dictated. I have left some blanks, thinking to add something, but not having done it, I have marked the blanks with a stroke of the pen. Pages twenty-nine and thirty have been torn in half by inadvertence, but that changes nothing in the sense as one can convince oneself by reading it.

(Signed) N. J. Ritchot, p.tre.

#### REMARKS ON TWENTY-SIX CLAUSES APRIL 28 AND 29, 1870

1. The name *Manitoba* would be quite appropriate, and it seems desirable that it should be adopted to designate the first province that is proposed to form in that part of the Territory watered by the Red River and its affluent.

The prospect of constituting a little province of the territory enclosed by the frontier line to the South and the 530 of North latitude, [50° 30' actually] and between the 96° of longitude to the East and of 98° 30' of longitude to the West, or thereabouts, that is to say enclosing Long Lake while passing the first homesteads of the English farmers of Portage la Prairie, enclosing a little part [indecipherable] of lakes Manitoba and Winnipeg, accompanied by the proposal to have the rest of Rupert's Land and the North West enter Confederation as a province [sic] does not appear to me to contradict the first clause of our instructions.

2. The new province would enter with the same rights and the same obligations as the other provinces, save for matters otherwise regulated by the constitutional act of annexation. That ought to be.

3. The representation in the Senate as proposed conforms with the wishes expressed let the second article of our instructions.

4. Equally conformable with the desires of the population of the North West (article 2) except that by article 8 of the instructions the electoral qualifications ought always to be for the local legislature (to determine)

5 to 14 being in accord with the set up of the other provinces are not subjects for discussion.

15. The qualification for voting gives to all subjects by birth or naturalization, being twenty-one years of age, owning a house and having resided a year in the province is in conformity with the wishes expressed in article 9 of our instructions, except that it should be three years of residence in place of one.

16, 17, 18 do not seem to me to call for remarks.

19. That clause being the same as that of the British North America Act, I interpret it so, as a fundamental principle the privilege of separate schools in full plentitude and, in that, is in conformity with article 7 of our instructions. It could be replaced to advantage by the following clause.

Any system of public instruction which may be adopted by the local legislature will have to rest upon the fundamental principle of Separate Schools or denominational education as at present existing in practice; each church being allowed the exclusive control over the schools of its denomination and the management of its educational affairs, provided always that two or more Protestant denominations may be allowed to unite if they think proper. The public moneys granted for the purposes of public instruction will have to be distributed between [sic] the different churches according to the number of children between the ages of 5 and 16 years.<sup>79</sup>

20. Seems just and appears to conform with article 3 of our instructions; but it would be preferable to receive a part of the capital for improvements.

21. The sum of \$20,000 is not sufficient; it would be impossible to start a government going with so thin a revenue, especially in view of the fact that in new countries one can hardly count on individual gifts or even on the co-operation of the settlers for education. etc. etc. One can even say the same for agriculture.

22. No matter for remarks, except for the fisheries which are a necessary source of subsistence for a part of the population.

<sup>79</sup> This clause is in English in the original, and to an interesting statement of Ritchot's thought on the matter of public education. It is really what French Roman Catholics sought in Confederation.

23. This clause is in conformity with article 16 of our instructions, and on the same basis for acceptance as 17 and 18.

24. This clause is in contradiction to article II of our instructions, is also a diminution of rights accorded other provinces, who possess their whole territory.

I find this clause which {indecipherable} the lands of the small province of M[anitoba] to the local government [indecipherable]. It is not the way the other provinces of Confederation are treated and it is far from the advantages offered to the little province of Prince Edward Island. The portion of the lands given to the province of M[anitoba] would form only a comparatively insignificant part of the lands of the North West to which would remain attached as property of Confederation the better parts of the soil in the valley of the [indecipherable]. I have already explained that a great part of the soil of Manitoba is not of great value and that large areas held in common are necessary to the maintenance of each group of the population and necessary to the exploitation of the territories of the North West as country of the hunt and the fur trade, a condition that will have to subsist for a great number of years to come for much the greater part of those vast regions.

First the reservation of occupied lands ought to extend not to individuals actually in possession but to all the public bodies which have [indecipherable] as far as the day and which have a right equal to that of individuals.

The unoccupied lands simply occupied in common ought to belong to the local government, as in the other provinces.

I see no reason to act otherwise, except to reserve the right of way and stations of railways, etc. "Right of way" and other lines of communication. The grant of lands in common to individuals and to public groups in each locality is an absolute necessity in view of the exceptional conditions of the country.<sup>80</sup>

<sup>80</sup> Ritchot is attempting to devise a land system suited to the combined intense use of lands in the homesteads and the extensive use of the plains which had been worked out in the fifty years of the Red River Settlement. Only the development of short season, drought resistant wheat and soil practices kept him from being entirely right.

25 and 26. I understand that the intention is to form later other provinces out of the territories outside Manitoba.

Sheet number 9 contains the following reference to sheet number 8 and comes after the paragraph. First the reservation of lands ...<sup>81</sup> Property in lands not guaranteed by the Company and those held beyond the lands under the jurisdiction of the Company ought to enjoy the same privileges.

#### GENERAL NOTE

1. I understand that the customs, usages, property and privileges established in the country are protected by the general law of Confederation, such as is asked in articles 5 and 30 of our instructions excepting the reservation of lands made by the Hudson's Bay Company, a reservation that could cause grave difficulties,

2. The matter of the Indian title being in the exclusive domain of the Confederation, the Province of Manitoba will not be called on to contribute (article 13) to these grants.

3. It is understood that steam communications will be established with the North West as soon as possible (article 34).

4. It is understood that the residence of the governor and the Parliament Buildings will be constructed at the expense of Canada (article 15) and that the furnishing of these buildings will also be at the expense of Canada.

5. It is necessary to settle the question raised by article 19 of our instructions.<sup>82</sup>

6. It would be necessary to provide for the maintenance of the same tariff during some years, as is asked in article 20.

The eleven preceding pages contain the comments of which I sent a copy to the minister at Ottawa in 1870 during our negotiations. These comments have been made on the 26 clauses of the first draft of the law for the establishment of our province. I have signed with my hand the three pages following which contains the twenty-six clauses. (These three pages printed as a Bill are pasted on as an appendix in the same notebook which contains the Diary and the Comments). [They were not copied.]

<sup>81</sup> The meaning of this passage is not clear.

<sup>82</sup> The question of damages and amnesty.

## **VII.**

### **Extracts From The Debates On The Manitoba Bill,<sup>1</sup> May 2 - May 9, 1870**

As rapidly as the negotiations proceeded between Macdonald and Cartier on the one hand, and Black, Ritchot and Scott, on the other, the various items of agreement were drafted as a Bill for submission to parliament. Once the delegates were received and negotiations under way, the essential matter was to reach such terms as would permit the military expedition that had been planned as a necessity since December, 1869, to proceed to Red River, as a peaceful and not as a punitive expedition. The Imperial government insisted on this. To send a punitive expedition would have driven the French as a body into opposition; to have sent none would have done the same to the English, and perhaps have encouraged American adventurers, or an Indian rising. To obtain acceptable terms, however, meant to grant Ritchot what he demanded, the use of the French language and confessional schools, guaranteed by a provincial constitution and a legislative council, together with land grants for the métis and half breeds. He also demanded an amnesty for all acts, but to grant this would have been to set Ontario aflame. The result was the compromise of a huge territory under the direct rule of a Canadian governor, and the small, self-governing province of Manitoba to include the only considerable area of settlement in the North West. The reaching of such a settlement, its embodiment in a Bill, and the passage of the Bill, were the measures necessary to complete the transfer of Rupert's Land to Canada, and to close the breach the Red River Resistance had caused in the new Confederation. These days of negotiation and parliamentary debate were the birth pangs of Manitoba, as they were days of testing of the Confederation compact.

<sup>1</sup>Dominion Debates, 1870, Vol. 1, 1287-1320.

May 2nd, 1870.

Hon. Sir JOHN A. MACDONALD - I rise, Sir, with the consent of the House, to submit the result of our deliberations for the framing of a constitution for the country heretofore known as Rupert's Land and the North West Territory.<sup>2</sup> In moving for leave to introduce this Bill, of which I have given notice, I may premise by stating that there has been a discussion going on as to whether we should have a Territory or a Province.<sup>3</sup> The answer we made on behalf of the Canadian Government was that such a thing as a Territory was not known to the British colonist system, that the expression was not recognized, that the expression was Colony or Province, and that we thought it would be better to adhere to the old and well known form of expression - well known to us as Colonists of the Empire and not bring a new description into our statute book.<sup>4</sup> It was not, of course, a matter of any serious importance whether the country was called a Province or a Territory. We have Provinces of all sizes, shapes and constitutions, there are very few Colonies with precisely the same constitution in all particulars, so that there could be anything determined by the use of the word. Then the next question discussed was the name of the Province. It was thought that was a matter of taste and should be considered with reference to euphony and with reference also as much as possible to the remembrance of the original inhabitants of that vast country. Fortunately the Indian languages of that section of the country give us a choice of euphonious names and it is considered proper that the Province which is to be organized, shall be called Manitoba.<sup>5</sup> The name Assiniboia, by which it has hitherto been called, is considered to be rather too long, involving confusion, too, between the river Assiniboine and the Province Assinibota. I suppose, therefore, there will be no objection to the name that has been

<sup>2</sup> Strictly speaking, no constitution, in the sense of a limited government, was given to the new North West Territory, and no attention at all was paid to eastern Rupert's Land, the area now northern Ontario and Quebec.

<sup>3</sup> Note the primacy Macdonald given to this issue; it had in fact become the key to a resolution of the Resistance.

<sup>4</sup> This a not wholly true - see the Proclamation of October 7, 1763 and it was merely used to cover the fact of concession, because the Bill Macdonald was introducing contained the tents "Territory."

<sup>5</sup> On origin of the name, Manitoba, see Begg, *Journal*, p. 136.



fixed upon, which is euphonious enough in itself, and is an old Indian name, meaning "The God who speaks - the speaking God." There is a fine lake there called Lake Manitoba, which forms the western boundary of the Province.<sup>6</sup> A subject of very great importance, which engaged much of our consideration, was the settlement of the boundaries of the Province we are organizing. It is obvious that that vast country could not be formed into one Province. It is obvious that the Dominion Government and the Dominion Parliament must retain, for Dominion purposes, the vast section of that country, which is altogether or nearly without inhabitants, and that the Province must be confined to the more settled country that now exists. W0 found happily that there was no great difficulty in regard to this matter, that there was no discussion upon the subject,<sup>7</sup> and I may read a description of the boundaries that have been settled upon. "The region which is to form the new Province of Manitoba commences at a point on the frontier of the United States Territory, 96 degrees West of Greenwich, and extends to a point 98 degrees and 15 minutes West, being bounded on the South by 49th parallel of latitude, and on the North by latitude 50 degrees and 30 minutes."

Hon. Sir JOHN A. MACDONALD here placed a map on the table showing the boundaries of the new Province and the members gathered round to examine it.

Hon. Col. GRAY<sup>8</sup> - How many square miles are there in the new Province?

Hon. Sir JOHN A. MACDONALD - Eleven thousand square miles. It is a small province as the House will observe, but yet it contains the principal part of the settlements which are ranged, as those who

<sup>6</sup> The western boundary provided by the original fill barely reached the southeast corner of the lake.

<sup>7</sup> One of the puzzles of the negotiations, and one the present editor cannot explain, a why Ritchot and the French accepted without much protest a small Province and the surrender of control of the public lands. Ritchot's instructions from Riel were to ask for one province for the whole of the North West with control of the lands as in other provinces. AASB, Riel to Ritchot, April 19, 1870, cited in Begg, *Journal*, 136. Probably the explanation is that the substantial interests Riel and the French of Red River were in fact were local and immediate, and were satisfied by the grant of Provincial Government where they lived and the land grants to the métis.

<sup>8</sup> Colonel John Hamilton Gray, see p. 124 above.

have studied the matter know, along the banks of Red River and the banks of Assiniboine from the point of their confluence at or near Fort Carry up westward towards Lake Manitoba. One of the clauses of the Bill which I propose to lay before the House, but which is not yet in such a position as to go into the printer's hands preparatory to the second reading, provides that such portions of the North West Territory, as are not included in this Province, shall be governed as an unorganized tract by the Lieutenant-Governor of Manitoba, under a separate Commission under the great seal of the Dominion, and that until they are settled and organized they shall be governed by Orders in Council.

Mr. MACKENZIE<sup>9</sup> - Does the Bill provide a Constitution for that Territory?

Hon. Sir JOHN A. MACDONALD - No. It simply provides that the Lieut. Governor of Manitoba shall be Governor of the remaining portion of the Territory under directions of Orders in Council, and act upon separate commission issued under the Great Seal. In settling the Constitution of the Province the question of how far representative institutions should be properly conferred at this time has been fully discussed. The House knows that this subject was discussed last Summer by the press in all parts of Canada, and that there was a good deal of objection that the Bill<sup>10</sup> of last Session, provisional as it was, and intended to last only a few months, did not provide representative institutions for the people of that Territory. That Bill provided that the Lieut.-Governor should have an Executive Council, and that that Council should have power to make laws, subject, of course, to the veto power, the paramount power of the Governor General here. It was passed simply for the purpose of having something like an organization ready, something like the rudiments of a Government, from the time the Territory was admitted into the Dominion, it being understood that the Act should continue in force only until the end of the present session of Parliament. On the introduction of that Bill by the Government, it was received in that particular, and I think in every particular, with the almost unanimous sanction and approval of Parliament. The Government felt they were not in a position from acquaintance with the circumstances of the

<sup>9</sup> Alexander Mackenzie, presumably; see p. 91 above.

<sup>10</sup> See p. 1 above.

country and wants of its people, to settle anything like a fixed constitution upon the Territory. They thought it, therefore, better that they should merely pass a temporary Act to last for a few months providing for the appointment of a Lieut.-Governor, for which office my hon. friend from North Lanark<sup>11</sup> was selected, who, when he arrived upon the spot, would have an opportunity of reporting upon the requirements of the country, and after discussing the matter with the principal men of the settlement, to suggest what kind of institutions were best suited to those requirements. Unfortunately no opportunity was offered for entering into that discussion or getting that information. One result, however, of the enquiry" that was instituted in this country, was to pour a flood of light upon the Territory, and I have no doubt every hon. member of this House has taken advantage of it so as to enable him, with a greater degree of certainty, to approach the subject of what the Constitution ought to be. Besides that we have discussed the proposed Constitution with such persons<sup>13</sup> who have been in the North West as we have an opportunity of meeting, and the result has been as I shall shortly describe. In the first place, as regards the representation of the Province of Manitoba in the Dominion Parliament, the proposition of the Government is that the people of the Province shall be represented in the Senate by two members until the Province shall have a population at a decennial census of 50,000. From thenceforth the people there shall have representation in the Senate of three members; and subsequently, when the population shall amount to 75,000, they shall have representation of four members. That will give them the same representation in the upper House of the Dominion Legislature as has been proposed for Prince Edward's Island,<sup>14</sup> and agreed to by the representatives of that Province at the Quebec conference Prince Edward's Island being the smallest of the Provinces, having a population of about 85,000. The Bill does not provide for any increase of numbers beyond four. It is not likely that, in our day at any rate, the Province will have a population which will entitle it to more. With respect to its representation in the House of Commons, it is proposed that it shall have four members in this House - The Governor General having,

<sup>11</sup> Hon. William McDougall; see p. 82 above.

<sup>12</sup> Presumably Macdonald means informal enquiry prompted by the Resistance; no formal enquiry was made at this time.

<sup>13</sup> These, of course, included the delegates.

for that purpose, power to separate and divide the whole of the Province into four electoral districts, each containing as nearly as possible an equal number of the present community of settlers. The executive power of the Province will, of course, as in all the other Provinces of the Dominion, be vested in a Lieut.-Governor, who shall be appointed like the other Lieut-Governors, by Commission from the Governor General, under the great seal of the Dominion. He shall have an Executive Council, which shall be composed of seven persons, holding such offices as the Lieut.-Governor shall, from time to time, think fit, and, in the first instance, shall not exceed five in number.<sup>15</sup> The meetings of the Legislature until otherwise ordered by the Legislature itself, shall be held at Fort Carry, or within a mile of it. With respect to the Legislative body, there was considerable difficulty and long discussion whether it should consist of one chamber or two; whether, if one chamber, it should be composed of the representatives of the people and of persons appointed by the Crown,<sup>16</sup> or Local Government, or whether they should be severed and the two chambers constituted all these questions were fully discussed. After mature consideration, it was agreed that there should be two chambers. I see my hon. friend (Hon. Mr. Macdougall) laughs, but, being a true Liberal, he will not object to the people having a voice in the settlement of their own Constitution and to determine whether they shall have one or two chambers or even three if it suits their purpose to have them. It is proposed then to have two chambers, but the Legislative Council is not a very formidable one. It is to be composed in the first place of seven members. After the expiration of four years it may be increased to twelve, but not more than that number. The object of making that provision is this, that we could not sell have a smaller Legislative body than seven, and yet it might be well that the Government of the day the Lieutenant Governor having a responsible Ministry to have the power of meeting the difficulty arising from a possible deadlock between the two chambers - the Legislative Assembly and the Legislative Council. It is therefore proposed that after the end of the first four years - after the first Parliament of the Province, the Lieutenant

<sup>14</sup> Not yet a member of Confederation.

<sup>15</sup> Note that no reference is made here to responsible government. But see the allusion on the next page.

<sup>16</sup> Somewhat, it would seem, on the model of the Legislature of Prince Edward Island; see F. Mackinnon, *The Government of Prince Edward Island*, (Toronto, 1951), 215-216.

Governor may if he thinks proper upon the advice of his Executive Council, who have the confidence of the people and of their representatives, increase the number up to twelve. The Legislative Assembly shall be composed of a body of twenty four members - the Lieutenant Governor dividing the province for that purpose into twenty-four Electoral Districts having due regard to the various communities<sup>17</sup> into which the settlement is at present divided. All these clauses and stipulations are, of course, subject to alteration by the people themselves, except so far as they relate to the appointment of the Lieut.-Governor, which, of course, rests upon the same authority as in the other Provinces of the Dominion. In all other respects they may alter their Constitutions as they please. It is provided in the Bill that all the clauses of the British North America Act, excepting as altered by the Bill itself, or excepting those clauses which apply only to one or two Provinces, and not to the whole of the Provinces, shall apply to the new Province. The Bill contains various other, clauses with which I will not now trouble the House because they refer to matters of no great interest, except as they are requisite to carry on the machinery of the Executive and Legislative bodies, Until the Legislature otherwise provides the qualification of voters for members, both of the House of Commons and Local Legislatures shall be the same as provided by the Confederation Act for the District of Algoma. I think the House will agree with me that no other qualification can be provided. The clause runs that every British subject who has attained the age of 21 years, and who is and has been a householder for one year, shall have a right to vote.<sup>18</sup> The duration of the Legislative Assembly shall be four years, as in the other Provinces.

Mr. MACKENZIE - What is the qualification of candidates?

Hon. Sir JOHN A. MACDONALD - We have said nothing of that in the Bill. With respect to pecuniary clauses of the Bill it is

<sup>17</sup> A somewhat unusual legislative provision, but a clear example of how the French tact ensures duality in Canadian institutions.

<sup>18</sup> The B.N.A. Act, 1867, section 41, provides that "at any Election for Member of the House of Commons for the District of Algoma, in addition to persona qualified by the law of the Province of Canada to vote, every male British Subject, aged twenty-one years or upwards, being a householder, shall have a vote."

This is given in rather more detail in Section 17 of the Manitoba Art; and adds the one year of residence mentioned by Macdonald. It is an interesting example of how the development of Algoma, in some ways, was a prelude to the settlement of the North West.

provided that as Manitoba has fortunately no debts it shall be entitled to be paid by and receive from Canada by half-yearly payments a sum which is to be ascertained in the same way as the sum settled was on Newfoundland last session - that is fixing the whole of the population at 15,000, and at that rate comparing the difference between that population and the population of Nova Scotia and New Brunswick, any body can ascertain the amount payable to them per head, namely, \$27.27. The Bill then proposes that the same annual subsidy of 80 cents per head of the population, estimating it at 15,000, shall be paid as in other Provinces, and that that rate shall continue until the population is 400,000 also as in other Provinces. There is the further provision that the sum of \$30,000 shall be paid for the support of the Government. Although it is not at all required that the next clause should be in the Act, yet it is inserted for the same reasons as it was inserted in the Act respecting Newfoundland, to order to satisfy the people that certain services will be provided for, those services being thrown on the Dominion Government by the Confederation Act, such as the salary of the Lieutenant Governor, postal service, collection of Customs, &c. There are also provisions to satisfy the mixed population of the country inserted in the Bill for the same reason, although it will be quite in the power of the Local Legislature to deal with them. They provide that either the French or English language may be used in the proceedings of the Legislature, and that both of them shall be used in records and journals of both Chambers. That provision as far as the Province of Quebec is concerned, is contained in the Union Act.<sup>20</sup> With respect to the lands that are included in the Province, the next clause provides that such of them as do not now belong to individuals, shall belong to the Dominion of Canada, the same being within boundaries already described. There shall, however, out of the lands there, be a reservation for the purpose of extinguishing the Indian title, of 1,200,000 acres, That land is to be appropriated as a reservation for the purpose of settlement by half breeds and their children of whatever origin on very much the same principle as lands were appropriated to U.E. Loyalists for purposes of settlement by their children. This reservation, as I have said, is for the purpose of extinguishing the Indian title and all claims

<sup>19</sup> Special terms had been worked out in 1869 in anticipation of Newfoundland's entry to Confederation. See PAC, Macdonald Papers, Macdonald to Lieutenant Governor Doyle, June 16, 1869; also *Dominion Debates*, 1869, 116-119.

<sup>20</sup> The B.N.A. Act, 1867. section 133.

upon the lands within the limits of the Province. There is a question, however, which although small in itself, excites a great deal of interest among the purely white inhabitants, the descendants of the Scotch and English settlers, who are not half-breeds and do not come within this category. It is, perhaps, not known to a majority of this House that the old Indian titles are not extinguished over any portion of this country, except for two miles on each side of the Red River and the Assiniboine. The lands that have been granted by deed or licence of occupation by the Hudson's Bay Company, run from the water or river bank on each aide for two miles. But from a practice that has arisen from necessity, and that has been recognized by the local laws there, in the rear of each of these farms or traces of land held by the farmers or settlers, there is a right of cutting hay for two miles immediately beyond their lots. That is a well understood right. It is absolutely required by these people and excites in them equal interest. The entire extent and value of those rights cannot be well established or fixed here, and it is therefore proposed to invoke the assistance of the Local Legislature in that respect, and to empower it to provide, with the express sanction of the Governor General, for the use in common of such lands by those inhabitants who may wish to avail themselves of it. My hon. friend, (Hon. Sir George E. Cartier) reminds me of the question of the confirmation of the legal occupation of the people there. It is so obviously the interest of the people of this country to settle that Territory as quietly as possible, that it would be a most unwise policy for a new Government to create any difficulties as to the rights of property - it would be most unwise to allow those difficulties to arise which might spring from one man having a title to a freehold, while his neighbour would only have to say he held under a lease of occupation. But as these settlers are not numerous, and it is of great importance that they should be satisfied it is proposed to insert a clause in the Bill, confirming all titles of peaceable occupation to the people now actually resident upon the soil. But in the absence of necessary information here, it is proposed so invoke the aid and intervention, the experience of the Local Legislature upon this point, subject so the sanction of the Governor General.<sup>21</sup> The Government hope and believe that this measure or a measure involving the principle which

<sup>21</sup> These were the clauses designed to deal with the land claims in Red River, which did settle all the private interests in Red River, and by doing so, allowed the Dominion to keep control of the public lands.

I have just mentioned will be satisfactory to the people of all classes and races in that country. This Bill contains very few provisions, but not too few for the object to be gained, which is the quiet and peaceable acceptance of the new state of things by the mass of the people there and the speedy settlement of the country by hardy emigrants from all parts of the civilized world. While, Sir, we believe that this measure will receive the acceptance of the people of the North West, that it will be hailed as a boon and convincing proof of the liberality of the people and the Legislature of the Dominion, while we believe it will have that effect, it is quite clear that order must be restored; that peace must be kept in that country; and that the Government, which in future is to obtain control there, must be respected. It is necessary, also, that the fears of an Indian war and foreign aggression, which have been raised, very naturally, in the minds of the people of that country, from recent unhappy events, should be allayed. For all these reasons it is fitting and proper that a force should be there to cause law and order to be respected. I am glad to say that events have recently resulted in an arrangement, by which, for the purposes I have mentioned, and in no hostile spirit, but with the desire, and the resolve at the same time, to establish law, and peace, and order an arrangement, I say, has been made between Her Majesty's Government and the Government of Canada for the despatch of an expedition. That expedition will be a mixed one, comprised partly of Her Majesty's regular troops, and partly of Canadian Militia, and from all those whom we have had an opportunity of seeing from the North West, we are told that a force sent in that spirit, and commanded by an officer of Her Majesty's service, under Her Majesty's sanction, will be received not only with kindness, but with gladness, and that the people will be glad to retain them much longer than as a force there will be any necessity for their staying. For so soon as these unfortunate feelings of fear and jealousy are removed, it will be of course proper that a force should be on as economical and limited a scale as due regard for peace and order will permit. These arrangements must of course be submitted to Parliament, and a vote of the House sanctioning the necessary expenditures obtained. For this object, I have no doubt, such a vote will be obtained. The force will be comprised of about one-fourth of Her Majesty's regular troops, and three-fourths Canadian Militia, and the expenditure will be borne in the same



proportion, Her Majesty's Government paying one-fourth of the expenditure and the Dominion three-fourths. My hon. friend beside me (Hon. Sir George E. Cartier) reminds me that since the written arrangement was entered into, which I have just mentioned, a proposition was made to increase Her Majesty's contingent by perhaps 140, making the number of regular troops about 390, the balance being made up of Canadian militia. This militia was called upon to volunteer from different districts, and such has been the alacrity displayed, that if a force was proposed to assume the proportion of an army there would be no trouble in getting the men. Happily that necessity does not, I am fain to believe, exist. It was only on Saturday that the final arrangement with respect to this force was carried out, and the House therefore could not any earlier than now receive this information. On Saturday the Order in Council was passed embodying provisions I have mentioned. The cable has been in active operation on this subject for some considerable time, but it is only within a few days that the final arrangements I have indicated were made. When this measure comes up for the second reading, and when the resolutions are proposed in Committee of the Whole, of course, explanations will be given in full detail upon every possible head of expenditure. I now move the first reading of the Bill.

Mr. MACKENZIE said it was manifestly impossible to discuss the Bill at that time, but he looked upon the whole proposal of the Government as one that was open to great objection, and that the whole course taken in the North West matter was one exceedingly disastrous to the country. The House was informed at the beginning of the session that the Government had declined taking possession of the country, and had not paid the amount agreed to with the Hudson's Bay Company, in order to throw the expense of settling the disputes on the Imperial Government, and to force them to take possession for us, and to hand it over to us as a new purchase. He had always looked upon the Territory as their own, and the payment as a payment simply to obtain a quit claim deed to us of that Territory. He looked upon the proposal of the Government as most reprehensible, and calculated to bring our Government and people into dispute with Imperial statesmen, as a refusal, under the circumstances, they had no right to make. He was now convinced, after much careful examination of the evidence of every one who had come from that Territory, that had the proposition been

carried out, with good faith, that insurrection, with all its consequent troubles, disasters and murder would have been avoided. In consequence of this conduct of the Government, they had been threatened with a war of races and nations, and now as a result of all this political tergiversation and bad faith, the pitiable compensation of the Imperial Government being willing to pay one quarter part of the expenses attending the restoration of Government. This showed more than anything he could name the results of the policy the Government pursued, and the want of national faith which had characterised the Government in their dealing. With regard to the Government of the country he must of course examine the Bill in detail before he could venture even to give an opinion on its merits, but it did seem a little ludicrous to establish a little municipality in the North West of 10,000 square miles about the size of two or three counties in Ontario with a population of 15,000 people, having two Chambers, and a right to send two members to the Senate and four to the House here (laughter). The whole thing had such a ludicrous look that it only put one in mind of some of the incidents in Gulliver's Travels. Is may be on more close investigation that more palliating circumstances might be brought to life for this extraordinary Constitution, but at the present moment he could only say that he looked upon it as one of the most preposterous schemes that was ever submitted to the Legislature. There were one or two matters in Sir John A. Macdonald's statement to which he would refer. He had told the House about the land policy, no further than this, that lands in occupation held under licence or agreement of the Hudson's Bay Company, were to be retained by those in possession or the present local authorities, while the Dominion are to exercise control over the remainder of the Territory. A certain portion to be set aside to settle Indian claim, and another portion to settle Indian claims that the half-breeds have. But these half-breeds were either Indians or not, (hear). They were not looked upon as Indians, some had been to Ottawa, and given evidence, and did not consider themselves Indians.<sup>22</sup> They were regularly settled upon farms, and what the object could be in making some special provision for them that was not made for other inhabitants was more than he could understand. They were also

<sup>22</sup> The status of the métis, or half breed, whether "white" or Indian, remained a constant difficulty. They wished to be considered a "peculiar" people.

told that that clause in the Bill was to affirm all grants of lands, licences and other claims granted by the Hudson's Bay Company. They were unable to pronounce an opinion upon the particular kind of claims embraced, but if his information was correct the Hudson Bay Company had dealt with a certain portion of the lands in that Territory in a way which we could not possibly justify or recognise. If they had so dealt with lands as to bestow on certain corporations whether secular or religious, or tracts of land that would interfere with the settlement of the country - that question had to be met by the House if the Government had not had the moral courage to deal with it" (hear). He had no hesitation in saying that the statement made by the premier was in that respect most unsatisfactory or at best exceedingly incomplete (hear). He had seen it seated in papers that a gentleman" who had been employed under the Lieue-Governor-

Hon. Mr. McDOUGALL - No.

Mr. MACKENZIE said that he was being employed by the Government to purchase stores and organizing a corps of mounted police, but they had received no statement on the point by the honorable gentleman. and in the absence of any answers, he would not comment upon the fact at present. There was another point to which the honourable gentleman had not referred. He had not said whether the Government had paid the money to the Hudson's Bay Company. Without waiting for a formal answer might he ask that information now?

Hon. Sir JOHN A. MACDONALD - It has not been paid, but it is to be paid immediately.

Hon. Mr. McDOUGALL. - Before the expedition starts?

Mr. MACKENZIE - I presume before the Bill passes this House.

Hon. Sir JOHN A. MACDONALD - Yes.

Mr. MACKENZIE was glad of it; and would he ready to support the Government in it, and could only regret that it was not made sooner (hear). He trusted that the Government would bring down such a

<sup>23</sup> What Mackenzie feared was another kind of Clergy Reserve made for the Romso Catholic Church, There was some talk of a grant, realty so protect the missionaries, converts (see Begg, *Journal*, 137) but nothing was done.

<sup>24</sup> This was Captain D. R. Cameron, R.A. son-in-law of Dr. Charles Tupper and a member of McDougall's party in 1869.

statement as to the claims which were to be recognized in the clauses of the Bill, because in absence of the knowledge as to the extent of these claims it was manifestly impossible to pass any such claims. Every thing must be done so as to retain the liberty of every class and creed of Her Majesty's subjects on the same footing and that no one shall have any special claims or privileges recognised in that new Territory. He would look with very grievous apprehension on anything that would introduce into that new Territory the divisions which were for so many years so disastrous in our own country (hear,) and which kept many of the denominations concerned in these disputes in a state of internecine warfare, which produced results so disastrous to society generally, and particularly to the churches engaged. Anything that had the effect of preventing this, we must insist on here, and that no legislation shall be initiated by this House, which has a tendency to initiate, permit or perpetuate anything of that sort (cheers). If this was provided for it would of course obviate some of the objections to many clauses of the Bill. With regard, however, to the excessive expenditure which was to be imposed upon the Dominion by the arrangements of the Bill, it involved an amount of debt of \$416,500.

Hon. Sir GEORGE B. CARTIER \$21,000 a year.

Mr. MACKENZIE - Yes. There would then be \$12,000 to make up the 50 cents per head, and in addition the Government propose to pay annually \$30,000, for Local Government. He could scarcely conceive that that amount was necessary (hear.) He thought if the amount was capitalized it would admirably provide for the interest of the Province. Roads were not required there as they were in other districts, and the expenses for building would, not at all compare with that which was imposed on larger Provinces. If they were to carry on Government economically, it must be in the shape rather of one large Municipal Council, then a Provincial Government. He should discuss the Bill more particularly when they had it before them, but it was necessary that the House should be in possession of all information the Government had had in preparing to discuss the measure. It was certainly unfair, that certain members of the House should be in possession of Mr. Thibault's report,<sup>25</sup> which he understood, had been in print a fortnight.

<sup>25</sup> Rev. J. B. Thibault's report, a brief and uninformative one, was to be printed in *Sessional Paper*, 1870, V. No. 12, Thibault to Secretary of State for the Provinces March 17, 1870.

Hon. Sir JOHN A. MACDONALD - I can only say that it was not by the sanction of the Government.

Hon. Mr. MORRIS said it had not been even sent to the printers a fortnight ago.

Mr. MACKENZIE said, at an, rate he had known it was in the possession of members, and the way the House was treated in this matter was only on a par with their treatment from first to last. In the whole question, the conduct of the Government was most extraordinary, and he could not refrain from charging the Government with having, by their misconduct of this matter, thrown an enormous expense on the country, brought the Government into disrepute With the Imperial authorities (hear) and that, in refusing to keep faith in carrying out an agreement for a territory, which we have always regarded as our own,<sup>26</sup> they have plunged us into expenses which we cannot possibly conceive (hear).

Hon. Sir GEORGE E. CARTIER said it would have been more opportune to have taken the objections at the second reading, rather than now. He himself would not enter on the merits of the Bill, but make a few prefatory observations in answer to those of the member for Lambton.<sup>27</sup> He had found fault with the Constitution of the Territory, and there being two Houses for so small a portion of the Territory. He referred to Prince Edward Island, with its population of only 55,000, and an area of only 1,300,000 acres, which, from the first, had a political organization and all the machinery of a Government, and to New Brunswick, which, at the time of its separation from Nova Scotia, had a population not larger than that of Nova Scotia. Manitoba was the key to the whole territory, and when they had defined its limits they had done a good work. This Bill had, as it were, disclosed the policy of the Government, for it was evident there was room between Ontario and the Rocky Mountains for several Provinces, and Manitoba was made the model or starting point for the Provinces to be erected to the Pacific Ocean. As to the objection that there was too large a subsidy, he said the new Province was entitled to be placed on the same footing as any other. If the people had waited till they were 50,000 or 75,000, instead of

<sup>26</sup> A reference to the Canadian claim that the Charter of the Hudson's Bay Company was invalid and that the North West was Canadian by right of discovery.

<sup>27</sup> Alexander Mackenzie.

being entitled to \$21,000 a year from the Government, they would have been entitled to double or perhaps treble that amount. There was room in the Territory for a million of inhabitants, and yet for some time all the expenditure for this would be only \$21,000 for local wants, and a subsidy of \$30,000 a year for the Local Government. The land, except 1,200,000 acres, was under the control of the Government, and these were held for the purpose of extinguishing the claims of the halfbreeds, which it was desirous not to leave unsettled, as they had been the first settlers, and made the Territory. These lands were not to be dealt with as the Indian reserves, but were to be given to the heads of families to settle their children. The policy, after settling these claims, was to give away the land so as to fill up the country. As it did so emigration would go westward, fill up other portions of the Territory, and so the grand scheme of Confederation would be carried out. Instead of, as in Newfoundland, where they were to pay \$150,000 a year for these lands, those in the North-West had been given up for nothing. It must be in the contemplation of the members of the House that these could be used for the construction of the British Pacific Railway from the East to the West, and yet the member for Lambton complained of the grant of \$30,000 at the beginning of the existence of the Province. Then they were to get 80 cents a head till the population amounted to 400,000, and at the greatest estimate there never would be more than \$425,000 a year ever going to that Province, and that not for many years hence, but the sooner the better, as the greater would be the contributions to the exchequer. The population was now only 15,000, but the consumption was not for them alone, but for 200,000 Indians,<sup>28</sup> who consumed an immense quantity of dutiable articles. After a few other observations, in which he said he would not enter into the question of the appointment of an officer of constabulary, he stated that he believed, when the member for Lambton read the Bill carefully, he would recognise the wisdom of its provisions.

Mr. MACKENZIE said he had not entered into any explanation as to the mounted police, and the appointment of Captain Cameron.

<sup>28</sup> The number of Indians in the Northwest at that time was about 60,000; Canada, *Census*, 1881, *Summary*, 14.

Hon. Sir JOHN A. MACDONALD said that it was intended to have a body of mounted rifles<sup>29</sup> to protect the people from the chance of an Indian war. Under the beneficent rule of the Hudson's Bay Company there was peace in the Territory, while across the line there were frequent wars, and the Indians were shot down by emigrants going West - shot down ruthlessly. As the expectation was that there would be a large influx of emigrants from Europe or from Canada, and there was a fear that emigrants from the American States, accustomed to deal with the Indians as enemies, would be shooting them down and causing great disturbances, the necessity arose to have a small but active force of cavalry to act as mounted police, so that they could move rapidly along the frontier to repress disturbances; and it was not proposed to make the force more than 200 men. They would be drilled as cavalry, or rather as mounted riflemen, and be disciplined as a military body, but act as constabulary. Such a force would be amply sufficient for the purpose and be enough to secure order.

Mr. MACKENZIE said that the question as to whether Captain Cameron was employed had not been answered. If he was raising a force, how and where was he doing so?

Hon. Sir JOHN A. MACDONALD said Captain Cameron had not received a commission. The Government had employed Mr. McMicken<sup>30</sup> and Mr. Coursol,<sup>31</sup> as Police Commissioners, the latter of whom was engaging men in Lower Canada speaking French, and able to read and write, and to speak both French and English if possible. He intended to raise 50 men in Canada altogether, and 150 more in the Territory, commingling the different races, as had been done in India so successfully. It was the best force that could be raised, and by the commingling no predominance would be given to either.

Mr. MACKENZIE said he was glad to find that the Government had not employed Captain Cameron.

Hon. Sir JOHN A. MACDONALD said he did not say that. He said that a commission had not been issued. He might say, however, that he was a most efficient officer.

<sup>29</sup> One of the first references to the line of thought that led to the creation of the North West Mounted Police in 1873.

<sup>30</sup> See p. 139 above.

<sup>31</sup> Charles Joseph Coursol, 1818-1888, already famous as the magistrate who released the St. Alban's Raiders in December, 1864; M.P. and son-in-law of Cartier.

Mr. MACKENZIE said he might be in his own place, but not in the position proposed. He had a further question to ask. A number of persons had lost their all in these disturbances, and had all their goods seized and used. Were they to receive compensation?

Hon. Sir JOHN A. MACDONALD said he did not know what he meant. He did not see how this House could deal with such a question. That might be a matter to be settled in England.

Mr. MACKENZIE did not see how they could go to England for compensation. He presumed they would not deny some remedy should be provided.

Hon. Sir JOHN A. MACDONALD said they had not yet reached that point, as this Bill was simply one for the Government of the country. The other was a separate matter, and would be so considered either here or in England, but it was premature to discuss it now.

Hon. Sir GEORGE E. CARTIER explained in French, to the course of which,

Mr. GODIN asked if the Constitution was so be submitted to the people before being passed.

Hon. Sir GEORGE E. CARTIER - No.

Hon. Mr. McDOUGALL said he spoke with some reluctance on account of the position he had unfortunately held with respect to the Territory. With respect to the Bill, he might say he was both pleased and displeased. Pleased at its having been brought down, and displeased at its unsatisfactory character. It must be displeasing to every one to know that the bargain settled with the three Governments, had been refused to be carried out on the pretence of the motive, which it was said actuated the Government. It was known that the reason given was that the Government desired to compel the Imperial Government to put them in peaceable possession of the country. They had been so far successful that the Imperial Government had promised to send 200 or 300 troops into the country and to pay one fourth of the expenses. He apprehended there would be some condition attached to that agreement which would probably lessen its value to this country.

<sup>32</sup> Francois Benjamin Godin, Liberal M.P. for Joliette.



Were they to understand that the Imperial Government agreed to pay one-fourth of all the expense, no matter what might be the extravagance of our Government? Were they to bear one-fourth of the expense of constructing boats, many of which were constructed in Lower Canada upon the miserable role that everything done must be distributed between French and English. The transportation of these boats to Collingwood would cost as much as the boats themselves. Were they to understand that the Imperial Government agreed so bear one-fourth of that extravagance? He believed not. With regard to the leading features of the Bill they did not commend themselves to his judgment. People were not prepared for, and did not want so cumbrous and intricate a system of Government, and it was absurd to impose it upon them. A cheap simple and direct system of Government such as that provided for in the Bill of last Session would answer every purpose, and would meet the almost universal approval of the people. He objected to the system of two Chambers, and was astonished to find the system proposed for Red River in view of its expense in Quebec and the success of the one chamber system in Ontario. He hoped the Government would consent to change in this respect. In looking over the map of the new Province laid on the table, he noticed that an important Canadian settlement containing some four or five hundred families, namely, Portage Is Prairie, had been left beyond the limits of the Province, though the boundary line diverged 15 minutes to take in a small settlement marked on the map "Roman Catholic Mission."<sup>33</sup> It was lust as well there should be a little plain speaking on this point at an early day. It was known by the Government and the country that the rebellion in the North West originated with the Roman Catholic priesthood (no, no, from French members). That fact was substantiated by the Commissioners of the Government who had been sent to that country. The priesthood desired to secure certain advantages for themselves, their Church or their people. And they advised their people to take the course they did. These facts could be proved beyond doubt if the House would grant a committee of enquiry.<sup>34</sup> He believed the respectable, wealthy, intelligent portion of the Roman Catholic population were opposed to that course and loyal so this Government, and would willingly accept the Government that was provided for in the Bill of last session.

<sup>33</sup> The extension of the western boundary to 98° 15' may have been intended to include the mission at Baie-St. Paul.

<sup>34</sup> McDougall was substantially correct; see Begg, *Journal*, 50-51.

He warned the Government that amendments would be proposed to this Bill. With regard to the claims of loyalists from the Territory, he understood the Minister of Militia to say that they must look to England.

Hon. Sir GEORGE E. CARTIER said he had not stated that. He had mentioned when the Minister of justice was speaking that these claims might fall on us or perhaps on England. He did not say decidedly that they would have to be settled by England.

Hon. Mr. McDOUGALL accepted the explanation, and went on to argue the justice of these claims, and the necessity of their being attended to by the Government. The Imperial Government were under no obligation to settle these claims. He concluded by denouncing the appointment of Captain Cameron to the head of the police for Red River as the most unfortunate selection that could be made.

Hon. Sir FRANCIS HINCKS said the Hon. member for North Lanark seemed unable to comprehend the policy of the Government. With regard to the non-payment of the money, he would only ask the House to consider the position of the Government when the unfortunate interruption to the hon. gentleman's entrance into the territory took place. They should look at the season of the year and the surrounding circumstances. What would have been the consequences of the payment of the money on the 1st December last? The inevitable consequences would have been the immediate transfer of the country to Canada. (Hear). They had been told by the press that they should have sent up a military officer, who would have gone to the country by railroad, as did the hon. gentleman, and entered the country alone.

Hon Mr. McDOUGALL - An absurd suggestion.

Hon. Sir F. HINCKES said the Government at once saw that at that season of the year, in the first place, it was impossible that Canada should take the Government of that country. It was essentially important, and every day had made them more convinced of the view they took, that without reference to the paltry question of expenses, that we should have the prestige of the Imperial Government in getting up and sending an expedition there, to establish the Queen's authority, instead of leaving Canada to commence the war with that people on its own account and on its own responsibility, thereby inviting filibusters

and sympathizers from the neighboring States to come in and join them, and thus involve the country in an expenditure of which no one could have any conception.

Hon. Sir GEORGE E. CARTIER - Hear, hear.

Hon. Sir F. HINCKS said, when the Government first heard of these circumstances, before the lamentable events which subsequently occurred had taken place, they at once took the very best means to allay the discontent which existed more particularly among a certain portion of the population. We were unsuccessful because - he was sorry to say it and regretted to have to go into that question - of the unfortunate mistake committed by the hon. gentleman.

Hon. Mr. McDOUGALL - No, no.

Hon. Sir F. HINCKS could readily understand, and feel that it was his bounden duty to stand up and defend himself. But if things had been allowed to remain until the Government of this country had been able to prescribe a policy which was desirable under the circumstances, if they had been allowed to employ the agencies which they at once took steps to employ, if Father Thibault had gone up, and the proclamation never been issued, and the force not been invited to go on, he was perfectly certain that in a very few days Father Thibault would have settled matters. (Hear). If the hon. gentleman had remained quiet until he had known the views of the government, there would have been no difficulty whatever. It was not a question of expediency. The time of paying the money was the question. They thought that the right time for paying the money was when the Queen's authority had been restored. Then it was quite right that quiet should be restored by a force acting under the Imperial officers, and having the prestige of our Sovereign, thus preventing the appearance of its being a war between one section of the Dominion and the people. It was a view taken by the Government. it was not a mere question of expenditure. If the territory, of course, had been transferred to Canada, they could not expect England to contribute any share of the expenses. We have got to maintain peace to our own territories, but under the peculiar circumstances of the case, it was important that the force should be essentially an Imperial force and not a Canadian force. (Hear).

It being six o'clock the House rose for recess.

# AFTER RECESS

Hon. Sir FRANCIS HINCKS resumed the debate. He said he was bound to place on record his opinion of the act which had produced the most disastrous consequences in the Territory, that was the issue of the proclamation by the member for North Lanark, when sent as Governor of the Territory. The intentions of the Government were most liberal. The Legislature was only provisional in its nature, and they had sent one who had been a warm advocate of the policy of acquiring that Territory to be settled in great part from the four older Provinces. The Government had given instructions to which in his (Sir Francis') judgment, no exception could be taken.<sup>35</sup> His object was to get there, to place himself in communication with all parties, to obtain all the information possible and inform the Government what kind of constitution was most suitable. Notwithstanding what he conceived to be the wise course taken by the Government, the strongest opposition was offered by the leading organ of the Opposition in Ontario.<sup>36</sup> Every means was taken to excite distrust in the Canadian Government. It was said they intended to ill treat the inhabitants of that country, that they had no intention to regard their wishes, and he believed that a great deal of the discontent was due to these efforts. He was disposed to make every allowance for errors of judgment in the performance of the duties imposed on the member for North Lanark. But when the Government as a Government expressed their disapproval of his course which they firmly believed led the consequences which they had all seen, he could not but deplore the action which led to such a disastrous result. It was the duty of hon. members, and they could not but sympathise with those who were acting in that Territory in sympathy with the Canadian Government, but there could be no doubt they look a course which led to evil results. Honourable members talk of claims, but he could not see how the Government could deal with claims which had not been presented. No such claims had been made but even if they had that was a question entirely apart from that of the Bill brought in by the Minister of Justice. It had nothing to do with it, and it was unfortunate that the question should now be

raised. He would deal with representations made by those persons peculiarly distinguished as Canadians, as

<sup>35</sup> The Instructions issued to McDougall are in Oliver, *Canadian North West*, II, 878-880.

<sup>36</sup> The *Toronto Globe*.

opposed to what some honourable gentlemen were pleased to call the rebel party, but which he would distinguish as the mixed French and Indian race, chiefly Catholic in religion. Could it be made clear to him that those against whom the hon. gentleman protested had asked exclusive privileges, he could understand it. But he had read a letter in one of the papers today, addressed to the Governor General, and signed James Lynch,<sup>37</sup> a gentlemen assuming, and no doubt correctly assuming to represent the wishes of a large portion of the population, and one for whom he had the highest respect. He had carefully read the letter, and had endeavoured to see if there was any real grievance against these persons, or if the Government had committed any error from the point of view of these whom Dr. Lynch represented. It had already come out in the course of the discussion, that in all questions coming before the Government, they had not considered the question whether the delegates were representatives of the majority or minority. Admit that they represented the minority; admit even as alleged in the letter, they had been the appointed by that gentleman Mr. Riel (cries of gentleman and confusion). It was admitted that one delegate did not represent him. That was judge Black who was brought to accept the mission with great reluctance, his name having been given as the letter states, as a sort of sop to those not under Mr. Bid's influence. Assume that all the statements made by Dr. Lynch were correct and he would ask if the Bill was open to the objection of pressing on those who Dr. Lynch represented. What were the points in contention? First, these delegates would have desired - as stated in the Bill of Rights - that they should have the whole lands of Manitoba into their possession, that is into the possession of the Local Government. What he wanted to establish was simply this; that all those identifying themselves with the Province of Manitoba were all equally interested in getting all they could out of Canada whether by way of subsidy or otherwise. He did not understand that any of them were afraid of elective institutions. On the contrary they were quite ready to assent to them. Put aside for the moment the second chamber, elective institutions with an elective chamber as in other Provinces, he was satisfied they would not object to. His experience in the Dominion Government satisfied him that the Governments of all the Provinces and the people desired to get all they could out of the Dominion.

<sup>37</sup> Dr. James Lynch, M.D.; see p. 64 above.

Hon. Mr. CHAUVEAU<sup>38</sup> - Except Quebec.

Hon Sir FRANCIS HINCKS said he excepted neither Quebec nor Ontario. On the other hand the Dominion Government was there to protect the Dominion Treasury. Well, as far as he was aware, all points had been fully discussed between the Dominion Government and the gentlemen who had been sent as delegates. He believed the Dominion Government could have made better terms with those representing Canadian interests, than with those representing the Convention. Whether they had been freely elected or elected under terror he would not discuss, and, so far as he could find, they did not come to ask any special legislation for any class, Canadians as well as others being equally protected.

Mr. MACKENZIE At whose instance was the English settlement excluded?

Hon. Sir FRANCIS HINCKS - He would come to that by-and-by, that was a small question. But on all points no particular party claimed any special interest, the best terms were to be obtained for all parties. The member for Lambton had argued that the Dominion Government had given too much. That was a fair subject for criticism, but not as between one section of the population there and another, for the arrangement was made for the good of all. It was perfectly clear that when the difficulties were settled and the Queen's authority established that a vast emigration would be pouring into the country, from the four Provinces but principally, there was no doubt, from Ontario, and the original inhabitants would thus be placed in a hopeless minority, and of this, they themselves had no doubt. If this were correct it was perfectly obvious that those who had been occupying the Territory, all their lives would naturally take this view: That they were to be entirely swamped and their influence destroyed, that all their lands were to be taken, not as in other Provinces, and that they would have to take simply a moderate portion of land for the settlers and their children, not for one class but for all. There was not one point he could discover in which the delegates representing a minority if you will -took a sectional view. There had been a good deal of sneering at large

<sup>38</sup> See p. 95 above, Chauveau was a member under the "dual representation" possible until 1873.

institutions for a small number of people in the Territory. Although he could cite Constitutions granted by the Imperial Government to places with populations smaller, and without the least prospect of increasing, as there was likely to be an increase here with a representative chamber, yes, and with a second chamber. Yet he could readily admit the perfect absurdity (hear, hear), of the whole scheme if they were providing for the total of 15,000, instead of the population which would go there. Before the month they were now entering was well advanced, they would be flocking in, and in so short a time that he was afraid to say how short, an immense population would be enjoying the institutions of a free British people. His hon. friend, the Minister of Militia, had correctly pointed so the fact that in 1791 when Upper Canada was made a Province its population was less than the population in the North West now. He had great faith in the future of that country. Unfortunately, the gentleman so whom the Government looked to for responsible advice had from circumstances been unable to afford this, and the Government was compelled to deal with it on their own responsibility. Therefore, it was not dictated, nor had the result been brought about by any delegates, although they were consulting with them and were happy to believe they were prepared so acquiesce in the decision at which the Government were arrived.

Mr. MACKENZIE - Then they saw the Bill before we did?

Hon. Sir FRANCIS HINCKS - They have not seen it yet.

Mr. MACKENZIE - How could they acquiesce?

Hon. Sir FRANCIS HINCKS - They knew its general principles. Did he mean to say it was wrong to communicate with these persons?

Mr. MACKENZIE - He did mean to say so. Drs. Schultz and Lynch and Mr. Fletcher<sup>39</sup> were as much entitled to be consulted as the rebel delegates and they never had been so.

Hon. Sir FRANCIS HINCKS said he must know that the whole object was so make such conditions as would be for the interests of the friends of Drs. Schultz, Lynch, and Mr. Fletcher. They were quite satisfied with the policy of the Government, and acquiesced in it for the Canadians.

<sup>39</sup> Rev. William Fletcher, Presbyterian minister at Portage since 1868.



Mr. MACKENZIE said they were not satisfied.

Hon. Sir FRANCIS HINCKS said he held in his hands proof of it in the letter of Dr. Lynch, in which he said he had confidence that the Government would deal fairly with the people. They were not the dissatisfied party. Did the hon. gentleman mean that it would be a statesman-like policy to force the people into war? The Government policy was to get the country peacefully, and when it became thoroughly Canadian the people now there must necessarily be in the minority. But, not satisfied with getting the country, they must also have war.

Mr. MACKENZIE - Who says that?

Hon. Sir FRANCIS HINCKS said, it was not only the opinion of the Canadian Government that no policy could be more adverse than that to the interests of Canada, and, if they had adopted a policy against conciliation, they would not have had the confidence of the Imperial Government. They had taken the course, from first to last, which was wise and prudent, and in consonance with a majority of this House. The Imperial Government had, at first, found fault with the Government for not paying the money, but when they saw the reasons that were given, that they were wise and statesmanlike, they approved of them, and were now acting in close co-operation.

Mr. MACKENZIE said they had never said so.

Hon. Sir FRANCIS HINCKS said they had acted in a manner to show that they were satisfied. It would have been an act of madness if they had paid over the money in December, in the depth of winter, when the country would have been left on the hands of Canada, who would be compelled to enter on the war in the spring, and exposed to meet all kinds of filibustering, and an expensive and disastrous war. He was not going to enter into any details of the Bill. That would be better done on the second reading, but he had called attention to the remarks on the unsound policy of the Government to show that it had been a sound policy throughout. Mr. FERGUSON<sup>40</sup> asked how 190 families had been left out at Portage la Prairie, as laid down in the map.

<sup>40</sup> Major Thomas Roberts Ferguson; Liberal M.P. for Cardwell.

Hon. Sir JOHN A. MACDONALD said the object of the residents had been to obtain possession of the whole country. They wished Rupert's Land made into one Province and to have all the land within the boundary as in other Provinces. The Government thought, as did the majority of Parliament, that that great country should be divided into Provinces with as restricted a boundary as possible, and the only reason that led to the exclusion [of Portage Is Prairie] was the belief that the settlement would form the nucleus of a new Province altogether British (hear hear and oh). It was pointed out that it was impossible to hand over the country, to be legislated for by the present inhabitants. He pointed out that the Territory had been purchased for a large sum from H. B. Co., that settlement had to be made with the Indians, the guardianship of whom was involved, that the land could not be handed over to them, as it was of the greatest importance to the Dominion to have possession of it, for the Pacific Railway must be built by means of the land through which it had to pass. He could assure them that in discussing with the delegates from the Convention they did not suggest this division. They wanted the whole country, but they insisted at last on so arranging that they should touch and obtain access to Manitoba Lake on the one side and Lake Winnipeg on the other.<sup>41</sup>

Mr. MACKENZIE - And exclude the English.

Hon. Sir JOHN A. MACDONALD said if they were excluded from that Province they still belonged to the Dominion, and if asked man by man they would prefer Government by the Dominion to being governed from Fort Carry. But the Bill provided that the Province should be extended if Parliament should insist on a different policy and instead of a series of Provinces extend the boundaries. There were other settlements in the Province<sup>42</sup> not included.

Mr. MACKENZIE - No.

Several Members - Name them.

Hon. Sir JOHN A. MACDONALD said the posts of the H. B. C. were settlements.

<sup>41</sup> That is, to the fisheries at St. Laurent on Lake Manitoba and Grand Marais on Lake Winnipeg.

<sup>42</sup> Presumably Macdonald meant "Territory."

Mr. FERGUSON was exceedingly sorry to have given the hon. and gallant knight, the Minister of Justice,<sup>43</sup> the trouble of making so long an explanation, which was, nevertheless, he regretted to say, not quite satisfactory to him. He should have desired that the whole people of the North West should have been included in the new province. This, he perceived, was not the intention of the Government. He, however, could not help believing that the three thousand English-speaking settlers at Portage la Prairie should have formed part of the Province of Manitoba, coming thereby within the new Government and taking a share in it. Nay, he would go further, and say that he had hoped that even those poses of the Hudson's Bay Company, within reasonable bounds, where there were two hundred settlers, should not have been left out of the pale of the proposed Government and Legislature of Manitoba. The determination at which the Government apparently had arrived of leaving out the settlement of the Portage la Prairie, and the settlers at the post,<sup>44</sup> had no doubt been come to after mature consideration, and was the result of the best information which they had obtained. That information, nevertheless, may have been, to some slight extent, one-sided, and he might be excused for entertaining the idea that on this point the opinions of gentlemen representing the loyal people of the country were entitled to as much weight as were those of the men whom Riel had delegated to express his views and wishes. With some of those loyal gentlemen he had come in contact and he could not refrain from stating that he had never heard them express any wish to the effect that the people of La Prairie [sic], or any other of the English settlers in the North West, should be left out of the proposed Government. He, indeed, thought that they could not do otherwise than desire to be included in it. Fort Garry, which was the capital, the chief, and he might say the only city in the proposed Province of Manitoba, was not more than sixty miles distant from La Prairie. There was every reason why they should form a part of the new Province, and no good reason, whatever that they should be excluded. The idea of excluding them was preposterous. The exclusion of an English speaking settlement so near the chief city - the capital, in fact, of the new Government - could not be carried into effect without causing remark and suggesting the inference that there were other reasons besides those alleged for so

<sup>43</sup> Sir John Macdonald.

<sup>44</sup> It is not clear what is meant by "the post"; Probably the plural ass meant, the fur posts adjacent so the proposed province. See next page below.

short-sighted a proceeding. The cutting off of these people was not mere temporary expedient, but an arrangement which might last for years. In his opinion, all the settlements should be included in the new Province. At Portage la Prairie there were 3,000 settlers and at the posts there were 200 settlers at the lowest computation. These should all come within, and be included in the Province of Manitoba. Setting that matter aside for the moment, he might further he permitted to remark that there seemed to him to be no necessity for a Legislature with two Chambers - an Upper and a Lower House - for 11,000 people - the balance of the whole population of 15,000, when La Prairie and the posts were left out of the question. Indeed, he very much doubted whether this House had authority under the Act of Confederation, to constitute an Upper Chamber. There did not seem to him to be the slightest necessity for two Houses, and he could not conceive it to be possible that two Senators should be permitted to so very few people as their representatives in the Upper House of the Dominion Parliament. The new Province, in his opinion ought to embrace far wider limits than was intended, and, without the power of attaining his wishes in this respect, he could not resist the temptation of giving expression to his views upon what seemed to him to be a very important matter. There was one other matter to which he would allude before sitting down. Heretofore, in all his transactions, he had always found the Hon. Minister of Militia [Cartier] liberal towards the whole English speaking race, and he (Mr. Ferguson) had never failed to defend him - and that too, at a time when his name did not stand so high in Ontario as it now does, when he was attacked. He admired the honourable gentleman for his undoubted pluck, public spirit and liberality, and only regretted that he could not now go so fully along with him in this measure as he could have desired. He had no hesitation in remarking further that he had, on excellent authority, ascertained that the origin of the outbreak was not attributable, as had been alleged, altogether to priestly influence. There were possibly some priests, who had from mistaken motives, taken part in the resistance to Canadian authority, but there were other parties besides Roman Catholic priests, who had no mean share in instigating the outbreak. He certainly trusted that the Bill was open to amendment, as unless it were so open, he could not afford to give it his support.

Hon. Sir JOHN A. MACDONALD said the Bill, of course, was open to amendment.

Mr. FERGUSON hoped that it might be so amended as to include Portage la Prairie in the new Province.

Mr. MASSON<sup>45</sup> (Terrebonne) had found it impossible to agree up to the present moment, with the Government on the North West imbroglio. He had always thought that the Government had made a great mistake in not consulting the inhabitants of the Territories; in not taking the advice of persons of standing, who would have been most happy to tender advice if required. He had not one word to disavow in all he had said on this question, and had remarked with pleasure some time ago, that the Hon. Minister of Militia had manfully admitted himself that the Government had been mistaken as to the nature of the Government existing in the Red River settlements, or the sentiments of its inhabitants, thereby admitting what he (Mr. Matson) had contended for, that the rules of common prudence had been disregarded. He had always thought one of the greatest faults of the Government had been the nomination of the Hon. Mr. Macdougall as Lieutenant Governor. He was sure that there was many an Englishman, both in the House, and in the country, who by their liberal turn of mind, would have been most acceptable to the population. The hon. member for North Lanark had this evening by his attack on the Catholic clergy fully justified the opinion that no worse nomination could be made to govern a people composed of men of different religion and races. He (the member for North Lanark) had found fault with the Government for having granted a liberal representative Government to the new Province. The accusation came most singularly from a member of the great Liberal party of Ontario and would be resented by all men in the country, who believed in liberal institutions. The accusation came badly from a gentleman belonging to the then small Province of Upper Canada, which had obtained representative institutions when only inhabited by a few thousand people. He (Mr. Matson) was grieved to hear the member from North Lanark attacking the Roman Catholic clergy at this very moment, when it is perfectly well known that the pacification of the Red River was due so the untiring efforts of the Right Rev Bishop Taché, a most patriotic, able and liberal minded gentleman,

<sup>45</sup> L F. R. Matson, see p. 150 above,

who had, by his loyal influence, induced Riel and his followers to hoist the English flag on the bastions of Fort Garry, and had it saluted by the guns of the Fort. It would be seen in the *Globe* newspaper that Bishop Taché had succeeded in pacifying men who had always thought that their political rights had been wilfully disregarded and had quieted and brought to submission men who had taken from their fathers those principles of liberty, of which the two great races inhabiting this country are so proud, and the instincts of freedom of the wild men of the desert. The member for North Lanark had charged the Government with being the cause of the disasters which occurred in the North West, and responsible for all damages done. He (Mr. Masson) was of opinion that the Government were not blameless in this matter; he held them responsible for a great part of the mischief done, but it did not come well from the member to charge them with it, when it was known that his unfortunate and unauthorized proclamation had more to do with the continuance of the disturbance, than the mistakes of the Government. Had this proclamation been acted upon, he would have been responsible for the lives and property of Her Majesty's subjects, and the weight of damages done would have been still greater and told more heavily on those, and whoever they may be, who will be obliged to pay the indemnity. As to the measure, he (Mr. Masson) thought it was a liberal minded measure so far, and would be considered by the people of Red River as an atonement for their disregarded rights. He would not now examine the question of the expedition further than to state that he thought ever)' member of the House felt that the Imperial Government had not dealt fairly with us, and our Government in the proportion they assumed of the expenditure required for that expedition, when it was considered that the country had never been ours. He would support the Bill as a whole with all reserves as to the expediency of the expedition, and our share of the contribution.

Hon. Mr. HOWE said the discussion might be carried out on some of the questions that had arisen during the debate. He could not expect to be entirely silent on the subject of the North West, and strange criticisms and remarks had been passed on him. With regard to the charge made against the Government that they acted dishonourably in not paying the £300,000 for the possession of the country. If they had paid that money, under the circumstances, was it likely that they should have got possession of the Territory? He wondered what would have been said if the money had

been paid and they had lost the Territory too. He would have liked to hear the member for Lambton speak on that if it had occurred, at the following Session. They had some reason to apprehend that not being well satisfied with the transfer of the Territory there was some uneasiness among the employees of the Hudson's Bay Company. Would they have to pay over that money to strengthen the hands of those men? No, they paused in their action. They raised the money, put it in deposit, and in a few days they had a strong confirmation of the wisdom of their proceedings in the telegrams; from Hon. Mr. Macdougall relating that disturbances had taken place and showing the want of action of the Hudson's Bay Company, ascribing it to the weakness and imbecility of the Governor. There was evidence of the weakness of the Company furnished to them on the 13th of November," and he put it to the hon. gentlemen, that matter not being cleared up during the whole winter, whether they would not have incurred grave responsibilities? (hear, hear). The Company would have said we have got the money and there is nothing for us to do in the matter of preserving peace, let us leave it entirely to the Government of Canada. They, therefore, did not pay and were there to answer for it. The position if they had paid the money would have resulted in circumstances which would have merited the application, to them of being worse than absurd. They would have been in a position of having nominal authority and possession of a country for the whole winter, in which they could not place their foot. They threw the responsibility on the Hudson Bay Company and the Imperial Government. They wisely held on to the money, that was the first point, (laughter). He did not think that the honour of the country had been tarnished by that action. If the British Government did not come to maintain their power in this territory it was a very different course to that which he had always associated with the name of Great Britain, If that ancient empire was to be held together, if the loyalty of the country's inhabitants was to be maintained, this was not the course to be adopted. The spirit with which the British people met the Abyssinian outlay' gave strength and prestige to the present expedition. It was something to have the Queen's authority for passing out of our

<sup>46</sup> See Sessional Papers, 1870, (V), McDougall to Howe, November 13, 1869.

<sup>47</sup> The coat for the military expedition into Abyssinia in 1868; see Alan Morehead, *The Blue Nile*, chapters 14-17; the expedition was much referred to in discussing that to Red River.

own limits to that country where we expect to have our power maintained and enforced in the future. If from any cause the Queen's Government were to refuse to participate in this expedition of peace, he would not like to advise the people of Canada to embark in it. The Hon. Mr. McDougall seemed to throw on the Government the whole blame. He (Hon. Mr. Howe) had been in the Territory for several days without knowing that there was a danger of insurrection, but the blame rested on the Hon. Mr. McDougall as Minister of Public Works, who had constant communication with his employees in that country, and yet did not inform him (Hon. Mr. Howe) in the fall that there was a danger of insurrection in the Province. Mr. Snow<sup>48</sup> was there fifteen months, but did not say anything about it, and Colonel Dennis,<sup>49</sup> who started in August, and was selected by Hon. Mr. McDougall, and was responsible to Mr. McDougall, but neither of them had given the slightest intimation that there was to be any conflict or any serious interruption to the progress of the Canadian Government. And yet he was expected to find it out in a single day. The inhabitants were not savages.

Hon. Mr. McDOUGALL - Hear, hear.

Hon. Mr. HOWE said the intelligence of the people was remarkable. The Bishop of Rupert's Land<sup>50</sup> invited him to come to his house, and he found him a prelate of the highest character and intelligence, and his second man a hard headed Scotchman<sup>51</sup> (laughter). They had Sabbath and day schools. He crossed the river and found in the Catholic diocese of St. Maurice<sup>52</sup> the same intelligence and beautiful structures. He did not like the term half-breed, but they were told that because of that they were to be crushed down.

Hon. Mr. McDOUGALL - Who said that?

Hon. Mr. HOWE - I don't know, but we will assume that the idea is in some one's head, and is deserving of being crushed out. He thought at the time of the Norman Conquest that the English were half-breeds, but out of these mixtures came the noblest breeds. With

<sup>48</sup> See p. 39 above.

<sup>49</sup> Colonel John Stouthton Dennis, see p. 19 above.

<sup>50</sup> Rt. Rev. Robert Machray, see p. 20 above.

<sup>51</sup> Rev. John McLean, see p. 35 above.

<sup>52</sup> Saint Boniface



regard to the system of two Chambers, as an individual member of the Government he would prefer a single Chamber if the people desired it; but in giving them two Chambers they were only giving them what was given to every British Colony, and would give the people of Manitoba no cause of complaint. Of course the local Legislature would have power to do away with one Chamber if they did not want it. He would not undertake to say that perhaps two or three priests had not aided in the insurrection, but supposing that was so, the plain duty of the Government was to do what was right irrespective of the conduct of two or three priests. Let us not mar the glorious work of founding a Province, which would one day be an honour to the empire, by any reference to each other's religion (hear, hear). The hon. gentleman went on to defend the appointment of Captain Cameron, and intimated that had he owned or controlled a newspaper his conduct would have been regarded in a different light. With regard to the claims of the loyalists,<sup>53</sup> he would state that this Government and Parliament might be trusted to do justice in a matter of this kind. All claims would have to be investigated before they were considered.

Hon. Mr. McDOUGALL said the Hon. Secretary of State endeavoured to shield himself from the just indignation of the country, by throwing the blame upon Col. Dennis and himself. He would admit that the Government had no information, when he was appointed, of a threatening uprising against the authority of the Canadian Government. On the contrary the Government had an interview with Governor McTavish not long before his appointment, and he gave no hint of any prospect of trouble." But when the Secretary of State went to Red River there was trouble exhibited, but yet he did nothing to allay it, but on the contrary had told them that they were right in resisting entrance to the coming Government, and he charged that from gentleman with being the chief instrument in the whole matter resulting so seriously. He had informed the people, in effect, that they had only to do as Nova Scotia did and they would succeed. The rebellion would have been a mere trifling affair had it not been sustained by the advice and recommendation of the Secretary of State. These facts he could prove

<sup>53</sup> That is, members of the "Canadian party" in Red River.

<sup>54</sup> Mactavish claimed that he had warned the government. This is one of the contradictions in evidence of the event; clearly there was misunderstanding, or someone lied.

before a Committee of the House, if one were appointed. With regard to his cowl conduct, he held that he was justified in assuming that the day agreed upon for the transfer, the transfer would take place, and that his commission would come into effect. But he discovered, a few days after the first of December, from a paragraph in a newspaper, which was the first intimation he had that the Government had failed to keep their promise, and that the money would not be paid over. Why was not a messenger sent to him to inform him of the intention of the Government to break up the arrangement with the Imperial Government? With regard to the despatch of the Secretary of State to him, about which so much had been said, he would take this opportunity of replying as he had never done, it being understood that it would not be laid on the table along with the other papers. He explained that at the time the proclamation was to be issued, the loyal people were ready to admit him, were anxious in fact for him to come, and under the circumstances he felt he had a right to assume that the royal proclamation had been issued. Acting on that assumption he sent Col. Dennis ahead, but as Riel had promised that he only wanted the rights of the people, Col. Dennis, acting on the advice of leading men, had decided not to keep the people in arms. He (Mr. McDougall) admitted he had no authority to act, but how was he to know? It was absurd to say that the Hudson Bay Company should have maintained order as they were in a moribund state of existence. With regard to the remarks of the Minister of Finance, he contended that the action of Col. Dennis had not the effect of prolonging the rebellion. The insurgents had their plans all laid, and were determined to carry them under all circumstances. He was not disposed to accept any more than his share of blame in the matter. He acted faithfully with the Government, and he never for a moment dreamed that they would go back from the agreement they had entered into. He believed that if Bishop Taché, when he returned, had exerted his full authority to induce the followers of Riel to return to their homes, Riel would not have [had] a Corporal's guard left to sustain him. He referred to the recommendations of Mr. D. Smith that a force should be sent to keep the Indians quiet, and characterized it as a libel on the Indians, who were thoroughly loyal to the British Crown. Referring to the Bill, he hoped the boundaries would be changed so as to include the country lying between the Red River and Lake Superior, and also the English settlement of Portage la Prairie.

Hon. Mr. CHAUVEAU replied to the remarks of the member for North Lanark, that Quebec was on the verge of bankruptcy owing to the burden of the two Chambers. He asserted that Quebec had a balance on hand of \$500,000, and explained the different position Quebec occupied to that of Ontario. He went on to argue that half-breeds were not an inferior race, and contended that no proof had been produced of the charges against the Roman Catholic priesthood that they had fomented the insurrection. He proceeded to criticize at length the action of the member for North Lanark in the North West, and the despatches and subsequent conduct of that hon. gentleman.

Mr. MILLS<sup>55</sup> - asked if the Dominion Government would retain the right to appoint Senators from Red River, or would that right be left to the Local Government.

Hon. Sir JOHN A. MACDONALD said it was impossible at the time the address was passed for the admission of Rupert's Land, to know what representation should be given in the Dominion Parliament, and, therefore, he had put it in the original Constitution - so representation was provided for in the present Bill. It would be hopeless to expect that free-men would consent to be united to Canada without a representation in the Canadian Parliament being provided for. Hence the necessity for such a provision in that Bill. He regretted the nature of the discussion that had taken place with regard to the principles and details of the Bill. Government would be glad to have full and free discussion. He hoped that the hon. gentlemen in ventilating their private grievances would take care not to use any expression that would throw any obstruction in their way, expressions which would be reported in the North West; that they would take care that by throwing words across the floor of the House they did not wound the sensibilities of a high minded and jealous people. With regard to the question of boundary and the size of the new Province, the Government would fully consider it, but he considered it would be injudicious to have a large province which would have control over lands, and might interfere with the general policy of the Government in opening up communication to the Pacific, besides, the land legislation of the Province might be obstructive to emigration. All that vast Territory should be for purposes

<sup>55</sup> David Malts, 1831-1903, M.P. for Bothwell, 1857-1896; Minister of Interior, 1876-1878; Minister of Justice, 1897-1902.

of settlement under one control, and that the Dominion Legislature. Another consideration was that by obtaining control of these lands they would be able to obtain means by which they would be in a position to obtain repayment of the disbursement of the £300,000 for the purchase and of the expenditure which they might be hereafter put to. The expense would be defrayed by that means instead of being charged against the peoples of the Provinces of Ontario, Quebec, Nova Scotia and New Brunswick (hear). That could be done, however, only by carrying out that policy of keeping the control of the lands of the country, and that they had determined to do. The Government thought it was a wise policy that the limits of the Province should not be too large. These considerations, however, they would place more strongly on the judgment and discretion of the House on the second reading.

Mr. STIRTON<sup>56</sup> asked if the Minister of Justice had any authority for the statement that the people of Portage la Prairie desired to be left out of the new Province?

Hon. Sir JOHN A. MACDONALD said he had, and would give it tomorrow, if he obtained permission.<sup>57</sup>

Mr. STIRTON said some of the people settled there had gone from his neighbourhood, and he happened to know, that there, sentiments did not bear out the assertion of the hon. gentleman. He (Mr. Stirton) thought one objection to the creation of small Provinces was that it involved further increase in the number of Cabinet Ministers, so as to give them all representation in the Privy Council.<sup>58</sup> He also objected to leaving a large area of Territory between Lake Superior and Red River without any organization. It would be a sort of no man's land, belonging neither to the Province of Ontario nor Manitoba, and would probably become the refuge of every outlaw in both Provinces, and a source of constant trouble and difficulty.

Mr. MACKENZIE said he was not inclined to submit to the exclusion of the Portage la Prairie country from the new Province, and unless

<sup>56</sup> David Stirton, M.P. for Wellington South.

<sup>57</sup> It is not known what this information was.

<sup>58</sup> An interesting statement of the basic, but undeclared, Canadian constitutional principle of provincial representation in the national cabinet. It is interesting to note that no representative of Manitoba was a member of the cabinet at Ottawa until T. Mayne Daly was appointed in 1892.

the Government yielded on that point, he would offer an amendment on the second reading. He also objected to the smallness of the Province, and said, if the whole of the fertile belt were to be cut up that way, it would make some twenty or thirty Provinces. He demanded that the Government should bring down further information upon the subject, so that the House might be able to discuss it intelligently, with the aid of all the facts which have enabled the Government to form the conclusions it had reached.

Dr. GRANT<sup>59</sup> said it would wound the sensibilities of the people at Portage la Prairie if they were excluded, and he urged the Government to reconsider its conclusion on that point.

Hon. Mr. WOOD<sup>60</sup> said the general features of the measure met his approval; but there was one point to which the attention of the Government, it seemed to him, had not been sufficiently directed, and that was the care and guardianship of the Indian tribes. He referred to the laws which had been passed in Canada with regard to Indian annuities, which were now placed upon the civil list in obedience to the requirements of the Imperial Government, and asked if the Minister of justice had stated that 1,200,000 acres of land were to be reserved and placed at the disposal of the Local Government of the Province for the extinction of the Indian titles. Now he (Hon. Mr. Wood) wanted to know if the Government proposed to entrust to this new Province, unaccustomed to the exercise of the functions of a Government, the payment of the Indian annuities, which would have to be made for the purpose of extinguishing those Indian titles, or did the Dominion Government intend to retain in its own hands the power of dealing with those Indians and seeing whether contracts or undertakings, made with them should be faithfully carried out. There was an apprehension that under the pretence of confirming grants made by the Hudson Bay Company, large blocks of land might find their way into the hands of certain corporations and thus be locked up and withheld from settlement. He confessed the explanations of the Minister of justice had not satisfied him on this point.

<sup>59</sup> Dr. James Alexander Grant, M.D., F.G.S., F.R.C.S., Conservative MP for Russell, 1867-1872.

<sup>60</sup> Hon. Edmund Burke Wood, 1817-1882, Provincial Treasurer of Ontario, and under dual representation Liberal M.P. for South Brant; later Chief Justice of Manitoba. 1874-1882.

Hon. Sir JOHN A. MACDONALD said the reservation of 1,200,000 acres which it was proposed to place under the control of the Province, was not for the purpose of buying out the full blooded Indians and extinguishing their titles. There were very few such Indians remaining in the Province, but such as there were they would be distinctly under the guardianship of the Dominion Government. The main representatives of the original tribes were their descendants, the half-breeds, and the best way of dealing with them was the same as United Empire loyalists had been dealt with, namely, giving small grants of land for them and their children. That was the answer he had in give to his hon. friend.

In reply to Mr. RYMAL.<sup>61</sup>

Hon. Mr. Howe said that the Government only knew that the prisoners were all released, the mails were free, the country was open, and the Hudson Bay Company had commenced to sell their goods again.

In further reply to Mr. RYMAL.

Hon. Sir J. A. MACDONALD said no writ had been issued against Riel, the proper power to arrest Riel was the Imperial Power. It was with her and her only that steps could be taken. If any offenders are brought within the bounds of Canada, they had to be tried. They could not have any ex post facto jurisdiction.

Mr. MILLS asked if the prisoners were in confinement would they be set free therefore on the transfer to this Government, and whether crimes committed anterior to the transfer would not be subject to punishment according to law.

Hon. Sir JOHN A. MACDONALD said if there was a prisoner in Newfoundland at Confederation he would be tried under the same laws as he was taken into custody under.

Hon. Mr. HOLTON asked if the Bill was complete, or whether it would be recast after the discussion that night?

Hon. Sir JOHN A. MACDONALD said the Bill was drafted and complete.

The Bill was read a first time. Second time to-morrow.

<sup>61</sup> Joseph Rymal, Liberal M.P. for South Wentworth.

May 4th, 1870,

Hon. Sir JOHN A. MACDONALD moved the second reading of the Act to establish and provide for the Government of the Province of Manitoba.

Mr. MACKENZIE said it was evident that if the Hon. Minister of justice proceeded with the second reading of the Bill there would be a debate on it. He had not read the Bill yet himself, and he ventured to say that not half a dozen members in the House had read it. They were, therefore, unprepared to discuss it that night. He confessed frankly that he was not ready to enter into a debate on the subject till he had read the Bill.

Hon. Sir JOHN A. MACDONALD said he was about to preface his remarks by saying as the Bill had not been more than an hour in the hands of the members he did not wish to press a discussion. He merely desired to bring it up for the purpose of stating very shortly in what respects the measure now in the hands of the members differed from the one produced at the first reading. The first change in the Bill, he would now say, was the boundary proposed for the new Province. It would be remembered that the boundary from east to west commenced at 95 degrees and extended to 98 degrees 15 minutes. They desired to change the boundary, allowing it to run to the meridian, 99 degrees west. At the same time power would be held to increase the boundaries of the Province towards the west [sic]. The reason why the Government introduced the Bill with the former limitations, and leaving [out] especially the settlement of Portage la Prairie, concerning which a good deal of remark had been made, was, that the Government had reason to believe that the people of Portage la Prairie were averse to being connected with the people of Red River. It was known to all that two years ago they were in pacific but still open resistance to authorities at Fort Garry. Two years ago they established a Republic known as the Republic of Manitoba, not the Province of Manitoba.<sup>63</sup> They preferred a separation so as to govern themselves rather than to be connected with the government then

<sup>62</sup> Dominion Debates, 1351-1362.

<sup>63</sup> It was not actually called a "Republic"; nor was it based on a desire for separation, but was a reaction to the fact of separation from Assiniboia. See Morton, *Manitoba: A History*, 113-114.

existing at Fort Garry. In addition to that they were informed that the people at Portage la Prairie would prefer remaining out of the New Province to coming into it. Government had made considerable enquiries since that time and had been told that it would be for the interests of those people to come into the Province of Manitoba. Now that it was proposed to organize a regular Government in the Settlement, the Government understood that although originally it was the desire of those people to stand alone, they preferred now to come into the Province. Under the altered circumstances, and owing to the representations of the Rev. Mr. Fletcher, the Government had altered the original Bill so as to include Portage la Prairie in the new Province. At the same time Mr. Fletcher was fair enough to state that individually he would prefer to have the Settlement remain outside it. Under these circumstances, and more especially as it was not only insinuated, but asserted that the fact of the western line of Manitoba being placed there, it had been done for the purpose of making Manitoba a kind of French-Canadian reserve, the Government altered that portion of the Bill, which fixed the western boundary at 98 degrees, 15 minutes, with the power of extending westward hereafter, in the meantime extending the boundary to 99 degrees, which would bring in Portage la Prairie and all the settlements, in fact, which existed in that direction.

Hon. Mr. DORION .- Doss that include the settlers on River Blanche,<sup>64</sup> and the two or three settlements beyond that?

Hon. Sir JOHN A. MACDONALD - Yes, all the settlements, including Portage la Prairie and the White Mud River Settlement. He ought to say that the fixing of the line as it had been at first, did not originate with the Franco-Canadians; it did not come from priestly influence; it did not come to them by any way which had been insinuated -but came from information which they had received, and they acted accordingly. He had great pleasure in stating the fact. The eastern boundary would remain the same as in the former Bill, at 96 degrees. He would make a few remarks on this point, and the House would at once see the reason why they did not invite discussion on it. The line was fixed at 96 degrees, because a large body of the Sioux<sup>65</sup> Indians, who were friendly of the Canadian Government, but opposed

<sup>64</sup> The White Mud River Settlement, or Westbourne.

<sup>65</sup> These were not Sioux, but the Monsonis of the Lake of the Woods region. It may well have been this fact which at that time prevented the extension of the boundaries of Manitoba to Lake Superior.



to the Red River authorities, dwelt to the east of that line, and to hand them over to the new Province would not tend to promote friendly feelings towards the Canadian Government, or give a peaceful passage to the troops through their country. If those Indians were handed over without any treaty being made with them, or without consulting their rights or wishes, they might cut off, or seriously interfere with, communication between the head of Lake Superior and Fort Garry. For that reason they fixed the eastern boundary at the 96th meridian. That was the only change made, even with respect to boundary. The consequences of the increase of the population in the new Province necessitated a change in the amount of the debt with which the new Province should come into the Dominion, and this would be increased by the number of the population added since the Bill had been introduced. The original proposition was that the number of inhabitants should be estimated at 15,000. It was now based on a supposed population of 17,000. The amount of debt at which they would be allowed to come into the Dominion was calculated on that population of 15,000, and so with regard to the subsidy, they commence with a subsidy of 80 cents per head on the population of 17,000, which would be held to be the population of the Province until the decennial census of 1881. The Government believed 17,000 was a very liberal estimate of the population.

Mr. MACKENZIE - Hear, hear.

Hon. Sir JOHN A. MACDONALD - The population will not be affected in any way by the census to be taken next year. Then on the same principle as they had added 1,000 in the number of inhabitants of the proposed Province, a proportion of whom were half-breeds, they proposed to add 200,000 acres more, increasing the area from 1,200,000 acres to 1,400,000 to provide for the families of half-breeds living in the country. Now a good deal of discussion took place on the measure, in which it was evident some apprehension had arisen with respect to the pecuniary arrangements and with respect to the disposal of lands. Those apprehensions were very natural, insomuch as the Bill was not in the hands of hon. gentlemen, and they could only gather the intentions of the Government from the statements he had made at the time he had introduced the Bill. In order that the House might at once see the arrangements that had been made with respect to land, he would read the clauses relating to it, calling the attention of the House to them. He would say, however, that those clauses must be

introduced by resolution, and would not be considered as portions of the Bill until adopted in Committee. The 22nd clause implied that the Province should be entitled to come in and receive interest at the rate of five per cent per annum on the sum of \$472,000 being at the same rate as was allowed Nova Scotia, New Brunswick and Newfoundland. The 23rd clause provided that the sum of \$30,000 should be paid yearly for the support of the Government, and be increased every decennial census till the population should reach 400,000 souls. The 25th clause provided that the Custom's duties now in force in Rupert's Land should be continued for three years after the passage of this Act. The rate was 4 per cent *ad valorem* on all imports with the exception of spirits and coal, on which there was a duty almost to prohibition. The Government had decided on this in consequence of the remoteness of the Settlement from the great markets of supply, goods being supplied by way of York Factory or through the United States, via St. Paul's, and then when the goods reached the consumers they cost ruinous prices. They would not have the advantage of improved intercourse with Canada for at least three years, and it was deemed expedient that they should not commence with the Government of that country by providing that the price of the necessaries of life should be increased as a very first consequence of their becoming a portion of the Dominion. Therefore the House would agree that it was a wise provision that the duty which existed in Canada should not be prematurely imposed upon the people of the new Province. Under the Charter of the Hudson's Bay Company all the lands whatever that might be contained in the country covered by that charter were vested in fee simple in the Company. Under the arrangements by which the country was transferred to the Dominion, those lands and all the rights of the Hudson's Bay Co. in those lands would become part of the Dominion of Canada. For the reasons which he gave when he first introduced the measure, it had not been thought well that the same principle should be adopted in the new Territory as had been adopted in the other Provinces, of handing over all the lands to the Local Legislature. They were in the present case retained by the Dominion. The 26th clause provided that all ungranted or waste lands in the Province shall be free, and, after the date of the said transfer vested in the Crown and administered by the Government of Canada for purposes of the Dominion, subject to and except so far as the same may be affected

by the conditions and stipulations contained in the agreement for the surrender of Rupert's Land by the Hudson's Bay Company to Her Majesty.<sup>66</sup> Those clauses referred to the land for the half-breeds, and go toward extinguishing the Indian title. If those half-breeds were not pure-blooded Indians, they were their descendants. There were very few full-blooded Indians now remaining, and there would not be any pecuniary difficulty in meeting their claims. Those half-breeds had a strong claim to the lands, in consequence of their extraction, as well as from being settlers. The Government therefore proposed for the purpose of settling those claims, this reserve of 1,400,000 acres. The clause provided that the lands should be regulated under orders in Council by the Governor General, acting by the Lieut.-Governor, who should select such lots or tracts in such parts of the Province as he might deem expedient to the extent aforesaid, and divide the same among the children of half-breeds - heads of families. No land would be reserved for the benefit of white speculators, the land being only given for the actual purpose of settlement.<sup>67</sup> The conditions had to be made in that Parliament who would show that care and anxiety for the interest of those tribes which would prevent that liberal and just appropriation from being abused. The next clause provided for quieting the titles and assuring the settlers in the Province the peaceable possession of the lands now held by them. The sections were - 1st. All grants of land in freehold made by the Hudson's Bay Company prior to the transfer to Canada, shall, if required by the owner, be confirmed by grant from the Crown. 2nd. All grants of estates less than freehold in land made by the Hudson's Bay Company prior to the transfer to Canada shall, if required by the owner, be converted into an estate in freehold by grant from the Crown. All titles by occupancy with the sanction and under licence and authority of the Hudson's Bay Company prior to the transfer to Canada of land in that part of the Province in which Indian Titles have been extinguished, shall have the right of preemption of the same on such terms and conditions as may be determined on by the Governor in Council. 5th. The Lieutenant Governor is hereby authorized

<sup>66</sup> This subject was extensively studied by the late Professor Chester Martin, first Professor of History in the University of Manitoba, 1911-1929. See his "Dominion Lands' Policy" in A. S. Morton and Chester Martin, *History of Prairie Settlement and Dominion Lands Policy* (Toronto, 1938).

<sup>67</sup> It was, however, immediately saleable, and in consequence "half breed scrip" became an object of speculation at once.

under regulations to be made from time to time, by the Governor General in Council, to make all such provisions for ascertaining and adjusting on fair and equitable terms the rights of common and rights of cutting hay, held and enjoyed by settlers in the Province, and for the commutation of the same by grants of land from the Crown. It has been said that this section was illogical because the question of the title of the Hudson's Bay Company was disputed. The people wished to have the matter set at rest, and it was therefore proposed to allow their grants to be confirmed by the Crown if they desired it. The second section was proposed under the view that it was advisable to grant this privilege, always under the condition that there should be actual settlement. A question had been put under the next section as to whether it gave large tracts of land to existing large corporations. He and his colleagues had made enquiries and found that there were not such large grants nor large corporations existing there. The Police of the Hudson's Bay Company had been to grant a lot of 100 acres for churches and buildings to all denominations, The Seminary of St. Boniface had no right or claim to the grant of 5 square miles alluded to, but the first bishop had, it was said, received a grant from Lord Selkirk, but that the claim had never been made. But the clause referred only to the title held by occupancy with the sanction and under the licence and authority of the Hudson's Bay Company. This question of a grant to the Seminary was not touched by the clause, and if claim was brought forward, it would have to be decided in a Court of Law. Bishop Taché had never said anything about it, and no attempt had ever been made to force an advantage from the Government for the benefit of the Roman Catholic Church (hear).<sup>68</sup> With regard to the fourth class, they were merely squatters; but they ought to be protected and have the right of preemption of the same on such terms and conditions as might be determined by the Governor-General in Council.

Hon. Mr. WOOD asked who was to examine the titles.

Hon. Sir JOHN A. MACDONALD said the experience of the Province of Canada would point out how that was to be done. There would be the same system and process as had prevailed in those Provinces.

<sup>68</sup> For Selkirk's grant to the Roman Catholic Church at Red River, see Archer Martin, *Hudson's Bay Company Land Tenures*, 36-43.

Hon. Mr. WOOD said they must come to a Court to decide that question.

Hon. Sir JOHN A. MACDONALD said that would be the Council of the Governor General. It was clear that he must have an officer under his control, the Lieutenant Governor, who would be acting under him. It would be under the direction of the Government of Canada. The 5th section affected the white settlers, principally as to the rights of common and of cutting hay. This had been enjoyed by the settlers and although when the country was more settled, it was clear that those rights would disappear, it would be a great injustice and inconvenience to take away the right at present. It was a very difficult question to decide, and the clause, he thought, was the only clear way of solving the difficulty. Of course there would be many cases which could only be decided by an official present at the spot. The 29th clause was a point of debate. It would be hard to require settlers to come to Ottawa to obtain grants of land, and the clause was to enable a remedy to be found for this difficulty. He wished to bring the Bill thus simply before the House - and would move its second reading.

Mr. MACKENZIE did not intend to discuss the Bill, and understood the hon. gentlemen's intentions in introducing the Bill was merely to indicate his reasons for changing its provisions from those as originally introduced. He was glad that the hon. gentlemen had been compelled by the expression of the House to change the western boundary of the Province so as to embrace the settlements that he had previously deliberately excluded. What his motives were for that exclusion he (Mr. Mackenzie) could not say, but circumstantial evidence showed strongly that they were excluded for the reasons which had been given by him. The boundary had so far been changed in the right direction, but it was not yet at all what in his opinion it ought to be in the interest of the people of the Province. The Bill was not satisfactory with regard to its provisions as to Land, Local Government, &c., which were yet to be discussed. If those who proposed to discuss the Bill would prefer to the treaty concluded in London, they would find the titles presented by the Hudson's Bay Company to be maintained were only to be those granted up to the 8th March, 1869, but the Bill now proposed to affirm them up to the passing of this Act (hear). He could only say that he objected entirely to allowing the Hudson's Bay Company the right to

convey lands from the time stated in the treaty, and he felt confident that the House would not recognize titles granted after that date.

Hon. Sir JOHN A. MACDONALD - I have been informed by the best authority, the Governor of the Hudson's Bay Company, that they have not granted a single title since the time stipulated. (hear)

Mr. MACKENZIE said if that were so it was better to have it in the Bill, and he should make an amendment to that effect. The hon. gentleman could not object to inserting the date already agreed upon in his Bill. Some other provisions also conflicted with the terms of Union agreed upon in the Confederation Act, and these of course must be modified. He should attempt to modify it in those clauses in which the agreements in the Act were applicable to all provinces. The provisions of the Bill as brought down concerning land grants, and confirmation of titles were also objectionable in another particular. The hon. gentleman had said that he had examined into them, and that there was no kind of claim which could possibly have been conferred on any ecclesiastical body, except the so-called grant of Lord Selkirk, which the Hudson's Bay Company had repudiated. He said they could not invalidate that claim, but he (Mr. McKenzie) thought it was within their power. He should go more fully into the question tomorrow. He had expected that the Government would have brought down some information with respect to these matters; but although the House were told that all the information in possession of the Government would be laid before the House, yet it was not done. With regard to Father Thibault's report, they were told that some portions of it were suppressed because it would have been injurious to the public interest to have published it. Now, he happened to have seen some of the members of the House reading the suppressed portion of the delegates' reports. The Government had it in type, and it was apparently distributed to favorites in the House.

Hon. Sir JOHN A. MACDONALD - No, no.

Mr. MACKENZIE - I could read it to you, for some friend sent it to me (hear, hear, and cries of "read.") It stated that the hon. member for Lanark and his friends were to be banished from the Territory<sup>69</sup> (hear, hear). If that sentence of banishment was to be

<sup>69</sup> Thibault's published report has no such statement.

pronounced by delegates of the Government against any of their people, the House and country ought to know, it (hear, hear). He had protested last night against that kind of legislating in secret, and he could not admire the spirit of any Legislature that would submit to it (cheers). To ask the House at that late period of the session to proceed with so important a measure without any information would not lead them to a sound conclusion on such important matters as the Land Tenure in that country. It was asking son much. The terms of the treaty of Lord Selkirk and the Hudson's Bay Company might be found out and considered by one or two members, from works to be found in the Library, but the great bulk of the members would not be able to obtain information unless Government aided them. He objected to that treatment because it showed a desire to get this Bill, which contained so many objectionable clauses, through without discussion. The debate yesterday succeeded in obtaining several important emendations to the Bill, and he hoped that the same energy directed to other clauses would greatly amend the general character of the Bill (hear, hear). He did not at the present time intend to discuss its general provisions.

Hon. Sir GEORGE E. CARTIER deprecated the discussion of the Bill then. The Government had no objection to the discussion, but the hon. gentleman ought not to say that he was not ready to discuss and yet so do so. The Premier had stated when introducing the Bill with regard to Portage la Prairie that is having been said that people there did not wish to be admitted it would not be done; but that provision was made by the Bill for its entrants when they desired it. Since then the Government had heard opinions expressed which justified them in saying positively that the Settlement wished to be included, and they therefore made the proposition. With regard so Father Thibault's report, the Government had not committed the foul and low proceedings ascribed to them by the hon. member for Lambton. They were able to do without any such acts. No part of Father Thibault's report had been suppressed. If the hon. member had any suggestion to improve the measure the Government would receive and consider them, and as this taunt that the Government was slow in its action, he retorted upon the hon. member by the assertion that he (Sir. G. P. Cartier) was willing to give the hon. member time to prepare a scheme if he wished to do so (laughter). The preparation of the Bill had been a difficult task.

Hon. Mr. MCDOUGALL entirely disagreed with the doctrine of the Minister of Justice, which he had propounded several times that the information which was withheld from the Home, but which was shown to their own friends, that it was stolen property. The Minister of Militia attempted to get out of difficulty by using appropriate epithets, but he thought the real question was - did such information exist, and had the hon. gentleman sufficient cause to withhold it from the country. The Minister of Militia had said that nothing had been suppressed from the report, but he (Hon. Mr. McDougall), had the *ipsissimis verbis* of the letter, which was printed at the office of the Government.<sup>70</sup> Did the hon. gentleman mean to say that the following was not written by the Government's Commissioner -  
St. Boniface, 20th March, 1870.

"The Hon Mr. Howe:

Sir - I am happy to be able to inform you that the delegates are to leave tomorrow in the hope of effecting a satisfactory arrangement with the Canadian Government. To accomplish this result we have been obliged to use much caution. I must confess that when we arrived here I had very slight hopes of success, as every one then spoke of annexation to the United States. The report of our proceedings is sent separately. We have not tried to hurry through our business, and it is to this, mainly, that our success is due. As for Mr. McDougall, neither he nor any of his party will ever be received into the Territory. The Territory is now quiet.

(Hon. Mr. McDougall) - Yes, order reigns at Warsaw.<sup>71</sup> Recollect this was after the murder of Scott. No reference is made to that.) "And I believe that if Mr. Black were appointed Governor all would be well, for that gentleman enjoys the esteem of the entire population, French and English. I entertain, sir, a confident hope that the Canadian Government will deal kindly with our poor people, who, I can assure you, are not ill-disposed.

I have the honour to be, Sir,

Your very humble servant,

J. W. THIBAUT.<sup>72</sup>

<sup>70</sup> This letter is not part of Thibault's report.

<sup>71</sup> A famous phrase from the bulletin issued by the Russian Army command after the suppression of the Polish Rising of 1863.

<sup>72</sup> PAC, Secretary of State for the Province, Thibault to How, March 2, 1870. It was perhaps a translated copy that came into possession of the opposition.



The various statements of the letter were read amid considerable excitement.

Hon. Mr. McDOUGALL continued - that was the view taken by the Rev. Commissioner, and whether it was a correct view or not, it did not seem to him to be a genuine document (hear, hear). It sounded very much as if it came from the Government. It ought to have been sent with the other. At all events it was now before the House and the country.

Hon. Sir FRANCIS HINCKS - How is it before the House?

Hon. Mr. McDOUGALL said he had read it pretty clearly, and although it was not in a formal manner before the House, it would answer all the purposes he intended at all events (hear, hear). It was before the House and country in about the same manner in which a private circular to the Reform party of the hon. gentleman was. (Loud laughter).

Hon. Sir FRANCIS HINCKS - Exactly.

Hon. Mr. McDOUGALL - The hon. gentleman has denied that there was such a circular, and that no one had a right to discuss it,

Mr. MACKENZIE - We paid for printing it afterwards (laughter).

Hon. Mr. McDOUGALL - And we have paid for this too, I expect (hear). With regard to the Bill, he sincerely dissented from many of its provisions. Several important changes had taken place in the Bill, and although the hon. gentleman represented the changes as being small, the lands were previously left under the control of the Local Government, but now they were taken charge of by the Government here; and an important amendment had been made in regard to the boundary. He would like to see it extended to the boundaries of Lord Selkirk's Grant. The hon. gentleman opposite had taunted them with not being able to prepare a Bill; but he contended that the Opposition would be able to draft Bills as well written and as little liable to be amended next Session of Parliament as were produced from the other side (hear.) The Bill was stated to have been drawn up hastily in two or three days; but it was now some three or four weeks since the delegates had arrived in town. It appeared that owing to some remarks from the Opposition side,

the Government had consulted other parties, and the result of that consultation had been the modification of the Bill, and some further modification might be still obtained.

Hon. Col. GRAY moved the adjournment of the debate.

Hon. Sir JOHN A. MACDONALD said the member for North Lanark ought not to have read the letter when informed that it was strictly confidential. The letter was not a portion of the report of the Rev. Mr. Thibault to the Government, but was merely a letter to the Secretary of State, and was printed confidentially for the convenience of the Cabinet. Some copies were stolen, and the receivers of these copies were receivers of stolen goods.

Mr. MILLS asked if the Government intended to ask the Imperial confirmation of the power of this Bill, or whether it would be a tentative one, which might be withdrawn?

Hon. Sir JOHN A. MACDONALD said there was some doubt in this respect about the appointment of senators, with regard to other portions of the Bill the course to be adopted will depend a great deal on the way in which the Bill passed in Parliament.

Hon. Mr. WOOD thought with the exception of Senators the provisions of the Bill would be embraced under an Imperial Order in Council.

Hon. Sir JOHN A. MACDONALD said the question would be open for a further consideration.

The debate was then adjourned.  
May 5th, 1870<sup>73</sup>

#### PROVINCE OF MANITOBA

The debate on the Bill for the Government of the Province of Manitoba was then resumed.

Hon. Col. GRAY was glad to hear that the policy of the Bill was peace to all parties concerned in the insurrection. They ought to look at the Bill in the light of [the] future and not in the light of the present irritating circumstances, and he should support it.

<sup>73</sup> *Dominion Debates*, 1870, 1381-1385.

Mr. YOUNG<sup>74</sup> said the question should be considered with moderation, but the issues were too important if the future of the Dominion was so deeply involved, that it would be criminal to remain silent. He was not astonished at the feeling in Ontario, for the people not only felt that the country had been humiliated by the insurrection, and that a loyal Canadian had been murdered, but that the future of the magnificent North West Territories was trembling in the balance. The Government had blundered in not consulting the Red River people, in pushing through a Bill at the close of last session to govern them by a Lieutenant-Governor and Orders in Council. This provoked an odious comparison with the neighbouring American territories, and the action of the officials sent there had increased the jealousy and alarm of the people. To cap the climax, the Secretary of State for the Provinces arrived on the scene, and the loyalists looked anxiously to him to dispel their doubts by stating the real intentions of the Canadian Government; but that gentleman remained silent at a time when silence was to betray his country's cause, and if the hon. member for North Lanark was to be believed, the hon. gentleman actually encouraged the discontented to resist the transfer to Canada, and to insist in obtaining what he called their rights (hear, hear). Those were grave charges and if true the hon. gentleman should not longer hold the position in the Councils of Her Majesty (hear, hear). Since the expulsion of Lieutenant-Governor McDougall, the Government had acted with neither wisdom nor patriotism.

Hon. Sir FRANCIS HINCKS - What could we have done?

Mr. YOUNG - You could have paid over the £300,000 to the Hudson Bay Company (hear, hear). They broke their agreement with the Imperial Government on the point, and as an excuse the House was told that if the Government had done so the British Government would have refused to take part in the expedition. After the transfer, the Nor'West would still have been British territory, and the Imperial Government could hardly have done less than what has been gained by delay, and find one-fourth the men and pay one-fourth the expense - not paying the £300,000 was pretty much like a breach of faith, and at least showed a want of trust of faith in the future of the country, and when it became known encouraged Riel, and helped to prevent a settlement for months. Two great faces had been before

<sup>74</sup> James Young, Liberal M.P. for South Waterloo.

the country - armed insurrection against the Queen's authority, and the murder of a loyal British subject. Whatever, then, their political differences were, every loyal man - every true Canadian would agree that the Queen's authority should have been re-established, and the majesty of the law upheld. The course of the Government, from the fine, had been clearly to take immediate steps to reassert the Queen's authority, and to see that the crime committed at Red River was punished, as if committed on the banks of the St. Lawrence or Ottawa. But they had delayed and delayed, and it was only now, when the increased public opinion of the country goaded them into action, that they took the first active measures to preserve that fine territory, and to uphold the laws of the land (hear, hear). As regards the policy the Government now had before the House, the speaker approved of creating the Province of Manitoba and giving the people representative institutions, but many provisions of the Bill were objectionable. The system of the Government proposed was too cumbrous and costly. He was glad that the boundaries had been extended to take in the Portage la Prairie settlements, but the country had not the Government to thank for that. They had been forced to withdraw that proposition which was little more than an insult to the House and the majority of the people of the Dominion (hear, hear), He (Mr. Young) strongly objected to locking up 1,400,000 acres of land for the children of half-breeds in addition to lands they now held. This would give 350 acres for each male half-breed in the country; as they would not work their farms this land would be lost to the settlement, and with the lands now held under the Hudson's Bay Company titles, and the one-twentieth to be allotted to that Company would leave very little land in the small Province to be taken up. He hoped the House would amend that clause. More information should be given by the Government before they legalized all grants made by the Hudson's Bay Company, and in no case should any grant after the 12th of March, 1869, when the territory was bargained for, be legalized. The House should limit the first Parliament to two years, and allow every British subject going to Manitoba, as soon as he became a resident or householder, to exercise all rights of British subjects. The whole Bill, particularly as first brought in, bore traces of a bargain, a compromise, and of being largely dictated by the Red River delegates. He protested against these delegates being considered the representatives of the

Red River people, as they had been elected under compulsion; and he felt humiliated to think that whilst these men had largely influenced the Government, not a single representative of the loyal people of Red River in the city knew a single provision of the Bill until it had been before the House (hear). In regard to the Military Expedition he believed it necessary, but was glad the Government felt so sure it would be one of peace. The Minister of Finance represented that some members wanted the Government to adopt a war policy, and wanted blood-shed. The hon. gentleman was simply drawing upon his fertile imagination. The whole country wanted peace. For his part he regretted that any expedition was necessary, and but for the blundering of the Government none would have been required, and they would not have had to bear the vast expense it would cost (hear). But when it became necessary, it should have been despatched as soon as navigation opened. But, as on other questions, the course of the Government was weak and vacillating; as on the Tariff, they were divided among themselves; they had no policy, no guiding principle; only one bond held them together, the cohesive power of office and place, and it was only too plain that on this great question of the preservation of the North-West in which the very future of the nationality was involved, their Bill had been cut and carved mainly with a view to enable them to engineer it easily through the House, and thus maintain themselves in place and dispense its patronage (cheers).

Mr. COLBY<sup>75</sup> dissented from the views expressed by the preceding speaker. He defended the conduct of the Government throughout the entire North-West business, and contended that not only was the country satisfied with the course they had adopted, but the House was also, for he had never seen the benches so empty during an important discussion. He did not blame the Hon Mr. McDougall, for he considered a better appointment could not have been made. He did not blame the Hon. Minister of justice, for although it had been asserted that the hon. gentleman had never displayed astuteness except in keeping himself into office, he (Mr. Colby) believed it was through the astuteness of the Prime Minister that the country had come so safely through the difficulty. He believed it was better not to make the new Province too large at first, but to allow it to expand as the population spread over the country;

<sup>75</sup> Chas. Carroll Colby, Conservative M.P. for Stanstead.

and he thought a better population than French Canadian Catholics could not occupy that key to the North-West. They were par excellence a loyal people, and they were in the best position to render assistance in protecting that valuable avenue. The hon. member for Waterloo seemed wedded to a single Legislative Chamber for a new Province, but he (Mr. Colby) did not approve that exceptional form of legislation for the people of Manitoba.

Mr. CARTWRIGHT<sup>76</sup> thought that the Government had failed to use discretion in the appointment of subordinate officials employed in the North-West. He had heard of no sufficient reasons for the large representation in the Dominion Parliament which was given by the Bill, but they had better en on the side of generosity in the matter. The Government was responsible for the early fruits of the insurrection, but not for the murder of Scott and later actions. One good result would follow from their expedition to that Settlement, and the progress of the country would be forwarded more by it than by years of ordinary progress. He hoped the Government would be willing to accept amendments in Committee.

Mr. McCALLUM<sup>77</sup> criticised the action of the Hon. Mr. Howe in the matter, especially as to his notorious conduct on the prairie.

Hon. Mr. MORRIS<sup>78</sup> read from a report of the Hon. Mr. McDougall, published in the North-West newspapers, stating that the Hon. Mr. Howe at that interview warned the Her, Mr. MacDougall that delicate handling was required in the Territory, but did not state that there would be an armed insurrection, because he did not apparently expect it.

Mr. McCALLUM said it was impossible to bring in a Bill to satisfy all parties, and the question was whether the Government had done all in their power to avoid the difficulty. He thought they had not. The appointment and acts of Colonel Dennis were also severely criticised.

<sup>76</sup> (Sir) Richard Cartwright, 1835-1912, M.P. for Lennox and Addington; an independent Conservative, but free trader, he became Liberal Minister of Finance, 1873-1878, and Minister of Commerce, 1896-1911.

<sup>77</sup> Lachlin McCallum, Conservative M.P. for Monck. The reference was to Howe's alleged failure to warn McDougall of the possibility of trouble at Red River when they met on the trail to St. Paul.

<sup>78</sup> Hon. Alexander Morris, see p. 89 above.

Hon. Mr. McDOUGALL defended Colonel Dennis, who was a good surveyor.

Hon. Sir JOHN A. MACDONALD said full opportunity would be allowed for the discussion in Committee; and the Bill was then read a second time, and was referred to the Committee of the Whole for tomorrow, when it will be the first measure for discussion.

May 7, 1870<sup>79</sup>

Hon. Mr. ARCHIBALD said:

Mr. Speaker, the hon. member for Lambton<sup>80</sup> in breaking ground this afternoon, has entered into a great variety of details. He has criticized the conduct of the Government and of individual members of the Government at great length and with great asperity. The observations he has made the line he has followed, would be proper enough if we were discussing a question of want of confidence, but does not seem to me at all suitable to the subject now before the House. The question we have to deal with is the kind of constitution we are to give to the new Province, the kind of organization under which the people of Manitoba are to enter upon a new phase of national existence. When my hon. friend for Lambton tells this House that a subject of such vast importance to the future welfare of the Dominion, should be approached in a spirit of gravity and decorum, he carries with him the judgement and good sense of this House, but I ask my hon. friend if he thinks the style of address which he has adopted is in conformity with his own views - whether it is the kind of address, which is worthy of his position - his high position - in this House, or which is likely to promote the true interests of this country. Sir, when my hon. friend for Lambton undertakes to speak of my hon. friend the Secretary of State for the Provinces,<sup>81</sup> as a traitor to his country, as a traitor to the Government of which he is a member, when he condescends to make himself the channel by which all the idle tales of a country, which the member for Lanark<sup>82</sup> describes as a country of semi-savages,

<sup>79</sup> Dominion Debates, 1424-1431. (Sir) Adams George Archibald, 1814-1892, was to be Lieutenant Governor of the Manitoba and of the North-West Territories; 1870-1872, partly because of this speech, partly because he was a Nova Scotian, and as such from neither Ontario nor Quebec.

<sup>80</sup> Hon. Alexander Mackenzie.

<sup>81</sup> Hon. Joseph Howe.

<sup>82</sup> Hon. William McDougall.

shall find their way into this House, I ask him whether he is keeping himself within the bounds of decorum, which he has described as suitable for the discussion of this great subject. I will not humiliate my hon. friend, the Secretary of State, by treating the charges brought against him as requiring a defence or a denial. I will not treat them as requiring any other defence or denial than their intrinsic improbability and absurdity. But I will take the liberty of pointing my honourable friend to one source of consolation which he has under the circumstances. My honourable friend the member for Lambton sits along side of the honourable member for Lanark. They are engaged in a joint assault on my honourable friend the Secretary of State. They have so far a common object, but it must have been a source of amusement to my honourable friend, as it certainly was to the House, to see the hon. member for Lambton suddenly pause in the course of his fierce invective and turn to his friend at his side, to let him know what he thought of him and his conduct, to his political party and friends. It was quite clear that the hon. member for Lanark was still unforgiven,<sup>83</sup> and my hon. friend the Secretary of State had the consolation to know that there is nothing which either of these gentlemen can say of him, that they have not, during the last three years over and over again said of each other, and that if the hon. member for Lambton, has on this occasion allied himself with the hon. member for Lanark, it is because he wants his services as a kind of political Sioux in hunting down and scalping my hon. friend the Secretary of State.

The hon. member for Lambton has said the delegates from the Territory ought to be received.

Mr. MACKENZIE - I did not say so.

Hon. Mr. ARCHIBALD - Then I have mistaken the hon. gentleman, and I supposed him to have said what I think he ought to have said. These men are here by the invitation of the Canadian Government. They were appointed at a meeting or representatives from the various districts, convened at Fort Carry for that purpose. They are here, therefore, as the representatives of the people of that district, or, at all events, the representatives of that portion of the people who have taken

<sup>83</sup> McDougall had not been forgiven by the Liberals for continuing after 1867 in the coalition that had carried Confederation.



part in these troubles. They may have sympathized with the actors in the *émeute*. Very likely they have - and if they have not they would hardly have been chosen as representatives and would have been of little value if they had been chosen. If they can be of any use, it will be because they have the confidence and may be supposed to understand the views of the people behind them. These people are in armed insurrection. We wish to know what the difficulties are, we invite them to send delegates, and they send them on our invitation. The question is not whether the conduct of these people has been right or wrong. We want to know what it is they complain of, and they send these men to tell us. They are, therefore, so far representatives, and any insults hurled against them are insults to the people who sent them here. I ask my honorable friend for Lambton, if he thinks any good is to come of his undertaking to proclaim on the floor of this House that one of these men is a drunkard and a loafer - and that another, in reckless disregard of his sacred character, has been complicated with rebellion, and violence and outrages of the worst kind. A man holding the high position of the hon. member for Lambton in this House and in this country has a large amount of responsibility thrown upon him. His words should be weighed and measured. I fear such language is not calculated to promote the settlement of these unhappy troubles.

Sir, I do not say that we should not frame our measure agreeably to the views of these or any other delegates. We should get our information from every quarter, and the measure should be the one which recommends itself as best for the interests of the Dominion, and for the prosperity of our common country. My hon. friend from Lambton speaks of the value of the great domain on which we are about to enter in the most glowing terms. He dwells on its importance as the site of the only railway which can find its way to the Pacific, over a fertile country. I entirely agree with him in his judgement. I feel that the value of this great Territory cannot be over-estimated, and it is because I feel thus - and because the Province we are now organizing is the key of the whole - that I entertain so strong a desire that we should get possession of this, which assures us of the whole. I consider it sound policy to deal in a liberal spirit with the troubles we have, so as to efface them at once and forever. If this Bill proposed to deal with the whole North West Territory, we should feel much more difficulty in approaching the subject. If we were called upon to give form and shape

to the political institutions which were to regulate a whole continent, we would do well to hesitate. To my mind the smallness of the limits of the Province is no objection. If it be one, it is one capable of an easy remedy. All we require to know is that a larger territory ought to be included, and at any time the limits can be extended. You may enlarge, but you will find it difficult to contract.

But after all, is it so very small? It contains 14,000 square miles. That is not a very large tract, perhaps, in the minds of the people of the great Province of Ontario, but with us by the seaboard a Province five or six times as large as Prince Edward Island, is no contemptible territory.

Mr. MACKENZIE -. It is not so large as Nova Scotia.

Hon. Mr. ARCHIBALD - It is not, but it differs from Nova Scotia in this. A large portion of the interior of Nova Scotia is barren, much of it is rocky, a large tract is covered with lakes. If 1-5th of our soil is capable of cultivation, it is as much as we can count on, but in Manitoba there is hardly an acre that is not cultivable. It is capable of sustaining a population of millions from the soil alone, and such a Province cannot be called mean or contemptible. It is true the present population does not exceed fifteen to seventeen thousand, but they will not remain long at that figure. One of the first results which will follow the organization of the country, will be a large influx of immigration. Quebec will contribute its share, Ontario will do the same, many will come from beyond the water, and in two years we shall find there a population of double the number; and in five years it will amount to a very considerable population. Let them come from where they may; let them be of any origin, or race or creed; let them go in and possess the country, working it under the organization we are now framing, or under any other organization which they may think fit to adopt, all that we have to do is to see them fairly started in the race. And it is because I would like them started fairly that I objected to a feature of the Bill as it originally stood, that I approve of the alteration which extends the boundaries to include all the people. I have no doubt the Government have given a correct account of their view that in excluding a portion of its people, but whether that account be accepted or not, the Bill in its original shape was liable to much misinterpretation, and the Government have acted wisely in changing it.

In dealing with this question we are certainly in a much better position than we were last year. A flood of light has poured in upon us, and yet it is impossible to deny that in many points we are still in the dark.

This little community which has grown up in the very heart of the continent is unique, There is nothing like it in the world. Separated by boundless prairies from intercourse with the people of the South,<sup>84</sup> barred out from Canada by 800 miles of swamp and wilderness, and mountain and lake, separated from the people on the Pacific shores by the almost impassible chain of the Rocky Mountains, they have yet little intercourse with the outer world. And yet they have among them men, who have had the advantages of the best education which Europe can offer men who in intellectual culture, in manners and in every social qualification are not surpassed in any country. And yet, these men are brought into immediate contact with the most primitive people in the world, with men in the primary stages of society, in the lowest and rudest conditions of civilization.

Is it any wonder that a community so secluded from all the rest of the world, uninformed of all that is transpiring around them, should be subject to great, to unreasonable alarms, when suddenly the barrier is burst, which separates them from the rest of the world, and they see their country about to be entered by strangers? Is it any wonder that their fears should be raised; should be traded upon by demagogues ambitious of power and place? I do not think it is. I deplore as much as any man in this House, I can blame with as much severity as any man in this House, the fatal results which have followed, but I can not say I am astonished that under the circumstances in which these men were placed, and with the fears they entertained, just such things should occur as have occurred, and that they should have culminated in the sad event which we all alike deplore and condemn. The circumstances in which these events place us impose on us a stern duty. We must reestablish law and order. We must vindicate the supremacy of the national flag. But the readiest mode of doing so is, at the same time, to show these people that their fears are unfounded, that their rights shall be guaranteed, their property held sacred, and that they shall be secured in all the privileges and advantages which belong to them, as Britons and as freemen.

<sup>84</sup> This of course had not really been true for the past twenty-five years.

This is why I rejoice that the Government have proposed a most liberal Bill, which gives the people every guarantee they have a right to ask. With this Bill in one hand, and the flag of our country in the other, we can enter, not as conquerors, but as pacificators, and we shall satisfy the people there that we have no selfish object of our own to accomplish, that we go there for their good as well as for our good.

Sir, I see provisions in this Bill, which are creditable to the Government. It has, hitherto been the pride of Canada, that in her dealings with the Indian tribes, she has evinced a spirit of generosity. That in making treaties she has dealt liberally, and what she has promised solemnly, she has kept faithfully. And at this moment she is reaping the reward of her good faith. If there is any one thing more than another that will assist us in putting an end to these 'Western troubles, it is the fact that the Indian tribes in every quartet are grateful to their great mother the Queen, for the way in which they have been dealt with, and are loyal to a man.

There is also one other thing that very much helps us. In the country at this moment there are no more loyal subjects of the Crown than our fellow citizens of French descent. There are no men more truly British in their feelings, in their attachment to the Sovereign, in their love of British connection than are the French Canadians. And in this respect the half-breeds of French origin in the territory reflect the loyalty which they inherit from both races. They have no sympathy with republican institutions, and if at this moment we have but little fear from Filibusters and Fenians in the West, it is due to the fact that the men who are frightened, unnecessarily frightened, into an aggressive attitude, have no sympathy with the people and no regard for the institutions of their Southern neighbours.

Sir, I think the main features of the Bill which the Government have introduced are conceived in a spirit of fair play to this people, and I shall have great pleasure in giving it my support ...

May 9th, 1870<sup>85</sup>

Hon. Sir GEORGE E. CARTIER<sup>86</sup> - ...He did not approve of what had been done by the Red River people, (hear, hear). He did not approve

<sup>85</sup> *Dominion Debates*, 1499-1504.

<sup>86</sup> Cartier is replying so arguments for a municipal form of government in Red River, as had been proposed in amendment in Committee of the Whole on third reading by Hon. Wm. McDougall.

of their being always termed rebels and insurgents, for they never pretended that they were opposed to the sovereignty of the Queen, (hear, hear). Not that he had the least doubt that there was a prospective rebellion, so far as Canada was concerned, but as Canadian authority did not exist there, the rebellion did not affect them, except by preventing them from exercising that power which they were to claim under the Act. He did not intend to refer to what had taken place in the Territory.

Mr. MACKENZIE - Better not.

Hon. Sir GEORGE E. CARTIER said they ought to drown those difficulties by liberal measures. He thought the people in the Territory were educated, and, the conference at Red River would contrast [sic] favourably with theirs at Quebec. (Ironical hears'). The original inhabitants of Upper Canada were only 10,000 when the Province was formed; and the settlers now at Red River Territory would contrast favourably with them. The scheme of the hon. Mr. McDougall would cause discontent, and keep alive alarm and contention, thus preventing the settlement of the country. The Government Bill, if carried, would go abroad as the settlement of the Red River difficulty; whereas the bastard Municipal Government proposed by the amendment would not achieve any such end.<sup>5</sup> It would put off the formation of the Province for three years, and the population being increased, the amount to be received by them, instead of that proposed by the Government Bill, would be the Dominion would have to pay \$13,000 on account of 80 cents per head for 17,000 of population, \$23,604 being the amount which ought to be credited to them on account of the debt, and \$30,000 to carry on their Government - making a total of \$67,204, That would carry on the Government for the next ten years; and then, supposing their population to have reached the limit of 400,000, to which the grant of 80 cents applied, the expenses to the Dominion would be \$320,000 for 80 cents a head, 823,604 representing the debt, and 830,000 for Civil Government, so that the highest charge to which the Dominion could be subject was \$373,604 to secure what was so be so prosperous a Province. There could be no doubt about these figures. but in his scheme the hon. gentleman would launch them into a territorial Government. The present was the most advantageous time to take in

As proposed in the MsDougalt anendmens.

that Province on the score of economy. Then he thought he had demolished the argument of his hon. friend, and here they were offered an opportunity of erecting this Province at a cost of \$67,000. If the hon. member for Lanark had succeeded in entering the Province, and establishing a Government as he proposed the cost would have greatly exceeded this sum. Then with respect to retaining lands, as he had before asserted, it was mainly with the object of constructing a British Pacific Railroad and the cost of managing those lands would fall on the Dominion Government, and consequently the Government of Manitoba would be the most economical of all local Governments in the Dominion. The hon. member for Lanark had rendered a just tribute to judge Black who was without doubt the most eminent man in the Territory. Father Richot, had been denounced by the hon. member, but the only crime that could be brought against him was that he was little conversant with political affairs; whether it was so or no, he (Sir George E. Cartier) would say that since he had the honour of being acquainted with Father Richot, he had found him discharge his duty as a delegate in a very moderate way, and with a strong desire that such a measure should be passed as would secure what was called the North West Territory as a portion of Her Majesty's Dominions. He (Sir George E. Cartier) had plenty of opportunities to listen to the rev. gent's loyal sentiments, (hear, hear, and laughter), Hon. members opposite might laugh, but they should not dispute what had passed. In different interviews with the rev. gentleman he found in these delegates gentlemen who were ready to accept any thing that was likely to produce peace. The hon. gentleman said that those delegates did not speak the wishes of the country, but did the hon. gentleman mean to say that he did so, (hear, hear). Had they not a better right to accept the opinion of those men as being better than that of the hon. gentleman opposite. With regard to land grants, there had been a discussion before recess, and it was unnecessary so repeat the arguments then advanced. The Government intended to be liberal, and the claims of the half-breeds would be seen by those interested, to have been considered. The Government agreed that the lots should be 200 acres. He might say that the intention of the Government was to pursue a land policy which would not be surpassed in liberality by any Province in the Dominion, or any State in the neighbouring Union, or by the Federal Government itself, (hear, hear). If the children of half-breeds should fail to avail themselves of the

liberal offers made them to settle on the reserves, the land would be forfeited to the Crown. With respect to the personal remarks of the hon. member for Lanark, he would say that after the affliction that hon. member had sustained, and his appointment to the Governorship of the North-West, he (Sir G. E. Cartier) offered him his support; but the Government was obliged to disapprove of his course in issuing the proclamation at Pembina. The delay of payment was, no doubt, a plausible argument; but in the instructions sent him, he was told to wait further instructions before taking any course of action. All his colleagues were united in believing that the hon. member had acted in the manner he thought best under the circumstances. The hon. member should have seen that, although Government could not approve the course he had taken, and though there had been illegalities in his conduct, they had never impugned his motives. He would conclude by reiterating that their measure was more liberal, just, and economical than the measure proposed by his hon. friend.

Mr. MACKENZIE had seconded the motion of the hon. member for Lanark, not because he approved of it altogether, but because its general principles were sound. He believed the Government were proceeding now at much in a wrong direction as last session, when passing a Bill practically ignoring the right of the people of that Territory, and which ultimately led to the difficulties which brought on that discussion. He believed it was necessary in preparing a form of constitution, by which those people should have some other expression of popular will than that which had been proposed by the so called delegates of Rid or of other representatives of the loyal people of the North West. In other words it was absolutely essential to form a Constitution by which they should have some legal expression of opinion of the people of that Territory. A state of tutelage was necessary' for that country', such as was in existence in the Territories of the United States before aspiring to State constitutions, An error in the beginning was much more serious and more difficult to be overcome than an error at any period of its subsequent history, and while at the present time, they might provide what would meet the views of the people for a temporary period, that would be the wisest course to pursue under the circumstances. If hon. gentlemen had consulted the people of that Territory they would have found that the Constitution which the Government had prepared did not meet with their approbation. In the

Bill of Rights it was demanded that a portion of the public land should be appropriated for the benefit of public schools; but the Bill did not do so. They required Free Homestead and Pre-emption Laws; but the Government provided nothing of that sort; and yet the Government contended that, in the absence of those two very necessary provisions, that had obtained in all the American Territories - although without all those it was still more liberal than the scheme submitted to the House by the hon. member for Lanark. There was nothing more conducive to the prosperity of the people than ample provisions for schools, and to give the freest access to public lands to enable them to prepare homes for themselves. The restrictive policy embraced in the 27th clause<sup>88</sup> was entirely unasked for by the people there. He had listened during the debate on the Bill to ascertain where the demand for that came from; but from the beginning till now, no one had vouchsafed an explanation as to who this demand for these reservations came from. The effect of this policy would be to shut up that portion of the Territory from immediate settlement, and torn emigrants from Manitoba to lands not more inviting, but less difficult of access, on the other side of the line. He was a little pained by the assertion of the Hon. Minister of Militia that those people had never thrown off their allegiance, and had never done anything wrong, but stood up for the protection of their rights. If the people had been in any way oppressed or if any violation of their rights had taken place, he would not only justify but assist them so far as he could, if in the Territory or where he could render them assistance. A people suffering under oppression had a right to use almost any force to preserve their rights; but in that case there had been no oppression, but merely a groundless fear that their rights might be interfered with, as the only incentives to their acts of disloyalty and violence. But the Hon. Minister of Militia was entirely wrong when he asserted that they never threw off their allegiance. Did the hon. Minister ever read their declaration of independence? He would read it further - "We solemnly declare, in the name of our constituents and in our own names, before God and man, that from the day the Government we always respected abandoned us to the people of a foreign land, Rupert's Land and the North-West became free and exempt from allegiance

<sup>88</sup> Section 31 in the Act, the section that provided grants to half breed heads of families.



to that same Government," Yet, after that declaration, the hon. gentleman said the people never threw off their allegiance. Could the hon. gentleman, at any period of his own history, have used more violent language?

Hon. Sir GEORGE E. CARTIER - What Government is mentioned in that declaration?

Mr. MACKENZIE - It could only be one Government - Great Britain.

Hon. Sir GEORGE E. CARTIER - It means the Hudson Bay Company.

Mr. MACKENZIE said they must be exceedingly obliged to the Minister of Militia for being their constant defendant. They owed no allegiance to Canada or the Hudson Bay Company, and could only throw off their allegiance to the Government of Great Britain, and he believed if that measure were submitted to the people of that Territory it would be a most effectual way to secure the peace and contentment which this House desired to see. The Hon. Minister of Militia seemed to treat very lightly the treatment received by the member for Lanark in the North-West; while he (Mr. Mackenzie) felt little political sympathy for his been. friend, he in common with the majority of the people in Upper Canada sympathised with him in the way the hon. member had been treated by his colleagues. He would therefore move that the Bill be committed, with a view to the adoption in the Bill of a Temporary and Territorial form of government. "That the Legislature should be chosen by popular voice, and there should be representation in the Dominion Parliament, combining with due regard the rights of the people and the economical administration of local affairs, the means of obtaining a knowledge of the public will as to form of the Legislature and the tenure of the lands of the Province, thus obviating the putting upon them of a form of government to which they might object." (Hear). If that notice were carried it would have the effect of modifying the Bill, and he did not move it against the Bill as a whole, but merely designed to adopt a temporary mode of government that would leave the House a year or so perhaps two years for consideration, to obtain a more intimate

<sup>89</sup> For the full text, see Begg, *Journal*, 447; the government was that of the Hudson's Bay Company.

knowledge of the country than at present they possess. At the time the last Bill was framed very few hon. members knew anything of the matter. Their information was then very defective, and was so yet. He did not doubt that the information as to the Territory, derived from Father Richot and Judge Black might have been tolerably correct. He had no doubt the information derived from the loyal delegates was quite correct; but judge Black was prejudiced in his views by his connection with the Hudson Bay Company, if they had in the first place a territorial form of government, a Legislature elected in the same way as provided by the Bill of the Government, that would give an indication of the Government and Constitution, knowing that it was in accordance with the views of the people, and not in accordance with the views of a few parties who were interested more or less in having a particular Constitution. At the present time they knew that the Hudson Bay Company were, to a certain extent, responsible for the whole trouble in that Province. They knew that judge Black was connected with that Company, and that all his feelings looked in that direction, and he was therefore the most dangerous man to consult in framing this measure. As to the question of boundary, he thought the proposed limit was too small - at any rate it ought to be 100 degrees west. So insignificant was the Province that the Government might well put up a board fence around it and whitewash it. (Laughter).

Upon the question of concurrence in the resolutions reported from the Committee of the Whole, respecting the proposed new Province of Manitoba.<sup>90</sup>

<sup>90</sup> The Bill passed third reading on May 9, and was assented to on May 12.

REV. N.-J. RITCHOT

## VIII.

### **The Question Of Government In Red River, May, 1870 To August, 1870<sup>1</sup>**

*The annexation of the North West to Canada always was a matter of a transfer of political authority from the Hudson's Bay Company to Great Britain and then to Canada. The practical difficulty was always how to niche the transfer peacefully on the spot in the North West itself. The problem remained even after the first fears aroused by the Red River Resistance had begun to subside. Lord Granville was worried by the difficulty, and made an attempt, one not fully carried out, to deal with it. He tentatively appointed the Governor General, Sir John Young, to the Coves not of Rupert's Land, and also, to cover all doubt, had the Hudson's Bay Company appoint him Governor of Rupert's Land for the Company. The attempt illustrates the concern the Imperial government felt over the possibility of injustice to the people of the North West and of trouble with the United States in the interim between the surrender of the authority of the Hudson's Bay Company and the establishment of the Province of Manitoba.*

*In fact, Young never assumed the office, Presumably because his ministers declined to accept responsibility for what might occur in the North West before a Governor or the troops arrived, The Hudson's Bay Company transferred Rupert's Land and the North Western Territory to the United Kingdom on June 23; the transfer to Canada followed, and the proclamation of the Manitoba Act on July 15, 1870.*

<sup>1</sup> PAC Privy Council Dispatches, B-1870, No. 104B (RG 2, Series 4, Vol.5 PAC. Lisgar Papers, M.G. 27, B2, Sir Frederic Rogers, Under-Secretary, The Colonial office, to Sir Stafford Northcote, Mar, 23, 1870, Confidential).

*Meanwhile, the Provisional Government of Riel remained in Fort Carry, awaiting the amnesty that was never proclaimed. That "government" had no standing in British law. At the same time there was no officer of any kind of either the Imperial or the Canadian government in Manitoba until August 20, when the Wolseley Expedition entered the Province. But the Americans had lost interest, and the Plains tribes remained peaceful. The buffalo-hunters had gone to the Grand Coteau of the Missouri, and the Red River Settlement followed its accustomed bucolic ways.*

*In this fashion the fears of Lord Granville proved to be groundless. The two commissions that follow are a footnote to the might-have-been of the summer of 1870.*

Downing St.  
2nd April, 1870.

Canada  
Rupert's Land  
Confidential.  
Sir.

With reference to my despatch confl. of this day's date, I have the honour to transmit to you herewith the Queen's Commission under the Great Seal appointing the Governor General of the Dominion of Canada to be Governor of Rupert's Land, after the surrender of that Territory to the Crown and until its admission into the Dominion of Canada.

Signed, Granville.

Governor General  
The Right Honourable  
Sir J. Young G.C.B. G.C.M.G.

#### CANADA (*RUPERT'S LAND*).

DRAFT OF LETTERS-PATENT passed under the Great Seal of the United Kingdom appointing the Governor-General of the Dominion of Canada to be Governor of Rupert's Land, after Surrender of that Territory to the Crown, and until its Admission into the Dominion of Canada.

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith: To all to whom these Presents shall come, Greeting:

I. Whereas by the “British North America Act 1867”, it was (amongst other things) enacted that it should be lawful for the Queen, by and with the advice of Her Majesty’s Most Honourable Privy Council, on Address from the Houses of Parliament of Canada to admit Rupert’s Land into the Dominion of Canada on such terms and conditions as should be in the Address expressed, and as the Queen should think fit to approve, subject to the provisions of the said Act.

And Whereas by the “Rupert’s Land Act 1868”,<sup>2</sup> it was (amongst other things), enacted that it should be competent for the Governor and Company of Adventurers of England trading into Hudson’s Bay, therein after called the Company, to Surrender to Her Majesty and for Her Majesty by any Instrument under Her Sign Manual and Signet to Accept a Surrender of all or any of the Lands, Territories, Rights, Privileges, Liberties, Franchises, Powers and Authorities whatsoever granted or purported to be granted by certain Letters Patent, therein recited to the said Company within Rupert’s Land upon such Terms and Conditions as should be agreed upon by and between Her Majesty and the said Company subject to the provisions of the said Act.

And Whereas the said Company are prepared to Make, and We are prepared to Accept, the surrender aforesaid.

And Whereas it is expedient to Make provision for the Civil Government of Rupert’s Land from the time when such Surrender is accepted by Us until the said Territory is admitted into, and becomes part of the Dominion of Canada under the provisions of the hereinbefore recited Acts.

Now, Know ye, that in consideration of the premises We, of Our special Grace, certain Knowledge, and mere Motion, have thought fit to Constitute and Appoint, and by these Presents do Constitute and Appoint, the Governor-General for the time being of our Dominion of Canada, to be

<sup>2</sup> See Oliver, *Canadian North-West*, II 937; United Kingdom, 31-32 Victoria, Chapter 105.

from the date of the acceptance by Us of such surrender as aforesaid, the Governor of Rupert's Land.

II. And we do hereby further Declare our Pleasure to be, that in the event of the Death or Incapacity of the said Governor General of Canada, or in the event of his Absenting himself from the said Dominion, otherwise than for the purpose of visiting Rupert's Land, the Officer for the time being who may be Administering the Government of the said Dominion, shall be, and he is hereby Constituted and Appointed Governor for the time being of Rupert's Land.

III. And We do hereby further Authorize and Empower the said Governor to do all such Matters and Things, and to exercise all such Powers as may be lawfully done and exercised by Us in respect of the establishment of Courts of justice, appointment, suspension, and dismissal of Public Officers, and generally for the maintenance of Peace and Order in Rupert's Land, and for the due Administration of justice therein, Subject, Nevertheless, to any Instructions which may be given him under Our Sign Manual and Signet, or through One of Our Principal Secretaries of State.

IV. And We do further Declare our Pleasure to be that all the Powers and Authorities vested by virtue of these Presents in the Governor of Rupert's Land shall, during his Absence therefrom, be exercised by such Person being Resident therein as may from time to time be appointed to be Lieutenant-Governor thereof, under the Hand and Seal of Our said Governor.

V. And We do hereby Require and command all Officers and Ministers, Civil and Military, and all other the Inhabitants of Rupert's Land, to be Obedient, Aiding and Assisting unto Our said Lieutenant-Governor thereof.

VI. And We do further Declare Our Pleasure to be that these Presents shall take effect for all purposes whatsoever upon the Publication of the same in Canada, and that from and after the Date of Admission of Rupert's Land into the Dominion of Canada under the hereinbefore recited Acts they shall cease, and be of none effect; but not so as to affect any Acts, Matters, or Things made or done by such Governor or Lieutenant-Governor as afore-

said, in pursuance of the Powers hereby conferred on them, or either of them, until otherwise provided by the Parliament of Canada.

VII. And We do hereby Reserve to Us, Our Heirs and Successors, full Power and Authority from time to time to Revoke, Alter, or Amend these Our Letters Patent, as to Us or Them shall seem meet.

In Witness whereof We have caused these Our Letters to be made Patent. Witness Ourself at Westminster, the First Day of April, in the Thirty-third Year of Our Reign.

By Warrant under the Queen's Sign Manual.

C. ROMILLY.

The Right Honourable  
Sir Stafford H. Northcote, Bart., M.P.

Sir,

The period is approaching at which it will be necessary to decide on the steps to be taken to restore order in the Red River Settlement. And it may become necessary that the Civil authority should be strengthened by the presence of a Military Force. This force however must act under legal authority, either that of the Hudson's Bay Company previous to the surrender of the Company's rights, or of Her Majesty's Government between that surrender and the completion of the transfer to Canada, or of the Canadian Government after that transfer.

Lord Granville proposes to secure against any defect of authority subsequently to the surrender by appointing Sir John Young, or the Officer Administering the Government of Canada for the time being, to be Governor of Rupert's Land from the date of the surrender, with power to appoint a Deputy under the title of Lieutenant Governor, and it appears to him that it might conduce to the effectual exercise of authority if the Company were to take a similar course, so far as their Charter and the Law of the Colony allow or authorize it.

Sir J. Young would probably in that case appoint the same person to Administer the Government of the Settlement under all the various powers concentrated in him, so that the acts of the person so appointed would under any combination of circumstances be unimpeachable at law.



Without some arrangement of this kind Lord Granville fears that the steps taken for the restoration of order may be liable to be paralyzed by some legal difficulty.

I am, etc.,

(Sgd) F. ROGERS.<sup>3</sup>

9 April 1870.

The Right Hon. Sir J. Young, Bart., G.C.B.,  
&c., &c., &c.

Sir,

I enclose an appointment by the Hudson's Bay Company of yourself as Governor of Rupert's Land, the object of which is explained by a letter from this Department so the Governor of the Hudson's Bay Company of which a copy is also enclosed.

That object is to relieve from any suspicion of illegality the steps which the Canadian Government is preparing to take, with the assistance of this Country, in order to re-establish order in the Red River Territory.

Although while acting under this Commission you will remain responsible to Her Majesty's Government for not becoming party to any act of undue violence or authorizing any inconsiderate use of the Queen's Troops, yet, as I anticipate that your proceedings as Governor of Rupert's Land will be practically guided by the advice of your Ministers, and as the Hudson's Bay Company will certainly retain no control over your actions, you should not accept this appointment until a Minute of Council has passed declaring that the Dominion relieves the Company from any responsibility for any acts done by you in virtue of it.

The font of the Commission has been approved by the Law Officers of the Crown.

I have the honour to be,  
Sir,  
Your obedient servant,  
(sgd)      GRANVILLE.

<sup>3</sup> Sir Frederic Rogers, 1811-1889, later Lord Blachford, was penmanant Under-Secretary of State for the Colonies at this time.

The Right Honourable  
Sir John Young, Bart., G.C.B.,  
&c., &t., &c.,  
OTTAWA.<sup>4</sup>

Sir,

Acting on the suggestion of Her Majesty's Government, the Hudson's Bay Company have appointed you Governor of Rupert's Land. Enclosed you will find a Commission under the Seal of the Company to that effect.

I have the honour to be,  
Sir,  
Your obedient servant,  
(Sgd) C. M. LAMPSON  
Deputy Governor.

To The Right Honourable Sir John  
Young Baronet G.C.B. G.C.M.G. Governor  
General of Canada

*BY VIRTUE* of the Charter to us given by King Charles the Second by his Letters Patent under the Great Seal of England bearing date the second day of May in the twenty second year of the reign WE do hereby appoint you the said Sir John Young Governor in Chief in our Territory of Rupert's Land and likewise Governor in Chief as well in our said Territory as in all other places where Trade is authorized to be carried on by the said Charter you are therefore in virtue of this Commission to exercise and perform either by yourself or by an Officer appointed by you in that behalf All the powers and duties which now or hereafter may be by law exercised and performed by our Governors THUS we do hereby Order and direct all our Deputy Governors, Chief Factors, Chief Traders, Clerks and other Servants strictly to obey such Orders as you may think proper to give them and you are to observe and follow all such Orders from time to time as you shall receive from us the Governor, Deputy Governor and Committee of the Company of Adventurers of England trading into Hudson's Bay or our successors for the time being ...

<sup>4</sup> PAC, Lisgar Papers, M.G. 27, I, B2, Lampson to Young, April 9, 1870.

GIVEN under our Common Seal] at our House in London this ninth day of April One thousand eight hundred and seventy.

By Order of the Governor,  
Deputy Governor and Committee  
(signed) D. G. SMITH  
Secretary.

## IX.

### **Lieutenant Governor Adams G. Archibald's Assumption of the Government of Manitoba<sup>1</sup>**

*The men of the 60th Regiment of Wolseley's Expedition took possession of Fort Garry on August 24. A surprised Riel, convinced he had been betrayed by Bishop Taché, fled with O'Donoghue to the United States. Wolseley, reluctant to establish military rule, asked Donald A. Smith, as President of the Northern Council of Hudson's Bay Company, to act as head of the Council of Assiniboia. Thus for a few days the civil government of that body revived, in form at least. The lieutenant governor, Adams C. Archibald, arrived at Fort Garry on September 2, was sworn in immediately, and publicly assumed the government of the Province on September 6, 1870. He thus completed the process of transferring Red River from the government of the Hudson's Bay Company as a colony to the government of Canada as a Province of the Dominion.<sup>2</sup> The creation of the institutions of the new provincial government began. The beginning is described by Archibald in the following dispatch.*

Fort Garry,  
10th September, 1870

To the Hon.  
The Secretary of State,  
for the Provinces.  
Sir,

I had the honour to inform you by letter dated the 3rd Instant,  
of my arrival at this place on the 2nd.

<sup>1</sup> P.A.C., C.O. 42/689, Archibald to Howe, Sept. 10, 1870.

<sup>2</sup> See M. S. Donnelly, *The Government of Manitoba* (Toronto, 1963), Chapter I.

Since then I have spent a large part of my time in making acquaintance with the people, and in endeavouring to procure the information necessary to guide me in taking the initiatory steps for the formation of a Government.

I found the people of the Settlement in a state of much excitement such as would naturally follow the events of the last few months. I have taken much pains in endeavouring to tranquilize them and lead them to see how important it is to the prosperity of the Country that all the leading men, irrespective of party, should come forward and give me their aid in establishing a Government that can secure the peace of the Country on a solid foundation.

My efforts have not been without some success as I learn from all Quarters. I am glad to find that my views of the course which ought to be pursued, meet with a general measure of acceptance, even from those who might under the circumstances, have been supposed to be the least likely so acquiesce in these views.

I arrived here on Friday. The next day I caused to be inserted in the 'New Nation' newspaper a notice that I should hold a Levee on Tuesday the 6th Instant, at which time my Commission as Lieut. Governor of Manitoba and my commission as Lieut. Governor of the North West Territories should be read.<sup>3</sup> It seemed to me desirable, as the ceremony of being sworn in had already taken place, that some other equivalent publicity should be given so the facts of any Commission having been issued, and the oaths of office having been taken, and the assemblage of a body of persons at the Levee afforded a good opportunity of doing this, while the presence of Col. Wolseley and the officers of the Expedition enabled me to have it done with some *éclat*.

The Weather, from the time of my arrival, up to the date of the Levee was most unfavourable, there being continuous rain, which, acting on a soil like that of Red River, renders the Roads, after a few days, almost impassable. Notwithstanding, there was a very general turn out.

At the hour named the Commissions and oaths of office were read in the presence of the whole assemblage, immediately after which, the

<sup>3</sup> See copies in PAM, Archibald Papers.

members of the late Council of Assiniboia, through their president, Mr. Donald A. Smith,<sup>4</sup> presented an Address to me, of which, and of my answer, I send you copies herewith. This Address of the Government that had pasted away, to the Government that was coming in, seemed a graceful commencement of the new Regime.

The people presented to me constitute, I understand, a fair sample of the different classes in this Settlement. There were the Bishop of Rupert's Land<sup>5</sup> and the Bishop of St. Boniface<sup>6</sup> the Archdeacon<sup>7</sup> and Clergy of the Episcopal Church, a number of the Roman Catholic Clergy and the members of the other leading denominations,<sup>8</sup> besides a good representation of the men of business, and the farmers of the settlement.

I was gratified to learn that the Central feeling that followed the Levee was one of much satisfaction. There was some fear that the assemblage containing elements of so contradictory a character might have led to some unpleasantness but it was necessary to make a beginning, and I am quite satisfied that the effect was beneficial.

I was requested to receive on Wednesday the 7th Instant the addresses of the people of French origin at St. Boniface which is on the opposite side of the Red River and about half a mile from Fort Garry. I accordingly went over with Col. Wolseley and Mr. Smith, who kindly accompanied me and received the addresses and delivered the answer of which I send you copies enclosed.

A large number of persons were then presented to me who had been unable to be present at the Levee.

I have arranged to receive a number of addresses from different parishes on Thursday, the 15th Instant.

Yesterday I went accompanied by Col. Wolseley and a small party, some twenty five miles up the Assiniboine to a place called Lane's

<sup>4</sup> The Council of Assiniboia has ceased to sit since October 25, 1869; see PAM. "Minutes of the Governor and Council of Assiniboia," N-17. It was revived, however, by Smith and Wolseley after the arrival of the expedition on August 24, with the former as "president"; see Morton, *Manitoba*, 149.

<sup>5</sup> Rt. Rev. Robert Machray, see p. 20 above.

<sup>6</sup> Monsignor A. A. Taché, see page xvii above.

<sup>7</sup> Very Rev. John Maclean, see p. 35 above,

<sup>8</sup> These would include Rev. John Black, first Presbyterian minister of Kildonan.

Post,<sup>9</sup> where year before last 10,000 Bushels of wheat were raised by the H.B.Co. off 300 acres of land.

I mentioned in my last that I had promised to take an early opportunity of seeing a large body of Indians who are assembled in the neighbourhood of the mouth of Red River at a place called the Indian Mission. Since leaving there Henry Prince the Chief, has written to press an early fulfilment of the promise.<sup>10</sup> I learn from the people of that neighbourhood that until the interview is over the Indians will not disperse, and that it would be better at once to see them. The people here are unwilling to have them come up to the Fort, as it is impossible to prevent them from procuring supplies of intoxicating liquors in the town of Winnipeg, and in such cases, there is always a great deal of drunkenness and quarreling amongst them.

I have accordingly arranged to go down on Monday to see them and have a talk with them.

The Indians in this neighbourhood are in a state of considerable excitement. They are very much demoralized by the transactions of the last few months. They do not seem to see why they should not have some share of the property which they know to be in the possession of people who are not its owners.

It will be necessary at a very early date to make some arrangements with these Tribes to put their relations with us on a satisfactory footing. I shall endeavor to obtain from the Rev. McCochran [sic]<sup>11</sup> who is of unmixed Indian Blood, and who is one of the clergymen at the Mission some account of the numbers and necessities of the tribe, and shall after my return be in a position to give more accurate information on these subjects.

I propose at once to make arrangements for the taking of the census. I shall be glad to be at work at something. My present reluctant inactivity is due, partly to the desire I have to know more of the place before moving, partly

<sup>9</sup> Now Pigeon Lake, just east of Saint-Francois-Xavier, Manitoba.

<sup>10</sup> St. Peter's Indian mission of the Anglican Church, Henry Prince was the son of Peguis.

<sup>11</sup> Rev. Henry Cochrane; see Boon, *The Anglican Church from the Bay to the Rockies*, 86.

to the desire that people should have a little breathing space after the excitement of the past before commencing anything that may create further excitement. To this policy the sanction of the leading people of all parties is given. Of the outfit sent on by Mr. McDougall<sup>12</sup> and which in all comprised 65 Packages, 53 were brought into the Settlement by Mr. Fonseca<sup>13</sup> who is referred to in Mr. McDougall's letters published in the Blue Book submitted to Parliament last session.<sup>14</sup> The rest remain at Georgetown and I am making arrangements to get them in.

As to the contents of the 53 Boxes they were, I suspect, largely furniture and I am able to find in the apartments occupied by the Provisional Government a considerable quantity of furniture, but I am inclined to think there are several boxes missing of whose contents I have as yet been able to obtain no account.

I am anxious no time should be lost in pushing on the Telegraph to Fort Garry. I called the attention of the Minister of Public Works<sup>15</sup> to the subject before leaving Ottawa and learned that the propositions originally made to the N.W. Co.<sup>16</sup> had been renewed with modification.

I have since seen in an Ottawa paper - I do not know with what authority - that the propositions have been accepted. I hope it is so. It is of definite importance to have this communication open if possible this fall, or at all events part of the way. Be kind enough to impress it on the Department and let me know as soon as possible the condition of the negotiation.

I have &c.  
(signed) A. G. Archibald.<sup>17</sup>

<sup>12</sup> Hon. Wm. McDougall, see p. 82 above.

<sup>13</sup> William Comet Fonseca, 1i23-1905, trader and merchant of Winnipeg.

<sup>14</sup> *Canada: Correspondence and Papers Connected with the Recent Occurrences in the North West Territories* (Ottawa, 1870).

<sup>15</sup> Hon. H. L. Langevin, by this date.

<sup>16</sup> The telegraph was brought to Winnipeg from St. Paul by the North West Telegraph Company in the fall of 1871.

<sup>17</sup> There are enclosed loyal addresses from the people of French and of English origin and the Governor's replies.



## Appendix I

### (1) The Second “LIST OF RIGHTS.”<sup>1</sup>

“1. That in view of the present exceptional position of the NorthWest, duties upon goods imported into the country, shall continue as at present (except in the case of spirituous liquors) for three years, and for such further time as may elapse until there be uninterrupted railroad communication between Red River Settlement and St. Paul, and also steam communication between Red River Settlement and Lake Superior.

2. As long as this country remains a Territory in the Dominion of Canada, there shall be no direct taxation except such as may be imposed by the Local Legislatures for Municipal or other Local purposes.

3. During the time this country remains a Territory in the Dominion of Canada, all military, civil, and other public expenses in connection with the general government of the country, -or that have hitherto been borne by the public funds of the Settlement, beyond the receipt of the above mentioned duties, shall be met by the Dominion of Canada.

4. That while the burden of public expense in this country is borne by Canada, the country be governed under a Lieutenant Governor from Canada, and a Legislature, three members of whom being heads of departments of the Government, shall be nominated by the Governor General of Canada.

5. That after the expiration of this exceptional period, the country shall be governed, as regards its local affairs, as the Provinces of Ontario and Quebec are now governed, by Legislature elected by the people, and a Ministry responsible to it, under a Lieutenant-Governor appointed by the Governor General of Canada.

6. That there shall be no interference by the Dominion Parliament in the Local affairs of this Territory other than is allowed in any of the

<sup>1</sup> Alexander Begg, Creator of Manitoba (Toronto, 1871), 255-59, and *The New Nation*, February 4 and 11, 1870.

Provinces in the Confederation; and that this Territory shall have and enjoy in all respects, the same privileges, advantages and aids in meeting the public expenses of this Territory as the Confederated Provinces have and enjoy.

7. That while the North-West remains a Territory, the Legislature have a right to pass all laws local to the Territory, over the veto of the Lieutenant-Governor, by a two-third vote.

8. A Homestead and Pre-emption Law.

9. That while the North-West remains a Territory, the sum of \$25,000 (twenty-five thousand dollars) a year be appropriated for schools, roads and bridges.

10. That all public buildings be at the cost of the Dominion Treasury.

11. That there shall be guaranteed uninterrupted steam communication to Lake Superior within five years, and also the establishment by rail of a connection with the American railway as soon as it reaches the International Line.

12. That the English and French language be common in the Legislature and Courts, and that all public documents and Acts of the Legislature be published in both languages.

13. That the Judge of the Supreme Court speak the French and English languages.

14. That treaties be concluded between the Dominion and the several Indian tribes of the country, as soon as possible.

15. That until the population of the country entitles us to more, we have four representatives in the Canadian Parliament - one in the Senate and three in the Legislative Assembly.

16. That all properties, rights and privileges, as hitherto enjoyed by us, be respected and the recognition and arrangement of local customs, usages and privileges, be made under the control of the Local Legislature.

17. That the Local Legislature of this Territory have full control of all the public land inside a circumference, having Upper Fort Carry as the centre,

and that the radii of this circumference, be the number of miles that the American line is distant from Fort Garry.

18. That every man in this country (except uncivilized and unsettled Indians) who has attained the age of twenty-one years and every British subject, a stranger to this Territory, who has resided three years in the country, and is a householder, shall have a right to vote at the election of a member to serve in the Legislature of the country and in the Dominion Parliament; and every foreign subject, other than a British subject, who has resided the same length of time in the country, and is a householder, shall have the same right to vote, on condition of his taking the oath of allegiance - it being understood that this article be subject to amendment exclusively by the Local Legislature.

19. That the North-West Territory shall never be held liable for any portion of the £300,000 paid to the Hudson Bay Company, or for any portion of the public debt of Canada, as it stands at the time of our entering the Confederation; and if, thereafter we be called upon to assume our share of the said public debt, we consent only on condition that we first be allowed the amount for which we shall be held liable."

"By order.

(Signed) "W. Coldwell.

"Lu. Schmidt.

"Secretaries to the Convention."

Donald Smith.

Ottawa, 12th April 1870.

(2) The Third “LIST OF RIGHTS.”<sup>1</sup>

“1. That the territories heretofore known as Rupert’s Land and North-West shall not enter into the Confederation, except as a province, to be styled and known as the Province of Assiniboia, and with all the rights and privileges common to the different Provinces of the Dominion.

2. That we have two representatives in the Senate, and four in the House of Commons of Canada, until such time as an increase of population entitles the province to a greater representation.

3. That the Province of Assiniboia shall not be held liable at any time, for any portion of the public debt of the Dominion contracted before the date the said province shall have entered the Confederation, unless the said province shall have first received from the Dominion the full amount for which the said province is to be held liable.

4. That the sum of \$80,000 be paid annually by the Dominion Government to the Legislature of the province.

5. That all properties, rights and privileges enjoyed by the people of this province up to the date of our entering into the Confederation be respected, and that the arrangement and confirmation of all customs, usages and privileges be left exclusively to the Local Legislature.

6. That during the term of five years the Province of Assiniboia shall not be subject to any direct taxation, except such as might be imposed by the Local Legislature for municipal or local purposes.

7. That a sum equal to eighty cents per head of the population of this province be paid annually by the Canadian Government to the Local Legislature of the said province, until such time as the said population shall have increased to 600,000.

8. That the Local Legislature shall have the right to determine the qualifications of members to represent this province in the Parliament of Canada, and in the Local Legislature.

<sup>1</sup> Begg, *Journal*, 515-19. and J. S. Ewart, *The Manitoba School Question* (Toronto, 1894), 364-67.

9. That in this province, with the exception of uncivilized and unsettled Indians, every male native citizen who has attained the age of twenty-one years; and every foreigner being a British subject, who has attained the same, and who has resided three years in the Province, and is a householder; and every foreigner, other than a British subject, who has resided here during the same period, being a householder, and having taken the oath of allegiance shall be entitled to vote at the election of members for the Local Legislature and for the Canadian Parliament. It being understood that this article be subject to amendment exclusively by the Local Legislature.

10. That the bargain of the Hudson's Bay Company in respect to the transfer of the government of this country to the Dominion of Canada be annulled so far as it interferes with the people of Assiniboia, and so far as it would affect our future relations with Canada.

II - That the Local Legislature of the Province of Assiniboia shall have full control over all the public lands of the province, and the right to annul all acts or arrangements made or entered into with reference to the public lands of Rupert's Land and the North-West, now called the Province of Assiniboia.

12. That the Government of Canada appoint a commission of engineers to explore the various districts of the Province of Assiniboia, and to lay before the Local Legislature a report of the mineral wealth of the province within five years from the date of entering into confederation.

13. That treaties be concluded between Canada and the different Indian tribes of the Province of Assiniboia, by and with the advice and cooperation of the Local Legislature of this province.

14. That an uninterrupted steam communication from Lake Superior to Fort Garry be guaranteed to be completed within the space of five years.

15. That all public buildings, bridges, roads, and other public works, be at the cost of the Dominion Treasury.

16. That the English and French languages be common in the Legislature, and in the courts, and that all public documents, as well as all Acts of the Legislature, be published in both languages.

17. That whereas the French and English-speaking people of Assiniboia are so equally divided in numbers, yet so united in their interests, and so connected by commerce, family connections, and other political and social relations, that it has happily been found impossible to bring them into hostile collision, although repeated attempts have been made by designing strangers, for reasons known to themselves, to bring about so ruinous and disastrous an event.

And whereas, after all the trouble and apparent dissensions of the past, the result of misunderstanding among themselves, they have, as soon as the evil agencies referred so above were removed, become as united and friendly as ever; therefore, as a means to strengthen this union and friendly feeling among all classes, we deem it expedient and advisable;

That the Lieutenant-Governor, who may be appointed for the Province of Assiniboia, should be familiar with both the English and French languages.

18. That the Judge of the Superior Court speak the English and French languages.

19. That all debts contracted by the Provisional Government of the Territory of the North-West, now called Assiniboia, in consequence of the illegal and inconsiderate measures adopted by Canadian officials to bring about a civil war in our midst, be paid out of the Dominion Treasury, and that none of the members of the Provisional Government or any of those acting under them, be in any way held liable, or responsible, with regard to the movement, or any of the actions which led to the present negotiations.

20. That in view of the present exceptional position of Assiniboia, duties upon goods imported into the province shall, except in the case of spirituous liquors, continue as at present for at least three years from the date of our entering the confederation, and for such further time as may elapse until there be uninterrupted railroad communication between Winnipeg and St. Paul, and also steam communication between Winnipeg and Lake Superior.

(3) The Fourth 'LIST OF RIGHTS.'

"1. That the territory of the North-West enter into the Confederation of the Dominion of Canada as a province, with all the privileges common with all the different Provinces in the Dominion. That this province be governed:

1. By a Lieut.-Governor, appointed by the Governor-General of Canada.
2. By a Senate.
3. By a Legislature chosen by the people with a responsible Ministry.

2. That, until such time as the increase of population in this country entitles us to a greater number, we have two representatives in the Senate, and four in the House of Commons of Canada.

3. That in entering the Confederation, the Province of the North-West be completely free from the public debt of Canada; and if called upon to assume a part of the said debt of Canada, that it be only after having received from Canada the same amount for which the said Province of the North-West should be held responsible.

4. That the annual sum of \$80,000 be allotted by the Dominion of Canada to the Legislature of the Provinces of the North-West.

5. That all properties, rights and privileges enjoyed by us up to this day be respected, and that the recognition and settlement of customs, usages and privileges be left exclusively to the decision of the Local Legislature.

6. That this country be submitted to no direct taxation except such as may be imposed by the Local Legislature for municipal or other local purposes.

<sup>1</sup> Ewart, *Manitoba School Question*, 364-7.

7. That the schools be separate, and that the public money for schools be distributed among the different religious denominations in proportion to their respective population according to the system of the Province of Quebec.
8. That the determination of the qualifications of members for the Parliament of the Provinces, or for the Parliament of Canada be left to the Local Legislature.
9. That in this province, with the exception of the Indians who are neither civilized, nor settled, every man having attained the age of twenty-one years, and every foreigner being a British subject, after having resided three years in this country, and being possessed of a house, be entitled to vote at the elections for the members of the Local Legislature, and of the Canadian Parliament, and that every foreigner other than a British subject, having resided here during the same period, and being proprietor of a house, be likewise entitled to vote on condition of taking the oath of allegiance.
10. That the bargain of the Hudson's Bay Company with respect to the transfer of government of this country to the Dominion of Canada, never have in any case an effect prejudicial to the rights of the North-West.
11. That the Local Legislature of this province have full control over all the lands of the North-West.
12. That a commission of engineers, appointed by Canada, explore the various districts of the North-West, and lay before the Local Legislature, within the space of five years, a report of the minerals of the country.
13. That treaties be concluded between Canada and the different Indian tribes of the North-West, at the request and with the co-operation of the Local Legislature.
14. That an uninterrupted steam communication from Lake Superior to Fort Carry be guaranteed to be completed within the space of five years, as well as the construction of a railroad connecting the American railway, as soon as the latter reaches the international boundary.



15. That all public buildings and constructions be at the cost of the Canadian exchequer.

16. That both the English and French languages be common in the Legislature, and in the courts; and that all public documents, as well as the Acts of the Legislature, be published in both languages.

17. That the Lieutenant-Governor to be appointed for the Province of the North-West be familiar with both the English and French languages.

18. That the Judge of the Supreme Court speak the English and French languages.

19. That the debts contracted by the Provisional Government of the Territory of the North-West, now called Assiniboia, in consequence of the illegal and inconsiderate measures adopted by Canadian officials to bring about a civil war in our midst, be paid out of the Dominion Treasury, and that none of the members of the Provisional Government, or any of those acting under them, be in any way held liable, or responsible, with regard to the movement, or any of the actions which led to the present negotiations.

20. That in view of the present exceptional position of Assiniboia, duties upon goods imported into the province shall, except in the case of spirituous liquors, continue as at present for at least three years from the date of our entering the confederation, and for such further time as may elapse until there be uninterrupted railroad communication between Winnipeg and St. Paul, and also steam communication between Winnipeg and Lake Superior.

## Appendix II

# THE MANITOBA ACT

(33 Victoriae, c. 3.)<sup>1</sup>

An Act to amend and continue the Act 32 and 33 Victoria, chapter 3;  
and to establish and provide for the Government of Manitoba.

[Assented to May 12th, 1870.]

Whereas it is probable that Her Majesty, The Queen may, pursuant to the British North America Act, 1867, be pleased to admit Rupert's Land and the North-Western Territory<sup>2</sup> into the Union or Dominion of Canada, before the next Session of the Parliament of Canada:

And whereas it is expedient to prepare for the transfer of the said Territories to the Government of Canada at the time appointed by the Queen for such admission:

And whereas it is expedient also to provide for the organization of part of the said Territories as a province, and for the establishment of a Government therefor, and to make provision for the Civil Government of the remaining part of the said Territories, not included within the limits of the Province:

Therefore Her Majesty, by and with the advice and consent of the Senate and the House of Commons of Canada, enacts as follows:

1. On, from and after the day upon which the Queen, by and with the advice and consent of Her Majesty's Most Honorable Privy Council, under the authority of the 146th Section of the British North America Act, 1867, shall by Order in Council in that behalf, admit Rupert's Land and the North-Western Territories into the Union or Dominion of Canada, there shall be formed out of the same a province, which shall be one of the

<sup>1</sup> This Act was confirmed by the British North America Act, 1871. See for some notice of the circumstances under each of the new provinces was admitted into the Dominion: Attorney General of Prince Edward v. Attorney General of Dominion, [19051 AC., 45-7.

<sup>2</sup> See Introduction, p. xv above.

Provinces of the Dominion of Canada, and which shall be called the Province of Manitoba, and be bounded as follows: that is to say, commencing at the point where the meridian of ninety-six degrees west longitude from Greenwich intersects the parallel of forty-nine degrees north latitude, thence due west along the said parallel of forty-nine degrees north latitude (which forms a portion of the boundary line between the United States of America and the said North-Western Territory) to the meridian of ninety-nine degrees of west longitude, -thence due north along the said meridian of ninety-nine degrees west longitude to the intersection of the same with the parallel of fifty degrees and thirty minutes north latitude, - thence due east along the said parallel of fifty degrees and thirty minutes north latitude to its intersection with the before-mentioned meridian of ninety-six degrees west longitude, - thence due south along the said meridian of ninety-six degrees west longitude to the place of beginning.

2. On, from and after the said day on which the order of the Queen in Council shall take effect as aforesaid, the provisions of the British North America Act, 1867, shall, except those parts thereof which are in terms made, or, by reasonable intendment may be held to be specially applicable to or only to affect one or more, but not the whole of the Provinces now composing the Dominion, and except so far as the same may be varied by this Act, be applicable to the Province of Manitoba, in the same way, and to the like extent as they apply to the several Provinces of Canada, and as if the Province of Manitoba had been one of the provinces originally united by the said Act.

3. The said Province shall be represented in the Senate of Canada by two Members, until it shall have, according to decennial census, a population of fifty thousand souls, and from thenceforth it shall be represented therein by three Members, until it shall have, according to decennial census, a population of seventy-five thousand souls, and from thenceforth it shall be represented therein by four Members.

4. The said Province shall be represented, in the first instance, in the House of Commons in Canada, by four Members and for that purpose shall be divided by proclamation of the Governor General, into four Electoral Districts each of which shall be represented by one Member: Provided that on the completion of the census in the year 1881, and of each decennial census afterwards the representation of the said Province shall be readjusted

according to the provisions of the fifty-first section of the British North America Act, 1867.

5. Until the Parliament of Canada otherwise provides, the qualifications of voters at Elections of Members of the House of Commons shall be the same as for the Legislative Assembly hereinafter mentioned: And no person shall be qualified to be elected, or to sit and vote as a Member for any Electoral District, unless he is a duly qualified voter within the said Province.

6. For the said Province there shall be an Officer styled the Lieutenant Governor, appointed by the Governor General in Council by instrument under the Great Seal of Canada.

7. The Executive Council of the Province shall be composed of such persons. and under such designations, as the Lieutenant Governor shall, from time to time think fit: and, in the first instance, of not more than five persons.

8. Unless and until the Executive Government of the Province otherwise directs, the seat of Government of the same shall be at Fort Garry, or within one mile thereof.

9. There shall be a Legislature for the Province, consisting of the Lieutenant Governor, and of two Houses, styled respectively, the Legislative Council of Manitoba, and the Legislative Assembly of Manitoba.

10. The Legislative Council shall, in the first instance, be composed of seven Members, and after the expiration of four years from the time of the first appointment of such seven Members, may be increased to not more than twelve members. Every member of the Legislative Council shall be appointed by the Lieutenant-Governor in the Queen's name, by Instrument under the Great Seal of Manitoba, and shall hold office for the term of his life, unless and until the Legislature of Manitoba otherwise provides under the British North America Act, 1867.

11. The Lieutenant-Governor may, from time to time, by Instrument under the Great Seal, appoint a member of the Legislative Council to be Speaker thereof, and may remove him and appoint another in his stead.

12. Until the Legislature of the Province otherwise provides, the presence of a majority of the whole number of the Legislative Council, including the Speaker shall be necessary to constitute a meeting for the exercise of its powers.

13. Questions arising in the Legislative Council shall be decided by a majority of voices, and the Speaker shall in all cases have a vote and when the voices are equal the decisions shall be deemed to be in the negative.

14. The Legislative Assembly shall be composed of twenty-four members to be elected to represent the Electoral Divisions into which the said Province may be divided by the Lieutenant-Governor as hereinafter mentioned.

15. The presence of a majority of the Members of the Legislative Assembly shall be necessary to constitute a meeting of the House for the exercise of its powers; and for that purpose the Speaker shall be recognized as a Member.

16. The Lieutenant-Governor shall (within six months of the date of the Order of Her Majesty in Council admitting Rupert's Land and the North-Western Territory into the Union), by Proclamation under the Great Seal, divide the said Province into twenty-four Electoral Divisions, due regard being had to existing Local Divisions and population.

17. Every male person shall be entitled to vote for a Member, to serve in the Legislative Assembly for any Electoral Division, who is qualified as following, that is if he is:-

1. Of the full age of twenty-one years, and not subject to any legal incapacity:
2. A subject of Her Majesty by birth or naturalization:
3. And a bona fide householder within the Electoral Division, at the date of the Writ of Election for the same, and has been a bona fide householder for one year next before the said date; or,
4. If, being, of the full age of twenty-one years and not subject to any legal incapacity and a subject of Her Majesty by birth or naturalization, he was, at the time within twelve months prior to the passing of this Act, and (though in the interim temporarily absent) is at a time of such election a bona fide householder, and was resident within the Electoral Division at the date of the Writ

of Election for the same:

But this fourth sub-section shall apply only to the first election to be held under this Act for Members to serve in the Legislative Assembly aforesaid.

18. For the first election of Members to serve in the Legislative Assembly, and until the Legislature of the Province otherwise provides, the Lieutenant-Governor shall cause writs to be issued, by such person in such form and addressed to such Returning Officers as he thinks fit; and for the first election, and until the Legislature of the province otherwise provides, the Lieutenant-Governor shall, by proclamation, prescribe and declare the oaths to be taken by voters, the powers and duties of Returning and Deputy Returning Officers, the proceedings to be observed at such election, and the period during which such election may be continued, and such other provisions in respect to such first election as he may think fit.

19. Every Legislative Assembly shall continue for four years from the date of the return of the writs for returning the same (subject nevertheless to being sooner dissolved by the Lieutenant-Governor), and no longer; and the first Session thereof shall be called at such time as the Lieutenant-Governor shall appoint.

20. There shall be a Session of the Legislature once at least in every year, so that twelve months shall not intervene between the last sitting of the Legislature in one Session and its first sitting in the next Session.

21. The following provisions of the British North America Act, 1867, respecting the House of Commons of Canada, shall extend and apply to the Legislative Assembly, that is to say:-Provisions relating to the election of a Speaker, originally, and on vacancies, - the duties of the Speaker - the absence of the Speaker and the mode of voting, as if those provisions were here re-enacted and made applicable in terms to the Legislative Assembly.

22. In and for the Province, the said Legislature may exclusively make laws in relation to Education<sup>3</sup> subject and according to the following provisions:-

<sup>3</sup> See B.N.A. Act, 867, section 93.

- (1) Nothing in any such Law shall prejudicially affect any right or privilege with respect to Denominational Schools which any class of persons have by Law or practice in the Province at the Union:
- (2) An appeal shall lie to the Governor-General in Council from any Act or decision of the Legislature of the Province or of any Provincial Authority, affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to Education:
- (3) In case any such Provincial Law, as from time to time seems to the Governor-General in Council requisite for the due execution of the provisions of this section- is not made, or in case any decision of the Governor-General in Council on any appeal under this section is not duly executed by the proper Provincial Authority on that behalf then, and in every such case, and as far only as the circumstances of each case require, the Parliament of Canada may make remedial laws for the due execution of the provisions of this section, and of any decision of the Governor-General in Council under this section.

23. Either the English or the French language may be used by any person in the debates of the Houses of the Legislature, and both those languages shall be used in the respective Records and journals of those Houses: and either of those languages may be used by any person or in any pleading or Process, in or issuing from any Court of Canada established under the British North America Act, 1867, or in or from all or any of the Courts of the Province, The Acts of the Legislature shall be printed and published in both those languages.

24. Inasmuch as the Province is not in debt, the said Province shall be entitled to be paid and to receive from the Government of Canada by half-yearly payments in advance, interest at the rate of five per centum per annum on the sum of four hundred and seventy-two thousand and ninety dollars.

25. The sum of thirty thousand dollars shall be paid yearly by Canada to the Province, for the support of its Government and Legislature, and an annual grant in aid of the said Province shall be made, equal to eighty cents per head of the population estimated at seventeen thousand souls; and such grant of eighty cents per head shall be augmented in proportion to the increase of population, as may be shewn by the census that shall be taken thereof in the year one thousand one hundred and eighty-one, and by each

subsequent decennial census, until its population amounts to four hundred thousand souls, at which amount such grant shall remain thereafter, and such sum shall be in full settlement of all future demands on Canada, and shall be paid half-yearly, in advance, to the said Province.

26. Canada will assume and defray the charges for the following services-

1. Salary of the Lieutenant-Governor.
2. Salaries and allowances of the judges of the Superior and District or County Courts.
3. Charges in respect of the Department of the Customs.
4. Postal Department
5. Protection of Fisheries.
6. Militia.
7. Geographical Survey.
8. The Penitentiary.
9. And such further changes as may be incident to and connected with the services which, by the British North America Act, 1867, appertain to the General Government, and as are or may be allowed to the other Provinces.

27. The Customs duties now by law chargeable in Rupert's Land, shall be continued without increase for the period of three years from and after the passing of this Act, and the proceeds of such duties shall form part of the Consolidated Revenue Fund of Canada.

28. Such provisions of the Customs Laws of Canada (other than such as prescribe the rate of duties payable) as may be from time to time declared by the Governor-General in Council to apply to the Province of Manitoba shall be applicable thereto, and in force therein accordingly.

29. Such provisions of the Laws of Canada respecting the Inland Revenue, including those fixing the amount of duties, as may be from time to time declared by the Governor-General in Council applicable to the said province shall apply thereto, and be in force therein accordingly.

30. All ungranted or waste lands in the Province shall be, from and after the date of the said transfer, vested in the Crown, land administered by the Government of Canada for the purposes of the Dominion, subject to, and except, and so far as the same may be affected by the conditions and stipulations contained in the agreement for the surrender of Rupert's Land by the Hudson's Bay Company to Her Majesty.



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 thousand 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 Governor 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 the said 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 shall from time to time determine.

32. For the quieting of titles, and assuring to the settlers in the Province the peaceable possession of the lands now held by them, it is enacted as follows:-

1. All grants of land in freehold made by the Hudson's Bay Company up to the eighth day of March in the year 1869, shall, if required by the owner, be confirmed by grant from the Crown.
2. All grants of estates less than freehold in land made by the Hudson's Bay Company, up to the 8th day of March aforesaid, shall if required by the owner, be converted into an estate in freehold by grant from the Crown.
3. All titles by occupancy with the sanction and under the licence and authority of the Hudson's Bay Company up to the eighth day of March aforesaid, of land in that part of the Province in which the Indian Title has been extinguished, shall, if required by the owner, be converted into an estate in freehold by grant from the Crown.
4. All persons in peaceable possession of tracts of land at the time of the transfer to Canada, in those parts of the Province in which the Indian title has not been extinguished, shall have the right of pre-emption of the same, on such terms and conditions as may be determined by the Governor in Council.
5. The Lieutenant-Governor is hereby authorized under regulations to be made from time to time by the Governor General in Council to make all such provisions for ascertaining and adjusting, on fair and equitable terms, the rights of Common, and rights of cutting Hay held and enjoyed by the Settlers in the Province, and for the commutation of the same by grants of land from the Crown.

33. The Governor General in Council shall from time to time settle and appoint the mode and form of Grants of Land from the Crown and any Order in Council for that purpose when published in the Canada Gazette shall have the same force and effect as if it were a portion of this Act.

34. Nothing in this Act shall in any way prejudice or affect the rights or properties of the Hudson's Bay Company as contained in the conditions under which that Company surrendered Rupert's Land to her Majesty.

35. And with respect to such portion of Rupert's Land and the North-Western Territory as is not included in the Province of Manitoba, it is hereby enacted that the Lieutenant-Governor of the said Province shall be appointed, by Commission under the Great Seal of Canada to be the Lieutenant-Governor of the same under the name of the North. West Territories and subject to the provisions of the Act in the next section mentioned.

36. Except as hereinbefore is enacted and provided, the Act of the Parliament of Canada passed in the now last session thereof, and entitled "An Act for the Temporary Government of Rupert's Land and the North-Western Territory when united with Canada" is hereby reenacted, extended and continued in force until the first day of January, 1871, and until the end of the Session of Parliament then next succeeding.