

ASSOCIATION OF METIS AND NON-STATUS INDIANS OF SASKATCHEWAN

Aboriginal Rights Research

Discussion Paper

on

THE CLAIM TO NATIONHOOD OF THE METIS IN THE NORTHWEST,  
OUTSIDE MANITOBA

July 15, 1979

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I Introduction

In a previous discussion paper on "The Nationhood Claim of the Metis", it was established that the Metis considered themselves to be the first settlers and therefore along with the Indians the rightful "Lords of the Soil" in the territory known as Rupertsland.<sup>1</sup> When the Metis established the provisional government at the Red River, they considered this government to be the legitimate representative of all the people living in Rupertsland. The charter of rights was drawn up to apply to the whole territory and the negotiations for union with Canada began on the basis that all of Rupertsland would join Canada as one territory or one province.<sup>2</sup>

Those who have read Father Ritchot's diary will recall the discussion between Cartier and the delegates on this point. Cartier proposed that there would have to be several provinces in the Northwest. Ritchot indicates he made a pretense of not understanding this proposal but further suggests the matter was raised repeatedly by Cartier. However, Ritchot's diary gives no clues to how this problem was resolved or how the borders of the newly created province were agreed upon. The newly created province included only a portion of the original territory of Assiniboia.<sup>3</sup>

The Manitoba Act made provisions for the remainder of Rupertsland and the Northwest Territories to be governed under the Act entitled "An Act for the Temporary Government of Rupertsland and The Northwest Territory when united with Canada" and to have the same Lieutenant-Governor as the province of Manitoba. That temporary Act remained in force until 1871 and provided for the

establishment of a council with very limited powers. This council was to be appointed by the government of Canada.<sup>4</sup> This Act was superseded by a series of other acts over the years from 1871 to 1905, which gradually increased the powers of the Northwest Territories Council and which provided for some of the members to be elected by the people in the territory. Following Alexander Morris' term as Lieutenant-Governor of Manitoba, the legislation was changed to appoint a separate Lieutenant-Governor for the Northwest Territories. This person also served in the capacity of Commissioner for Indian Affairs. Dewdney was first official appointed to this position and served through the years leading up to and following the Northwest Rebellion.<sup>5</sup>

In the events which followed the establishment of Manitoba and in the carrying out of the provisions of the land distribution, the question of the rights of the inhabitants of Rupertsland outside of the new province seems to have been largely forgotten by the government and the new province. The Metis residents in this far flung territory had minimal involvement in the Red River disturbances, although they were sympathetic and had offered Riel military support. However, for the most part, they were far removed from the events of the Red River and they carried on with their traditional lifestyle much as they had for the past century. They were not affected by the new settlers who were coming to the area.<sup>6</sup> However, they did not see themselves as entirely secure in their rights even though far removed from and not in any way affected by the transfer of the territory from England to Canada. The evidence is to be found in the fact that they started submitting petitions to Morris as early as 1873.<sup>7</sup>

## II The Exodus From The Red River

Between 1870 and 1880 a substantial number of the residents of the Red River area left and took up permanent residence in the Northwest. Some of these people only wintered in the Red River, hunting on the plains during the rest of the year. They wished to

continue their traditional lifestyle and were not interested in becoming permanent agriculturalists but in farming to supplement their other activities. Therefore, they moved further west and north where they would not be affected by the advance of settlement into the Red River. Others left because of persecution and joined relatives and friends in permanent settlements at St. Laurent, St. Louis, Prince Albert, Edmonton, etc.. There was a substantial amount of land available in these areas where river lots could be established and the produce of their land could be supplemented with the produce of the hunt and with fishing.<sup>8</sup>

Others left the Red River for largely economic reasons. They had not acquired permanent farms and the process of allocating and distributing the land dragged on for ten years. Without land they could not survive and survival dictated they go where land was available and where a more traditional life was still possible. Others left because they found themselves being forced out by the new settlers who sometimes squatted on their land and by the speculators who pressured them to sell the land.<sup>9</sup>

During this period the leaders who had lead during the period 1869-70 had either fled the area going to the U.S.A., such as Riel, or had their rights severely restricted by the government as in the case of Lepine. The other leaders and the new leaders devoted most of their energies to the new government in Manitoba and to the issues of land distribution, education, settlement, etc.

The question of nationhood rights and land rights appears to have been an almost immediate concern outside the new province with numerous petitions on these questions dating from 1873. Records and documents indicate, in other respects, that life proceeded much as before during this period and that no well organized attempts were made during the period to obtain for the residents of the Northwest the rights that had been granted to the residents of Manitoba. Metis communities tended to be widely scattered except in the Prince Albert area. Each community carried on with fairly informal government structures. There were exceptions such as in the communities of St. Laurent, and St. Albert which had developed

a fairly structured local government system, as indicated by the Laws of St. Laurent and St. Albert. The other exception was when people were on the buffalo hunt. The Metis had well formulated rules and regulations which they followed fairly universally. These laws show a highly disciplined and structured approach to the hunt.

III The Changes in the Northwest

Although there are few records available on the views of the people of the Northwest on their nationhood rights, during the 1870's the laws referred to above and the contents of their petitions reflect the fact that the people proceeded on the assumption that they had such rights. They exercised them to the extent that they found necessary to maintain law and order and to ensure the success of their economic activities.<sup>II</sup> We can assume that the fact that they didn't advocate provincial statehood reflects the fact that they were able to exercise most rights with little interference and they didn't see themselves or their life style as threatened.

All through the 1870's the Metis communities maintained a communications link with the Red River. This was through the people of the Red River who were coming to settle in their midst and through the freighters and traders who traveled back and forth between the Red River settlements and the settlements in the Northwest on a regular basis. In addition as the '70's progressed the buffalo hunt, the main food source of the inhabitants of the Northwest, began to fail as the buffalo became scarce. This made the Metis more dependent on their agricultural activities and meant that the guarantee of land rights in particular became of more concern. At the same time, white settlers from the Red River began to settle in the areas which now constitute western Manitoba and eastern Saskatchewan as well as along the Saskatchewan River around Prince Albert. Land speculators also began to descend on the area, railway construction was proceeding, a telegraph link was to be built to Edmonton from the Red River and the Northwest Mounted

Police was established to exercise law and order over the area.<sup>I2</sup>

It has been suggested by some historians and civil servants such as the surveyor Pearce, that most of the trouble in the Northwest was caused by the agitators and troublemakers from the Red River, who, having squandered their land grants in Manitoba, now wanted more land in the Northwest to which they weren't entitled. Historical records, however, suggest that the people in the Northwest had always had their own indigenous leaders. There was usually one outstanding person who had a good deal of influence over the people in the different settlements. In the early part of the 1800's that leader was Cuthbert Grant, who made his home in the Qu'Appelle Valley region. During the 1870's through to 1885, their outstanding leader was Gabriel Dumont. Dumont had a great deal of influence with all of the Metis people in the Northwest as well as with the Indian tribes in the area.<sup>I3</sup>

It would appear that it was through his counsel and that of other leaders that the decision was made by the Metis people in the Northwest to achieve the same or a similar settlement with the Canadian government as had been achieved by the residents of Manitoba. They believed they could achieve these rights peaceably by appealing by way of petitions, to the Canadian government, through her representative, the Lieutenant-Governor, or through petitions to the Northwest Territories Council. Some petitions were also sent directly to Ottawa. These petitions began in 1873 and were continued through until 1884 when the Metis of St. Laurent, exasperated at the lack of positive response by the Canadian government, decided to enlist Riel's help and bring him back to work with his people.<sup>I4</sup>

Even after Riel's arrival the people, at Riel's counsel, continued to attempt to obtain the recognition of their rights through peaceful means. However, by that time their situation was desperate. The buffalo had disappeared, there had been a series of crop failures, and the Northwest was affected by the general economic depression in Canada at the time. More settlers arrived daily, surveys of their lands were being carried out and there were rumors that the land was being sold to a colonization company.<sup>I5</sup>

IV The Petitions of the Residents of the Northwest

The first petition from Metis communities was presented to Lieutenant-Governor Morris by John Fisher and ten others on May 3, 1873. This was followed by a further petition of Qu'Appelle halfbreeds on September 11, 1874 to Morris. The first petition of the Qu'Appelle halfbreeds is of particular interest since it makes reference to the land and land control issues which were a major focus in Manitoba and verifies that these people also understood the land grants to be compensation for giving up their control over the land. We, therefore, quote portions of this petition.

"proposed and adopted amongst ourselves that messengers be sent to all the Metis and to the Cree, Assiniboine and Saulteaux nations.

This May third we have received the votes of all the Metis of the Northwest and the assurances of the friendship of all the Indian nations."

Address to Lieutenant-Governor Alexander Morris, Public meeting May 5, 1873.

"We the council and the public through this petition, respectfully submit to the Lieutenant-Governor that we are aware that the Canadian government has annexed our lands to Canada, which lands are all known to be of the greatest value."

"We mean to speak here of the manner in which the Canadian government made treaties at Red River ... in order to deceive them afterwards.

We beg of you, our worthy Lieutenant-Governor, to listen, to what we have to say ... give us your protection in preventing strangers from disturbing us on our lands, although they do not form part of the province.

We ask of you ... to give us lands in compensation of our rights to the lands of the country as Metis."

The petition goes on to request speedy settlement of the land question with the people of Manitoba, a declaration of amnesty



for Riel and others, and then stresses that since no laws have yet been made for the area by Canada, they have made their own strong laws and enforce them with the result that there is peace among the Indians and Metis in the territory.<sup>16</sup>

In the next eleven years many petitions followed from many settlements. The following is a chronology of these petitions giving dates, locations and the number of adult males signing the petitions:

	<u>Date</u>	<u>Location</u>	<u>No. of Signatures</u>
1.	May 3, 1873	Qu'Appelle Lakes	11
2.	September 11, 1874	Qu'Appelle Lakes	31
3.	June 5, 1876	Battleford	70
4.	September 19, 1877	Blackfoot Crossing	43
5.	January 15, 1878	Prince Albert	81
6.	February 1, 1878	St. Laurent	All residents of community
7.	February 23, 1878	Prince Albert	149
8.	April 10, 1878	St. Albert	All residents of community
9.	November 23, 1878	Cypress Hills	278
10.	July 10, 1880	Manitoba Village	17
11.	July 22, 1881	Qu'Appelle River	25
12.	September 20, 1881	Edmonton	102
13.	April, 1882	Prince Albert	25
14.	September 21, 1882	Qu'Appelle	117
15.	September 4, 1882	St. Laurent	45
16.	November 19, 1883	St. Louis	33 17

Files of the Department of the Interior indicate that some additional petitions were presented which were not included in the returns filed in the House of Commons. In addition, we know from the records that the Metis at the same time were informally pressing their claims with their priests, the church heirachy, with senior civil servants and with the Northwest Territories Council.<sup>18</sup>

The records show that persons other than Metis also made

numerous representations on behalf of the Metis. A chronology of these is included below:

	<u>Date</u>	<u>Name</u>	<u>Position</u>
1.	October 1, 1874	P. Decorby, I.M.I.	Missionary
2.	April 5, 1875	J. Vital	Bishop of St. Albert
3.	January 7, 1876	J. Vital	Bishop of St. Albert
4.	April 3, 1876	Bishop Grandin	Diocese of Edmonton
5.	August 21, 1878	Northwest Territories	Council
6.	October 23, 1878	Archbishop Tache	St. Boniface
7.	October 8, 1881	Thomas MacKay	Chairman, N.W.T.C.
8.	October 8, 1881	H. MacBeath	Secretary, N.W.T.C.
9.	January 16, 1883	Father Andre	Priest at St. Laurent
10.	October 9, 1883	Forget	Clerk of N.W.T.C.
11.	December 8, 1883	T.W. Jackson	Member of Council
12.	January 19, 1884	V. Vegreville	Missionary at St. Louis
13.	April 26, 1884	Louis Schmidt	Personal plea
14.	Undated (1884)	Father Andre	Priest at Duck Lake. <sup>19</sup>

It can be seen from the numerous petitions and representations that neither the Metis or their supporters were inactive between 1870 and 1885 in attempting to bring about a satisfactory conclusion to the rights claimed by the Metis. The fact that the federal government took no concrete action, in the face of persistent pressures from many quarters, indicated their disregard for native rights and in particular attests to the fact that they did not recognize the Metis as having any special rights.<sup>20</sup> In 1878 the government commissioned Flood Davin to carry out an extensive study and make recommendations to the government on solutions to the Metis problem. In 1880 he submitted a comprehensive proposal to the government. The government did not act on any significant recommendation in the report which would have eased the trouble in the Northwest.<sup>21</sup>

What was it that the Metis asked for in their various petitions? Below is a list of all of the requests with an indication of the frequency with which these requests were made.

<u>Requests</u>	<u>Frequency</u>
1. Compensation for giving up their rights to control the land	1
2. The right to establish local government	3
3. The right to river lots in their possession	4
4. Hunting and fishing rights	5
5. The right to participate with the government and the Indians to make beneficial hunting laws	3
6. Protection of free trading rights	1
7. Guarantee of the right of the church to its property and to practice freely their religion	2
8. The making of laws for the buffalo hunt	3
9. A territorial government composed of the representatives of the people to manage the affairs of the territory	3
10. Recognition of the rights of the Indians	2
11. Farm implements and seed	4
12. Survey of lands on river lot system	9
13. French representatives on Northwest Council	2
14. Appointment of a French speaking stipendiary magistrate	2
15. Establishment of Metis schools	4
16. Land grants in the form of Scrip	5
17. A special land reserve for the Metis where they could take land allotments which would be perpetual and inalienable. One proposal from Cypress Hills Metis was for a land area to run from the Pembina River at U.S. border 150 miles west, 50 miles north and then east for 150 miles and south to U.S. border. Although provincial status is not mentioned, white settlers were to be excluded from the area and the Metis would control laws, schools and other institutions. It would have bordered on the then existing Metis province of Manitoba.	2
18. Trained advisors and teachers in agriculture	1
19. Protection from land companies	3
20. Tax exemptions in their land reserve	2. 22

From the list of requests, it can be seen that they are in many respects similar to the requests contained in the charter of rights drawn up by the residents of the Red River. They generally dealt with what were defined as nationhood rights in our previous paper. The most frequent request was for a survey of the river

lots according to the French system and the issue of patents for land on which the Metis were already settled. Hunting and fishing rights such as the Indians had were of concern but it was also recognized that at least the buffalo hunt would have to be controlled by laws. The issue of scrip to allow the children of the Metis and the adult residents who had no land to participate in land grants was also requested in a number of petitions.

One request that they did not make was that their Indian title be recognized or that it be extinguished through the scrip issue. Certainly there were never any negotiations with the Metis to get them to sign agreements giving up their share of the aboriginal title to the land. The records are clear that no agreements were signed ceding such land or other aboriginal rights to the government of Canada. The Canadian government acted unilaterally through amendments to the Dominion Land Act of 1879, in an attempt to extinguish these rights.<sup>23</sup>

#### V The Immediate Events Leading up to the Northwest Rebellion

In 1884, the residents of the Metis communities in the Prince Albert, Batoche, St. Laurent, St. Louis and Duck Lake areas in particular, became very concerned about the security of their land holdings. Although a Dominion Land agent, Pearce, had been sent out to deal with their requests for surveys and take applications to have their title confirmed, there were persistent rumors that their land was being sold out from under them. In fact, a colonization company had been formed in the East known as the Prince Albert Colonization Company. This company included, among its shareholders, several prominent government members, The Honorable Mr. Mills and Mr. White, who both served for brief periods as minister of the Department of the Interior, and the father-in-law of the then minister The Honorable Mr. Bowell. It was also alleged that the minister was a silent partner in this company but this was never proved.<sup>24</sup>

The Company negotiated with the minister for a tract of land

for settlement purposes which encompassed 36 townships (51,200 acres) and originally included much of the land around Batoche and St. Laurent. After objections the order in council authorizing this transaction was amended to remove the townships on the west side of the land tract and an equal number were added to the east side of the tract. This removed the potential threat to the land holdings around Batoche and St. Laurent but the tract still included the St. Louis area on the South Saskatchewan River, a newer settlement of Metis people. In 1884, the company went as far as to try to evict settlers around St. Louis and the Church from their land holdings claiming they occupied the land illegally.<sup>25</sup> The people in the general area were of course not familiar with the exact details of the transaction and generally with what was going on in Ottawa. Therefore, it was not unnatural for them to be concerned particularly in view of the fact that Pearce claimed that 92 percent of the settlers had already received land in Manitoba and had no legitimate land claim.<sup>26</sup>

It must also be kept in mind that this was not the first attempt by a land company to take over land occupied by the Metis. It was also not the first time that a survey of river lots had been promised and then the promise not kept. In March, 1883, Dewdney wrote to the minister pointing out the need to survey the land holdings of the Metis along the Qu'Appelle River since land speculators and in particular a company known as the Qu'Appelle and Ontario Land Company was obtaining title and laying claim to some of the lands occupied by the Metis. They were also attempting to evict some people from their land.<sup>27</sup> Although the government promised that the title of the Metis land holdings would be confirmed and the survey would be carried out according to the river lot system, the latter was not done. The surveyors who moved into the area in 1883 and 1884 claimed it was technically impossible to survey river lots along the Qu'Appelle because of its course through the valley which resulted in river lots overlapping. Therefore, they used the Torrens survey system. Although the Qu'Appelle Metis got land and had their title confirmed, many had to move because their homes ended up on someone else's property.<sup>28</sup>

It can be seen that there were serious problems about land holdings. The Metis also saw a threat to their religious, language and culture rights from a rapidly growing immigrant population. In addition, there was widespread dissatisfaction of the people resulting from the economic depression and starvation faced many people due to a series of crop failures. This lead Dumont and other leaders to conclude that the Metis people could no longer wait for the government to act on their petitions of the previous ten years.<sup>29</sup>

Dumont had good contacts with the Metis communities and the Indian people throughout the west. He was respected as a military organizer and leader. However, he did not see himself as possessing the political and spiritual leadership qualities or the education necessary to mobilize a well organized native resistance movement to push for the necessary political solutions and guarantees the people desired. As a result, he and other leaders at St. Laurent believed that Riel must be persuaded to return to the Northwest to once again lead his people since only he had all the necessary leadership qualifications.<sup>30</sup>

The St. Laurent and other Metis settlements in the Prince Albert area had now become to the Northwest Territories what the Red River settlement had been to the area prior to 1870. It had become the new population centre of the Metis and the cultural and religious focus of the Northwest Territories.<sup>31</sup> There is no doubt, from a reading of the historical documents of the day, that there was widespread support among both the Metis and the white population for the Metis cause. Added to this was widespread dissatisfaction among the Indian population who were suffering from starvation and the destruction of their way of life. There was also widespread dissatisfaction among the white settlers over such questions as the routing of the railway, the economic policies of the government, high freight rates, lack of export markets and the fact that the federal government resisted efforts by the people to organize local government units. There was wide support for the realization of a greater degree of self government by the people of the Northwest,

although provincial status was not necessarily the objective.<sup>32</sup> The main supporters of the government position and policy regarding Metis rights were the orangemen who had moved to the Northwest.

It was into this atmosphere that Riel returned to the Canadian Northwest in the summer of 1884. Dumont and others were ready to organize the people for military action and military resistance to achieve their rights. Riel on the other hand, being a peaceful man, counselled the people to continue to use legitimate and constitutional means to press their claims.<sup>33</sup>

Tremaudan describes the scene at Riel's reunion with his people at the church of St. Antoine De Padue and provides the following quotation from Riel's speech to the Metis people of the area who had assembled at the church to greet him.

"If we conduct ourselves openly, methodically, and persistently, it is impossible for the government not to see the justice of our requests and satisfy them. Patience and calm, and the use of all constitutional means at your disposal are the best way to achieve the desired results. That is how we acted at Red River. Therefore, continue your petitions."<sup>34</sup>

A few day later Riel addressed a crowd of approximately 600 persons at Prince Albert where he counselled people in a similar way. There were some unpleasanties at this meeting when some orangemen who lived in the area objected to Riel's presence and tried to interrupt the meeting. In spite of this, a number of Englishmen spoke in support of Riel, the most notable being William Henry Jackson, who was later to become Riel's secretary. At this meeting they also organized a fund to support Riel, whom they called the "National Advocate".<sup>35</sup>

There are a number of descriptions of the Prince Albert meeting by persons who were present. A history of the Rebellion published in the Winnipeg Daily Sun in 1885 supports the Tremaudan description of widespread dissatisfaction among the population. It also indicates that the national feeling of the Metis people was

still very strong. James Isbister, a leader in the Prince Albert area, in a letter dated July 22, 1884, set out the complaints of the people and reached the following conclusion: "Therefore, it is necessary that we should secure the same rights as the people of Manitoba".<sup>36</sup>

All through the summer, fall and early winter, meetings were held throughout the settlements and many petitions were sent to the Canadian government. There was no response from the government. On March 6 and 7, 1885, a large meeting of delegates gathered at St. Laurent where Riel submitted to them what was referred to as the "Revolutionary Bill of Rights". That Bill contained the following provisions<sup>37</sup>

- 1) Land grants for the Metis;
- 2) Patents to all Metis and white settlers who had earned the right of possession on their farms;
- 3) Two new provinces, Saskatchewan and Alberta, with their own legislatures;
- 4) Representation by population in the legislatures with the Metis having a fair share of the representation;
- 5) Officers of trust be appointed from within the territory;
- 6) The area be administered for the benefit of the settlers;
- 7) Better treatment and more aid for the Indians;
- 8) Land endowments to establish schools and hospitals;
- 9) Lawful customs and usages of Metis be guaranteed;
- 10) Land administration be moved to Winnipeg from Ottawa;
- 11) More liberal timber regulations;
- 12) Guarantee of settlers rights in area.

This bill of Rights was adopted by the assembly and then on a motion by Riel and Nolin, the assembly agreed to set up a provisional government because the government of Canada had neglected its responsibility.<sup>38</sup> Riel declined the position of president but there



was no doubt that he was in charge of the proceedings. The following is a further quotation from the Sun article, referred to earlier: "He announced that no hostile movement would be made unless word was received from Ottawa refusing to grant the demands of the Bill of Rights. If the government, however, should appoint a commission to deal with the halfbreed claims, and pledge itself to deal with the questions affecting white settlers, then the provisional government, on obtaining reasonable guarantees that this would be done, would disband."<sup>39</sup>

## VI The Government Response to the Petitions

In spite of warnings from various government officials that there would be trouble among both the Metis and Indians if the government didn't take action to redress their grievances both Dewdney and Macdonald ignored the letters, memorandum and petitions in the sense that no action was taken. On March 26, 1883, Macdonald made the following statement in the House of Commons to justify the government's lack of action and response: "As a whole, the halfbreeds have been told that if they desire to be considered as Indians, there are most liberal reserves, that they could go with the others; but if they desired to be considered whitemen, they would get 160 acres of land, or homesteads. But they are not satisfied with that; they want to get land scrip of equal quantity - I think upwards of 200 acres - and then as a matter of course this homestead as well."<sup>40</sup>

However, by the summer of 1884 Dewdney also began to be concerned about pending trouble and warned Macdonald that the government must take action. By the beginning of the parliamentary session of 1885 with Riel back and news of his activities having reached the government, the decision was made to immediately proceed with the survey of the river lots and to issue scrip in the Northwest to provide land grants to the Metis similar to those provided in Manitoba. A hasty Order in Council was passed on March 31, 1885 by cabinet to implement section 83 in the 1883 Dominion Land Act. This Order in Council also established the Metis commission. Commissioners were

quickly selected and given their instructions.<sup>41</sup> Riel and his followers made known their requests to Ottawa but the government ignored them and decided to dispatch troops to the area instead. The action of Macdonald and his government are indicative of the fact that they had always taken the position that the Northwest belonged to Canada. Having acquired sovereign title to the area from Great Britain in 1870, the Canadian government was in no mood to have its claim to the territory challenged again and was in no mood for any negotiations on the Bill of Rights adopted at the St. Laurent meeting. This possibility was never considered as far as can be determined from correspondence, reports, or House of Commons debates.<sup>42</sup>

Indeed while Macdonald was claiming in the House of Commons that there was no serious trouble in the Northwest, that could not be peacefully solved, he had given orders for the mobilization of a volunteer army under the command of Colonel Middleton. The mobilization point was Winnipeg and on March 17, 1885, only 10 days after the provisional government was established at St. Laurent, a Hudson Bay Company officer arriving at Prince Albert spread a rumor that 500 volunteers were on their way to St. Laurent from Qu'Appelle. This was a full two weeks before the all-important Order in Council was passed by the cabinet.<sup>43</sup>

The railway was not complete but still could serve a purpose Macdonald always visualized, that being to enable the government to put down quickly any native uprising in the Northwest. In an 1880 House of Commons debate on the railway, among reasons given by Macdonald for the building of the railway was that this would enable the government to quickly move an army into the Northwest to "strike hard" to put down any future potential uprising by the Indians.<sup>44</sup> The hostile reaction of the government to Metis petitions was the signal for action by the Metis.

Following the March 6 and 7 assembly, Riel began to take control of some supplies coming into the Northwest to provide against any future emergency. His supporters also began making levies on

settlers and freighters bringing goods into the area to raise needed funds. Dumont and others were given the task of informing the Indian tribes of the Metis actions and of mobilizing their support.<sup>45</sup> The Winnipeg Sun article indicates that Riel had committed no overt acts against the government until he received the news that the volunteer army was on the way. The following day, Riel and his followers proceeded to Clark's Crossing 14 miles to the south where there was a small trading post. Riel commandeered all the guns and ammunition at two stores in the settlement and, as well, took some cattle, horses, feed and other food and supplies. He instructed the storekeepers to charge it to the provisional government.<sup>46</sup>

Riel and his followers then returned to St. Laurent, crossed to the east side of the River and held a meeting at the home of one Caron. A council was formed consisting of twelve men including Norbert Delorme, Charles Nolin, Philippe Sardipy, Joseph Belanger, Joseph Parenteau, Fisher, Jackson, and John Caron. Captains were appointed and Riel established his headquarters in Caron's house, who was in Winnipeg at the time. Guards were placed on the Troy Trail (Qu'Appelle) and as freighters arrived their supplies were taken. According to records, ten prisoners were also taken. During this time the Mounted Police from Fort Carlton were making their presence known in the area. On March 25, a Mounted Police detachment appeared on the River bank across from Batoche. Riel, therefore, decided to dispatch a troop of men to Duck Lake to commandeer further supplies and ammunition from the stores in that community. While they were in the community, the Police arrived.<sup>47</sup> Based on accounts in Tremaudan's book, there were 30 Metis and 177 police. The police opened fire, killing Dumont's brother and an Indian. The famous battle of Duck Lake followed in which 12 police were killed and five of Riel's followers were killed. The police then retreated to Fort Carlton, leaving behind a quantity of guns, ammunition and some horses.<sup>48</sup>

A Metis was dispatched to Fort Carlton to ask the police to come and claim their dead. Instead they arrested him. Fort Carlton

was situated in a location which made it difficult to defend. Crozier decided to retreat to Prince Albert where better defences could be established. Before the police left, they destroyed their provisions and set fire to the Fort. Although Crozier and his men, on their march to Prince Albert were very vulnerable and could have been destroyed by the Metis, Riel prevented Dumont from undertaking such a project. He further decided not to attack Prince Albert but instead to prepare defences around Batoche and St. Laurent. Riel abhorred violence and bloodshed and always clung to the hope that somehow the question of the settlers rights could be settled peacefully. Dumont also had a plan to intercept Middleton's troops on their trip from Qu'Appelle and harass and tire them out on the way. This project as well as the one against Crozier would undoubtedly have succeeded and strengthened Riel's bargaining power. He, however, chose instead to wage a defensive battle.<sup>49</sup>

It was clear from their actions that the Metis didn't want war and there were those among the white leaders who also believed this to be the case. Major Walsh of the Mounted Police, on hearing the news of the uprising, wrote as follows:

"When the first news of the Metis rising reached me I couldn't believe, and still can't believe, that they want war ..."

"I think that a commission should have been established long ago. However, the fact that this was neglected is no reason why it should not be set up and sent without further delay. What glory for Canada lies in killing a few poor Metis who find themselves neglected? Don't forget these people have the heartfelt sympathy of the white inhabitants of the area. Do you imagine that if the whites had the same grievances as the Metis they wouldn't rebel? And if they did, is there a single man in Canada who would oppose sending a commission? These people aren't rebels; they are simply asking for justice."<sup>50</sup>

Although Riel had his people prepare elaborate trenches to protect the settlements of Batoche and St. Laurent, he refused to

let Dumont attack the approaching army and, although Dumont disputed Riel's judgement on this point, he did submit to his decision. The first hostile action took place at Fish Creek near Torrands farm where the ravine provided natural cover and Middleton with his 1,000 soldiers marched into an ambush cleverly set by Dumont who had 130 men.<sup>51</sup> Middleton was forced to retreat from this first encounter with considerable casualties (10 dead and 50 wounded). Dumont and his men withdrew to Batoche where the ensuing battles were to take place and where the Metis were eventually defeated. The first battle at Fish Creek took place April 25. The final surrender of the Metis at Batoche took place May 13, almost three weeks later. The Metis only a few hundred in number, were finally no match for Middleton's battalion of a thousand men who were well armed and who also had a gattling gun and several cannons. The Metis had a few arms of ancient vintage, limited ammunition and few supplies. They also had their women and children with them in the settlement which made them even more vulnerable.<sup>52</sup>

The story of the battle of Batoche has been told in detail many times and further details will not be repeated here. The point to note is that the Metis did not attack either government soldiers or the police. They only defended themselves when they felt that this was necessary to protect their territory and their rights. With their defeat at Batoche, the Metis rights were also ignored and forgotten, with the exception of the land grant which were distributed by scrip. This proved to be of little benefit to the Metis but of great benefit to the speculators and land companies.<sup>53</sup>

## VII The Aftermath to Batoche

The story of Riel's capture and trial has also been the subject of books, articles and plays and is well known. However, what is not well known is that even in defeat and while in prison Riel continued to work to try to realize his goal of Metis nationhood rights within the Canadian Confederation.<sup>54</sup>

Riel had become an American citizen while he was living in

the United States. Therefore, he decided to enlist the help of Wickes-Taylor, the American Consulate in Winnipeg. Wickes-Taylor was also an influential figure in the events of 1869-70 in the Red River. He had always been interested in the development of the Northwest and at various times tried to persuade the American government to annex the Northwest to the United States. Because of his knowledge of the Northwest and his close friendship with several key Canadian politicians, the most notable being Joseph Howe, Taylor was employed as a secret agent by Hamilton-Fish, the American Secretary of State, to report to him on the events at Red River.<sup>55</sup> He was in Ottawa during the time when negotiations were going on between the Red River delegates and the Canadian government. He was kept informed by Howe of the details of these proceedings. In his letters to Fish, he confirms a number of important details contained in Ritchot's diary. The most significant is what he reports on why the 1.4 million acres was granted to the Metis. In a letter to Hamilton-Fish dated May 24, 1870, he gives an analysis of the provisions of the Manitoba Act as follows:

"These provisions were accepted by the Red River delegates as an advance of the demands made by the Fort Garry Convention. The grant of 1.4 million acres to the children of the halfbreed residents was regarded as an equivalent for the "control by the local legislature of the public lands within a circumference around Fort Garry, of which the distance to the American line was the radius" ... the autonomy of a small province, in which the French population would be likely to predominate was understood to be Riel's latest revision of the Red River protocol."<sup>56</sup>

Following the establishment of Manitoba, Wickes-Taylor was appointed American Consulate in Winnipeg, a position he held for many years. Riel knew of his work and his sympathy for the Metis cause. He first wrote to Taylor from prison on July 21, 1885 and asked for help with his pending trial. This was followed up with a much longer letter on August 5, 1885 in which he outlines the Indian and Metis cause in much more detail. He asked the American government to intercede with the Canadian government to bring about

a just resolution to Indian and Metis demands. On September 12, 1885, Riel submitted a petition to the president of the United States where he further expounded his views and detailed his request for a joint Canadian-American Commission to investigate the Northwest complaints and to work for a just solution.<sup>57</sup>

Needless to say, the American government did not intervene and nothing became of Riel's request. However, the Canadian government did set up its own commisison in 1886. This was a quasi-judicial inquiry which called witnesses and took sworn testimony. The commission gathered information at various locations including Batoche where it called to give testimony various individuals who had been involved or widows whose husbands had been involved in the rebellion.<sup>58</sup> This whole exercise was primarily a process of intimidation of the people and a careful selection of witnesses. Almost everyone who testified claimed they had not willingly participated in the army of Riel but had been forced to participate. Some claimed they were physically prevented from returning to their homes and others that their lives had been threatneed if they tried to leave the Metis camp. The person said to be responsible for these threats was always claimed to be Riel.<sup>59</sup> Riel was now dead, as was his dream of Metis nationhood, and of course he couldn't defend himself against these charges.

One can, however, not take the work of this commission seriously, particularly when its report is compared against the many other accounts of the events leading to and surrounding the Northwest Rebellion. This did not prevent the Canadian government from attempting to use the report to vindicate itself and to place the entire blame for the Northwest Rebellion on the shoulders of Riel, Dumont and a few so-called radical followers.<sup>60</sup> These events brought to a halt for many years any discussion or agitation for Metis nationhood rights and political self-determination. However, since the Metis were never willing partners in the Canadian Confederation, this concept of Metis nationhood and self-determination has again surfaced in recent years and has become a major consideration in the present Aboriginal Rights Research Program.

VIII Footnotes

- 1 This phrase is used in an official dispatch of Lieutenant-Governor Morris to Macdonald to be found in papers of Department of The Interior. W.L. Morton in his book, *The Birth of Western Canada*, also documents the source and extent of this attitude among the Metis people.
- 2 See Lists of Rights and Minutes of Proceedings of The Provisional Government.
- 3 See *Manitoba: The Birth of A Province*, W.L. Morton, chapter VI, Ritchot diary.
- 4 See Revised Standard Statutes of Canada, 1870.
- 5 See Sessional Papers, and papers of Department of The Interior.
- 6 *The History of The Metis in Western Canada*, Tremaudan.
- 7 Sessional Papers, 1873.
- 8 *Supra.*, *The History of The Metis*, Tremaudan.
- 9 *Ibid.*
- 10 *The Laws of St. Laurent and The Laws of The Prairie*, found in volume 19, A.M.N.S.I.S. Library.
- 11 *Supra.*, *The History of The Metis*, Tremaudan.
- 12 *Ibid.*, Also see Sessional Papers and papers of The Department of The Interior.
- 13 *Ibid.*
- 14 *Ibid.*
- 15 *Ibid.*, Also see R.C.M.P. Correspondence, volume 28, A.M.N.S.I.S. Library, Sessional Papers, House of Commons debates and *The Birth of Western Canada*, W.L. Morton.
- 16 *Supra.*, found in Sessional Papers 1873 and 1874.



- 17 Ibid., These are summarized from The Sessional Papers of 1873 to 1884.
- 18 See papers of Department of The Interior and Correspondence in Sessional Papers.
- 19 Ibid., Summarized from the above referred to papers and official records.
- 20 Supra., Papers of The Department of The Interior. Also see House of Commons Debates 1884-86.
- 21 Supra., Report found in Sessional Papers, 1879.
- 22 Supra., Summarized from Petitions in Sessional Papers.
- 23 Supra., House of Commons Debates. Also see Dominion Land Act 1879, R.S.S. of Canada.
- 24 Ibid., See 1886 House of Commons Debates on the P.A. Colonization Company.
- 25 Ibid.
- 26 Supra., See Sessional Papers 1887 for Pearce Report.
- 27 Dewdney Papers, volume 21, A.M.N.S.I.S. Library.
- 28 Supra., See Reports in Sessional Papers 1883.
- 29 Supra., The History of The Metis, Tremaudan.
- 30 Ibid., Also see The Birth of Western Canada, W.L. Morton.
- 31 Ibid.
- 32 Ibid., Also see Sessional Papers, Riel Papers, Dewdney Papers, and Jackson Papers in A.M.N.S.I.S. Library.
- 33 Ibid.
- 34 Ibid.
- 35 Ibid., Also see eyewitness accounts from volume 46, A.M.N.S.I.S. Library, The History of the Northwest Rebellion.

- 36 Ibid.
- 37 Supra., The History of The Metis, Tremaudan.
- 38 Ibid., Also see volume 46, The History of The Northwest Rebellion.
- 39 Ibid.
- 40 Supra., See Sessional Papers 1883 and 1884, Dewdney Papers, volume 21, and House of Commons Debates 1884.
- 41 Ibid., See Sessional Papers. Also see O.C. and Instructions from Macdonald to the Commissioners, Sessional Papers 1886.
- 42 Supra., See House of Commons Debates, Dewdney Papers, Sessional Papers, and The Birth of Western Canada, W.L. Morton.
- 43 Supra., The History of The Metis, Tremaudan and The History of The Northwest Rebellion, volume 46, A.M.N.S.I.S. Library.
- 44 Supra., See House of Commons Debates 1880.
- 45 Supra., The History of The Metis, Tremaudan.
- 46 Supra., See The History of The Northwest Rebellion, volume 46.
- 47 Supra., The History of The Metis.
- 48 Ibid.
- 49 Ibid.
- 50 From the private papers of Major Walsh as quoted by Tremaudan in The History of The Metis.
- 51 Ibid., Tremaudan. Also see Middleton's official report on the Batoche Battle and The Birth of Western Canada, W.L. Morton.
- 52 Ibid.
- 53 Ibid., Also see The History of The Northwest Rebellion, volume 46.
- 54 Riel Papers, volume 56, A.M.N.S.I.S. Library.

- 55 Supra., Manitoba: The Birth of A Province, W.L. Morton, chapter IV.
- 56 See Wickes-Taylor papers, A.M.N.S.I.S. library.
- 57 Supra., See Riel papers, volume 56, A.M.N.S.I.S. library.
- 58 Volume 46 A.M.N.S.I.S. Library, reports of the testimony before the Government Commission.
- 59 Ibid.
- 60 Supra., See House of Commons Debates, 1860.