

### The Fettered Election

October 15 marks a turning-point in the affairs of Archibald, of Riel, of Schultz, of Taché and of the people of the new province of Manitoba generally. Lady Archibald and the daughter Lily arrived in Manitoba that day, having made the long overland journey from St. Paul under the care of Robert Tait.<sup>1</sup> This marked the end of the bachelor's existence for Archibald, and the beginning of a time when the pressure of affairs was made bearable by a happier domestic situation at Government House and the occasional visit to St. Boniface, where the trio were always made welcome.

For his part, after October 13 Riel knew that he was not going to be called upon to reconstitute his government. More and more pressure was exerted on him to remain in hiding and use his influence to secure peace.<sup>2</sup>

For Schultz, it was a question of abandoning his ideas of becoming premier and deciding to turn his attention to becoming a member of the Legislative Assembly, the House of Commons or both.<sup>3</sup> He had, however, no intention of relaxing his efforts at using the "poor Scott" legend to keep Riel from emerging from hiding and to render Manitoba an unattractive place for Half-breeds.

Taché noticed that a kind of cool breath had swept across his relationship with Archibald.<sup>4</sup> The Lieutenant-governor still needed Taché if he was to maintain the agonizing allegiance of the long-suffering Métis as the one great support of his administration,<sup>5</sup> but the spontaneity and warmth of September and early October were no longer there.

The first issue of the Manitoban reopened a window on the world that had been closed by Schultz's September 6 attack on Thomas Spence and the New Nation, and never quite opened by the Manitoba News-Letter.<sup>6</sup> Once again there was available a full budget of community and

world news.<sup>7</sup> The people of Manitoba, sensing at last that their old assembly was not acceptable in the eyes of the powers-that-be, turned with a shrug to the task of electing a new one.<sup>8</sup>

Sources of information for this first provincial election are very inadequate. By the time the campaign began most eastern newspapers were showing diminishing interest in Manitoban affairs and published little of interest about it. There was no local French-language newspaper, and there would not be one until May of 1871. The Manitoba News-Letter made no real effort to report on meetings where Schultz was not present. The Manitoban, fearful for its very existence, was very circumspect in what it reported, especially where the Volunteers were concerned, and many of the special supplements have not survived. It is possible, nevertheless to catch a glimpse of what meetings were like, which personalities were trying to influence the course of events, and how they were trying to do that.

The main theme which emerges is that this election was not free. It was a fettered election, conducted against a backdrop of the uniformed mob at Fort Garry and the men like Schultz and Lynch who wanted to use it for their own selfish purposes. The presence of that mob meant that certain men, including Riel, would not dare to present themselves as candidates. It meant unruly interruptions at political meetings. It meant that Volunteers presented themselves as candidates. It meant, in short, that the Queen's Regulations were broken at every turn.

Four secondary features are apparent in the pattern of this election. There was a reluctance, natural enough, on the part of the "provisionals" to present themselves as candidates. There are exceptions, of course, but by and large Schultz's campaign against them was successful, and most of these men were not elected to the new assembly. Some excellent men were thus lost to the political process.

There was a tendency for those at public meetings to look to the past and its struggles rather than to the future and its promise. The events of "last winter" were still vividly remembered and, especially in parishes near St. Andrews, the divisions of February and the counter-movement found heated expression in the public meetings. Schultz and Lynch and their cohorts did nothing to discourage this.

Notable, too, were the efforts of certain men, like James Ross, and Dr. Bird, to build a coalition of support for Archibald and his policies. Lacking a leader – Riel was not a candidate and was in hiding – these men had to be content with working to develop a "central committee".

Finally, barely perceptible in the newspaper reports but casting an ominous shadow over the deliberations of the people, was the presence and participation of the Volunteers. Schultz seldom attended a meeting where he was not escorted by a bodyguard of uniformed men. They were able to dominate at certain meetings. At others they were less effective. The Queen's Regulations forbade any participation by Volunteers in any "party affairs", and they were not to be present at any "political meeting", but these regulations were broken time and time again and Archibald, to use his own expression, had to turn his face away and not "see too much".<sup>9</sup>

The Manitoba News-Letter early referred to "the ring" or the "rebel clique" – a loose central committee who were trying to build a base of support for Archibald's policy of "letting bygones be bygones".<sup>10</sup> There is evidence to suggest, however, that the first organization to form was the "general committee of St. Andrews parish".<sup>11</sup> This was essentially a successor to the "general council for the force" which had been formed at the time of the February counter-movement.<sup>12</sup> It is not too much to say, indeed, that the election campaign institutionalized the forces in opposition to each other throughout the Insurrection, without, however, the leadership of Riel and the most able men among the Métis. One organization, failing to elect Schultz to the

legislature, eventually sent him to the House of Commons. The other, successful in forming a coalition large enough to form a government, never found a leader. The man who had the confidence of this coalition had to remain in hiding.

The "central committee" was made up of men like James Ross, Dr. Bird, Alexander Begg and A.G.B. Baanatyne, along with William Coldwell and Robert Cunningham of the Manitoba.<sup>13</sup> These men tried to look to the future, approving of Archibald's policy of "letting bygones be bygones".

The St. Andrews committee was made up of men like Dr. Lynch, who had supported Schultz in December and "suffered" with him, and men like John Tait, Edward Hay, John Hodgson, Adam McDonald, Andrew Mowatt and Donald Gunn who had supported him in February. These men looked to the past, and while the words "revenge", "repeal" and "recall" were not arranged as a slogan, that is what they really advocated.<sup>14</sup> Those who had "suffered" should have revenge; The Manitoba Act should be repealed; Archibald should be recalled.

One of the most instructive debates of the campaign took place at Kildonan school-house on November 7, and featured an exchange between John Sutherland of that parish and James Ross. It epitomized much of the debate that people took part in, particularly in those parishes of the Lower Settlement where feelings had run very high in February. Sutherland had played little or no active part in the events of the previous winter, confining himself to attending meetings where delegates were chosen and where delegates reported.<sup>15</sup> Ross, on the other hand, had been a delegate for Kildonan to the November Convention and had represented St. Johns in the January Convention. He had worked to build support for the Provisional Government and had served in it, acting as chief justice.<sup>16</sup>

When Robert Cunningham moved support for the four resolutions which formed the policy of the "central committee", Sutherland expressed his disapproval of Archibald. The "rebels" had not been brought to justice, he said, and Archibald's reply to those asking permission to exhume Scott's grave had been almost "insulting".

James Ross said, among other things, "I am told you are down on all those who took part in the conventions of last winter." Sutherland replied that the delegates had given in to Riel more than they had a right to do.

Ross pointed out that they had "secured the public peace". Sutherland replied that "by going in the delegates were keeping company with murderers."

Ross reminded Sutherland that "at the time we united" no murder had taken place. Sutherland retorted that "after union a murder [Scott's] was committed," and "our delegates sat with them after that murder."

Ross then recalled to Sutherland that the lower parishes had "disowned" the Provisional Government at the "warlike" gathering at Kildonan, but went on to send members to the Legislative Assembly of Assiniboia. The Portage people had sent members; the Protestant Bishop and clergy had urged union; the Canadian Commissioner Smith had worked to urge the people to send delegates. Sutherland's rejoinder was that the two delegates to the "Smith" or January Convention – John Sutherland, Point Douglas, and John Fraser – had written instructions not to acknowledge the Provisional Government and they "should not have done so before consulting us again".

Ross then asked, "If they had consulted you would you have ordered them to disown the government and its head?" Sutherland did not have to reply, because at this point Robert Cunningham reminded the meeting that his motion was still before the chair. Ross then

seconded the motion. Sutherland, however, asked how it was possible to approve Archibald's course when he had actually appointed Bruce, the first president of the Provisional Government, to be a J.P.. This, he said, was an "insult to the loyal people". A further exchange followed.

The Governor, Sutherland said, had failed to arrest the rebels.

Ross reminded Sutherland that the Governor had not arrived when Riel and his party left. He objected to the word "rebels". Sutherland insisted that the movement should be regarded as a "rebellion", and pointed out all the "mischief" that was done. Ross was in the process of showing Sutherland that "until we were part of the Dominion Canada had no right to send a Governor" when Cunningham again interrupted to remind the meeting that his motion was still before the chair.

At this point Sutherland, Alexander Polson and others asked that the motion before the chair be not pressed, since the attendance, while "fair", was not large enough to be representative. Ross consented to this, and no vote was taken.<sup>17</sup>

It is curious that, in this exchange, Ross allowed Sutherland to score all the points. He could easily have reminded Sutherland that some months earlier that year an armed force of several hundred men had occupied both the school they were meeting in and the nearby church. The first bloodshed of the Insurrection had taken place on the ice of the Red river not far away. The reason may have been that each knew that the man who was responsible for the gathering at Kildonan had returned to the Settlement and there were now two militia regiments occupying the Lower Fort and Upper Fort Garry, and that these changed the entire Settlement equation. One cannot conjecture further than this, having little or no evidence to form a judgment.

Contrary to what had probably been expected, James Ross had not allowed the loss of his house at the hands of an incendiary to prevent him from taking part in the politics of the new

province.<sup>18</sup> Ross attended no fewer than eight of the meetings of which we have record, and one of these was as far west as Poplar Point. Only Robert Cunningham, with seven meetings, and Dr. Bird, with five, approximated Ross's effort in this campaign.<sup>19</sup> Their message was simple: Archibald's policy deserved approval, and the united people of the new province should look to the future and elect only men with a stake in the country's future. Carrying this message was always fraught with difficulties if J.C. Schultz and his partisans were present. At a meeting at Kildonan in November Ross "attempted" to speak. Schultz told the meeting that he had come to reply to a requisition, not to "answer slanders" from Mr. Ross. The Manitoba News-Letter does not tell us how he was prevented from speaking.<sup>20</sup> Neither does the Manitoban's report of the same meeting.<sup>21</sup>

At St. Pauls on November 12 the "rebel committee" could not make use of the church for a meeting. According to the News-Letter the church-warden told them, "Gentlemen, you can't have it", and the group had to go to the house of William Sutherland to meet.<sup>22</sup> There Dr. O'Donnell spoke in defense of the Manitoba Act and Archibald's policies.<sup>23</sup> O'Donnell was not allowing memories of his imprisonment after the Schultz houses affair of the previous winter to keep him from supporting the "central committee".<sup>24</sup> At the meeting at St. Andrews on November 14 Captain Kennedy wanted to speak, but had to wait until "the evidence of dissatisfaction" on the part of the audience "had been quieted". Kennedy lashed out at his tormenters with, "You are all a pack of cowardly boobies."<sup>25</sup>

The meeting at Kildonan on November 15 saw Ross interrupted by people who, to quote the Manitoban's report, "evidently did not belong to the parish". When Ross tried to criticize Schultz's policies, "the noise seemed to come chiefly from those who did not belong to Kildonan at all".<sup>26</sup> Ross was shouted down at a meeting in St. James parish schoolhouse by "Mr. St.

John's supporters". When Robert Cunningham asked leave to make a few remarks, shouting "rendered it impossible" to hear his remarks, and the meeting "broke up in confusion".<sup>27</sup>

A special supplement of the Manitoban reported how Schultz and "quite a corps of his followers" took possession of a meeting at St. Andrews. At five minutes after six Schultz stated that it was after seven and "they had better disperse". Joseph McDermott said that by "town time" it was only five minutes after six. A "hubbub" followed. Schultz's followers rushed at McDermott. One of them, "quite a giant", caught him by the throat and pushed him to the door. The fracas that followed left McDermott's huge antagonist "sprawled on the floor". Joe then invited those outside to come in. However, Dr. Bird decided that it was "not safe" to try to hold a meeting in view of what had happened.<sup>28</sup>

It is possible to identify this "giant". In his Making of the Canadian West R.G. MacBeth wrote of a "huge drummer" who had a "pitched battle on the street with a French half-breed [sic] of colossal size and strength".<sup>29</sup> "More than once," MacBeth continued, "have I seen him alert and ready to ply his pugilism at the signal of HIS POLITICAL LEADER [emphasis mine]." J.F. Tennant, writing in Rough Times, named him. He was George Lee, the "big drummer of the band", who was six feet four and one-half inches in height.<sup>30</sup> This was written long after the events described.

During the election campaign the News-Letter did not mention the Volunteers and the Manitoban did not dare. Remarkably enough, the Manitoban dealt fully with the death of James Tanner at an election meeting at Poplar Point on November 30. It may be that since there was no proven involvement of Volunteers the editors deemed it safe to publish news of the tragic event. Whatever the reason, the Manitoban dealt with it in two consecutive issues.<sup>31</sup>



Tanner was an American citizen. Accordingly, James Wickes Taylor, the American Consul at Winnipeg, was interested in what had happened and reported it to the State Department in Washington: "At a public meeting," Taylor wrote, "he acted as interpreter and gave his views with much effect, moving a resolution of confidence in Governor Archibald, which was carried. The meeting was orderly, but as Mr. Tanner was getting into a waggon to return home after adjournment, the horse was frightened by several persons suddenly appearing from an angle of the fence, with cries and waving of their cloaks. The animal ran. Mr. Tanner was thrown violently to the ground and his neck was broken, causing instant death..."

Taylor's comments on the case showed that he was not looking at the affair as any kind of international incident.<sup>32</sup>

An investigation was held into the accident, and four persons, including Dr. Lynch, gave evidence. The verdict was that

the said horse was caused to run away, wilfully and maliciously by two persons unknown to the Jury, thereby causing the death of this said James Tanner.<sup>33</sup>

The Manitoban reported that some of "Dr. Lynch's supporters" attended and that "considerable noise" was made by "certain parties". All that could be determined about the two "persons unknown" was that one was taller than the other and that, while one wore moccasins, the other wore boots.

The Manitoban also reported the meeting's debate fully, and the proceedings are of interest. In taking the chair George Gunn referred to "disorderly" meetings elsewhere, and hoped that St. Annes would maintain its good reputation. James Ross deprecated the attempts made at other meeting to cut off free speech. He declared himself a supporter of Mr. Archibald's government.

James Tanner spoke on a homestead law and favored the construction of a highway to the East on British territory.

Dr. Lynch disagreed with the previous speakers where Archibald was concerned. There was, he said, no census and no election. Archibald had two irresponsible advisers and the Hudson's Bay Company was the real ruler. A rebel, John Bruce, had been given an appointment.

Mr. Tanner was asked to explain certain things in the Indian language, and proceeded to do this. He then made a long speech in English, approving of Archibald's conduct. In so doing he reminded the meeting that his own son had joined the Portage party in February, and found himself imprisoned for his efforts. There was then a lively exchange between Tanner and Lynch as to who were the "rebels" the preceding winter, Lynch insisting that the French were the rebels. The real rebels, Tanner insisted, were those who took up arms to make good the usurpation of Canada. At this point John Macdonald, a Canadian, said, "Oh, of course, we were the rebels."

Tanner then moved that the meeting go on record as supporting the Archibald regime. The motion was seconded. Lynch spoke again in opposition, James Ross in support. The motion was put and carried.<sup>34</sup>

The Queen's Regulations were mentioned at least once during the campaign. The News-Letter for November 19 published a letter from someone signing himself "Observer", of St. Andrews parish. Readers were reminded that "Officers, non-commissioned officers and soldiers are forbidden...to attend any meeting whatever, for party or political purposes, in barracks, quarters, camp or elsewhere". The writer cited page 463 of Her Majesty's Regulations and went on to say that these regulations were being broken. It was ironical that the News-Letter should be the first to publish such a protest, for by November 19 those of the News-Letter staff knew a great deal indeed about the participation of Volunteers in the campaign. A certain Captain

Macdonald had intended to present himself as a candidate. He announced this at a meeting in St. Johns parish on November 3. He was, he said, a Red River Half-breed. He said that he realized that the position he had "prevented him from entering politics", but that he had decided on going into politics "rather than see the people of Red River imposed on."<sup>35</sup> He later changed his mind about this, possibly because of the appearance of "Observer's" letter in the News-Letter.

Strangely enough, there was little or no protest at the candidacy of Captain Thomas Howard, of the Quebec Rifles. Howard ran against Joseph Monkman in St. Peters, receiving the support of Archdeacon Cowley and his clergy. Archibald may have chosen not to "see too much", but he certainly knew the details of this race. He reported to Macdonald that J.C. Schultz supported his "henchman" of the previous winter "with all his might". Howard had excellent connections in Quebec, Archibald wrote, being the son of Dr. Howard of St. John's, who was an acquaintance of Sir George Cartier and married to a daughter of Col. Dyde of Montreal.<sup>36</sup> Howard was successful in St. Peters, and would eventually join Archibald's cabinet with three other men who knew little or nothing of Manitoba's problems!

In December, only a few days before the provincial election, Archibald was able to report to Macdonald that

a second obstacle was removed from my way by Riel declining a requisition to stand for St. Vital in the Assembly and for the District in which it is in the Commons. This answer has been given in writing and has been seen by Bishop Taché, who reports to me.<sup>37</sup>

To Archibald's satisfaction and relief, Riel had decided to "shew himself a statesman."<sup>38</sup>

What can one say about a political situation where the acknowledged leader of more than half of the population shows himself a "statesman" by choosing not to run in an election intended

to elect a provincial legislature? Probably that the expression "a fettered election" is much too mild.

<sup>1</sup> Manitoba, October 22, 1870.

<sup>2</sup> "Report...1874", deposition of Royal, 129.

<sup>3</sup> Metropolitan Toronto Library, Denis Collection, Manitoba News-Letter, Nov. 8, 1870.

<sup>4</sup> AASE, T8065, Archibald to Taché, Oct. 17, 1870.

<sup>5</sup> American Consul J.W. Taylor saw where the chief support for the Archibald administration was: USNARS, Taylor Papers, Taylor to Davis, Feb. 21, 1871: "Archibald may yet have to rely almost exclusively upon the supporters of the Provisional Government of last winter."

<sup>6</sup> Several Volunteers with special skills managed to replicate the lever which Schultz's men had removed: Manitoba, October 15, 1870.

<sup>7</sup> For example, there was a full front-page account of the battle of Sedan in the Franco-Prussian War of 1870.

<sup>8</sup> As early as late September people had demanded that "parliament", that is, the Legislative Assembly of Assiniboia, be called into session. Telegraph, October 13 (Fort Garry, Sept. 30), 1870.

<sup>9</sup> PAC MG26A, Vol. 187, letter 77909, Archibald to Macdonald, May 28, 1871.

<sup>10</sup> Metropolitan Toronto Library, Denison Collection, Manitoba News-Letter, Nov. 8, 1870.

<sup>11</sup> *Ibid.*

<sup>12</sup> Report of "R. McC." in St. Paul Daily Pioneer, April 2, 1870.

<sup>13</sup> Manitoba, Nov. 5, 1870. See also issues for Nov. 12, 17 (Supplement), 19, 26, Dec. 3, 10, 17, 22 (Supplement), 24.

<sup>14</sup> The Manitoba said their slogan was "Protestant, Protection and Repeal", Nov. 19, 1870.

<sup>15</sup> His namesake, John Sutherland, Point Douglas, had played a very active part.

<sup>16</sup> See the long list of references in Boss's Journal, 633.

<sup>17</sup> Manitoba, Nov. 12, 1870.

<sup>18</sup> Telegraph, Oct. 8 (Fort Garry, Sept. 24), 1870; Globe, Oct. 11 (Fort Garry, Sept. 20), 1870; Telegraph, October 18 (Fort Garry, Oct. 1), 1870.

<sup>19</sup> See note 13.

<sup>20</sup> PLM Manitoba News-Letter, Nov. 19, 1870.

<sup>21</sup> Manitoba, Nov. 12, 1870.

<sup>22</sup> PLM Manitoba News-Letter, Nov. 19, 1870.

<sup>23</sup> Manitoba, Nov. 12 (Supplement), 1870.

<sup>24</sup> O'Donnell, Manitoba As I Saw It, 32-6.

<sup>25</sup> Manitoba, Nov. 19, 1870; PLM Manitoba News-Letter, Nov. 19, 1870. Captain William Kennedy, an English speaking Half-breed, had retired to the Red River Settlement after leading the 1851-2 expedition in search of Sir John Franklin.

<sup>26</sup> Manitoba, Nov. 19, 1870; PLM Manitoba News-Letter, Nov. 19, 1870.

<sup>27</sup> Manitoba, Nov. 26, 1870.

<sup>28</sup> Manitoba, Dec. 22 (Supplement), 1870.

<sup>29</sup> R.G. MacBeth, Making of the Canadian West, 91.

<sup>30</sup> J.F. Tennant, Rough Times, 99; PAC RG9 IIB2, Vol. 35, has a "Private J. Lee, Regimental No. 8 in Company No. 2.

<sup>31</sup> Manitoba, Dec. 3 and 10, 1870.

<sup>32</sup> USNARS, Taylor Papers, Taylor to Davis, Jan. 6, 1871.

<sup>33</sup> C.S.P., 1871 (No. 20), Archibald to Howe, Dec. 6, 1870.

<sup>34</sup> Manitoba, Dec. 10, 1870.

<sup>35</sup> Manitoba, Nov. 5, 1870; PAC RG9 IIB2, Vol. 35, has a "Captain and Adjutant D.A. Macdonald.

<sup>36</sup> PAC Macdonald Papers, MG26A, Vol. 1, 87-8, Archibald to Macdonald, Jan. 16, 1871.

<sup>37</sup> PAC Macdonald Papers, MG26A, Vol. 1, 87-8, Archibald to Macdonald, Dec. 11, 1870.

<sup>38</sup> PAC Macdonald Papers, MG26A, Vol. 1, 87-8, Archibald to Macdonald, Nov. 22, 1870.

### The Enumeration and Section 31

In September and October of 1870 events taught Archibald that he must ignore those of his instructions which dealt with "responsible government". He had discovered that the presence of the army of occupation at Fort Garry meant that he must govern without Riel and that, indeed, he must govern without an assembly. His answer to the implied conundrum was the establishment of a police force to provide that support to his government which the army of occupation did not supply. Once that was done he was able to turn his attention to his other instructions.

One instruction stated that he was to "cause an enumeration to be made of the Half-breed heads of families residing in [Manitoba] at the time" of the transfer. The purpose of this enumeration was to enable him to "select, under the provisions of the 31<sup>st</sup> Section of the Act...lots or tracts...from among the ungranted lands...of the province...and divide the same among the children of the Half-breed heads of families residing in the province at the time of the transfer...."<sup>1</sup>

This instruction requires discussion. The enumeration was not necessarily a census of all the people of the province, but rather of Half-breed "heads of families" and their children. Obviously, such an enumeration, while not a proper census, could be made at the same time as a census. Also, this enumeration was not an enumeration of these "heads of families" and their children as of September of 1870, when Archibald arrived to assume his duties. Rather it was to be an enumeration of these people who were residing in the province at the time of the transfer, that is, on July 15, 1870. In a very real sense the task was impossible, and many in the Settlement misunderstood its intent, and blamed Archibald for what they saw as mistakes.

In any typical year the Half-breed people – and especially the heads of families – were widely scattered, especially in the summer. Some remained in the Settlement. Some were on the long freight haul to St. Paul, Minnesota, or to Fort Edmonton. Others were at work in the brigades on the rivers of the North-West. Still others were out on the plains in search of buffalo. 1870, however, was by no means a typical year. The smallpox epidemic had struck the Indian tribes, forcing many Half-breeds to change their plans in an effort to avoid the plague. Many had come into the Settlement – Gabriel Dumont was one of these – at a time when they would have been somewhere on the plains.<sup>2</sup> How could an enumeration distinguish between those who were “resident” or “non-resident” more than two months before the enumeration was begun?

Clearly the only solution was to try to look at the problem in the same way that Father Ritchot was looking at it in April and May, when the section was agreed upon. Ritchot had wanted to endow each Half-breed family with a piece of land of its own in the one area that was common to the movements of the Half-breed population as they went about making a living. Ritchot’s hope was that this bit of land would be there for the Half-breed family when the buffalo hunt failed, or when there was no longer employment on the freight hauls or canoe brigades. “Why only the Half-breed heads of families?” Archibald must have asked himself as he studied his instructions on the way to the Settlement. A few days in the Settlement, constantly being pressured by the demands of the “loyal” or “Canadian” party, was sufficient to educate him as to what the Half-breeds could expect if these people were to have their way, and why it was that fears had been aroused among the Half-breed population in the first place.

Archibald set to work with a will, pressing those working with him to complete their work as soon as possible.<sup>3</sup> He had spoken to Taché about the best way to proceed in the matter and had received advice on it before he made his first appointments for general government

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purposes.<sup>4</sup> When the Manitoban appeared in October the broad lines of the approach to the problem had been adopted and the enumerators appointed.<sup>5</sup>

Difficulties of one kind or another, however, impeded progress. The News-Letter for September 20 asked "when the census [was] to be taken and the writs for the election issued". "The public mind", said the News-Letter, was "restless and dissatisfied", and demanded active measures at once.<sup>6</sup> La Minerve reported that by October 8 the province had been divided into five districts for enumeration purposes and the enumerators appointed. The enumeration itself was to begin "in a few days". However, the same newspaper reported nearly three weeks later that the enumeration "[was] to begin today," and optimistically predicted that the work would probably be finished "in a couple of weeks".<sup>7</sup> What was causing the delay? No doubt the answer cannot now be known for certain. It is likely, however, that parish records, particularly those of the White Horse Plain area, were having to be examined to ascertain which of the "heads of families" used St. Francis Xavier east and St. Francis Xavier west as headquarters. Archibald, in his report, singled out the area as one which had caused problems, and a letter in the Globe complained that the "floating population of French prairie hunters are all enumerated...." "It is a well-known and shameful fact", the writer continued angrily, "that Riel's own name is on the voters' list."<sup>8</sup> The issue of enumeration was to remain contentious throughout the Archibald administration.

There is evidence, too, that the enumerators found active opposition to their work. A report published in the Globe stated that a candidate for election to the legislative assembly had visited homes in the Portage la Prairie area and instructed supporters not to answer questions for anyone else. When the enumerators came, these people would not answer questions. Thus delays were caused.<sup>9</sup> Certain enumerators hit upon the expedient of saying that they were



magistrates, finding that this was the only way these house-holders could be induced to answer questions. However, the enumeration was at length completed to Archibald's satisfaction, if not to the satisfaction of the "loyal" or "Canadian" party.<sup>10</sup> Sadly, at the very time that an enumeration was taking place which was intended to endow the Half-breeds of Manitoba with land, a full-blown exodus of these people was taking place. Although we can never know the exact dimensions of this migration of 1870, there are scattered indications which may be of help in assessing it. Métis tradition has it that three groups of Métis left Manitoba in 1870, and that one group headed for the area known today as Willow Bunch, Saskatchewan.<sup>11</sup> Writing much closer to the event, the recently-founded newspaper Le Métis stated in 1872 that 32 families had left Red River in the autumn of 1870 and had gone under the leadership of Père Moulin to St. Pierre Mission at Reindeer Lake, which had been founded a few years earlier.<sup>12</sup> The movement of people certainly caused concern to Taché, Ritchot and the others who, in the absence of Riel, had to act as leaders of the Métis in temporal as well as religious matters. Writing while Archibald was setting in motion the machinery for taking the enumeration, the correspondent for Le Nouveau Monde expressed these concerns as follows:

One of the first objects of the policy of the government will have to be to have the people return to their homes, for as we count no fewer than one hundred and fifty heads of families and others whom the lack of an amnesty has forced to move away. A larger number is ready to do the same....

"If by any bad luck trouble should break out," this correspondent continued, "we should see in a few days a thousand families...prepare their vehicles, wagons and carts, and shove off, that is, disappear into the prairies, driving their herds of horses and cattle with them. Once [gone],"

**BAD LUCK TO THE REST OF THE COLONY [emphasis mine].**  
And all that will be before the freeze-up and at the time of the elections.<sup>13</sup>

One must observe here that by December 9, 1870, when Archibald reported to Howe, the enumeration called for by Section 31 of the Manitoba Act was complete. Had there been a committee of a local legislature with power to carry out the appropriation of lands, as Cartier and Macdonald had once promised, the Half-breed lands could have been dealt with in a matter of weeks.<sup>14</sup> An area equal to only sixty townships of the kind Archibald was soon to recommend, laid out in parts of the province desired by the Half-breeds according to the system of "metes and bounds", would have sufficed.<sup>15</sup> However, this was not to be. A decision had been made unilaterally in May of 1870 which meant that a distant, basically imperial body was to outline the system by which these lands were to be appropriated.<sup>16</sup> This system would not be drawn up until the first part of 1871, and when drawn up it would insist upon a type of survey which the Half-breeds did not want and for the making of which the required surveyors would not even be sent until the late summer of 1871. The insistence on the use of this survey broke the spirit of the letter which, as we have seen, Ritchot had received from Cartier in lieu of the promised order-in-council.<sup>17</sup>

Archibald, however, had followed his instructions.

<sup>1</sup> This instruction is in C.S.P. 1871 (No. 20), 5.

<sup>2</sup> A.G.M. Morice, *Dictionnaire Historique des Canadiens et des Métis de l'Ouest* (afterwards *Dictionnaire*), 100.

<sup>3</sup> PAM MG10 F1 Box 6, note written on a memorandum sheet and unsigned, but probably written by Roger Goulet: "Governor Archibald said to hurry up that census in order to give land and scrip to the Half-breeds [sic]...." Goulet was one of the enumerators.

<sup>4</sup> Dom Benoit, *Vie de Monseigneur Taché*, Vol. II, 128.

<sup>5</sup> *Manitoban*, October 15, 1870.

<sup>6</sup> USNARS, microfilm T24 Roll 1, Taylor Papers, *Manitoba News-Letter*, Sept. 20, 1870.

<sup>7</sup> *Le Minerve*, 15 nov. (Winnipeg, 29 oct.), 1870.

<sup>8</sup> PAC RG15 Vol. 228, No. 1155; *Globe*, Dec. 31 (Winnipeg, Dec. 10), 1870.

<sup>9</sup> *Globe*, Dec. 15 (Winnipeg, Nov. 25), 1870.

<sup>10</sup> Library of Congress, *Manitoba Liberal*, June 8, 1871; PAC RG15 Vol. 228, No. 1155, Archibald to Howe, Dec. 9, 1870.

<sup>11</sup> Isabelle Eaglesham, *The Big Muddy Valley*, Saskatchewan History and Folklore Society, 1970, 14.

<sup>12</sup> *Le Métis*, 20 mars, 1872; Marcel Giraud, *Le Métis Canadien*, 1138, gives the number of families as about 40.

<sup>13</sup> *Le Nouveau Monde*, 8 oct. (Fort Garry, 20 sept.), 1870; *Telegraph*, Sept. 28 (Fort Garry, Sept. 15), 1870.

<sup>14</sup> W.L. Morton (ed.), *Birth*, Ritchot's Journal, May 2, 1870, 143; RHAF, Vol. XVII, No. 4, Mars 1964, 549.

<sup>15</sup> PAC RG15 Vol. 228, No. 796, Archibald to Howe, Dec. 27, 1870.

<sup>16</sup> See the chapter "The Negotiations".

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See "Appendix B" of the chapter cited above.

### Two Letters About Land

With the enumeration completed and the provincial election campaign well into its final phases Archibald set to work to make the report which he was to make as "Administrator" of the "ungranted or waste lands" in the province vested in the Crown.<sup>1</sup> He was to report to His Excellency both "such lands as it may be desirable to open up at once for settlement" and "Regulations" which in his opinion should be made concerning the 1,400,000 acres referred to in Section 31 of the Manitoba Act.

Three and one-half months in the Settlement had not given Archibald much opportunity to see for himself these ungranted lands. He had a general idea of the Settlement along the Red River and as far up the Assiniboine as Lane's Post, which he had visited with Wolseley and others in early September.<sup>2</sup> In addition the fine weather in October had permitted him to take daily horseback rides in various directions from Fort Garry with Lady Archibald and Lily, their daughter, who had arrived on October 15. He had not, however, visited Portage la Prairie. He knew that, for the most part, the Settlement hugged the two rivers in such a way as to make a T-shaped community with its natural centre at Fort Garry. As he set to work on what were to become very long letters he knew that it was important to settle the land questions as soon as possible.<sup>3</sup> Taché had said that the Métis were very uneasy about the delay. The Manitoba News-Letter had published news items reporting that "emigrants" were on their way from Ontario, and criticized the Canadian government for not having published the regulations under which the lands could be taken up.

Archibald began by making an analysis of the various classifications of land and land tenure then existing in Manitoba and an estimate of the acreage of each. He estimated that the area of the province was 7,700,000 acres. Of this, a tract of land on either side of the Red and

Assiniboine rivers was covered by the 1817 "deed" between "certain Indian chiefs of the Cree and Saulteaux tribes" and the Earl of Selkirk. This "deed" was some 409,000 acres in extent. About 1820 the Hudson's Bay Company had surveyed 899 lots along the Red River, both above and below Fort Garry. At a later date similar surveys were made along the Assiniboine, where 617 lots were laid out. The area covered by these two surveys was 150,000 acres, more or less. This left about 206,000 acres outside the Company surveys but inside the deeded area. Concerning those who were settled on these lands – Archibald singled out the settlers at Portage la Prairie, High Bluff and Poplar Point – he had this to say:

In point of fact they are squatters within the limits of the Released Tract but without the limits of the Company's survey. No clause of the Act touches their case.

"Besides these again, who are without,

there are within the company's surveys many men in possession of lots on which they have squatted without the Company's Sanction. The claims of these men are unprovided for by any clause in the Act.

"On the other hand," Archibald continued,

the claims of squatters on ground outside the Tract of the extinguished Indian title, are recognized and their rights to grants declared by the 4<sup>th</sup> subsection of the 32<sup>nd</sup> clause.

Archibald found it illogical that the legislation had created a distinction against one class of squatter, and in favor of another,

a distinction which rewards the men who hazarded the public peace by taking possession of Indian lands, and punishes those who confined their intrusions to the property of white men who could take [care] of themselves....<sup>4</sup>

"The Language of the classes," Archibald concluded, "creates a distinction that probably did not exist in the minds of the Legislature.

I assume that the intention of the Act was to give an assurance to all those, who up to the time of the arrangement with the Hudson's Bay Company held under them and to all others who at the time of the transfer were in actual occupation of any land within the Province, that their possession should be assumed as proof of right and might at their option, be converted into title in fee.

Archibald, in summing up, pointed out that the tract covered by the "deed", some 406,000 acres, could be treated as "removed from the disposal of the crown". An allowance for the area of lakes and morasses, for necessary Indian "reserves", and for a grant of land for Catholic churches made by the Earl of Selkirk came to a total of 297,680 acres. The Half-breed grant of 1,400,000 acres and the Hudson's Bay Company's "1/20 of the Domain", a further 350,000 acres, must be added to this. The crown lands of Manitoba, then, came to about 5,250,000<sup>5</sup> acres.

This is probably the place to note that Archibald made use of the word "reserves" with respect to the Indians. He must have known that reserves were part of Canadian government Indian policy.

He had already commented on the legalized mutual duplicity which was the "deed" with the Indians, pointing out that the Indians continually shifted their ground when complaining about what had been done when the 1817 "deed" was signed:

They say at one time, that the chiefs never executed such a deed. They say at another time that if the Chiefs did sign a deed they did not intend to sign one to this effect, that they never sold their rights but merely lent the land for a season and even then did not lend according to the Boundaries set forth in the deed... At another time they say that the chiefs who pretended to sell, had no right, as they were not chiefs of the tribes in actual occupation.

It seemed to Archibald that the Indians had not, indeed, been "ingenuously dealt with". As evidence he cited the fact that the Indians were living on land on which they had surrendered their rights! "So that," Archibald wrote,

if the deed is to be credited, they gave up their rights, not merely to the margin of the River, above their Reserve, but also to the very lands which they had laid aside and have always occupied for their own special use.

On the other hand it appeared that the chiefs had "annually received" the payment of one hundred pounds of tobacco called for as payment for the use of the land.

It would appear that Archibald knew what government policy was where the Indians were concerned and approved of it, even though it had been developed in another area, with other Indian people who lived on different land subjected to different climatic factors. There is no hint in Archibald's report that he had talked with anyone at Red River who advocated a different approach to the problem of how to deal fairly with the western Indians. It is to be doubted whether the Red River Métis, had they been consulted, would have recommended that their cousins, who had always made much of their living by following game, should suddenly be required to settle upon "reserves" if they were to fulfill their end of the contract. Decades of experience of living side by side with Indians was evidently of little or no interest to the Canadian government or its representative in Manitoba. In December of 1870 men who had this experience were not encouraged by the general state of affairs to come to the Fort and volunteer their information or ideas on Indians.

Archibald then turned to the question of how the crown lands were to be surveyed. He assumed that the "general principle sanctioned in the Minute of Council of the 23<sup>d</sup> September, 1869" would be retained. This general principle meant that the lands would be surveyed in "rectangular Blocks numbered consecutively, with subdivisions also numbered consecutively,

from 1 upwards in each Block". Archibald thought, however, that Dennis, in deviating from the American "system of 6-mile townships" had not "acted judiciously". It will be remembered that the survey begun in Red River in 1869 was that of a 64-section township. Archibald argued that the United States had used the 36-section township ever since it passed its first law concerning the land in the territories in 1796. That survey was in use in all the American Midwest and would exist "side by side" with the system adopted in the Canadian territories. Archibald did not see any good reason for not "making ours somewhat analagous to theirs". "The system has been adopted by the most practical people in the world, and after 74 years experience remains unchanged. Why," asked Archibald, "should we change it?" Archibald disapproved, too, of the "allowance" made for roads in Dennis's survey. Archibald was of the opinion that those who enjoyed the benefit of roads should "bear the burden" of making land available for them and building them. It was a waste of good land to make such an allowance for roads.<sup>6</sup>

It is curious that Archibald seems not to have given consideration to recommending another mode of survey, at least for Manitoba. He had lived for three and one-half months among another "practical people" who had, moreover, experienced conditions in the North-West at first hand, something the Americans had not. There were many in the Settlement who could have told him that there were many good reasons for not adopting a "rectangular" survey either of the kind recommended by Dennis or the kind in use in the United States. Had Archibald consulted with Riel he would have been told that one of the reasons for the Insurrection was the Dominion government's apparent intention to "survey our lands, without any regard to former surveys, anciently established landmarks, rights or claims whatever..."<sup>7</sup> These words are to be found in the "Memorial to President Grant". Riel would likely have told Archibald that the rectangular survey, while it might have certain very useful characteristics, was ill-suited to an



agricultural occupation of the North-West. If a talk with Riel was out of the question Father Ritchot could have advised Archibald from the vantage point of experience gained along both the Qu'Appelle river and the Red.<sup>8</sup> Whether Ritchot returned to Fort Garry after being snubbed by Wolseley is not clear, although it is to be hoped that he did, and that he gave Archibald the benefit of his experience in the North-West with the Métis people.<sup>9</sup> He could have told Archibald that chief antagonists to happy existence on the prairies are solitude and isolation, and that lands ought to be laid out in such a way as to enable a family to communicate with neighbors relatively easily. Probably several systems ought to be used, taking into account the lay of the land, the proximity of a river valley or a coulee, and the suitability of the land for cultivation or grazing purposes.<sup>10</sup> Lacking any such counsel thoughtfully given by those in a position to advise, Archibald fell back on his own experience and training. As a lawyer much of his experience in Nova Scotia had to do with conveyancing, and he recognized that the rectangular survey made for much greater ease in describing land and giving title to it. His recommendation of the American 36-section township was accepted, with the Dennis recommendation for "road allowances" incorporated into it. As a result, every lovely coulee or river valley, every high hill or ridge, every landmark or locality sacred to the Indian people, had lines run through it and was treated by the settling peoples as so much real estate. After all, for Archibald, who had never seen most of it, the North-West was a "tabula rasa". If the lands were there to be bought and sold the most practical lines to be drawn on the landscape were straight ones, lines to be drawn to the horizon with only the occasional jog where "correction lines" were necessary if the homesteader was to be guaranteed his 160 acres "more or less". Much of the monotony of the western scene derives from this decision. Had a committee of the Manitoba

legislature been permitted to make recommendations things might have been different in many ways.

A week after he wrote his "observations touching the disposal of the Crown Domain in this Province" Archibald turned his attention to the question of the "Land reserved for the Half-breeds".<sup>11</sup> It was his duty now to "select under the provisions of the 31<sup>st</sup> Section of the Act, and under the Regulations to be from time to time made by the Governor General in Council, such lots or tracts...and divide the same among the children of the Half-breed heads of families". There would be no "regulations" until he made recommendations to the Cabinet.

With the provincial election campaign only three days from its end Archibald set to work on his recommendations. He began by noting that, according to the enumeration, there were 10,000 Half-breeds in the province, and that, given the appropriation of 1,400,000 acres, each Half-breed would be entitled to 140 acres. He pointed out that there were difficulties of interpretation in the language of section 31 of the Act. These he discussed at some length. Examining the section in the light of what he had learned since coming to Manitoba, he decided that the intent of the section was to "confer on every Half-breed resident in Manitoba at the time of the transfer...a right of participation in the Half-breed Reserve." The enumeration showed that while 36 townships would be required to meet the requirements of the French Half-breeds, 24 would be required for the English. The question arose as to how to make the appropriation.

Archibald knew that the French preferred to have their lands laid off in blocks:

It is only because the French Half-breeds, and their leaders treat the question, not as ONE OF BUSINESS [emphasis mine], but rather as one of Race, and Creed and Language and because they are unwilling that their people should form part of a mixed community, that they prefer having the lands to which they are entitled laid off in a block.

Archibald had had conversations with Taché – and possibly with Ritchot – and knew the wishes of these men. Whether, by late December, he knew that Ritchot was responsible for the existence of the clause concerning the 1,400,000 acres is not clear. It is also not clear whether he had yet learned of the existence of Sir George Cartier's letter of May 23, 1870. His phrasing of the point of view of the French leaders suggests that he did not know either fact. Ritchot's nine years of working with the Métis people had taught him that these people only needed time to evolve, to learn, to adapt to the new order of things. He had tried, in the only way he knew of, to make sure that they had a chance to do it. Success now depended on the Cabinet's deciding to honor the assurance given in Cartier's letter to Ritchot.

Archibald now dealt with what he believed to be the wishes of the English Half-breeds:

As far as the English Half-breeds are concerned, I think they would prefer to have the liberty of selecting their lands where they may think fit. Looking at the question from a BUSINESS [emphasis mine] point of view, they are right.

Archibald proceeded to show how the policy embodied in section 31 of the Manitoba Act was in collision with "all the tendency of modern legislation". Section 31 stated that the lands were to be granted to the children of the Half-breeds "in such mode and on such conditions as to settlement or otherwise as the Governor General in council shall from time to time determine". The French, Archibald pointed out, wished the land to be "so tied up as to prevent them, for a generation, from passing out of the family of the original grantee". Archibald emphasized that more than one-third were under ten years of age, three-fifths were under twenty. "The effect, therefore, of any such arrangement as that suggested would be, to render absolutely inalienable, for a long period of time, a large portion of the Reserve."

Take a neighborhood where this Policy obtains. Much of the Reserve is owned by children. Nothing can be done till they come of age, even then, they cannot sell. The land must descend to their

children after them. It would not become alienable till the third generation.

"The effect," Archibald suggested, "would be to lock up a large portion of the land of the country, and exclude it from improvements going on in localities where land is unfettered." Had Ritchot been able to be present and respond to Archibald at this point he would have said, "Precisely. This is what the Métis need. They need time. They are going to find out that the buffalo are disappearing and that they must change their way of life. They can do it. They've changed much since I've been in the West. They just need time." Ritchot, of course, was not present, and Archibald went on to develop his point:

The whole tendency of modern legislation, not only on this side of the Atlantic, but beyond it, is to strike off the fetters which clog free traffic in Land. There is no State in the Union, and no Province in the Confederation, as far as I know, that has not abolished "Estates in Tail".<sup>12</sup>

Archibald here referred to estates where ownership or inheritance is limited in some specified way. "All the tendency of modern legislation," Archibald explained, "is in the line of abandoning the feudal ideas respecting lands and bringing Real Estate more and more to the condition of personal property and abolishing restraints and impediments on its free use and transmission." At this point Ritchot could well have replied in this vein: "What you're saying is very true. I know it to be true in the province of Quebec, and I expect it's true in Ontario too. But these people have not had the centuries to evolve in that our farmers of New France and France and Britain have had. These are a people who need time." We probably cannot prove it, but Ritchot likely spoke in these very terms to his friends in Ottawa while the negotiations with Cartier and Macdonald were moving toward the 1,400,000-acre compromise.<sup>13</sup>

Archibald moved closer to his recommendation:

It does not seem to me that it would be wise in the case of Manitoba to reverse a Policy, approved by the Common Sense of the World, and in accord with the habits and thought of modern life.

"So far as the advance and settlement of the country is concerned, it would be infinitely better to give the Half-breed a title in fee to his Lot." Archibald's next words described a situation which had caused no end of anguish to Ritchot and the other clergy as they contemplated the impending changes in the order of things:

He might make a bad use of it. In many cases he would do so. He might sell it for a trifle. He might misuse the proceeds. Still the land would remain, and in passing from the hands of a man who did not know how to keep it, to those of a man who had money to buy it, the probabilities are all in favor of the purchaser, being the most thrifty and industrious of the two, and the most likely to turn the lands to valuable account. Suppose therefore the worst to happen that can happen, suppose the men for whose benefits [sic] the land was intended should not know how to value the boon conferred, still the land would find its way into the hands of other settlers. It would be cultivated and improved. One individual might take the place of another, Thrift might come into the place of improvidence, but the country would be no loser by any number of such changes... My strong conviction therefore is that whatever is given under the Half-breed clause, should be given absolutely.

"Even then you will have to tie it up for a long time. Three thousand five hundred of these half-breeds [sic] are under ten years of age. For eleven years to come you withdraw 490,000 acres from the market, 1500 more of them are under 15 years of age – You have 210,000 more acres which cannot be disposed of for six years to come.

Is this not clog enough to impose upon the transfer of these lands? I am inclined to think it is, but I am bound to inform you that I apprehend my views will not be in unison with those of the leading men among the French Half-breeds or their Clergy.

Archibald was thorough in his discussion of the application of the terms of the Act. "But not only has the Governor General to decide on the mode of granting, he has also to fix, the 'conditions of settlement and [sic]<sup>14</sup> otherwise' which are to be annexed to the grant.

An absolute deed, entitling the party to convey, carries with it a corrective against the land remaining unsettled. Those who do not occupy, deriving no benefit from their ownership, will, as a class be ready to convert their land into something they can use and will be sure to sell.

"But," Archibald continued, "if the other principle should obtain, and you decide to tie up the lands by restraints upon alienation, then it occurs to me you should render settlement a condition anterior to and a sine qua non of, a Grant. You should withhold a Patent till the condition is complied with. You should retain unappropriated portions of the Lands reserved for the Half-breeds, and grant them, only when the applicant has brought himself within the conditions of Settlement, which by the Act is impliedly intended, as preliminary to his right.

If this course were taken, a great many of the Half-breeds WOULD NEVER APPLY AT ALL [emphasis mine]. One thousand of them, are at this moment living on the Prairies. They are hunters by profession, not farmers. Where the Buffalo go, they go. They could not bear the restraints which cultivation of a farm implies. They would rather forfeit their lots, than settle on them, if by settlement was meant, some degree of cultivation and improvements on the Lots.<sup>15</sup>

Archibald had yet to spend his first winter in the Settlement. He did not know the seasonal movements of the people. He did not realize that most of the people he was referring to were on the plains because there had been no amnesty and a hostile army was in occupation at Fort Garry. He had said that they could not bear the restraints implied in the cultivation of a farm. He most likely did not know that what he had written would guarantee that they would not have the chance to try.

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- <sup>1</sup> PAC RG15 Vol. 228, No. 797, Archibald to Howe, Dec. 20, 1870. It is 55 pages long including appendices.
- <sup>2</sup> C.S.P. 1871 (No. 20), Archibald to Howe, Sept. 10, 1870.
- <sup>3</sup> PAC RG15 Vol. 228, No. 797, Archibald to Howe, Dec. 20, 1870.
- <sup>4</sup> "Care" seems to be implied here, and someone has written it in the margin.
- <sup>5</sup> See Note 3.
- <sup>6</sup> *Ibid.*
- <sup>7</sup> "Memorial of the People of Rupert's Land and North-West" to Ulysses S. Grant, in "Writings... Riel", 111; *C.H.R.*, Vol. XX, March 1939, 423.
- <sup>8</sup> Morice, *Eglise Catholique*, Vol. II, 107-8.
- <sup>9</sup> Taché protested to Wolsley on Sept. 8, 1870, AASB, Ta 0693, Taché to Wolsley, Sept. 8, 1870; *Globe*, Sept. 28 (Fort Garry, Sept. 10), 1870.
- <sup>10</sup> W.L. Morton, "Agriculture in the Red River Colony", *C.H.R.*, Vol. XXX, Dec. 1949.
- <sup>11</sup> PAC RG15 Vol. 228, No. 796, Archibald to Howe, Dec. 27, 1870.
- <sup>12</sup> That is, limited ownership, especially of estate limited to a person and heirs of his body.
- <sup>13</sup> W.L. Morton, *Birth, Ritchot's Journal*, 157-160.
- <sup>14</sup> The sense seems to require "or" instead of "and".
- <sup>15</sup> PAC Department of Interior Records, RG15, Vol. 228, No. 796, Archibald to Howe, Dec. 27, 1870.

**"The Fellows...Raised a Row"<sup>1</sup>**

Something in the nature of a demonstration took place on December 30 as soon as the election results were known. The Manitoban, in reporting it, was about as circumspect as it was possible to be:

After nightfall yesterday about a hundred people went into a little election fun, a store or two were mobbed and one or two effigies hung and burned. But it was election times. Nobody objects to election fun - only let it be fun and nothing else - That's the best way.<sup>2</sup>

Private Charles Napier Bell of Company 7, Ontario Rifles, was more straightforward when he confided in his diary:

This is the day of the elections. Donald Smith was elected by a majority of 7 over Schultz. The fellows after 4 p.m. went down and raised a row.<sup>3</sup>

American Consul J.W. Taylor was even more specific when he made his report in the new year of 1871:

When the result of the election was known about one hundred Ontario volunteers expressed their dissatisfaction in the streets by burning Donald Smith in effigy, groaning under the windows of his supporters, breaking into a saloon kept by a Frenchman, and committing other excesses. I hear of personal insults and violence to Half Breeds wherever the soldiers go. Governor Archibald is not free from apprehension of tumults within the walls of Fort Garry. Two whole companies, on the night of the election, made the round of the barracks, cheering for Schultz, and groaning at the name of Smith, McTavish and other officers of the Hudson's Bay Co. It would be an immense relief to the authorities if the Ontario Battalion was out of the country. The officers are evidently in fear of the men.<sup>4</sup>

Three days later, in a note written for the guidance of officers serving on courts-martial at Fort Garry, Lieutenant-Colonel Jarvis, the officer commanding, stated that



The recent misconduct of the men of this Battalion requires severe examples to be made and the Lieutenant-Colonel trusts that the Court will not abstain from the performance of their duty.<sup>5</sup>

Controversy over what had occurred on election night went on locally, in the columns of the two newspapers and in the St. Paul, Montreal and Toronto press. The Manitoban's very circumspect account was called "lies" by the News-Letter early in the new year.<sup>6</sup> Echoes of the local controversy reached the columns of the News-Letter again when it reported that

Pussy says 150 of the Battalion broke into Monchamps last Friday to get liquor – No one broke into Monchamps. The door was opened and the Point du Chene voters inside retired by the back windows, pursued, not by the men of the Ontario Battalion – but by their own guilty consciences.<sup>7</sup>

This bit of editorializing is bristling with implications. Most obvious, of course, is the corroboration of the report that Volunteers had invaded the "saloon kept by a Frenchman". Then, too, "Pussy" was Schultz's nickname for A.G.B. Bannatyne, postmaster and storekeeper in partnership with Alexander Begg.<sup>8</sup> Bannatyne, in working with the Provisional Government the previous winter, had earned Schultz's disfavor. His appointment as magistrate had angered Schultz in October.<sup>9</sup> Finally, Schultz claimed his defeat was the result of the machinations of the Central Committee, which he said had paid men from Point du Chêne and deserters from the American border post at Pembina to vote against him.<sup>10</sup> He was sure that Bannatyne was one of the Committee.

Bannatyne had the businessmen's fear of losing business. He also was afraid of what the Volunteers could do if their anger was directed at him. He wrote a letter to the Manitoban:

The News-Letter evidently is spiteful: but it takes a roundabout, underhand way in venting its spleen: and while endeavoring to raise ill-feeling between the Volunteers and citizens, it takes the opportunity of placing the odium on my shoulders, under a disguised name. I wish to say in reply to the article... that it is

totally false in every particular and was written for a very apparent purpose.<sup>11</sup>

The News-Letter returned to the charge the same evening:

Pussy denies that he lied about the Ontario Battalion. Poor man! You will find them hard to convince after your performance of voting Frenchmen lately. Puss always LIKED [emphasis his] people from Ontario.<sup>12</sup>

For its part the Manitoban had appeared in print that same day with an editorial defending the Volunteers:

As a Battalion – and we have known it pretty intimately since its formation – both as for absence of crime, for general good behavior, and for discipline, it is second to no Battalion in Her Majesty's service.<sup>13</sup>

The Manitoban knew it had to be careful to qualify its remarks if it was to retain any credibility at all with those who had been in the vicinity on election day:

True, there may be a few foolish men amongst them – and where would 400 men be brought together without some fools finding a place amongst them... the Battalion is an honor to Ontario... its removal would cause the deepest regret to the very gentlemen so scurrilously maligned by the News-Letter.<sup>14</sup>

The same issue of the Manitoban contained news of Archibald's appointment of H.J.H. Clarke as attorney-general. Clarke had come from Quebec in the fall of 1870 at the urging of Bishop Taché and had been a candidate in the riding of St. Charles. When John F. Grant withdrew from the contest Clarke was elected by acclamation.<sup>15</sup> An Irishman by birth and a Roman Catholic,<sup>16</sup> Clarke soon incurred the wrath of Schultz and the News-Letter. Some of this came about from the nature of Clarke's personality and some of it from the responsibilities of office.

For example, on January 4, 1871, a fracas had occurred at the Assiniboine ferry, involving two Métis, Toussaint Voudrie and Joseph McDougal and four Volunteers: Davis

Hamilton, Robert Jamieson, Patrick Morrissey and Richard Wilson. The four Volunteers were arrested and charged with "aggravated assault and battery". They appeared in court before Andrew McDermott and A.G.B. Bannatyne on January 14, and pleaded "not guilty". Hamilton and Jamieson were discharged, while Wilson and Morrissey were fined \$40 each, with the option of spending three months in jail.<sup>17</sup> Schultz and the News-Letter saw the hand of Clarke in the affair.

The evening after the conclusion of the trial the News-Letter came out with a veiled attack on the attorney-general. "'Blarney' don't like Orangemen," it began. "Blarney" was the nickname that Schultz and the News-Letter were giving to the new attorney-general.<sup>18</sup> "'Yes' says B." the News-Letter went on,

"they're riding the high Protestant horse: but the first thing they know he'll throw them." "I'll break up that Orange Lodge and the whole of them with it," he says again. While his hand is in, wouldn't he like to banish all its members and those who sympathize with them? He and his friends could then do as they liked without having their acts called in question.<sup>19</sup>

Whether Clarke had made a statement of the kind alluded to here is not known, but it would have been entirely in character if he had. Archibald often found the new attorney-general a difficult man to get along with, and referred to his "devil-may-care-style".<sup>20</sup> In early 1871 it was common knowledge that a portion of the Volunteers was clashing almost daily with the Métis, and Clarke may well have had a great deal to say about how he would cope with the problem now that he had power.<sup>21</sup> However, had the attorney-general been the mildest and most discreet of men he would have found the responsibilities of his office almost impossible to carry out. The Ontario Rifles were supposed to be at Fort Garry to give support to the civil power. Instead, there is evidence from such observers as J.W. Taylor that they were constantly behaving

toward the civilian population in such a way as to cause trouble. The News-Letter was making its contribution by publishing such statements as that of January 7:

The 1<sup>st</sup> Battalion is from Ontario. They don't like rebels and consequently the rebels don't like them.<sup>22</sup>

While Clarke was not a "rebel" by virtue of having worked with the Provisional Government, he was associating with men who believed in the Lieutenant-governor's "let bygones be bygones" policy, and, of course, he was a Roman Catholic. Ironically, there is evidence to suggest that, far from being harsh with the men of the Ontario Battalion, Clarke was responsible for leniency being exercised where the Volunteers were concerned. In early January, as we have seen, Lieutenant-Colonel Jarvis expressed his dissatisfaction with the "lenity hitherto shown in the sentences awarded to Prisoners...since the troops came to Manitoba."<sup>23</sup> After the Regimental Court of Inquiry had been held in the "aggravated assault and battery" case mentioned above, Jarvis had forwarded the papers to Attorney-General Clarke so that

these men should be arrested and punished. They were arrested, but instead of being punished under the Articles of War, as the Colonel had requested – and which would have involved a fine of twenty pounds sterling and six months imprisonment – they were tried before the Court for an ordinary aggravated assault. They themselves elected to be tried before the magistrates, and instead of being fined \$100 or getting six months imprisonment, they were fined only \$40 or three months.<sup>24</sup>

With this attack on Clarke the battle of the newspaper columns was quiet for a while, although there is reason to believe that there were other attacks on civilians and sentences of "\$40 or three months".<sup>25</sup> The arrival of the mail from St. Paul reopened the question, however, for the Manitoban found itself obliged to publish the St. Paul Pioneer's account of the election demonstration. This one added the detail that the Volunteers had threatened to tear down John

McTavish's house.<sup>26</sup> The Manitoban hid its embarrassment by accusing the Schultz party of writing it.

Newspapers in more distant points, too, were publishing the news of the election demonstration. In late January Col. G.T. Denison wrote to Schultz about the articles in Le Nouveau Monde, letting him know that he had sent his brother Fred Denison, then in Manitoba serving as aide-de-camp to Archibald, copies of the Globe containing translations:

I think it would be well to reprint in your paper without comment these translations in order that the Ontario boys may know what is said of them.

Schultz had written to Denison for advice as to how to proceed in contesting the election of December 30. "I think," replied Denison,

a simple petition to the House when it meets setting out all the facts and asking for a committee to investigate it and praying that you may be declared the lawful member will be all that is necessary.

Denison was very concerned that the people of Ontario should know what was going on in Manitoba:

... letters should be written to the papers in every county of Ontario giving a true statement of the state of affairs up there. It would be well for Volunteers both officers and men to write to the papers in the counties they come from - Suggest this to all you can - ... this will be the most effective way of bringing to the knowledge of the mass of the people in Ontario the real state of affairs and the intrigues of our Government in the interest of Rebels.

Denison's closing paragraph showed both how he viewed the Canadian government and the role of the troops in Manitoba:

Keep the Ontario boys well posted as to how the Govt papers are referring to them - it is of importance that they should thoroughly appreciate how little they have to expect from a French Rebel Minister of Militia and a government under French influence. The officers need not toady there for the sake of advancement, they are

marked men and their true course is to be true to their own race and their own people....<sup>27</sup>

The News-Letter was not slow to copy the Manitoban's republishing of the St. Paul Pioneer's story about the election demonstration, and the same issue carried an attack on Clarke, Bannatyne and Coldwell of the Manitoban.<sup>28</sup> The News-Letter tried to give the impression that the attorney-general was universally disliked by the Volunteers:

\$40 or 3 months – Mr. Attorney-General Clarke was hissed out of the Recreation Rooms a few evenings ago for his unwarrantable harshness to the members of the Ontario Battalion.<sup>29</sup>

This was shown to be untrue by the Manitoban, which told the details of what had happened. Clarke had been invited to the Volunteers' quarters to give a reading from Macaulay's "Lays of Ancient Rome". This reading was greatly enjoyed by those present, and he was asked to come again and give another reading, which he did. After the reading was over, most of the Volunteers dispersed to their rooms, leaving only a very few grouped around one of the stoves. These men hissed the attorney-general as he was preparing to leave. At this point he discovered that his overshoes were not to be found where he had left them. He went home without them, and nearly froze his feet.<sup>30</sup>

Meanwhile packets of newspapers had been making their way over the winter road to Fort Garry from the head of steel at St. Cloud, Minnesota, and Manitobans soon had in their hands copies of the Globe and of Le Nouveau Monde containing news up to the time of the election of December 30, 1870. It may be assumed that Denison's copies of the Globe were very soon being read in the Volunteers' quarters. The correspondent of Le Nouveau Monde had prepared his report on New-Year's Eve:

Thus the village of Winnipeg was yesterday in the hands of this rabble for four hours. When they learned that their Manitou Dr. Schultz had been defeated, they united with a band of Canadians of

their own kidney and went to plunder the house of Messrs Bannatyne and Begg, two of the most honorable citizens of this place. This took place some time after the close of the poll. Held in check by 20 Métis who ran to Mr. Bannatyne's help, their factionists cried, "to the Manitoban office". It would have been all up with the printing establishment of our confrere, if a tavern had not been found on the route. They broke into it in order to get to the drink. It was then that the police arrived, headed by two officers Messrs Villiers and de Plainval. They drove back the band at the risk of their lives, and showed rare courage.

During this time Colonel Jarvis of the 1<sup>st</sup> Battalion, was informed, and a picket went to surround these unhappy soldiers and bring them to the fort. The guard however did not arrive soon enough to prevent these fellows of Dr. Schultz from running through the village crying "Death to the Pope! Death to Catholics! Death to the half-breeds! Death to the priests! and from burning Donald Smith in effigy."<sup>31</sup>

The province was soon buzzing with speculation, not so much as to the details of the report – those had already been discussed at length – but as to who had had the courage – or the foolhardiness, depending on the point of view – to send such a forthright statement to the Montreal newspaper. Suspicion soon centred on Joseph Royal, although for a time the name of Father Ritchot was mentioned. The reason for this was that not long after his arrival in the Settlement in August of 1870 Royal had written a series of despatches to Le Nouveau Monde signed "J.R."<sup>32</sup> Royal had, however, left Red River in September<sup>33</sup> and had returned to Quebec, probably to make arrangements for the purchase and transportation to Manitoba of the printing establishment to be known in 1871 as Le Métis. While he was away from Manitoba articles had continued to appear in Le Nouveau Monde. Clearly that newspaper had other correspondents in the province. It must be pointed out here, however, that Royal had been elected to the Legislative Assembly as member for St. François Xavier, and was soon to become a prominent figure in the loose coalition of those who gave support to the "let bygones be bygones" policies of Archibald. As such he was considered fair game by Schultz and his group, and threats were

made repeatedly on Royal's life.<sup>34</sup> His alleged reporting of the election demonstration simply brought his name before the public sooner than would otherwise have been the case.

At this point it must be observed that in our efforts to find out about the election demonstration and to discover its significance, we have had to take our attention away from the group of men who had been chosen in that election. In mid-February, when the "Royal affair" was on everybody's lips, the elected members of the Legislative Assembly still had not been called together. On January 14 Archibald issued a proclamation calling them together on February 2.<sup>35</sup> Then on January 28 a second proclamation was issued postponing the opening of the legislature until February 16.<sup>36</sup> In mid-February an issue of the Manitoban was being prepared which contained a third proclamation postponing the opening until March 9.<sup>37</sup> Why these delays? The building intended for their use was waiting for them to assemble,<sup>38</sup> and Archibald's Council had received their instructions.<sup>39</sup>

Archibald had wished to call the House together. In January he had written to Macdonald:

... I wish first to have the elections for the House of Commons over and that the excitement connected with them shall subside a little before we meet.<sup>40</sup>

In February Archibald again wrote to Macdonald:

I wish I could call the House together but I do not like to do it till after the elections for the House of Commons -- but these alas are to be postponed almost to the Greek Kalends...<sup>41</sup>

Archibald was here referring to the fact that the writs for the Dominion election had been mislaid in a mail bag in the snows of northern Minnesota.<sup>42</sup> One cannot, however, suppress a suspicion that Archibald was being less than candid with Macdonald, and that the real reason was that he could not guarantee the safety of the members of the Legislative Assembly once they



had been assembled in Winnipeg. Both Joseph Dubuc and Joseph Royal had had threats made upon their lives and Dubuc had been attacked physically by the Volunteers.<sup>43</sup> Neither man had had anything to do with the events of the previous winter, although, of course, both were French-Canadian and Catholic. Several of the men who had been elected had worked with the Provisional Government. One of the members of the new Assembly was to be, in fact, assaulted and maltreated for appearing in the streets of Winnipeg.<sup>44</sup> "Who sat down in the mud?" asked the News-Letter. A member of the House had "held his seat or his seat held him for more than 20 minutes."

Archibald's decision was probably wise. The Volunteers were being incited to meddle in political matters. On certain occasions they were out of control and did just as they pleased. The officers were not supporting the commanding officer in his effort to enforce discipline, and the civil authorities, under more or less constant attack by the News-Letter, were afraid to punish to the extent allowed by law.

In the meantime the people of Manitoba were still leaderless.

<sup>1</sup> See paragraph at note 3, below.

<sup>2</sup> Manitoba, Dec. 31, 1870.

<sup>3</sup> PAM MG14 C23 Box 3, Journal of C.N. Bell for 1870, entry for Dec. 30.

<sup>4</sup> USNARS T24, Roll 1, Taylor Papers, Taylor to Davis, Jan. 6, 1871.

<sup>5</sup> PAC RG9 IIB2, 33, Folder "Courts-Martial, etc., Red River Force 1871-3", memo for the President, Jan. 9, 1871.

<sup>6</sup> FLM News-Letter, Jan. 4, 1871.

<sup>7</sup> FLM News-Letter, Jan. 7, 1871.

<sup>8</sup> Nor'Wester, Jan. 22, 1869: "postmaster's little Canadian mare, 'Pussy'".

<sup>9</sup> FLM News-Letter, Oct. 11, 1870.

<sup>10</sup> MSHS News-Letter, Jan. 14, 1871.

<sup>11</sup> Manitoba, Jan. 14, 1871.

<sup>12</sup> MSHS News-Letter, Jan. 14, 1871.

<sup>13</sup> Manitoba, Jan. 14, 1871.

<sup>14</sup> This was probably literally true. While the country people were afraid to come to Winnipeg because of attacks by Volunteers, the Volunteers were their chief customers.

<sup>15</sup> Manitoba, Jan. 4, 1871.

<sup>16</sup> Article "H.J.H. Clarke" by Lovell Clark in Dictionary of Canadian Biography, Vol. XI, 192-4.

<sup>17</sup> PAC RG9 IIB2, 33, Folder "Courts-Martial, etc., Red River Force 1870-1".

<sup>18</sup> USNARS, News-Letter, March 25, 1871.

<sup>19</sup> MSHS News-Letter, Jan. 14, 1871.

<sup>20</sup> PAC MG26 A1b, Archibald to Macdonald, May 28, 1871.

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- <sup>28</sup> USNARS microfilm T24 Roll1, Taylor Papers, Taylor to Davis, Jan. 6, 1871.
- <sup>29</sup> PLM News-Letter, Jan. 7, 1871.
- <sup>30</sup> PAC RG9 IIB2, 33, Folder "Courts-Martial, Etc., Red River Force, 1870-1".
- <sup>31</sup> Manitoba, Feb. 25, 1871.
- <sup>32</sup> Ibid.
- <sup>33</sup> Manitoba, Feb. 4, 1871. The account appeared in the St. Paul Pioneer, Jan. 20, 1871.
- <sup>34</sup> PAM MG12 E3 Box 16/19, Schultz Papers, Denison to Schultz, Jan. 28, 1871.
- <sup>35</sup> PLM News-Letter, Feb. 8, 1871.
- <sup>36</sup> PLM News-Letter, Feb. 15, 1871.
- <sup>37</sup> Manitoba, Feb. 18, 1871.
- <sup>38</sup> PLM News-Letter, Feb. 18, 1871, reprinted from the Globe. The article originally appeared in Le Nouveau Monde for January 23, 1871.
- <sup>39</sup> See Le Nouveau Monde for Sept. 10, 15, 23 and Oct. 1, 1870.
- <sup>40</sup> The article published on Oct. 1, written on Sept. 10, refers to "mon départ prochain".
- <sup>41</sup> The St. Paul Daily Press, March 14, 1871.
- <sup>42</sup> Manitoba, Jan. 14, 1871.
- <sup>43</sup> Manitoba, Jan. 28, 1871.
- <sup>44</sup> Manitoba, Feb. 18, 1871.
- <sup>45</sup> Ibid.
- <sup>46</sup> PAC MG26 A1b, Macdonald Papers, Vol. 187, Archibald to Macdonald, Jan. 16, 1871.
- <sup>47</sup> Archibald to Macdonald, Jan. 16, 1871.
- <sup>48</sup> Archibald to Macdonald, Feb. 15, 1871.
- <sup>49</sup> Both the Manitoba and the News-Letter made frequent mention of the incident in early 1871.
- <sup>50</sup> St. Paul Daily Press, March 14, (Winnipeg, Feb. 20) 1871.
- <sup>51</sup> PLM News-Letter, April 8, 1871: "Who Sat Down in The Mind?" asked the headline. An M.P.P. "held his seat or his seat held him for more than 20 minutes".

### The Mutiny of February 18, 1871

The mutiny of February 18, 1871, is not unknown to Manitoba historians. Begg and Nurse touch on the incident briefly in their Ten Years in Manitoba, where it is used to show the unpopularity of Attorney-General Clarke with the Ontario Rifles.<sup>1</sup> O'Donnell, in Manitoba as I Saw It, mentions it in sufficient detail for us to identify it as the same one.<sup>2</sup> Neither work gives us the date of the event.

The Manitoban, fearful for its continued existence, reported the event in the most general terms, being careful not to say that the Volunteers were involved.<sup>3</sup> However, the event was too dramatic and was seen by too many people to be hushed up effectively, and accounts of it were published as far away as Halifax. Denials were published nearly as often as truthful accounts, and the researcher can almost be led to believe that the incident did not take place. A study of the original Le Nouveau Monde story and a comparison with the stories carried by the other newspapers which took part in the heated exchanges which followed brings out the essential features of the incident.<sup>4</sup>

In the late afternoon of Saturday, February 18, between one hundred and one hundred fifty Volunteers left Fort Garry and gathered in Winnipeg.<sup>5</sup> They made their way in a body to the police station and demanded the release of Corporal John Hawman, of Company No. 4, who had been jailed on a charge of gambling. When this was refused they got hold of a "long piece of timber"<sup>6</sup> found somewhere handy and, using it as a battering ram, broke open the door and released him and a companion, carrying Hawman in triumph to a hotel.<sup>7</sup> While this was going on Lieutenant McMurtry, the officer of the day, was ordered to take a picket into Winnipeg. He noticed that the corporal of the picket, Corporal John Stephenson, was drunk, and sent him to the barracks under arrest.<sup>8</sup> A reinforcement picket was sent out, and the mutineers returned to the

Fort, cheering Dr. Schultz as they passed his house. Col. Jarvis, with some officers, met some of the men, spoke to them and ordered that one be put under arrest for insolence. The man in question refused to be a prisoner and his comrades supported him.<sup>9</sup>

While a number of men were congregated in the barracks square the prisoner, Stephenson, who had been sent in under arrest by McMurtry, loaded his rifle and fired into the crowd, seriously wounding Corporal Joe Thompson, of Cobourg, Ontario, who was at the bagatelle table in the recreation room.<sup>10</sup> Whether this shot was intended for Jarvis, who was attempting to speak to the men, or for another officer, is not known. It was only with great difficulty that Jarvis obtained a hearing, and the men taunted him that their object in enlisting had been revenge and not the pacific policy of Mr. Archibald.<sup>11</sup>

Eventually the men returned to their barracks. Of the estimated one hundred to one hundred fifty mutineers only two were punished. Private George Lee was charged with "being concerned in an outrage committed in the Police Station in Winnipeg" and "for using insubordinate language to his Commanding Officer when ordered to the Guard Room". He was sentenced by a regimental court martial to 30 days imprisonment with hard labor. The sentence was reduced by Jarvis, although Lee was still on the prison rolls at the beginning of March.<sup>12</sup> Corporal John Stephenson was charged with being drunk when on duty, under arms, when on picket. He was found guilty, reduced to ranks and sentenced to 42 days hard labor.<sup>13</sup>

Not long after the event Bishop Taché tried to put things in proper perspective when he wrote to his cousin about it: "The Nouveau Monde was wrong to attribute to the ENTIRE [emphasis his] Ontario Battalion what it reported, THE FACTS WERE NEVERTHELESS TRUE [emphasis his] and members of that corps did everything that was said..." Taché made a

further remark in a post script, "La Minerve knew better when it reproached the Nouveau Monde about the exaggeration concerning the Ontario Volunteers."<sup>14</sup>

The mutiny created a profound sensation in the Métis population of Manitoba. Used to the summary justice of the plains buffalo hunt, the people expected to hear that executions had taken place or, failing that, that a number of ringleaders had been imprisoned for long terms.<sup>15</sup> When this type of news did not come there was talk of what they could do themselves to restore order in Winnipeg. Joseph Royal wrote to Archibald from White Horse Plains in a letter dated February 23:

...the outrage committed on Saturday threatens to put everything at risk. In fact, what protection can we hope for from a government whose soldiers are the first to make fun of the law and its authority? Here is what people are saying: "Schultz", they add, "also broke open the prison, a few years ago. But it was under the paternal and fearful government of Assiniboia. We never thought that the government of the Queen could be as weak as that of Assiniboia."<sup>16</sup>

If Archibald replied to Royal the letter has not been found.

American Consul Taylor reported on the incident to U.S. Assistant Secretary of State Davis shortly after the mutiny. He commented as follows:

I cannot resist the conclusion that the Governor and his secretaries are virtually prisoners. I am informed that the Ontario troops – many of them Orangemen – are secretly plotting the expulsion of Governor Archibald. If this should be attempted, and the latter should summon the people to his support he may yet have to rely almost exclusively upon the supporters of the Provisional Government of last winter.<sup>17</sup>

In the weeks following the mutiny, newspapers in Minnesota, Ontario, Quebec and Nova Scotia commented on it. The Globe was probably loudest of all, first in its denunciation of Le Nouveau Monde for having reported the affair at all, and then in its criticism of Attorney-General Clarke for his alleged mistreatment of the Volunteers in Manitoba. However, the

Volunteer Review, of Ottawa, a magazine specializing in the activities of the Canadian military and in military affairs generally, brought the affair into clear focus in its editorial of March 20, 1871:

It is impossible to conceive what the antecedents of Mr. Attorney General Clarke have got to do with the disgraceful proceedings at Fort Garry. The Globe knows full well that there can be no possible excuse for the troops – they have simply mutinied, and in that one word and by that act embodied and carried into practical effect the greatest evil that could befall a country, “**THE PLACING OF THE CONSTITUTIONAL REGIME UNDER THE FEET OF ITS SOLDIERS**” [emphasis his]. Except a stringent and decisive measure, calculated to prevent the recurrence of this example is put at once into operation there is no safety in our present organization. Men made tools of once for a bad purpose are readily available at the call of the demagogue, and will repeat the role with variations.<sup>18</sup>

The Volunteer Review emphasized its stand on the matter by publishing a quotation from the Gazette of Montreal in its March 27 issue:

But the fact that they are simply soldiers, subject to all the conditions of the mutiny act under which they are enlisted, cannot be too strongly or too constantly impressed upon them. The man who encourages lawlessness in a soldier, who encourages especially insubordination in a soldier, is not only a public enemy, but a scoundrel of the deepest dye. There are such men in Canada today, and unfortunately they have control of the columns of newspapers. The recent outbreak meets from them not merely a palliation but absolute justification. It is an outrage upon the common interest of the country that this should be....<sup>19</sup>

Questions were asked in the House of Commons, and Sir John A. Macdonald wrote to Archibald, asking about the conduct of the Volunteers. Archibald replied:

In reference to the Volunteers, they have behaved very badly all through, but there was nothing for me to do but not see too much – Jarvis though a nice fellow – and a gentleman, has no control over his men. As a disciplinarian Cazault [sic] is ten times the man.<sup>20</sup>

By the time Archibald replied to Macdonald's letter in late May the announced disbanding of the two regiments was well under way and both Archibald and Macdonald had other preoccupations. And by that time, too, a Winnipeg man who had "control" of a press and newspaper had acted speedily to turn the event of February 18 to his own advantage.<sup>21</sup>

<sup>1</sup> Begg and Nursey, *Ten Years in Manitoba*, 23.

<sup>2</sup> O'Donnell, *Manitoba As I Saw It*, 52.

<sup>3</sup> *Manitoba*, February 18, 1871.

<sup>4</sup> *Le Nouveau Monde*, 19 février (Winnipeg, 7 mars), 1871; *Manitoba*, February 25, 1871; *Halifax Morning Chronicle*, March 9 and March 16, 1871; *PAM Manitoba News-Letter*, April 5, 1871; *The Globe*, March 7 (Winnipeg, Feb. 19), 1871; *Montreal Daily Witness*, March 15, 1871; *St. Paul Daily Pioneer*, March 22, 1871; *La Minerve*, 10 mars, 1871.

<sup>5</sup> J.W. Taylor said there were 100. See USNARS microfilm T24, Roll 1, Taylor to Davis, Feb. 21, 1871. *The Globe* for March 7, 1871, said "150". *The News-Letter* said "a number of them".

<sup>6</sup> O'Donnell, *Manitoba As I Saw It*, 52.

<sup>7</sup> *The News-Letter* identified him as Robert Mulligan. See issue for February 22, 1871.

<sup>8</sup> *Globe*, March 7, 1871; PAC RG9 IIB2, 33, Testimony of McMurtry.

<sup>9</sup> *Globe*, March 7, 1871.

<sup>10</sup> *Globe*, March 7, 1871; *The News-Letter* for Feb. 22, 1871, mentions a promotion to corporal of No. 3 Company for Private Joe Thompson of No. 5 Company, so it seems clear that this is the man who was wounded.

<sup>11</sup> USNARS Microfilm T24 Roll 1, Taylor to Davis, Feb. 21, 1871.

<sup>12</sup> PAC RG9 IIB2, Vol. 33, "Returns of Defaulters".

<sup>13</sup> PAC RG9 IIB2, Vol. 33, "Court Martial Returns" for February 1871.

<sup>14</sup> AASB, Ta 0736, Taché to Hon. Pierre Boucher de la Bruère, Apr. 21, 1871.

<sup>15</sup> *Le Nouveau Monde* for Feb. 3, 1871, reported that the Métis had at that time been expecting that the Volunteers would be punished for their attacks, and were talking of taking the law into their own hands.

<sup>16</sup> PAM MG12 A1 No. 199, Joseph Royal to Archibald, Feb. 23, 1871.

<sup>17</sup> USNARS Microfilm T24 Roll 1, Taylor to Davis, Feb. 21, 1871.

<sup>18</sup> Vancouver Public Library, *Volunteer Review*, March 20, 1871, 136.

<sup>19</sup> Vancouver Public Library, *Volunteer Review*, March 27, 1871, 198.

<sup>20</sup> PAC MG26A Vol. 187 Letter 77909, Archibald to Macdonald, May 28, 1871.

<sup>21</sup> See, below, chapter entitled "Schultz's Campaign on Behalf of the Volunteers".