

Schultz's Campaign on Behalf of the Volunteers

Schultz may have had meeting posters printed before the mutiny of Saturday, February 18. News had just come of the Canadian government's intention to disband the Volunteers in May,¹ although it is difficult to establish how widely known the decision was. However, it seems more likely that the mutiny had forced Schultz's hand, and that Schultz put his printer to work on Sunday preparing meeting notices. Some of these were distributed on Monday² announcing a meeting at St. James on Monday night. This was very short notice, indeed, but entirely typical of Schultz's way of doing things:

Recall of the Volunteers. Our dangerous position. No safety without troops. Lying statements and slanders on the character of our gallant Volunteers has caused them to be recalled and we are to be without troops. It is therefore necessary that we should refute these slanders and protest strongly against the recall of the troops.

It was important to get support for the retention of the Volunteers before news of the mutiny had reached all the parishes by word of mouth. This could be done if meetings were held every day. The News-Letter would not publish news of the mutiny as part of its policy and the Manitoban would not dare, fearing attacks on its plant.³ Royal, at White Horse Plains, did not write to Archibald about the mutiny until February 23,⁴ and by then meetings had already been held in several parishes and Schultz's resolutions approved.⁵ Eventually meetings were held in all English-speaking parishes, and one was held in St. Boniface.⁶ Concerning this St. Boniface meeting Taché wrote to a friend as follows: "The petitions for the retention of the troops is an electoral trick [of Schultz's] and if a similar demand was made in St. Boniface it was due to Mr. Girard who was afraid...."⁷

There was considerable support, particularly in Winnipeg and in the English-speaking parishes, for the retention of a military force – not necessarily the Volunteers – in the province.

The two regiments had provided a ready market for farm produce.⁸ Many agreed with Mr. Sellwood, who said at one meeting: "Every mouth must be fed. Who are to feed them but those of us who are farmers?" All businessmen in Winnipeg, especially the owners of cafés and saloons, had found the Volunteers good for business.⁹ However, those who attended the meetings were soon to find out that more was involved than the retention of the Volunteers at the two forts. The resolutions presented at the meetings were as follows:

1st – That the rebels of last winter have gained confidence from the fact that they remain unpunished – that warrants are refused for their apprehension – by the fact of the appointment of their chiefs and sympathizers to office and places of trust —and from their belief, openly expressed, of help to be afforded them from the Fenian element in the United States.

2nd – That on the other hand, the delays in the establishing of courts – delayed legislation – and the arbitrary and censurable action of those in high places, has produced a want of confidence in the disposition of power of the Government to ensure to us safety and prosperity.¹⁰

The language of these resolutions made the Manitoban wonder what was meant. Was Schultz advocating a military dictatorship in Manitoba in place of the Archibald regime?¹¹ The truth was more likely that Schultz was clutching at straws for something to be used as a platform in the Dominion election campaign.

Schultz's campaign for a seat in the House of Commons had begun promisingly enough in November of 1870, when a requisition had been presented to him signed by residents of the parishes of St. Peters, St. Clements, St. Andrews, St. Pauls, Kildonan, St. Johns and Holy Trinity. The Manitoba News-Letter had appeared with the entire back page given over to the lists of names of those signing the requisition.¹² At that time the limits of the Dominion constituencies had not been defined, so some of those signing were from parishes not included in Lisgar.¹³ There were echoes of the February counter-movement in this requisition. Three members of the

general committee of St. Andrews Parish had been on the general council for the force in February of 1870.¹⁴ Twelve of the members of that force's council signed the requisition asking Schultz to be a candidate.¹⁵ From this auspicious beginning in November Schultz's political fortunes waned, and in December many thought he would be defeated in both the provincial and Dominion elections.¹⁶ He eventually lost to Smith in the December election for the provincial house.¹⁷

Schultz was being remembered by those in high places, however. In the latter part of January Sir John A. Macdonald deplored the fact that Schultz had been defeated for the provincial house, and expressed himself in a letter to Archibald. Archibald replied:

In reference to Dr. Shultz [sic] I am inclined to differ with you about the result. He would have been a nuisance in the local assembly – not only by what he would say and do but by the feeling which his being there would occasion. You cannot conceive the intensity of the bitterness towards him which distinguishes his opponents here.¹⁸

Archibald thought differently about Schultz being elected to Ottawa:

I do not see the same difficulty about Dr. Schultz being elected to Ottawa. He would soon find his level there – and that would not be a very high one. Political sagacity he seems to have none.¹⁹

As late as the Wednesday before the mutiny of February 18 Archibald believed that Schultz would fail in his bid for a seat:

Mr. Schultz came up with the troops – he made many people believe that they we[re] b[rou]ght up by him. He had gone down to Canada for them, and they were to do his bidding. He was looked upon as the impersonation of everything that was powerful – his failure has rendered him comparatively impotent. If he were to go into the House of Commons he could do nothing – and would be used up in a single speech. But the dominant people here are afraid of him. Their idea of the man and his power is as exaggerated as that of Shultz [sic] own friends – and they are determined to use every means to keep him out – I think they will succeed.²⁰

On the second day of Schultz's campaign American Consul J.W. Taylor wrote a report on the mutiny of February 18 and the intention of the Canadian government to withdraw the troops.

He allowed himself to comment on matters generally:

The opposition denounce this measure as a surrender of the country to Riel and the French majority: and public meetings are being held everywhere (in the English-speaking districts) against the recall of the Volunteers... I am informed that the Ontario troops - many of them Orange men - are secretly plotting the expulsion of Gov. 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.

The ultra-Canadian leader, Dr. John Schultz, is making the most of the excitement, hoping to secure his election to the Dominion Parliament. If he is defeated (as I have lately anticipated) the peace of the country will be in great jeopardy. I am forced to consider the probability of anarchy and civil war within the next thirty days.²¹

There is evidence to suggest that Taylor was not overstating the case when he wrote of the possible expulsion of Archibald. In mid-April, when Schultz was in Ottawa after his election and long journey through the United States, John James Setter wrote to him from Portage la Prairie:

I hope you had a good trip, the last we heard of you was by Patterson, and it was a mighty relief to us [F]or a few days before that word reached us that you had been murdered on the way and of course painted in horrible colours; and hearing that arch demon O'Donohue [sic] was at Pembina we feared that the report might be true, already people had decided to set aside the plough for the gun, and never rest untill every Jesuit would be driven out of the country, and first and foremost SMOOTH ARCHY [emphasis his] would have been marched out of the country very unceremoniously.²²

The Sunday before the elections took place Archibald wrote to Macdonald expressing concern over the outcome of the voting:

If the writs had arrived in due course, we should have sent you without the shadow of a doubt, four supporters from here – as it is the seat of one or two will be imperilled.

You will see by the newspaper accounts of meetings held during the last week that the disbandment of the Troops has added enormously to the excitement in the English Parishes. You will be deluged by petitions to arrest the disbandment. If we can get this week over I shall feel the crisis past.

Then Archibald returned to a point he had touched upon in an earlier letter to Macdonald:

I am not so sure but that the very best thing that could happen would be to have Schultz succeed. It would get him out of the way with us, and he could do no harm with you.²³

Archibald did not mention another factor which was causing him concern. The delay caused by the trouble in finding the writs meant that the date of the election fell on March 2. This was only two days before the anniversary of the execution of Thomas Scott. On the day of the first meeting in Schultz's campaign, February 20, a correspondent of the St. Paul Daily Press wrote:

Tomorrow they are to have an indignation meeting and make arrangements for the celebration of the anniversary of Scott's death.²⁴

There is no doubt that the Volunteers had been well instructed as to the date of that event.

Hubert Neilson, a doctor with the 2nd Quebec Rifles at Lower Fort Garry, wrote in his diary on

March 4:

Anniversary of Scott's death. It was feared that the Ontario's would make a demonstration, but happily nothing happened.²⁵

Charles Napier Bell, with the Ontario Rifles at Fort Garry, wrote:

March 4th was the day on which one year ago poor Scott was shot by Riel's order outside the postern gate of Fort Garry. Pictures of the murdering was [sic] sold in the Fort today.²⁶

The authorities, for their part, appeared to have learned a lesson from the provincial election demonstration. On the day of the Dominion election Neilson wrote in his diary:

We were all confined to barracks today on account of the elections for the House of Commons, so as to be ready at a moment's notice in case of trouble. 5 p.m. Dr. Schultz has been elected by a considerable majority.¹⁷

After the elections were over Archibald had to submit a list of the names of people whom he could recommend for appointment to the Senate. He wrote to Macdonald:

Schultz has been returned to the House of Commons after a contest in which he has scrupled at nothing to carry the point. He is the symbol of brute force, and his appointment would be looked upon as an approval on the part of the Dominion Government of violence and disorder. He has encouraged the disposition to rowdyism among the soldiers – and he or his immediate friends have been prominent in every trouble we have had.¹⁸

The campaign of John C. Schultz on behalf of the Volunteers had turned into a successful campaign on behalf of John C. Schultz.

¹ USNARS Microfilm T24, Reel 1 Taylor papers, Taylor to Davis, Feb. 21, 1870: "An order had lately been received...discharging the Volunteers on the 1st of May."

² Manitoban, Feb. 25, 1871.

³ This situation received comment in letters written on the 20th and 21st of February and published in the St. Paul Daily Press of March 14, 1871: "the one in fear and the other in full sympathy with the mob", said one: "will not or dare not give the facts", said the other.

⁴ PAMMG12 A1 No. 199, Royal to Archibald, Feb. 23, 1871.

⁵ News-Letter, Feb. 25, 1871; The Manitoban, Feb. 25, 1871; The Manitoban's Supplement of Feb. 25, 1871. A meeting of Schultz's opponents had been held in the Manitoban office, on the 21st, where a different set of resolutions was passed.

⁶ The News-Letter for March 8, 1871, has a summary of the English-speaking parish meetings. The Manitoban for March 4, has the St. Boniface Meeting.

⁷ AASB Ta 0736, Taché to Hon. Pierre Boucher de la Bruère, April 21, 1871.

⁸ Manitoban, Feb. 25, 1871.

⁹ Manitoban, Nov. 19, 1870.

¹⁰ MSHS News-Letter, Feb. 22, 1871.

¹¹ Manitoban, Feb. 25, 1871.

¹² Metropolitan Toronto Library, Denison Papers, News-Letter, November 8, 1870.

¹³ The parishes of St. John, St. James and Kildonan became part of the Selkirk constituency.

¹⁴ St. Paul Daily Pioneer, April 2, 1870: John Tait, Andrew Mowatt and Adam McDonald. Compare with the News-Letter for Nov. 8, 1870.

¹⁵ John Tait, A.H. Murray, Edward Hay, John Hodgson, Wm. Leask, Geo. Calder, Andrew Mowatt, Donald Gunn, Jr., Adam McDonald, Joseph Monkman, Henry Prince, Alex Ross.

¹⁶ PAC MG 26A Vol. 187-8, Archibald to Macdonald, December 11, 1870.

¹⁷ PAC MG 26A Vol. 187-8, Archibald to Macdonald, Jan. 16, 1871.

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- ¹⁸ PAC MG 26A Vol. 187-8, Archibald to Macdonald, Feb. 15, 1871.
¹⁹ Ibid.
²⁰ Ibid.
²¹ USNARS Microfilm T24, Reel 1, Taylor to Davis, Feb. 21, 1871.
²² PAM MG12 E3 Box 16/19 Schultz Papers, Setler to Schultz, Apr. 19, 1871.
²³ PAC MG12 26A Vol. 187-8, Archibald to Macdonald, Feb. 26, 1871.
²⁴ St. Paul Daily Press, March 14 (Winnipeg, Feb. 20), 1871.
²⁵ PAC MG29 E37, Diary of Hubert Neilson, March 4, 1871.
²⁶ PAM MG14 C23 Box 3, Diary of C.N. Bell, March 4, 1871.
²⁷ PAC MG29 E37, Diary of Hubert Neilson, March 2, 1871.
²⁸ PAC MG 26A Vol. 187-8, Archibald to Macdonald, March 8, 1871.

"Our Country People Cannot Visit Winnipeg"

Two days after the mutiny of February 18, a correspondent who did not want his name used wrote in French to the Saint Paul Daily Press, describing the scene at Winnipeg after events that he was sure would never be reported in the press: "Our country people cannot visit Winnipeg without being insulted, if not personally abused, by the soldier mob," this correspondent wrote. "They defy all law and authority, civil and military. Mr. Dubuc has twice been attacked by them, and they openly threaten to kill Mr. Royall [sic]."¹

The violence at Winnipeg-Fort Garry continued after the end of the provincial election campaign. It did not come to a close with the Dominion election campaign and the success of Schultz, as might have been expected. Instead it increased in fury.

Was violence Dominion government policy? Extremely reluctant though we may be, we are in the end forced to consider this question. There is no record that Archibald protested concerning the presence or behavior of the Volunteers until he was asked about them by Macdonald. Archibald then made his statement about there not being anything for him to do but "not to see too much".² By that time the Volunteers had been in Manitoba for nine months. There is no indication that either Cartier or Macdonald made any attempt to see to it that discipline was improved where the Volunteers were stationed. There is, on the other hand, proof that Schultz, who was known to be fomenting much of the violence, enjoyed the favor of Cartier, the Minister of Militia, and that this was translated eventually into a concrete expression.

There was no security of person or of property in Manitoba in 1871, any more than there had been in late 1870. If anything the situation grew much worse. It is time now to document this, knowing that for each incident that we can document in one way or another there must have been several that went unreported.

As we look at the whole sorry procession of violent events in 1871 we must be careful about assigning responsibility. It cannot be proved, for example, that there was a connection between the death of H.F. "Bob" O'Lone and either his support of the Provisional Government or the presence of the Volunteers at Pembina. O'Lone was injured in some sort of brawl that took place at a Half-breed dance at the home of Mr. Geroux, at Pembina, in early January of 1871. O'Lone's skull was fractured by a blow given with a revolver, "the hammer penetrating to [sic] the skull and fracturing it".³ The doctor at the American fort at Pembina would not undertake the necessary operation alone, and Dr. Turver was called from Fort Garry.⁴ The operation did not succeed in saving O'Lone's life. Baptiste Hayden, of Pembina, was tried for murder before Judge Harrison on February 13. The court was unable to convict Hayden on a charge of murder, and the case was sent to a grand jury to settle a technicality. The reporter covering the case believed that Democratic party politics got in the way of justice.⁵

The New Year opened at Fort Garry with an attack on Toussaint Vaudry and Joseph McDougall by Volunteers of the Ontario Regiment on January 4. "Courts Martial" records tell us that two of them were sentenced to fines of \$40 or three months.⁶ Vaudry lived with his widowed mother and her three daughters. He happened to be at home when a Volunteer entered the house and made "insulting propositions to the ladies". Vaudry forced him to leave but he returned with ten others, and Vaudry was beaten nearly to death.⁷

About the same time "seven or eight" Volunteers met two Half-breeds on the ice of the river. The two Half-breeds would have been severely beaten if they had not been able to "scratch" and make their escape across the ice.⁸

The house of Maurice Lowman was burned on the night of Wednesday, January 11. The house was not insured, and the loss was given as three hundred pounds.⁹ No proof of foul play

on the part of the Volunteers was brought forward, but people remembered that Lowman had been a member of the Council of November, and that he had been prominent, if not a key person, in his support of the "Central Committee" at certain of the provincial election meetings.¹⁰

The same issue of the Globe that carried the story of the mutiny of February 18 reported that "some short time ago" there had been a fight between a group of Volunteers and some "French". Two of the Volunteers were brought before Magistrate Bannatyne, who fined them "forty dollars each and expenses and sent them to gaol". The Globe correspondent was happy to report that they "were released on payment of the fine which was subscribed in an hour".¹¹

Pembina was in the news again with the details of the attack on André Nault. Nault had gone to Pembina about the same time that Riel was forced to flee from Fort Garry. On the evening of February 24 he visited the inn of Paul Laurent to attend to some business he had with him. Fifteen Volunteers were at the inn when Nault entered, and he was recognized and pointed out to them.¹² The Volunteers left to go to their quarters for their side arms. When they returned Nault saw that harm was intended and tried to leave, receiving as he did so several blows from the fists and bayonets of the Volunteers. Nault ran as fast as he could in an attempt to cross the boundary into the United States. He was pursued, overtaken, bayoneted and left for dead.¹³ He was found by his friends and taken to a house where he recovered. Nault had been a captain in the forces of the Provisional Government, and was a member of the court-martial which sentenced Thomas Scott.¹⁴ It has never been recorded under what authority the Volunteers thought they were acting in thus attacking him, and Tennant, who was a member of the company of Volunteers there at Pembina, made no mention of the incident in Rough Times.

Sporting events were not free from violence. On March 18 Charles Napier Bell wrote in his diary that "horse-races" brought "three hundred men" to the village of Winnipeg. There was a "good deal of fighting", Bell went on, but "we were not called out."¹⁵

Archibald's delay in calling together the Legislative Assembly has been noticed and speculated on. Even a supporter of the opposition party in the provincial house was not safe in the streets of Winnipeg if certain people did not like the way he had voted on certain issues. Fred Bird, the member for Portage la Prairie, was pushed down in the mud and held there "for more than twenty minutes" after the vote on the Headingly case. The New-Letter chortled editorially, "Who Sat Down In The Mud?"¹⁶ J.J. Setter commented, in a letter to Schultz, that "it was good for" our "bea[u]tiful bird that he did not make his appearance at the Portage soon after his vote on the Headingly case".

I hear that he has been treated as he ought, about Winnipeg.¹⁷

The Manitoban, apprehensive as ever, said nothing about it. That paper had good reason to be nervous after the abortive attempt of "some 80 of the Canadian troops to burn it down". It is probable that but for an after hours meeting of the "Central Committee" the Manitoban's offices and neighboring buildings would have quickly gone up in smoke.¹⁸

The Volunteers' barracks saw more violence in April. Bell's diary is again succinct enough:

Sgt. Harvey came in drunk and raised a row, so he was put under arrest.¹⁹

On April 19, the same day that Bell was summoned to be a witness in Harvey's trial, Bell wrote in his diary that "there was a big row in the night upstairs in No. 4. Five men were taken to the guard room".²⁰ For some reason the trial was adjourned to April 24.²¹ When the trial was held, witnesses testified that they were quietly playing cards when Harvey came in and picked up a

copy of the News-Letter that was lying on the table. It contained an account of a dramatic performance held the evening before in which Harvey had participated. The report said that Harvey was an "admirable slasher and was quite at home in that character".²² He remarked that the report was "poor" or "queer". He then drew his sword and began to swing it around, possibly in reenactment of the previous evening's dramatic success. Private Yuill told him to "take care". Succeeding events were not specified in the "Courts Martial" records, but Harvey was reduced to ranks for being drunk in the barrack room "when on duty and duty sergeant".²³ He paid a fine of one pound. The men of Company No. 4 "go cells (two got 42 days – 14 solitary days) and the others 21 days," Bell recorded.²⁴

Reports of incidents involving violence were so numerous in May that it almost seemed that some unseen hand had turned a spigot of violence onto full flow. The Globe finally had to admit that Archibald could not rely on the Volunteers.²⁵ Even the Manitoban acknowledged a violent incident. The reason was probably that the Métis winterers were coming in from the plains.²⁶ Also the disbandment of the Volunteers began in May, and many men, freed from what restraint and discipline the regiment had provided, were free to do as they pleased.²⁷

At the beginning of May Bell recorded in his diary that

There was a fight in town between the Volunteers and half Breeds [sic] and the picquet was turned out but it soon ended.²⁸

Three days later he recorded that

there was a row in Davis' between Tom Bunn and some Volunteers. Sgt. Major Coyne backed them because he was a Free Mason.²⁹

Bell did not specify what kind of "row" it was or whether anyone had backed Bunn. Bunn was by that time a member of the Legislative Assembly of Manitoba.

On May 11 a citizen of St. Vital named Bourassa had an argument with a Volunteer in an incident that was later reported by La Minerve. The soldier took out a "garcette", a special kind of rope's end or cat-o'-nine-tails having a piece of lead on the lanyard, and began to use it on Bourassa. Bourassa was able to take it away from the Volunteer and gave him a taste of his own medicine, when thirty of his antagonists' fellow Volunteers came up and pelted him with sticks, stones and anything else that could be found handy. Needless to say, Bourassa had to flee for his life. "These half-breeds [sic]," said one Volunteer, "are tougher than cats!"³⁰

A particularly vicious attack took place on May 24 at the time of celebrations marking the Queen's birthday. Isaac Cowie, a Hudson's Bay Company employee, and his helper Louis Hibbert, had come into Fort Garry from the trading post on the Qu'Appelle Lakes. Hibbert, like Cowie, had taken no active part in the movement of 1869 and 1870. He was attacked by a group of Volunteers, who beat him into insensibility with their belts, and he might well have been killed if two women had not intervened and pulled him away from them.³¹ A crowd of bystanders had not dared to do this. A newly-arrived person from Ontario told the correspondent of La Minerve that he had not believed what he considered to be the exaggerated reports of Volunteer violence at Fort Garry. What he saw there on May 24, however, exceeded in brutality anything that he had read and left him disgusted.³²

Hibbert was not the only one attacked by Volunteers that day. James Wickes Taylor, the American Consul at Fort Garry, was attacked by a drunken Volunteer in what became an internationally-reported incident. The New York Times, for example, headlined it "Military Reign of Terror in Manitoba".³³ If anything were needed to prove that the United States had no intention of interfering in any way with Manitoba, this incident surely provided that proof. The incident was reported³⁴ in the press, denied³⁵ in the press, and commented on to the point where

one could begin to doubt whether it had really taken place. Fortunately we have Taylor's own report to the State Department to remove all doubts:

I was passing through the Main Street of Winnipeg when a drunken soldier of the Ontario Battalion suddenly turned with a stick in his hand, and arrested my progress, demanding insolently that I "present arms". Without reply I attempted to pass him, when, with a blow of his stick he knocked off my hat, but without personal injury.

Taylor picked up his hat and "advanced a few steps",

when the fellow again confronted me, using the same language as before. Looking him in the face for a moment I said calmly but firmly, "Let me pass, sir", and moved on. Fortunately I received no further insult.

Taylor went on to say that "the incident occurred about 5 p.m. in the sight of one or two hundred people – many of them soldiers", and that he had then proceeded to the Consulate. He reported that the officers of the Battalion, the Lieutenant-governor and several members of the Government promptly called and expressed themselves to my satisfaction."³⁶

In his first despatch Taylor did not report that he had lowered the American flag immediately upon his arrival at the Consulate. In the "one or two hundred people" who saw the incident were several newspapermen, and a report was soon published in the St. Paul Daily Press³⁷ that Taylor had lowered the flag out of "resentment for the attack". Taylor hastened to explain to his superiors that May 24 had been a very windy day in Winnipeg and that

towards noon the wind rose to a gale and [the flag] was lowered to prevent its destruction.

Taylor also added that his assailant had "since made a suitable apology" and that he had accepted it. Clearly the consular representative of the United States was not seeking for a pretext for any kind of international incident. He recommended that the "consular flag should be constructed of stout bunting".³⁸

In his first report of the incident Taylor had commented that

outrages upon the French population are of daily occurrence – often most flagrant and cowardly in their character, and so far as this incident has tended to IDENTIFY ME WITH THIS LONG-SUFFERING POPULATION [emphasis mine] I do not regret it.

On the night of May 23 six Volunteers forced their way into the tent of an Indian, his wife and family – two of whom were young women. The man protested, and was pulled out of the tent and so severely beaten that he could no longer protect his family. Then, according to the St. Paul Daily Press, they returned to the tent and “outraged the mother and daughters”. The incident did not end there. The mother made complaint next day to the captain of police, who went with her to the Fort to identify the men who had carried out the attack. The Volunteers were on parade at the time, and the woman recognized one of the attackers and pointed him out to commanding officer Jarvis. Jarvis replied that it was none of his business.³⁹ According to the version published in La Minerve the police took depositions from the woman and her daughters, but the magistrates, fearing a repetition of the events of February 18, were unwilling to issue arrest warrants and the affair was dropped.⁴⁰

Apparently no woman could walk with safety near the Fort, even with an escort. A Mr. McCloud and his wife happened to pass near the Fort. A group of Volunteers arrested McCloud’s progress and used insulting language to his wife. Finally, said the St. Paul Daily Press report, they seized hold of her as if to pull her away from her husband. At this point he drew a weapon from his pocket and by threatening to use it was able to make them disperse.⁴¹

The month of May closed with a battle between Volunteers and Half-breeds on the 30th, some fifty or sixty men being involved. Clubs, chairs, planks and other materials, reported the Daily Press, were used as weapons. Then the fight ended as if by mutual consent, and the people went away to nurse bloody heads and other wounds.⁴²

This is the proper place to notice the establishment of Manitoba's first French-language newspaper, Le Métis, whose first edition appeared on May 27. The French-speaking community of Manitoba had never had a newspaper to express its concerns, and we have often had to use St. Paul or Montreal newspapers to learn of events involving French-speaking people, and always with a delay of a month or six weeks, depending upon circumstances. The Schultz party, of course, saw its establishment as further evidence of a Jesuitical plot, but its belated appearance in 1871, twelve years after the Nor'Wester first went on sale, is surely evidence that there was no Jesuitical plot at all. Not a moment too soon did this newspaper enter the lists on the side of the exasperated French-speaking people of Manitoba. Leaderless and having only a few of their own people in the Legislature, these people desperately needed the information and coordination that a newspaper could supply.

On June 3 Baptiste Lépine, a brother of Ambroise Lépine, and some friends got into a dispute with some Volunteers and others in the Davis House.⁴³ In a moment he and his companions found themselves forced into the street. There a miniature battle took place. Lépine and his friends were joined by some sympathizers, the Volunteers likewise. Once again anything that was handy was used: sticks, chairs, boots, bottles and hard mud in chunks. Before the battle was over between fifty and sixty men took part, and several were seriously injured, among them Lépine. He had his head cut open by a blow from a fence-board in the hands of his assailant.⁴⁴ Lépine remembered the incident four months later when the Lieutenant-governor issued his proclamation at the time of the so-called "Fenian Raid".⁴⁵

Interestingly enough, one may search in vain in the appropriate issues of Le Métis for any reference to this "affray", involving as it did a member of a prominent Métis family.⁴⁶ With Winnipeg-Fort Garry in a state of incipient civil war it would not have been unnatural to find the

pages of the first issues of Le Métis filled with the gory details of these recent encounters. Yet as we lift the veil on the doings in the Métis community and study the pages of the newly-founded newspaper we find very little mention of the violence of May and June. True, there is an editorial suggestion that the police should wear uniforms in order that men involved in a brawl might tell who were police and who were not. "Since Winnipeg is often enough the scene of brawls in which twenty or thirty people take part," Le Métis began,

unfortunate mistakes are made. Men who would respect the authority of the policemen if they could recognize them are inclined to do the opposite.

A man is not likely to consider, in the heat of a *mélée*, whether the man with whom he is grappling is really a policeman, the editor observed. The police should be readily distinguishable, and would be more respected if they were.⁴⁷

However, a study of the first issues of Le Métis shows that something else was of far more concern in late May and early June of 1871 than the brawls in the streets. Let us notice the headlines: "Le choix des terres de la réserve" – "Réserves des Métis Français" – "Réserves des Métis de la Pointe de Chênes" – "La Question des Terres".⁴⁸ There are long editorials and long descriptions of blocks of land the Métis people are wishing to claim under section 31 of the Manitoba Act. Accordingly, we must leave for a time the melancholy story of the violence of 1871 and return our attention to what is probably the one great issue of the Insurrection – land.⁴⁹

¹ St. Paul Daily Press, March 14 (Winnipeg, Feb. 20), 1871.

² PAC MG26A Vol. 187, letter 77909, Archibald to Macdonald, May 28, 1871.

³ St. Paul Daily Press, March 7, 1871; St. Paul Daily Pioneer, Jan. 25 (Pembina, Jan. 7), 1871.

⁴ PLM News-Letter, Feb. 1 and MSHS News-Letter, Feb. 11, 1871; Manitoban, Feb. 18, 1871.

⁵ St. Paul Daily Press, March 7, 1871.

⁶ PAC RG9 JIB2, Vol. 33, Folder "Courts Martial, etc., Red River Force, 1870-1".

⁷ Le Nouveau Monde, 3 fév., (Pembina, 10 jan.), 1871; St. Paul Daily, June 4, 1871.

⁸ Le Nouveau Monde, 3 fév., (Pembina 10 jan.), 1871.

⁹ MSHS News-Letter, Jan. 14, 1871; Manitoban, Jan. 14, 1871.

¹⁰ Manitoban, Nov. 5, 1870.

¹¹ Globe, March 7, 1871.

- ¹² St. Paul Daily Press, March 14, 1871; Globe, March 15, 1871.
- ¹³ St. Paul Daily Press, March 14, 1871.
- ¹⁴ See Juge L.A. Prud'Homme, "André Nault" in Transactions of the Royal Society of Canada, Section 1, 1928, 105-6.
- ¹⁵ PAM MG14 C23 Box 3/6, 1871, Journal of C.N. Bell, March 18 entry.
- ¹⁶ PLM News-Letter, April 19, 1871.
- ¹⁷ PAM MG12 E3 Box 16/19, Schultz Papers, Letter to Schultz, April 19, 1871.
- ¹⁸ St. Paul Daily Press, March 14 (St. Boniface, Feb. 23), 1871.
- ¹⁹ 1871 Journal of C.N. Bell, entry for April 15.
- ²⁰ 1871 Journal of C.N. Bell, entry for April 19.
- ²¹ *Ibid.*
- ²² PLM News-Letter, April 15, 1871.
- ²³ PAC RG9 IIB2 Vol. 33, "Courts Martial, etc., Red River Force, 1870-1".
- ²⁴ 1871 Journal of C.N. Bell, entry for April 24.
- ²⁵ Globe, May 22, 1871.
- ²⁶ St. Paul Daily Press, June 9, 1871.
- ²⁷ Manitoban, May 6, 1871; St. Paul Daily Press, June 9, 1871.
- ²⁸ 1871 Journal of C.N. Bell, entry for May 1.
- ²⁹ 1871 Journal of C.N. Bell, entry for May 4.
- ³⁰ La Minerve, 18 juillet (Winnipeg, 25 mai), 1871.
- ³¹ La Minerve, 18 juillet (Winnipeg, 25 mai), 1871; St. Paul Daily Press, June 9, 1871; Isaac Cowie, Company of Adventurers, 429-30.
- ³² La Minerve, 18 juillet (Winnipeg, 25 mai), 1871.
- ³³ New York Times, June 12, 1871.
- ³⁴ St. Paul Daily Press, June 9 and June 13, 1871; Globe, June 22, 1871; La Minerve, 18 juillet, 1871.
- ³⁵ St. Paul Daily Pioneer, June 20, 1871.
- ³⁶ USNARS Microfilm T24, Roll 1, Taylor Papers, Taylor to Davis, June 6, 1871.
- ³⁷ St. Paul Daily Press, June 9, 1871.
- ³⁸ USNARS Microfilm, T24, Roll 1, Taylor Papers, Taylor to Davis, June 6, 1871.
- ³⁹ St. Paul Daily Press, June 9, 1871.
- ⁴⁰ La Minerve, 18 juillet (Winnipeg, 25 mai), 1871.
- ⁴¹ St. Paul Daily Press, June 9, 1871.
- ⁴² St. Paul Daily Press, June 21, 1871.
- ⁴³ Manitoban, June 3, 1871; St. Paul Daily Press, June 9, 1871.
- ⁴⁴ Begg and Nursey, Ten Years in Winnipeg, 1870-1879, 34.
- ⁴⁵ J.B. Proulx, "L'Invasion Fénienne au Manitoba", RHAF, Vol. XVII, Sept., 1963.
- ⁴⁶ See A.G. Morice, Dictionnaire, 180-2.
- ⁴⁷ Le Métis, 27 mai, 1871.
- ⁴⁸ Le Métis, 8 juin, 1871.
- ⁴⁹ This provides confirmation of a St. Paul Daily Press report dated June 16, which referred to concerns about the land question and the fact that no surveyors had arrived. See St. Paul Daily Press, June 21, 1871.

The Confrontation at Rivière Aux Îlets de Bois

Canadian historical groups do not set up monuments to mark spots where major massacres did not take place. If they did there would be one somewhere in the lovely country where the town of Carman, Manitoba, now stands. There was no massacre there because the Métis people used restraint and showed respect and obedience to authority in the summer of 1871. Instead of killing those who were coming onto their lands they went to Archibald to complain and settled for believing in his promises and persuasive power until it was certain that they had lost their lands.

The roots of the confrontation lay in the schemes of Charles Mair and "Canada First" to induce and organize an emigration from Ontario to Manitoba at a time when the requirements of the 31st section of the Manitoba Act had not been met, when no surveys of townships had been completed, and when no facilities for the reception and information of immigrants had been prepared by any government, provincial or federal.¹ These schemes were irresponsible in the extreme, and the Canadian government's acquiescence in them leaves it open to a charge of collusion. This study has attempted to learn what Canadian government policy was where lands in Manitoba and in the Territories were concerned. This confrontation provides insights into this, for the policies of "Canada First" and the Cabinet converged where it took place.

The Manitoba Act as originally passed was illegal, unconstitutional and contrary to the spirit of the British North America Act.² Macdonald and Cartier knew this, as did the circle of people around those on both sides who negotiated the terms of the Act.³ For almost fourteen months the Canadian government was in a position of extreme vulnerability, open to a challenge from any quarter that it had acted wrongly in passing the Manitoba Act in the form that it had, particularly in departing from the British North America Act and placing Manitoba's "ungranted

or waste lands" under the jurisdiction of the Canadian government.⁴ If Riel or a legislature of Manitoba had challenged the legality of the Act, a very awkward and embarrassing situation could have developed. It may be that this is the real reason for sending the Red River Expeditionary Force to Manitoba and for the lack of efforts to improve the discipline of the Ontario Rifles at Fort Garry.

While he was kept in hiding Riel was not able to make a study of the necessary documents, and while he and O'Donoghue did prepare a protest to President Grant of the United States, they did not specifically attack the legality of the Manitoba Act.⁵ If they had couched the protest in terms of the legality of the Act – and if the American president had been prepared to interfere in Canadian affairs – which Grant was not – the game might have been revealed to the gaze of world public opinion. Alternatively, if – in the absence of Riel – the Legislative Assembly of Assiniboia had been allowed to meet, the Manitoba Act would have come under careful scrutiny and the Legislative Assembly would certainly have been asked for the immediate apportionment of the 1,400,000 acres to which the Half-breeds were entitled under section 31 of the Act. Then someone might have risen in the House to ask whether it was really within the powers of the Dominion government to pass section 30. This, too, would have been most embarrassing.

Macdonald and Cartier knew that there was only one remedy under the circumstances. The Manitoba Act was an act of the Canadian Parliament. Since it was not in harmony with the B.N.A. Act, an act of the British Parliament, that Parliament must be asked to give its sanction to what the Canadian Parliament had done. The thing could be done, but it must be done in such a way as to cause no careful scrutiny of the Manitoba Act. Efforts in this direction were given a check by the sudden and lengthy illness of Macdonald throughout the summer and fall of 1870.

Cartier, the acting prime minister, had his hands full in repelling the Fenian invasion in the spring and seeing to it that the Red River Expeditionary Force was sent on its way and properly supplied. Taking care of the affairs of the Canadian government absorbed his attention after that. Macdonald recuperated in Prince Edward Island and on the Parliament Hill grounds during the summer,⁶ able only in the fall to attend to government affairs. By late fall he was fully restored.⁷

On January 2, 1871, a committee of the Privy Council for Canada approved a memorandum of the minister of justice concerning the constitutionality of the Manitoba Act of 1870, and advised the Governor General "to move the Earl of Kimberley to submit to the Imperial Parliament a measure confirming the Act of the Canadian Parliament above referred to, and containing the other provisions enumerated in the said annexed memorandum". The basis for concern was stated to be that doubts had "been entertained respecting the powers of the Parliament of Canada to establish Provinces in Territories admitted...into the Dominion".⁸ In taking this high ground the Canadian government effectively concentrated the attention of British authorities upon Canada's competence as a new state to legislate for its own territories.⁹ The Earl of Kimberley said in introducing the bill in the House of Lords:

The law officers of the Crown were of opinion that these acts [the North-West Territories Act and the Manitoba Act] were valid, as not beyond the powers of the Canadian Parliament, but doubts having been expressed the Canadian Parliament had addressed the Crown for an Act in the Imperial Parliament confirming their validity.¹⁰

The bill passed both Houses of Parliament of the United Kingdom without debate on June 29, 1871, only a few days before the end of the confrontation at Rivière Aux Ilets de Bois.¹¹ The people of Manitoba, who had on several occasions specifically requested local control of their lands, were not represented in any of the four Houses of Parliament which decided that their

lands were to be "administered by the Government of Canada for the purposes of the Dominion".¹²

Ritchot and Scott had hoped, and Cartier and Macdonald had initially promised, that the 1,400,000 acres would be parcelled out to the Half-breeds by a committee of the local legislature or, failing that, by a committee chosen by mutual agreement.¹³ Either system would have had the advantage that the Half-breeds could have been dealt with as soon as the news reached Red River. However, the two Cabinet ministers had then unilaterally decided that this should be done by the Lieutenant-governor, acting under the instructions of the Governor General in Council. When Ritchot had protested about this change Macdonald and Cartier had promised an order-in-council authorizing the naming of a committee "charged with choosing and dividing as may seem good to them, the 1,400,000 acres of land promised".¹⁴ Ritchot eventually had to be content with a letter from Cartier giving assurances to the effect that this parcelling out of the land would be done in such a way as to "meet the wishes of the Half-breed residents".¹⁵

It was Archibald's duty as Lieutenant-governor to have an enumeration made so that he could select lands and apportion them out to the children of the Half-breed heads of families.¹⁶ Archibald had that enumeration prepared by early December of 1870. By the end of December his recommendations concerning lands had been made. By the end of December, too, a new provincial legislature had been elected. After several postponements the new Legislature finally met in March and gradually found that it had no power in the appropriation of the 1,400,000 acres or of Manitoba lands generally, and had to be content with passing legislation of a purely house-keeping nature,¹⁷ laying the foundations for an entity which, while called a "province", was not even the equivalent of a crown colony. It was rather, to use Isaac Cowie's term, a "colony of a colony".¹⁸ Eventually, in April of 1871, this Legislature called on Archibald to "use

every endeavour with His Excellency the Governor General in Council" to have questions connected with the lands on the Assiniboine and Red rivers beyond the surveyed portions of the province disposed of "at an early day".¹⁹ This request appears to have had little effect on Cabinet policy generally, and may even have had the opposite effect to what was intended. Few British legislatures have been in such a humiliating position as Manitoba's was at this time.

A committee which had been meeting in Ottawa under the chairmanship of Hon. A. Campbell, senator and postmaster-general,²⁰ made its report on March 1, 1871. This report laid out what became government policy on the lands of Manitoba and the North-West, and recommended that the "control and management of all Crown Lands in Manitoba, and in the remaining part of the North-West Territory and in Rupert's Land, be confided by Your Excellency to the Secretary of State".²¹ This memorandum contained no reference at all to the "wishes of the Half-breed residents".²² Indeed, there is no trace in the document of the influence of Sir George Cartier.

Following the recommendations of this committee the order-in-council of April 25, 1871, was issued over the name of the Hon. J.C. Aikins, the secretary of state.²³ The first part of this order-in-council may be seen best by flying over the prairies or by driving along the endless prairie roads. For here it has been engraved on this portion of our earth's surface. The American-style thirty-six-section township, but with "road allowances", the "jog" at each "correction line" as one travels from south to north, and the utter disregard for natural features – rivers, coulees, lakes and ranges of hills – all this is the order-in-council writ large upon the western scene.²⁴

The second part of the order-in-council consisted of seven points concerning the "Distribution of the 1,400,000 Acres Appropriated Under the Manitoba Act for the Benefit of the

Families of the Half-Breeds [sic]"²⁵ At first blush the order-in-council appeared to be just what the Half-breeds had wished. Elation turned to disappointment, however, when it was realized that the 1,400,000 acres were to be parcelled out in "townships". There were no "townships" in Manitoba, and no surveyors to survey any. And by the time the order-in-council was read in Manitoba there were other preoccupations to cause concern.

About the time this order-in-council was passed in Ottawa the artificial migration induced by Charles Mair and "Canada First" began to appear in Manitoba. Suddenly the province had to welcome an influx of people who had been assured that land was waiting for them there, and that all they had to do was go in and claim it.²⁶ Many of these newcomers appear to have followed a set of instructions directing them to report to the office of the Manitoba News-Letter.²⁷ There they would be told where to go. One of the most desirable destinations, it appeared, was an area south-west of Winnipeg, an area long known by the Red River Half-breeds as the "Rivière Aux Ilets de Bois". The newcomers would soon call it "the Boyne".

Individual precursors of this influx had created something of a sensation when they began to arrive, making happy the hearts of Winnipeg businessmen who helped outfit them for the last leg of their journey to find good land in Manitoba.²⁸ Half-breed leaders, however, could see that trouble was inevitable unless the newcomers proceeded well past Portage la Prairie. Suddenly men like John F. Grant²⁹ and Angus McKay, who had opposed Riel, found common cause with men like François Dauphinais, who had supported him. All agreed that action must be taken if violence was to be avoided, and Archibald was pressed to use his influence in high places. It appears, from the language of the order-in-council of May 26, 1871, that J.S. Dennis, the Dominion surveyor-general, urged the Canadian government to take action. Dennis had pointed out that, while no surveyors were yet in the province, "many emigrants" were arriving in

Manitoba or were "on the way", and there could be trouble. The response of the Cabinet was the order-in-council of May 26, mentioned above. This order-in-council, to make a long story short, stated that while squatting on Manitoba lands by Ontario settlers would be "irregular" it would be "countenanced" – that is – approved of by the authorities, and that, furthermore, those found on the lands at the time of survey would be "protected in the enjoyment thereof".³⁰

Beginning in April and continuing into May a flood of intending settlers arrived in Manitoba, some on the steamer "Selkirk"³¹ and some coming by cart and wagon from the railroad in Minnesota. The office of the Manitoba News-Letter directed many of them out to the south-west, to the area then known as "Rivière Aux Ilets de Bois".

The Rivière Aux Ilets de Bois drained a lovely stretch of partly wooded country which had been a Métis rendezvous for years.³² No residences had been built, but Métis had built corrals and fences to control cattle. Some families kept bees there. In due course, as population in the home parish of St. Charles increased and as the Métis decided to settle down and farm, Rivière Aux Ilets de Bois would have become a parish in its own right. When intruders came there in late April and May the Métis warned them off and went to complain to Archibald, who had recently moved to "Silver Heights", west of Winnipeg.³³ By May of 1871 Archibald had carried too heavy a burden far too long, and appeared "extremely tired". He had hoped that by moving to "Silver Heights" he could enjoy some peace and quiet. It turned out that he had jumped from the frying-pan into the fire.

Meetings were held throughout the predominantly Half-breed parts of the province, seeking to find a solution to an intolerable situation created by thoughtless newcomers. Riel was at some of these meetings, but he did not dare be among the delegates who went to see the Lieutenant-governor. They took to Archibald a proposal that stated clearly the "wishes of the

Half-breed residents," a proposal that would have, if adopted, settled the question of the 1,400,000 acres in a very short time. Their idea was that each parish should be permitted to lay claim to certain "blocks" of land on the basis of the population as determined by the 1870 enumeration. The proposal was practical and fair, and met with the approval of anyone who was prepared to look objectively at the situation. The Manitoban suggested editorially that the Lieutenant-governor should allow the Half-breeds to choose "blocks" of land, identify them clearly according to the ancient principle of "metes and bounds", and publish these claims in the local newspapers.³⁴ Archibald looked carefully at the Manitoba Act, studied his own instructions with care and, deciding that the word "tracts" covered the case nicely, agreed to support the Half-breeds in their claims. These claims began to appear in the Manitoban and, when it began publication, in Le Métis.

Archibald wrote a letter in reply to the Half-breeds,³⁵ had it published in the Manitoban, sent a long report on the crisis to Aikins, the secretary of state, and hoped that the matter could end there.³⁶ His letter, written on June 9, subsequently became almost as famous as Cartier's letter of May 23, 1870. He had done what he could. Everything now depended on his being supported by a decision of the Canadian Cabinet.

It was well known in Manitoba that, had the Half-breeds decided to use violence against the intruders, there would have been a terrible massacre. The Ontario farmers would have been no match for mounted men who had learned the arts of warfare from their long experience of hunting buffalo and fighting Indians, notably the Sioux. It appears, moreover, that at one stage violence was contemplated. Archibald heard of this, and later told the Select Committee of the House of Commons what he had done: "I sent for some leading men among them, and warned them that if they lifted a hand or struck a blow it was all over with them." Archibald went on:

The collision was arrested, but not without great risk. Had blood been shed on that occasion we should have had a civil war in which every French half-breed [sic] would have been an active participant: while from the English half-breeds [sic], **IN ACCORD ON THE QUESTION OF PROPERTY WITH THE FRENCH** [emphasis mine], neutrality was the utmost that could have been counted on....³⁷

It is clear that a crisis existed for nearly two months, beginning in early May and lasting until some time in July, and that only Métis self-restraint and obedience prevented a massacre. However, Schultz's new newspaper, the Manitoba Liberal, described the crisis in somewhat different terms:

In the beginning of May last, when the French population saw that the immigrants were taking possession of this place [the Rivière Aux Ilets de Bois], they claimed it as a portion of their grant, and made imaginary boundaries, and went to Governor Archibald informing him of their choice. The Governor unwisely consented to the monopoly and the settlers were warned off, but they insisted on their right to unoccupied land, and said they were prepared to resist invasion of their rights. The result was that the Governor and the French were compelled to yield.³⁸

It is useful to quote this statement in full, because it is substantially the version which Howe and Aikins chose to believe, with the result that the Cabinet repudiated Archibald's actions. The statement about the "French" making "imaginary boundaries" is how the Liberal editor Stewart Mulvey saw the principle of "metes and bounds". Anyone who reads the newspaper accounts will see that the description used by the Métis included well-known landmarks, such as ferries, trails, bridges and clumps of trees because there was no other way to do it.

Since the Manitoban tried to pretend that the crisis did not exist and Archibald forgot certain details when he made his deposition before the Select Committee three years later, we must piece together clues as to what happened and when. Reporting the crisis in June, Le Métis

stated that newcomers "are trying at this moment to settle".³⁹ Charles Napier Bell, now a civilian and citizen of Winnipeg, confided to his diary on June 19 that "a party" had "gone out" to see what was happening at Rivière Aux Ilets de Bois. The next day he wrote that "the fellows who went out to the Zeal-des-Bois... say that John F. Grant has posted up notices" expressing the Half-breeds' claims.⁴⁰ The American Consul Taylor wrote to his superiors on June 23 that "peace...is threatened by a serious dispute". The "French party...warn off all intruders".⁴¹ The next day the Globe correspondent wrote that "matters are beginning to assume an unmistakably serious aspect". There was a report that the "woods had been fired". "The half-breeds" [sic], continued the correspondent, "are said to be holding meetings in different parts of the Province for the consideration of the best means of securing their 'rights', at which Riel is one of the champions of the stump."⁴² On July 6 Le Métis reported that the confrontation continued, saying, "We don't know how the affair will turn out." On the 13th, however, Le Métis wrote of the incident as in the past, saying, "they [the newcomers] positively refused to leave and have set to work."

There is eloquent testimony as to how some of the clergy who had long worked with the Métis in the area saw what had happened at Rivière Aux Ilets de Bois. In mid-August Father Kavanagh wrote angrily to a friend about the incident and of Riel's part in it: "...our ghost is there, stupid spectator of the violation of the rights of the Métis, who ought to defend themselves; but who, effectively, are letting their enemies increase in number and grow in arrogance. If the Métis nation only knew its true interests: but no, the larger number of them are on the prairies or are going there at full speed."⁴³

The Métis exodus to the West was continuing.

Schultz and Mair and "Canada First" had just won another round in the ongoing effort to clear the Métis from Manitoba. Whether they were aware of it or not, Howe and Aikins assisted in this by insisting upon a strict interpretation of the order-in-council of April 25, 1871, and by recommending the issuing of the order-in-council of May 26, 1871.

When Archibald wrote his reply to the Métis deputation on June 9, he knew that he was running the "risk" of not being upheld in his actions by the Cabinet. As he explained in his letter to Aikins he assumed that the Half-breeds were entitled to the lands they had selected on the principle that priority of application gives priority of right – "First come first served" – if there were no prior rights existing. Since there were no surveyed townships the only way the Half-breeds could claim was according to the ancient principle of "metes and bounds". He did not say so in so many words, but Archibald was assuming that the elementary justice of the situation would be clear to the gentlemen of the Cabinet. Aikins' reply has not survived, so we do not know the exact language in which that minister couched the Cabinet's repudiation of Archibald's actions.⁴⁴ However, from a letter which Joseph Howe wrote to Archibald in November after O'Donohue's raid, it is possible to infer what it was. Howe said that he "regretted" Archibald's giving his approval to the "wholesale appropriation of large tracts of Country by the Halfbreeds [sic]." As Howe understood the matter, "all the lands not in actual occupation, are open to everybody, Halfbreeds [sic], Volunteers and Emigrants. Either of these classes can establish rights in 160 acres anywhere by actual occupation, but none of them have authority to set off and appropriate large tracts of country UNTIL THEY HAVE BEEN SURVEYED and formally assigned by the land Department, with the sanction of the Dominion Government."⁴⁵

So much for Cartier's "wishes of the Half-breed residents" and for Archibald's "priority of application gives priority of right".

Appendix "A"

Government House
Fort Garry, June 9, 1871

Gentlemen,

I have the honor to acknowledge the receipt of your letter of the 24th ult. on the subject of the rights secured to the Half-breed population of this Province by the Manitoba Act, and in reply to the inquiry you make as to the mode to be adopted in assuring to the Métis the possession of the lands to be allotted to them under the Act, I have the honor to state, for the information of the people on whose behalf you make the inquiry, that on the 25th April last, His Excellency the Governor General in Council adopted certain rules for the disposition of the Crown Lands of the Province, which have been published in the Royal Gazette of the Dominion.

By these rules, I perceive that it will be left to the Lieutenant-Governor [sic] of this Province to designate the townships or parts of townships in which the allotments to the halfbreeds [sic] shall be made.

Should I be called upon to act under this rule, I shall consider that the fairest mode of proceeding will be to adopt, as far as possible, the selections made by the half-breeds [sic] themselves.

Wherever, therefore, any parish of Half-breeds or any body of Half-breeds, shall have made choice of a particular locality, and shall have publicly notified the same in such manner as to give notoriety to the fact of their having made such a selection and having defined the limits thereof so as to prevent settlers entering upon the tract in ignorance of the previous selection, I shall, if the duty should fall to me of acting under the rules laid down by the Governor-General [sic], be guided by the principles I have mentioned, and confirm the selections so made, so far as this can be done without doing violence to the township or sectional series.

I have the honor to be,
Gentlemen, Your obedient servant,
A.G. Archibald.

- ¹ See, above, the chapter "Charles Mair and the North-West Emigration Aid Society".
- ² See, above, the chapter "Negotiations Leading to the Manitoba Act."
- ³ Schultz both spoke and wrote about it. At an election meeting in St. Andrews in November of 1870 he stated that "the government of Canada has become that of an empire", Manitoban, November 19, 1870. The News-Letter for March 22, 1871, stated that the Manitoba Act would be "legalized" and that "every step taken [by the Canadian government where Manitoba's formation was concerned] would "become legal".
- ⁴ Subsection 5 of section 92 of the B.N.A. Act assigned "the management and sale of the public lands belonging to the province and of the timber and wood thereon" to the legislature of each province.
- ⁵ Their only reference to the Manitoba Act is as follows: "That the negotiations to enter into the Confederation terminated in what is known as the Mannitoba [sic] Act": "Memorial of the people of Rupert's Land and North-West" to Ulysses S. Grant, C.H.R., March 1939, Vol. XX, 426.
- ⁶ New Nation, July 16, 1870.
- ⁷ PAC MG 26A Vol. 517, Part 2, 422-5, Macdonald to Archibald, Nov. 1, 1870.
- ⁸ Preamble to the B.N.A. Act of 1871.
- ⁹ For a discussion of this point see Paul Gerin Lajoie, Constitutional Amendment in Canada, University of Toronto Press, 1950, 50-8.
- ¹⁰ British Parliamentary Debates, 3rd Series, Vol. 206, 1171.
- ¹¹ British Parliamentary Debates, 3rd Series, Vol. 206.
- ¹² Manitoba Act, Section 30. See Begg, Creation, 405.
- ¹³ See, above, the chapter "Negotiations Leading to the Manitoba Act".
- ¹⁴ W.L. Morton (ed.), Birth of A Province, Ritchot's journal, 147.
- ¹⁵ See Appendix "B" of chapter "Negotiations Leading to the Manitoba Act".
- ¹⁶ C.S.P. 1871 (No. 20), 5.
- ¹⁷ The Manitoban, May 6, 1871, has a complete list, both of the bills passed and those reserved by Lieutenant-governor Archibald. See also in Transaction of the Royal Society of Canada, Section I, 1923, Juge L.A. Prud'Homme, "Le Premier Parlement de Manitoba, 1870-1874", 163ff.
- ¹⁸ Cowie, Company of Adventurers, 450.
- ¹⁹ PAC Secretary of State Records, RG A1 Vol. 10, File 742, Archibald to Howe, April 5, 1871.
- ²⁰ Guide to Canadian Ministries Since Confederation, July 1, 1867 - April 1, 1973 (Ottawa, 1974), 1-6.
- ²¹ C.S.P. 1871 (No. 20), Regulations respecting the Public Lands in the Province of Manitoba, 1.
- ²² Ibid, 2-7.
- ²³ James Cox Aikins, secretary of state for Canada, was born on March 30, 1823. A "Clear Grit", at Confederation he was called to the Senate, and on Dec. 9, 1867, he accepted the office of Secretary of State under Sir John A. Macdonald.
- ²⁴ C.S.P. 1871 (No. 20), Regulations respecting the Public Lands in the Province of Manitoba.
- ²⁵ Ibid, 2-3.
- ²⁶ After the Manitoban for April 29, 1871, was issued, almost every edition contained accounts of the arrival of settlers.
- ²⁷ Manitoba News-Letter, June 15, 1871; Le M tis, 2 juin, 1871; Manitoban, June 24, 1871.
- ²⁸ Both Manitoban and News-Letter mentioned individual arrivals during the winter of 1870-1. See also PAM MG14 C23 Box 3, Diary of C.N. Bell for 1871, entries for April 26 and April 29.
- ²⁹ PAM Diary of C.N. Bell for 1871, entries for June 19 and 20.
- ³⁰ PAC PC 1036, 26 May, 1871.
- ³¹ NLC and LLM, Manitoba Liberal, Jan. 19, 1872.
- ³² H.Y. Hind, Narrative of the Canadian Red River Exploring Expedition, 1857...., Hurtig Edition, Vol. 1, 155.
- ³³ "Report...1874", Archibald's deposition, 140.
- ³⁴ Manitoban, June 10, 1871.
- ³⁵ Manitoban, June 17, 1871. See Appendix "A".
- ³⁶ PAC RG15 Vol. 230, No. 167, Archibald to Aikins, June 17, 1871.
- ³⁷ "Report...1874", Archibald's deposition, 140.
- ³⁸ NLC, Manitoba Liberal, Jan. 19, 1872. John C. Schultz formed a company and began publication of the Manitoba Liberal. The News-Letter ceased publication on July 1, 1871, and the staff went to work for the Manitoba Liberal.

The Liberal began publication on July 11, 1871. No complete set exists in public collections. See also Globe, July 14, (Winnipeg, June 24) 1871.

³⁹ Le Métis, 15 juin, 1871.

⁴⁰ PAM Diary of C.N. Bell for 1871, entries for June 19 and 20.

⁴¹ USNARS Microfilm T24 Reel 1, Taylor Papers, Taylor to Davis, June 23, 1871.

⁴² Globe, July 14, (Winnipeg, June 24), 1871.

⁴³ AASB, T9222-T9224, Father Kavanagh to an unidentified correspondent, Aug. 14, 1871.

⁴⁴ Letter from J.M. Whalen of the Public Archives of Canada, dated July 4, 1983: "I regret to inform you that the correspondence you requested of Adams George Archibald in RG6, C1 does not exist...only a small portion of the actual correspondence itself has survived."

⁴⁵ PAC MG24 B29, Howe to Archibald, Nov. 4, 1871.

The Orange Presence

One of the first hints to the world that there had been an Orange presence in the confrontation at Rivière aux Îlets de Bois was given by the correspondent of the Montreal Daily Witness in a column prepared at Fort Garry on August 17, 1871. Discussing the movements of immigrants in Manitoba the correspondent said:

... the largest number have settled near the Portage and the River Isle de Bois [sic] in the neighborhood of Headingly. The new settlers have changed the name of this river to 'Boyne'.

This column was published on September 4th. A few days earlier, in Manitoba, the Manitoban had used the term.¹ The Manitoba Liberal had used the term before that, on July 19th.

Not unexpectedly, such an organization as Orange lodge was prone to come under the influence of individuals who would not scruple to use the enthusiasm of its members for their own purposes if the circumstances provided the pretext. We have already seen that the Orange Order affiliate, the Young Britons, was used in Toronto for the purposes of "Canada First", and that an individual who was inciting violence in the streets of Toronto eventually received his reward from no less a person than the prime minister, Sir John A. Macdonald. We have seen, too, that an Orange lodge was founded in Manitoba on September 18, 1870, by men of the Ontario Rifles at Fort Garry. This lodge had a membership of one hundred ten members by February of 1871. One source has stated that there were three hundred Orangemen in Winnipeg in 1871.² Did these men and their lodge come under someone's influence?

In 1913, over 40 years after the events which interest us here, George Young, the son of the Rev. George Young, told a meeting in Grace Methodist Church, Winnipeg, of Orange lodge involvements at the time of the issuing of warrants for the arrests of André Nault and others:

In the meantime Orange Lodges had been formed and we knew **WHERE TO GET THE REQUIRED CONSTABLES** [emphasis mine] at a moment's notice.³

George Young added a detail about the arrest of André Nault which other sources have not preserved for us:

We got him, and brought him, somewhat injured, as he had resisted arrest, and his friends had also resisted the execution of the warrant.

That the newly-organized Orange lodge at Winnipeg was not confining its efforts to the strictly fraternal and social is confirmed by this report, made in February to the Grand Lodge in Toronto:

Already we are accomplishing a great amount of good for some of our Brethren from Ontario coming here, as we procured for them employment and **POINTED OUT FOR THEM THE BEST LANDS** [emphasis mine] and provided relief for others when penniless. We have surprised a great number of our Brethren here who never dreamed of such a thing as an Orange Lodge in this priest-riddled country, but when they came and found sometimes a hundred members in our Lodge room it cheered their Orange hearts.⁴

The American consul at Winnipeg, James Wickes Taylor, made an early reference to the Orange presence in November of 1870, when he wrote to inform Davis that

at one time there was a prospect that the dissatisfaction of the Ontario Orangemen with Mr. Archibald's policy might lead to tumults which would make the Governor the prisoner of the Canadian Volunteers.⁵

Taylor was to mention the Orange presence again in February of 1871, when he made his report to Davis concerning the mutiny:

I am informed that the Ontario troops – many of them Orange men [sic] – are secretly plotting the expulsion of Governor Archibald... The ultra-Canadian leader, Dr. John Schultz, is making the most of the excitement hoping to secure his election to

the Dominion Parliament. If he is defeated (as I have lately anticipated) the peace of the country will be in great jeopardy.⁶

A few days later Taylor was able to report that, contrary to what Taylor had expected, Schultz had been elected to Parliament:

The Hudson [sic] Bay Company made no strenuous effort to defeat the return of the leading Ontario agitator, Dr. John Schultz... there is much evidence of a tacit compromise, by which Dr. Schultz was elected as a peace offering to the Canadian element, which otherwise, aided by a mutiny of the Volunteers, was prepared for very desperate measures.⁷

Again, when Taylor forwarded to Davis a copy of the March 25th Manitoba News-Letter, he pencilled at the top of the front page, "The opposition paper, ultra-Canadian and Orange".

It seems abundantly clear that we now have at hand an explanation for a most remarkable statement about Schultz made by Sir John A. Macdonald to Archibald at the end of March, 1871. At that time Macdonald was in Washington, D.C., taking part as one of the five British commissioners in the negotiations out of which came the Treaty of Washington, 1871. He had read Archibald's report of the behavior of the Volunteers at Fort Garry, and of Schultz's success at the polls:

'I received your letter,' Macdonald wrote, 'giving a true account of the behavior of the Volunteers. It is bad enough in all conscience but I hope you have now seen the worst of it. I trust that Jarvis has acted firmly and checked the ruinous want of discipline the whole thing displays....'

"I am very glad," Macdonald went on, "that Schultz has been returned. Had he been defeated I fear that he would have stopped at no measures however desperate to maintain his position."

In two or three years he will be perfectly harmless, but AT PRESENT HIS POWERS OF MISCHIEF ARE INFINITE [emphasis mine].⁸

One is forced to ask several questions about this statement. What was the "position" that Schultz would have been forced to "maintain" if he had been defeated? Judging from Archibald's correspondence Archibald would have been glad to have one less Schultz in the new province.⁹ Did Schultz have a "position" that Archibald did not know about, and did Macdonald make a slip in mentioning it? Or did Schultz have a "position" that Archibald knew about? If Schultz's "powers of mischief" were "infinite", why was he not eligible for arrest as a disturber of the peace? Or is this what was meant? Again, what was it that made Schultz's "powers of mischief" "infinite"? Was it the presence of an Orange group that could be manipulated at will and from behind the scenes? We have seen that this was what forced the authorities in Toronto to handle Col. George T. Denison with such care. Was the same true of John Christian Schultz at Fort Garry? We have to ask ourselves this question – and possibly others – in view of what eventually happened to this gentleman.

Speculation about method and motive left aside for the moment, there can be no doubt that John Christian Schultz had influence with the Volunteers at Fort Garry and used it. Taylor, as we have seen, knew it and reported it to his superiors in Washington, D.C. Archibald knew it too, and reported it to Macdonald. On March 8, 1871, not long after the mutiny of February 18, Archibald wrote to Macdonald that [Schultz] had

encouraged the disposition to rowdyism which has exhibited itself among the soldiers – and he or his immediate friends have been prominent in every trouble we have had.¹⁰

Military circles at Fort Garry and in Ottawa knew it too. As we have seen, the weekly Volunteer Review, still careful about naming names, published this comment in late March:

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 [emphasis mine].¹¹

Before many months had passed the Volunteer Review would become bolder, and name names.

The Orange presence in Manitoba was noticed by the publishers of The Manitoban in late June and early July of 1871. They had heard rumors that the persons who had been especially vocal in their opposition to Archibald and to Half-breed land claims were to have a new newspaper. "...[I]f we are not mistaken," The Manitoban said in an editorial, "we will one of these days see their views represented by an organ whose programme can be summed up in one word 'Revenge', whose creed will be red-hot Orangeism."¹² The Manitoban was not mistaken. The Manitoba News-Letter appeared for the last time on July 1, 1871, and the Manitoba Liberal was on the stands on July 11th.¹³ Its editor was Stewart Mulvey,¹⁴ an ex-Volunteer¹⁵ who was a founding member of Manitoba's first Orange lodge.¹⁶ Mulvey's name was soon to be immortalized in Métis song and folk-lore concerning John Christian Schultz. In a song called "Le Dieu du Liberal" the bard sings these lines:

Malvat dont la poche était vide
Lui prête sa plume stupide.¹⁷

The song is obviously about Schultz, the red-haired doctor who has been elected to Parliament, changed sides twenty times and filled his pockets with money. Concerning the transaction which saw the end of the Manitoba News-Letter and the formation of a company to manage the Manitoba Liberal, Archibald later wrote to inform Macdonald that Schultz "got up a Co. [sic] [and] handed the paper over to it although retaining a large share in the plant".¹⁸ To use the words of the "prospectus" of the Manitoba Liberal, "those who have risked their lives, lost their properties, and suffered persecutions" had a "proper newspaper organ" to speak for them.¹⁹

The day before the first issue of the Manitoba Liberal appeared Manitoba became aware of the Orange presence in its midst in a much more obvious and familiar way. A recent book on the Orange Order, The Sash Canada Wore, erred in stating that Manitoba's first Orange parade took place in 1872.²⁰ The Manitoban reported the first Orange "walk" of Lodge No. 1307 in 1871. Seventy-five or eighty people took part and paraded to Armstrong's Grove, Point Douglas, under the leadership of Stewart Mulvey. No music accompanied the parade. The Rev. Mr. Carrie of Headingly addressed the group, a picnic dinner was enjoyed, and the group then returned to town to attend a dance in "the new building near the Manitoban office".²¹

Charles Napier Bell assisted in the making of plans for the "walk" that was to take place on the twelfth of July. Bell's diary reveals that those in charge of arrangements planned at first to go to "Macdonald's point up the Assiniboine" for their picnic.²² Bell did not record in his diary what had caused the change of plan.

The Manitoba Liberal's account of this "walk" has not survived. It may well have given details of the Rev. Carrie's address to the members of LOL 1307, in which he may have been able to give details of the new mission at the "Boyne".

The Volunteer Review for September 4, 1871, noted that the formation of certain corps had been authorized in Ottawa on September 1st. A troop of cavalry corps had been authorized in Ottawa on September 1st. A troop of cavalry had been organized at St. Boniface with Hon. Joseph Royal as provisional captain. Rifle companies had been organized at South St. Andrews, at Mapleton and at Poplar Point, with John Christian Schultz, William N. Kennedy and George Newcombe as captains "provisionally".²³

Three weeks later the column "Notes and Queries" in Volunteer Review contained a comment on these appointments by someone signing himself "G.W.". First G.W. "commented

favorably on the appointment of William N. Kennedy of the Mapleton Rifle Company, pointing out that he had served for some time as Adjutant of the 1st Ontario Rifles and remained in Manitoba as Lieutenant of the service company. "A better officer and a more true and Christian gentleman," wrote "G.W.", could not have been appointed..." Then "G.W." turned to one of the other two appointments. "I should consider the appointment of Dr. John C. Schultz to a similar position, one of a very different character. His prominent position and the political influence which he has secured so entirely for ends of the most utter selfishness, doubtless designate him as a man not to be refused. I only trust that in a military position, he will acquire some slight knowledge of the requirements of military discipline," commented "G.W.",

but I should think but little confidence can be felt in a man who could so far allow his selfish vanity to blind him to his plain public duty, as to prostitute the temporary prosperity he enjoyed to purposes of factious violence, and to do his best to bring disgrace on the military service of his country BY TAMPERING AND CAUSING HIS AGENTS TO TAMPER WITH THE SENSE OF MILITARY DISCIPLINE OF THE MEN OF THE FIRST DOMINION EXPEDITION [emphasis mine].

"Neither the officers nor the best of the men (the great majority) of the Ontario Rifles," "G.W." concluded, "are likely to forget that they owe it to

DR. JOHN SCHULTZ THAT THERE EXISTED EVEN A SHADOW OF COLORING FOR THE SLANDERS [emphasis mine] which obtained publicly about them.²⁴

It is not at all unusual that the Métis were soon singing a song, to the tune of "Cadet Rousselle", whose chorus's last lines were

Ah! Ah! Ah! car vraitment
Cet homme est par trop surprenant!²⁵

¹ Manitoba, Aug. 26, 1871.

² United Church Archives, Rev. George Young, "biography" file.

³ Saskatchewan Archives, George Young, Historical Paper No. 1, Notes of 1869-1870, 32.

⁴ Houston and Smyth, The Sash Canada Wore, 58.

⁵ USNARS, Taylor Papers, T24 Roll 1, Taylor to Davis, No. 22, 1870.

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- ⁶ *Ibid.* Taylor to Davis, Feb. 21, 1871.
- ⁷ *Ibid.* Taylor to Davis, March 4, 1871.
- ⁸ PAC Macdonald Papers, Vol. 517-8, Macdonald to Archibald, March 31, 1871.
- ⁹ There are a number of references to Schultz in the Archibald-Macdonald correspondence. See, for example, Archibald to Macdonald, March 8, 1871.
- ¹⁰ PAC Macdonald Papers, Vol. 187-8, Archibald to Macdonald, March 8, 1871.
- ¹¹ Vancouver Public Library, Volunteer Review, March 27, 1871.
- ¹² Manitoban, July 1, 1871.
- ¹³ Manitoban, July 15, 1871. No copy of this first issue of the Manitoba Liberal is known to exist.
- ¹⁴ Rev. George Young, Memories, 217.
- ¹⁵ PAC RG9 IIB2, Vol. 35, lists S. Mulvey as an ensign in Co. No. 4.
- ¹⁶ Houston and Smyth, The Sash Canada Wore, 59. Mulvey had previously been a member of LOL 839 in Hagersville, Ont.
- ¹⁷ Margaret Arnett MacLeod, Songs of Old Manitoba, 62-6. The editor, not realizing that "Liberal" was the name of a newspaper, has mistranslated "Le Dieu du Liberal" as "The Idol of His Party". The French words mean "Mulvey, whose pocket was empty, lends his stupid pen to him".
- ¹⁸ PAC MG 26A, Vol. 187, Archibald to Macdonald, Sept. 18, 1871.
- ¹⁹ Manitoban, July 25, 1871, quoted at length from the "prospectus" which had been issued earlier.
- ²⁰ Houston and Smyth, The Sash Canada Wore, 59.
- ²¹ Manitoban, July 15, 1871.
- ²² PAM MG14 C23 Box 3, 1871 journal of C.N. Bell, entries for June 23 and July 6, 1871.
- ²³ This was republished in Le M^{étis} for Sept. 21, 1871.
- ²⁴ Vancouver Public Library, Volunteer Review, Sept. 25, 1871. The copy in the National Library, Ottawa, has had this page torn out. This comment was republished in the Manitoban for Oct. 21, 1871.
- ²⁵ M.A. MacLeod, Songs of Old Manitoba, 64. The French words mean "Ah! Ah! Ah! for, really, this man is overly amazing!"