

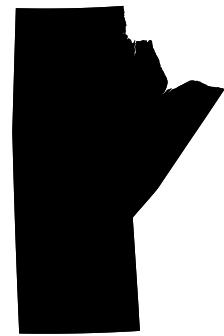


1865 – 1949

Confederation Debates

intermediate/senior
mini unit

<http://hcmc.uvic.ca/confederation/>



**Manitoba
Provincial Edition**



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ABOUT THE CONFEDERATION DEBATES MINI-UNIT

Before each province and territory became a part of Canada, their local legislatures (and the House of Commons after 1867) debated the extent, purposes and principles of political union between 1865 and 1949. In addition to creating provinces, the British Crown also negotiated a series of Treaties with Canada's Indigenous Peoples. Although these texts, and the records of their negotiation, are equally important to Canada's founding, as the Truth and Reconciliation Committee recently explained, "too many Canadians still do not know the history of Indigenous peoples' contributions to Canada, or understand that by virtue of the historical and modern Treaties negotiated by our government, we are all Treaty people."

The vast majority of these records, however, remain inaccessible and many can only be found in provincial archives. By bringing together these diverse colonial, federal and Indigenous records for the first time, and by embracing novel technologies and dissemination formats, *The Confederation Debates* (<http://hcmc.uvic.ca/confederation/>) encourages Canadians of all ages and walks of life to learn about past challenges, to increase political awareness of historical aspirations and grievances and engage present-day debates, as well as to contribute to local, regional and national understanding and reconciliation.

This mini-unit for intermediate/senior-level classes helps students to understand and analyze the key ideas and challenges that preceded the creation of Manitoba. The first section deals with the debates in the provincial and/or federal legislatures, while the second section addresses more specifically founding treaty negotiations with the First Nations. Each section can be taught independently.

The activities and attached materials will help students understand the diversity of ideas, commitments, successes and grievances that underlie Canada's founding.

By the end of this mini-unit, your students will have the opportunity to:

1. Use the historical inquiry process—gathering, interpreting and analyzing historical evidence and information from a variety of primary and secondary sources—in order to investigate and make judgements about issues, developments and events of historical importance.
2. Hone their historical thinking skills to identify historical significance, cause and consequence, continuity and change, and historical perspective.
3. Develop knowledge of their province/region within Canada, minority rights and democracy, and appreciate the need for reconciliation with Indigenous Peoples.

CURRICULUM OBJECTIVES

This mini-unit has been broadly designed for intermediate/senior-level classes. The activities described in the pages, for example, fulfill the following outcomes listed in Manitoba’s “Grade 6 Social Studies: Canada: A Country of Change (1867 to Present)” and “Grade 11: History of Canada: A Foundation for Implementation” curriculum guides.

Grade 6: Social Studies: Canada: A Country of Change (1867 to Present)

6.1.1 A NEW NATION

- KC-001 Explain the significance of the British North America Act.
 - *Examples: federal system of government, constitutional monarchy, British-style parliament...*
- KC-002 Compare responsibilities and rights of citizens of Canada at the time of Confederation to those of today.
 - *Include: Aboriginal peoples, francophones, women.*
- KL-023 Locate on a map the major settlements of Rupert’s Land and the original provinces of Canada in 1867.
- VC-001 Appreciate the rights afforded by Canadian citizenship.

6.1.2 MANITOBA ENTERS CONFEDERATION

- KH-027 Identify individuals and events connected with Manitoba’s entry into Confederation.
 - *Include: Louis Riel, Red River Resistance, Métis Bill of Rights, provisional government.*
- KH-027F Identify the roles of Father Noël-Joseph Ritchot and Archbishop Alexandre-Antonin Taché in Manitoba’s entry into Confederation.
- KH-033 Identify factors leading to the entry into Confederation of Manitoba, Northwest Territories, British Columbia, Prince Edward Island, Yukon, Saskatchewan, Alberta, Newfoundland and Labrador, and Nunavut, and specify the year of entry.
- VH-012 Value the diverse stories and perspectives that comprise the history of Canada.

6.1.6 FARMING THE LAND

- KI-011 Describe daily life on a prairie homestead between 1890 and 1914.
 - *Examples: survey system, role of women, challenges facing early settlers, education...*
- KE-055 Explain the importance of agriculture in the development of Canada from 1867 to 1914.
- VE-018 Appreciate the importance of agriculture in the development of Canada.

Grade 11: History of Canada: A Foundation for Implementation

11.2.3 WHY AND HOW WAS THE DOMINION OF CANADA ESTABLISHED AS A CONFEDERATION OF BRITISH COLONIES IN 1867?

- The issue of representation by population in the Canadas (Canada East and Canada West)
- Political deadlock in the Canadas; French-English tensions and consequences of the Act of Union (Note: Refer to EQ 11.2.1.)
- Economic challenges (e.g., construction of railroads and canals, need for investment)
- Territorial and trade challenges from the United States: end of reciprocity (1866); Civil War tensions; manifest destiny and U.S. expansionism, Fenian raids
- British support for Confederation; reduction in colonial and military defence costs in North America and maintenance of good relations with the United States
- The “Great Coalition” (1864) of Brown, Macdonald, and Cartier
- The movement for Maritime union
- The Charlottetown Conference (1864)
- The Quebec Conference (1864) and the 72 Resolutions (negotiation of federal-provincial responsibilities)
- Reasons to support and oppose Confederation in each of the colonies (Canada East, Canada West, Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland)
- The London Conference (1866–1867), participating colonies (Canada East, Canada West, Nova Scotia, and New Brunswick)
- Ratification of federal-provincial powers
- Major features of Canadian federalism (e.g., British Parliamentary system; monarchy, role of Governor General, division of federal-provincial powers)

11.3 BECOMING A NATION (1867-1931)

- 11.3.1 Why did the Métis resist the westward expansion of Canada, and what were the consequences?
 - Canada acquires Rupert’s Land (1869) and expands westward
 - Métis grievances and demands
 - Tensions at Red River between Métis and Canadians, execution of Thomas Scott, consequences, and government response
 - Louis Riel and provisional government, Métis Bill of Rights
 - McDougall’s proclamation
 - *Manitoba Act* (1870)
 - Retribution and violence against Métis
 - Scrip and Métis land loss
 - Dispersion of the Métis

11.3.2 HOW DID TERRITORIAL EXPANSION, IMMIGRATION, AND INDUSTRIALIZATION CHANGE LIFE FOR MEN AND WOMEN IN CANADA?

- Canada’s vision for nation-building: CPR, settlement, agricultural and industrial development, dispossession of First Nations lands, and displacement of Métis (for more detail on the Métis and First Nations, see EQs 11.3.1 and 11.3.3)
- *Dominion Lands Act* (1872) (homesteading)
- Macdonald’s National Policy (1879)
- Expanding Confederation: British Columbia (1871); Prince Edward Island (1873); Northwest Territories (1875); Saskatchewan and Alberta (1905)
- Debate about Canadian identity, emerging pluralism, emerging nationalism in Québec
- Western discontent: tariffs and freight rates

- Federal-provincial relation

11.3.3 HOW DID CANADA'S RELATIONSHIP WITH FIRST NATIONS, MÉTIS, AND INUIT PEOPLES CHANGE AFTER CONFEDERATION?

- Transition from Peace and Friendship treaties to extinguishment of Aboriginal title to the land
- The numbered treaties (1870s and beyond)
- Negotiating the treaties, role of the Crown, terms of the treaties; Aboriginal rights; government promises; creation of reserves; relevance of the treaties today (e.g., fishing and hunting rights)
- Differing understandings of the treaties: oral versus written tradition; treaty as a sacred covenant; treaty as a nation-to-nation agreement
- Intent of the *Indian Act*: assimilation and control, main provisions

SECTION 1 | CREATING CANADA: MANITOBA

Prerequisite Skillset

- Word processing
- Web research
- Interpretation of primary sources
- Cooperative sharing
- Some familiarity with group debate

Background Knowledge

Students may need to be reminded of the following subjects from the preceding weeks.

SOCIAL

- The history and interactions of the Métis, First Nations, British and other cultural groups from the Red River area during the nineteenth century

ECONOMIC

- The history of the Hudson's Bay Company governing the Red River region and the grievances that were expressed during this governance (ex. the Guillaume Sayer trial)
- The importance of Crown Lands and natural resources to provincial tax revenues (Ontario, for example, avoided charging its residents property taxes for several decades by renting its Crown lands to lumber companies.); an example is provided in the subsequent sections of the lesson plans

POLITICAL

- The difference between a legislative union (ex. Great Britain had a single legislature for England and Scotland) and a federal union (with federal and provincial legislatures that each have areas of exclusive jurisdiction)
 - The concept of dividing powers between federal and provincial governments and the respective jurisdictions of each (ex. education, military)
 - Increasing Aboriginal marginalization (especially neglected Treaty Rights)
- The jurisdictional differences between a province and a territory (and especially the concept of provincial autonomy in education, Crown lands and natural resources)
- The List of Rights developed by the Red River Resistance (There is no need to delve deeply into the differences between each list. It is sufficient for students to be aware of the demands common to the lists—especially the strong desire for local autonomy.)

Confederation Debates: Introductory Lesson

Lesson: Introduce Confederation and the concept of debate

Concepts Used: Brainstorming, concept map

Recommended Equipment: Computer(s) for viewing videos and reading *Dictionary of Canadian Biography* entries

Materials Provided: Video, handouts

Time Needed: 2 x 40-minute classes

INTRODUCTION

The teacher will engage students in a brainstorming session with the suggested list of framing questions below.

BRAINSTORM SESSION

To help students recall background knowledge (see previous page) please discuss the following questions:

1. What was Confederation?
2. What were the most influential ideas in Manitoba’s Confederation debates?
3. Who was the most influential individual in Manitoba’s Confederation debates?
4. How did linguistic or ethnic tensions impact the debates and our constitution?
5. What are some areas of continuity and change between the Confederation period and today?

CONCEPT MAP

1. When the brainstorm session has been completed, the teacher will circle the most pertinent/important subjects and sub-subjects that resulted from the brainstorm session.
2. Teachers may add subjects or sub-subjects if important topics were missed during the brainstorm session.
3. Students will then develop a concept map to highlight the important subjects and sub-subjects.
4. A concept map will provide a visual aid for students to see the important subjects and sub-subjects throughout the unit.

INTRODUCTION TO PARLIAMENT

1. Distribute the “72 Resolutions Handout” to the students and highlight and discuss:
 - a. The fact that representation in the House of Commons is representation by population, and representation in the Senate is by region (ex. the Prairies)
 - b. The division of powers between federal and provincial governments (note that one focuses on national issues like banking, while the other focuses on local concerns like hospitals).
2. Distribute “Introduction to Parliament: The Question Period” handout and review the questions with the class.
3. Show the class any Question Period video posted to <http://www.cpac.ca/en/programs/question-period/>.

4. Pause the video at the start and point out the government side (left), the opposition side (right) and the Speaker of the House (centre).
5. Play several minutes of the video and ask students to fill out and submit the handout for teacher evaluation.
6. When the video is complete and the handouts are submitted, discuss the following points with the class:
 - a. Note that different parties form the government and opposition, and that each take opposite sides on issues
 - b. During Question Period, one person asks questions; the other side answers/rebutts
 - c. The Speaker of the House controls the discussion
 - d. The classroom debate will not have any:
 - i. Yelling
 - ii. Talking over one another

Confederation Debates: Biographical Research

Lesson: Introduce the key historical figures in the Confederation debates

Concepts Used: Critical thinking, historical inquiry process, historical thinking, online research

Materials Used: Computers

Materials Provided: List of biographies, biography handout, primary document handouts, self-evaluation for jigsaw activity

Time Needed: 3 x 40-minute classes

HISTORICAL FIGURE COMPUTER RESEARCH

1. Teachers may wish to familiarize themselves with the key details listed in the historical figure briefs (see appendices) before beginning this activity.
2. Ideally, each student should do the research using their own computer. If there are no computers available, the teacher may wish to print off the *Dictionary of Canadian Biography* entries described below. Alternatively, if all students have access to a computer and internet access at home, this activity could be assigned for homework.
3. Divide the students into seven equal-sized groups.
4. Assign each group one of the major historical figures listed below. Alternatively, teachers may allow students to choose their historical figure.
 - a. Adams G. Archibald
 - b. George Cartier
 - c. William McDougall
 - d. Alexander Mackenzie (strong students should be assigned to this speaker)
 - e. Louis Riel (strong students should be assigned to this speaker)
 - f. Donald Smith (1st Baron Strathcona)
5. Distribute copies of the “Biography Activity Handout” (see appendices) to all of the students.
6. Tell students to use Google to search for their historical figure and to find their listing on the *Dictionary of Canadian Biography* website as listed (see appendices).
7. Tell the students to read their respective *Dictionary of Canadian Biography* entries and record their answers in the blanks on the “Biography Activity Handout.”

GROUP DISCUSSION

1. After students have completed their research—in the computer lab, or at home—the students should rejoin their groups (see 3 above) in the classroom.
2. Distribute the “Primary Source” handouts (see appendices) to the groups. (Each student should have their own copy.)
3. Each student will be given a task: reader, writer and discussant. (The reader will read the source to the group, the discussants will contribute to the discussion and the writer will record the group’s ideas on a separate sheet of paper.) There can be more than one student assigned to each role.
4. The teacher will encourage each group to decide which statements and positions were most important. They should then discuss the possible historical significance of these statements.
5. When this work is complete, the students will compare and share these reflections with their group members and determine what facts and ideas they think will be important for their peers to know. Each group member will add these notes to their “Biography Activity Handout.”

JIGSAW

1. When all students have shared information with their group, they will separate into a jigsaw activity. The goal of this activity is for all students to learn about every historical figure from their peers.
2. The teacher will assign the students in each group a number between 1 and 6. (ex. students researching Adams G. Archibald will be labelled 1.)
3. All number 1s, 2s, 3s, 4s, 5s and 6s will then gather together. Each student should have at least one person from every group to share their information.
4. If there are too many students in the historical figure groups, each member should share a portion of what they learned with the jigsaw group. If there are too few students to divide the historical figure groups among each of the jigsaw groups, one student can present their information to more than one group.

EXIT CARD

1. Students will fill out the exit card (see appendices) and hand it in to the teacher for evaluation.
2. An exit card is an exercise designed to engage students with the material learned in class at the end of a lesson. All students will answer questions before leaving class. Exit cards allow teachers to assess the class's understanding of the day's material in preparation for the next lesson.
3. Students will answer the questions and will hand in the exit card to the teacher at the end of the lesson.
4. The exit card questions found in the appendices satisfy the requirements for three historical thinking concepts, historical significance, cause and consequence and historical perspective.
5. The teacher has discretion on whether to mark the exit cards to ensure understanding.

Culminating Activity: The Debate

Culminating Activity: This culminating activity will introduce students to the basics of debate within a historical context and give them an opportunity to compare different historical positions on key issues of the 1860s.

Concepts Used: Critical thinking, primary sources, debate, using appropriate vocabulary, historical inquiry process, historical thinking concepts

Time Needed: 2 x 40-minute classes

Students/teacher will choose which figure they want to represent, which may be the same as or different than the historical figure they researched.

MATERIALS (ENCLOSED)

- Mock ballots for optional voting activity, to be printed or photocopied in advance of the lesson (See appendices; the ballot's text is loosely based on the motion that all of the Province of Canada's representatives debated in 1865.)
- Script for teachers to use as "Speaker of the House" (See "Culminating Activity Script" below.)

OPTIONAL MATERIALS (NOT ENCLOSED)

- Voting booth (set up before the debate begins for optional voting activity)
- Voting box (if the class is also going to do the voting activity)
- Costumes (ex. The teacher may borrow a graduation robe to wear while acting as "Speaker of the House," or find a white wig)

DEBATE PREPARATION

1. If possible, rearrange the classroom desks to resemble Parliament (i.e., the pro-Confederation and anti-Confederation groups will sit across from each other, with teacher standing in between at the front of the room).
2. Students will gather in their historical figure groups and prepare for the debate by composing short answers to the following questions that will be posed during the debate. Each student in the group will write an answer to one of the questions. If fewer than four students are in a group, one or more students may answer two questions.
 - a. What are the benefits of union?
 - b. Should the federal government negotiate with the Red River Resistance's government?
 - c. Local autonomy, or the ability to run things like schools without interference from the rest of the country, was very important to most of Canada's founders. Will the division of powers between federal and provincial governments protect local autonomy?
 - d. Land ownership was critical to the Manitoba debates. Will Manitobans gain adequate control of their lands under the proposed terms of union?
3. Students should practice their speech in front of the other members of their group to remain within a two-minute time constraint.

DEBATE

1. The Speaker of the House (the teacher) will stand at the front of the classroom (between the pro- and anti-Confederation sides of the room if the classroom desks have been moved

to either side of the classroom). The Speaker of the House will then read from the script enclosed below to bring the debate to order, and will pose important questions.

2. Students will be given the opportunity, after everyone has shared, to offer a direct rebuttal to another student's statement. The Speaker of the House may allow students to rebut a particular point.
3. Once each theme has been addressed and all students have had the opportunity to make their case, the Speaker of the House will motion for adjournment.
4. After the debate is finished, teachers may hold the optional voting activity (below).

OPTIONAL VOTING ACTIVITY

1. Students should fill out the "Post-Debate Self-Evaluation" handout (see appendices) and submit it to the teacher during the voting activity. If you chose to skip this activity, please proceed to the "Reflection Activity" below.
2. The teacher will invite each student to the front of the classroom to vote.
3. Each student will go to the voting booth, make their mark for or against joining Confederation based on the debates they have just heard, and deposit the ballot into the box or bucket.
4. When every student has voted, the teacher will collect the ballots, count them, and announce the outcome to the class.

REFLECTION ACTIVITY

1. Debrief session on how Manitoba's Confederation debates are important today. Guiding questions for students can include:
 - a. Why was their historical figure important in the Confederation debates?
 - b. What are some ways in which each historical figure responded to challenges and/or created change?
 - c. Was the language in the materials hard to understand? Imagine if, as was the case for the Indigenous Peoples of Canada, English was not your first language.
2. Were you surprised by the opinions Manitoba's founders took regarding Indigenous Peoples?

Culminating Activity Script

1. To bring the House to order, the Speaker will say, “This meeting will come to order.”
2. The Speaker of the House will then conduct roll call for the six historical representatives. As each representative is named, students from that historical figure’s group will say, “Present.”
3. Once everyone is accounted for, the Speaker will read the House rules:
 - a. The Speaker of the House has ultimate power while Parliament is in session.
 - b. All representatives must stand to make their statements but will not leave their desk.
 - c. The Speaker will ask individual students to rise and sit as if they were debating in Parliament.
 - d. No name-calling or insults will be tolerated.
 - e. Representatives may ask to interrupt the current speaker with a question or counter point by raising their hand. The Speaker of the House will decide whether to ask the current speaker to pause.
 - f. Arguments must remain relevant to the subject of the debate. The Speaker of the House has the right to move to another speaker if anyone goes off-topic.
 - g. Students should write down any personal questions or comments for the debrief after the debate.
 - h. Optional: The Speaker may limit the amount of time representatives are allowed to speak (ex. two minutes).
4. The Speaker of the House will then introduce the first main question: “What are the benefits of union?” Each historical figure group be limited to a two-minute opening statement.
 - a. Note that each historical figure’s vision of their province’s size and powers will vary considerably.
5. The Speaker of the House will then introduce the second main question: “Should the federal government negotiate with the Red River Resistance’s government?” Prompting questions for students may include:
 - a. Which historical figures considered the armed conflict to be a resistance to Canadian encroachment, and which considered it to be a rebellion against the Crown? What evidence did they use to support their positions? Which side was right?
 - b. Who else might the Canadian government have negotiated with instead of the Red River delegates?
6. The Speaker of the House will then introduce the third main question: “Local autonomy, or the ability to run things like schools without interference from the rest of the country, was very important to most of Canada’s founders. Will the division of powers between federal and provincial governments protect local autonomy?” Prompting questions for students may include:
 - a. What powers does the Constitution give to the federal government?
 - b. What powers does the Constitution give to provincial governments?
 - c. Who believed Manitoba should first become a territory, and why?
 - d. Why did most Manitobans prefer provincial status?
7. Before introducing the next main question, the Speaker of the House will say, “Is everyone ready for the next question?” Additional discussion/debate may ensue.
8. The Speaker of the House will then introduce the fourth main question: “Land ownership was critical to the Manitoba debates. Will Manitobans gain adequate control of their lands under the proposed terms of union?” Prompting questions for students may include:
 - a. What rights to lands did the founders secure for the Métis?
 - b. How did these Métis land rights compare with the way the federal government handled First Nations land claims?
 - c. When it was initially created, Manitoba was a very small “postage-stamp-sized” province. Did Manitoba’s founders believe that it would be large enough?

9. When everyone has had the opportunity to state their case, the Speaker will say, “I move for the adjournment of this session of Parliament.”

SECTION 2 | CREATING CANADA: FURTHERING INDIGENOUS-CROWN RELATIONSHIPS

Prerequisite Skillset

- Word processing
- Interpretation of primary sources
- Cooperative sharing

Background Knowledge

Based on the background information provided (see appendices), teachers should familiarize themselves with the following ideas and consider how they will be discussed with students. These ideas will help the students think about treaties and the treaty relationship as important parts of Confederation and as founding documents of Canada's constitutional order. Understanding the treaties as important parts of Canada's constitutional architecture demonstrates the role Indigenous Peoples played in shaping the country. Important learning outcomes include:

- Nation-to-Nation relationship
- The Royal Proclamation, 1763 and the Treaty relationship
- The British North America Act, 1867
- The Indian Act, and how it was used to exercise jurisdiction over Indigenous Peoples
- Treaties 1 and 2
- The complex history concerning Métis status as Indigenous Peoples
- Historical background on the signing of the Treaties and their main clauses

“I Left a Trace”: Lesson 1

Lesson: Introduce oral tradition, negotiations with the Indigenous Peoples; discuss the possibility of cultural/linguistic misunderstanding

Concepts Used: Brainstorming, historical significance, written response log

Materials Enclosed: Handouts (see appendices)

Time Needed: 2 x 40-minute classes

THINK, PAIR, SHARE

To introduce students to the idea that history is constructed from traces of the past (see list of examples below), we suggest this introductory activity. The two activities and the follow-up response log engage students by having them analyze their personal experience.

1. After describing what a trace is, ask students to take 10 minutes to record everything that they have done in the last 24 hours (and that would be appropriate for classroom discussion) on a blank sheet of paper. They must draw their reflections. Examples of traces include:
 - a. Telling your parent you loved her/him
 - b. Telling someone you know a story about your past
 - c. Bringing mud into the house
 - d. Things you created with your hands
 - e. Actions that influenced others
 - f. Digital traces
2. Ask the class to identify:
 - a. Which traces were purposeful and which were accidental by marking them with a “P” and an “A.”
 - b. How would someone who is not from Canada interpret your traces? Would they be the same or different?
 - c. Would an historian working 100 years from now be able to interpret your traces the same way you would today? Students should also mark traces that they believe historians would correctly interpret with an “H.”
3. Ask the students to find a partner.
4. The partners will then, without saying a word, exchange their drawings.
5. Tell the students that they are now historians, and instruct them take 5 minutes to examine each drawing and write down observations like:
 - a. What do they believe the drawing describes?
 - b. What is the drawing used for?
 - c. Why do they think the individual thought the drawing was important?
 - d. What does each trace mean?
6. Ask the students to pass the drawings back to their author.
7. Have the class discuss how many items their partners correctly identified. Did they correctly interpret the significance of the “H” items?
8. How many of the “P” items were interpreted correctly? Is the class surprised that their purposeful traces were not always the ones that were interpreted correctly?

RESPONSE LOG

1. Hand out the “Response Log Handout.” (See appendices.) Students should answer one of the five questions to reflect on the topic. Recommended reflection time is half an hour.
2. If the students do not have time to finish their response, the teacher can assign it as homework.

VIDEO DEBRIEF

Debrief the class with one or both of these Indigenous “Trace” videos.

- “Wab Kinew—Heroes” (song about Indigenous heroes). <https://youtu.be/3Uj4KmHlzMc>.
- “The Ballad of Crowfoot,” which examines the situation of Aboriginal people in North America through the figure of Crowfoot, the legendary nineteenth-century Blackfoot leader of the Plains Cree. <https://youtu.be/l-32jc58bgI>.

Museum Curation Activity: Lesson 2

Lesson: Introduce negotiations with the Indigenous Peoples; discuss the possibility of cultural/linguistic misunderstanding, nation-to-nation relationships and museum curation techniques

Concepts Used: Historical significance, flow charts

Materials Enclosed: Handouts (see appendices)

Time Needed: 2 x 40-minute classes

Note: Teachers may wish to invite an Indigenous leader into the classroom to tour the exhibit that the students will produce, comment on their interpretations of the “artifacts,” and share their own experiences with the Canadian state and/or reconciliation.

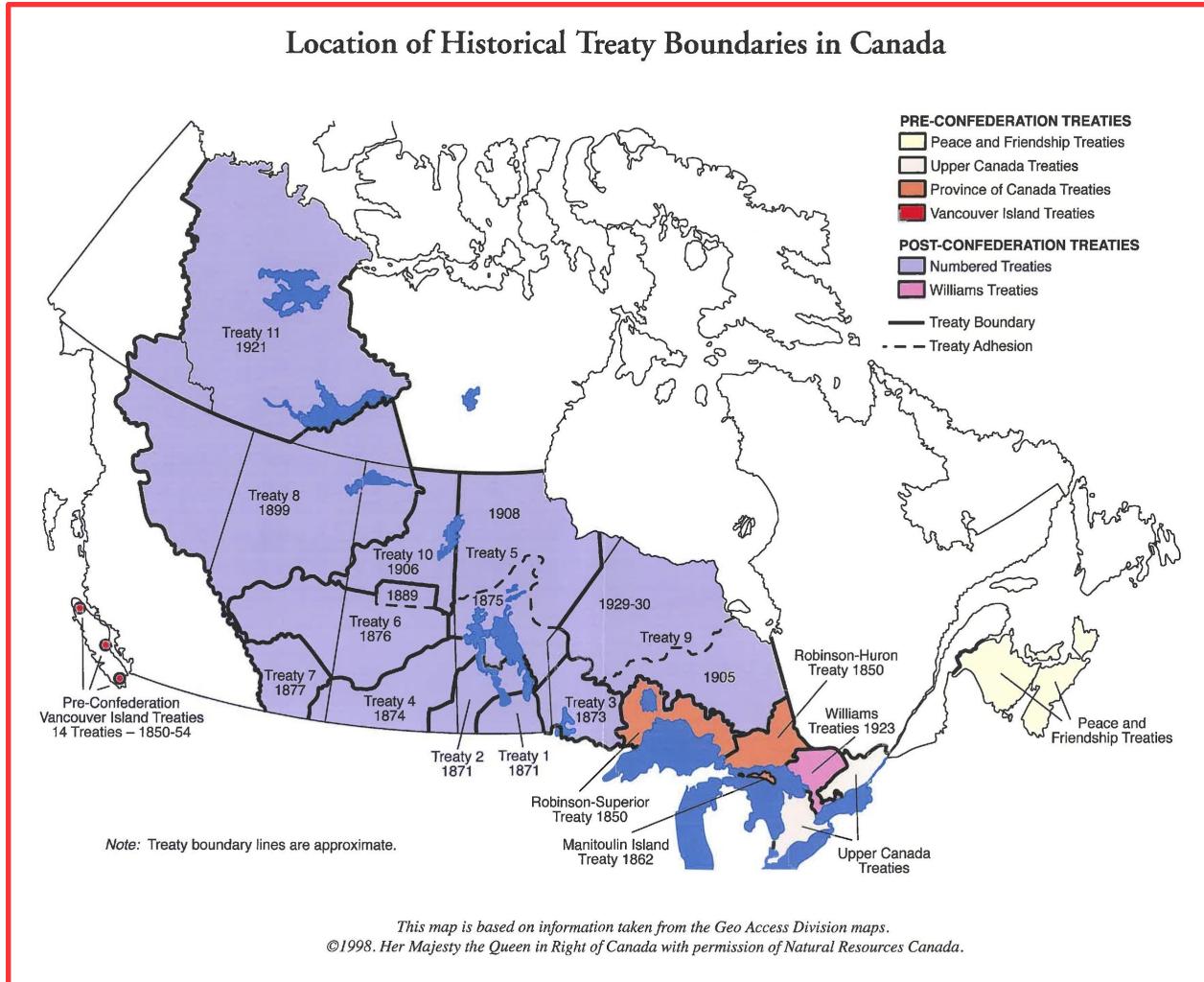
INTRO/BACKGROUND INFORMATION FOR TEACHER TO PREPARE FOR THE MUSEUM CURATION ACTIVITY

Introducing the Treaty Relationship:

There are two very distinct stories we can tell about Confederation and Canada’s Indigenous Peoples. In one story, Indigenous Peoples are largely invisible. Here, their only presence is found in s.91(24) of the British North America Act, 1867, where “Indians, and lands reserved for the Indians” were deemed to be federal, as opposed to provincial, jurisdiction. This has subsequently been interpreted as providing the federal government with a power over Indigenous Peoples and their lands. The Indian Act of 1876, which is largely still with us today, was passed on this basis. This created what political philosopher James Tully has called an “administrative dictatorship” which governs many aspects of Indigenous life in Canada. Many of the most profoundly upsetting consequences of colonialism are traceable in large part to the imposition of colonial authority through s.91(24) and the Indian Act of 1876.

But there is another story as well. Canada did not become a country in single moment. Though the British North America Act, 1867, created much of the framework for the government of Canada, Canada’s full independence was not gained until nearly a century later. Similarly, the century preceding 1867 saw significant political developments that would shape the future country. Canada’s Constitution is both written and unwritten. Its written elements include over 60 Acts and amendments, several of which were written prior to 1867. The Royal Proclamation, 1763, for example, is a foundational constitutional document, the importance of which is reflected by its inclusion in s.25 of the Canadian Charter of Rights and Freedoms. The Royal Proclamation, 1763, established a basis for the relationship between the British Crown and Indigenous Peoples in North America. By establishing a procedure for the purchase and sale of Indigenous lands, the proclamation recognized the land rights of Indigenous Peoples and their political autonomy.

Both the pre-Confederation and post-Confederation Treaties form an important part of this history and what legal scholar Brian Slattery calls Canada’s “constitutional foundation.” It is through Treaties such as these that the government opened lands for resource development and westward expansion. It is also through the treaty relationship that Indigenous Peoples became partners in Confederation and helped construct Canada’s constitutional foundations.



For a detailed discussion/background information, and a detailed version of what you will present to the class, consider watching “Legal Fictions of the Indian Act”: <https://youtu.be/PBXnjBX7j3c>.

If you want to present a video to the class on this, consider “Nation to Nation: Honouring the Royal Proclamation of 1763”: https://youtu.be/eFyuI7gzy_0.

This helpful article outlines the Crown-Indigenous relationship and the importance of the Treaties: “Why It’s Time to Clearly Define the Crown’s Role with First Nations,” <http://www.macleans.ca/society/why-its-time-to-define-the-crowns-role-with-first-nations/>.

INTRODUCING TREATIES 1 AND 2: TEACHER BRIEFING

Treaties 1 and 2 were the first of 11 Numbered Treaties negotiated between 1871 and 1921. Following the creation of Manitoba through the Manitoba Act of 1870 and with Rupert's Land being brought into the Union through the Rupert's Land Order later that same year, the need to resolve the emerging conflict over land use between Indigenous and settler communities became clear. All parties were anxious to see a treaty signed to set the parameters of future land and resource use. The negotiations were "a major event in the early political history of the province of Manitoba" (Ray, Miller, Tough 2002). Anishinaabe groups began to assemble at Stone Fort, a Hudson's Bay Company post also known as Lower Fort Garry, in the end of July 1871. About 1,000 Indigenous People attended the Treaty 1 negotiation, with the treaty being signed on 3 August 1871. Treaty 2 was signed at Manitoba Post on 21 August of the same year. Indian Commissioner Wemyss M. Simpson signed the treaties for the Crown while James McKay and Adams G. Archibald, the first lieutenant-governor of Manitoba and the North-Western Territory, witnessed. There were seven Indigenous signatories to the original Treaty 1 and roughly two-dozen signatories to the 1875 adhesion, or addition, to the treaty. These treaties cover much of the southern part of Manitoba.

From the government perspective, the purpose of Treaties 1 and 2 was to open the lands to European settlement and agricultural development by peaceably obtaining the surrender of lands from the Indigenous owners and inhabitants. This was reflected in instructions to Adams G. Archibald, who was to "ascertain and report to His Excellency the course you may think most advisable to pursue, whether by treaty or otherwise, for the removal of any obstruction that may be presented to the flow of population into the fertile lands that lie between Manitoba and the Rocky Mountains" (quoted in Ray *et al.*, 62). The Indigenous inhabitants of the territory were considered one such obstruction. The government of the Dominion of Canada was aware of the great expense of the "Indian Wars" in the United States and sought to obtain lands for settlement by other means. In this, they looked partly to the Hudson's Bay Company for advice. Prime Minister John A. Macdonald wrote to the Hudson's Bay Company on 13 June 1871: "I am very anxious, indeed, that we should be able to deal with the Indians¹ upon satisfactory terms. They are the great difficulty in these newly civilized countries. They are the great difficulty with which the Americans have to contend in their new countries. The Hudson's Bay Company have dealt with the Indians in a thoroughly satisfactory way. The policy of Canada is also to deal with the Indians in a satisfactory manner." In the government's view, this outcome was to be achieved by acquiring the unconditional surrender of all lands through the treaty process. Drawing on the Robinson-Huron Treaties signed on Ontario, the government envisioned the creation of First Nations reserves and the delivery of annual payments in exchange for the surrender of land.

From the perspective of the Anishinaabe and Swampy-Cree, Treaties 1 and 2 were negotiated in response to the pressures created on their lands and resources by incoming settlement. These pressures included the looming near-extinction of the buffalo, increased settlement and agricultural development, and the impacts of European diseases. As Hudson's Bay Company trader Richard Hardisty wrote to William Christie, chief factor of the company's Saskatchewan district, in 1870, "many have been ready to catch at the idea that whites coming into the Country have been the cause of the absence of Buffalo, and that the Company are to blame for this change. If they could prevent the settlement of whites in the Country they would gladly do it." Indigenous peoples had been repeatedly warning off settlers and working to maintain control of their lands. In the spring of 1870 "they posted a notice on the church door at Portage La Prairie warning settlers to stay off their lands until such time as a treaty was signed" (Daugherty). Though they understood that the number of settlers would continue to grow, it seems that they did not envision the type of land surrender the government proposed as an adequate response. At the opening of the Treaty 1 negotiations, the proceedings began "with statements by both the Lieutenant-Governor and the Commissioner assuring the Indians that they could continue to use

¹ Indians = an archaic term for First Nations Peoples

their traditional territories for hunting, trapping, fishing, and harvesting, as they had done in the past... Assurances were made that the Indian way of life would be sustained" (as quoted in Craft 2013). Despite this, negotiations went on for seven days without any agreement being reached. The government proposed that all lands be surrendered except for lands to be set aside as First nations Reserves. The reserves were to be big enough for each family to farm a property of about 160 acres, though the government negotiators made assurances that "Indians would not be confined to reserves" (Craft 2013). The Anishinaabe negotiators were very uncertain about these terms, particularly those dealing with land. When asked to select the lands they would like for reserves, they identified lands which the Crown negotiators argued would have totalled nearly two-thirds of the province. These demands were considered "preposterous" by the Crown negotiators. The Indigenous negotiators also believed the Crown was making unreasonable requests. Chief Ayee-ta-pe-pe-tung said that he could not see how the treaty terms would benefit future generations, and so he could not sign it. Chief Wa-sus-koo-koon worried about what would happen if the reserves became too small. Something changed, however, on the last night of the negotiations after James McKay spoke to several of the Anishinaabe and Cree leaders. The next day, they signed the treaty. It is not known what was said that may have changed their minds.

In the end, the government believed that it had achieved its goals through the treaties, opening the territory for settlement by acquiring the Indigenous ownership of the land. As

The government agreed to maintain a school on each reserve whenever the Indians wanted it, and also prohibited the introduction or sale of liquor on the reserves.

Each Indian man, woman and child was given a one-time gratuity of three dollars and an annuity of three dollars, or a total of fifteen dollars per family. The annuity was to be paid in goods, but could also be paid in cash if it was deemed to be in the Indians' interest. The government further promised that an accurate census of all the Indians inhabiting the treaty areas would be undertaken as soon as possible.

For their part, the Chippewas [Anishinaabe] and Swampy Crees were required to cede, release, surrender and yield the lands as defined by the treaty, to agree to maintain the peace, and to agree not to molest any of Her Majesty's subjects" (Daugherty 1983).

The Anishinaabe and Cree of Manitoba, however, seem to have understood the treaties differently. Their initial demands, far from accepting limited reserve lands, would have recognized their ownership of most of the province. Their initial demands—far from accepting limited reserve lands—would have recognized their ownership of most of the province and pushed towards a sharing relationship.

ADDITIONAL RESOURCES

Albers, Gretchen. "Treaties 1 and 2." *The Canadian Encyclopedia*.

<http://www.thecanadianencyclopedia.ca/en/article/treaties-1-and-2/>

Craft, Aimée. *Breathing Life into the Stone Fort Treaty*. Saskatoon: Purich, 2013.

Daugherty, Wayne E. "Treaty Research Report Treaty One and Treaty Two (1871)." *Indigenous and Northern Affairs Canada*. <http://www.aadnc-aandc.gc.ca/eng/1100100028660/1100100028662>.

Ray, A., J.R. Miller and F. Tough. *Bounty and benevolence: A history of Saskatchewan Treaties*. Montreal: McGill-Queen's University Press, 2002.

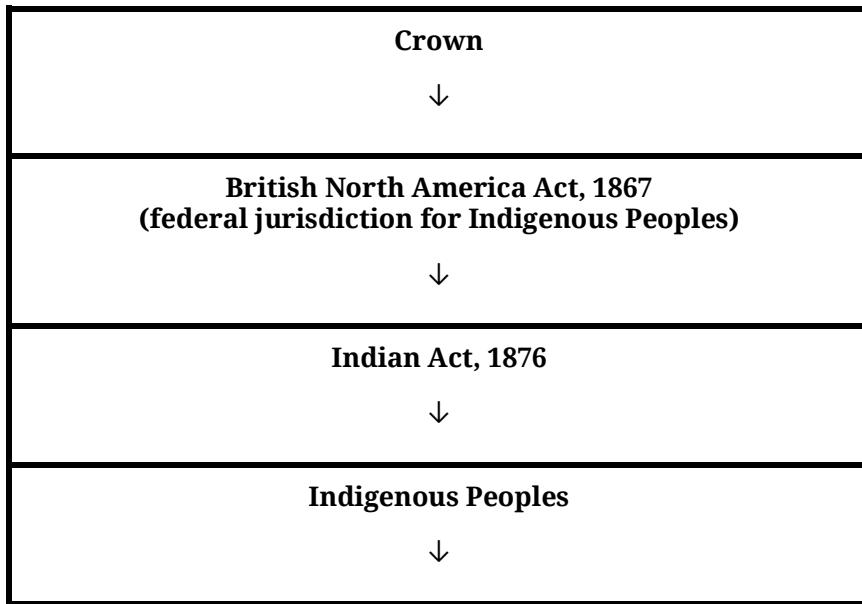
Rea, J.E. and Jeff Scott. "Manitoba Act." *The Canadian Encyclopedia*.

<http://www.thecanadianencyclopedia.ca/en/article/manitoba-act/>

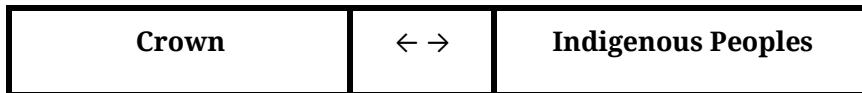
INTRODUCING TREATIES 1 AND 2: HOW TO PRESENT THIS INFORMATION TO THE CLASS

To present these messages in an accessible way to the class:

1. The teacher will write all of the keywords on the board before the students enter the classroom:
 - a. British North America Act, 1867 (remind students that they have a handout on this from the parliamentary activities)
 - b. Indian Act, 1876
 - c. Royal Proclamation, 1763
 - d. Treaty Relationship
 - e. Treaties 1 and 2
 - f. The Crown
2. The teacher will discuss the keywords by mapping out the relationship on their own flow chart at the front of the class visually linking these points as the federal government has traditionally seen it. (i.e., Indigenous Peoples are a jurisdiction of the Crown, wards of the state who needed to be assimilated into dominant Canadian society.) The drawing will be hierarchical:



3. The teacher will then ask the class to draw a second flow chart, and follow the teacher as they describe and link these ideas again according to a nation-to-nation relationship. (i.e., the Crown and Indigenous Peoples have a long pre-Confederation history as co-equal, non-hierarchical partners that was continued after Confederation.) The flow chart will emphasize equality:



Museum Curation Exercise

1. Divide the class into five groups and assign each group one of the following:
 - a. Treaties 1 and 2
 - b. Wemyss McKenzie Simpson
 - c. Henry Prince
 - d. James McKay
 - e. Maps of Canada from 1873 to 1899
2. Each group will research their artifact using the resources provided in the appendices.
3. Teachers have the discretion to allow the groups to present what they learned in creative ways (ex. diorama, YouTube video), but we recommend that each produce an historical plaque (roughly 200 words).
4. Each group will pair their plaque (or other visual displays) with the historical artifact.
5. The class (teacher, students and Indigenous guest, if applicable) will then re-congregate and tour their collective exhibit.
6. Suggested talking points for each:
 - a. *Treaties 1 and 2*
 - i. The treaties use very complex and technical legal language. Did you find it easy to understand? Would it have been difficult for people who did not grow up with English to understand?
 - ii. Which of the parties to the treaties might have benefitted most from having them written this way? What does this tell us about how power is exercised by creating certain historical accounts?
 - iii. Thinking about our museum exercise, what might be missing from the treaties as they are presented here? (ex. Did the oral statements vary significantly from the written treaty?)
 - iv. What happened in 1867 that impacted the Prairies? What impacts did it have?
 - b. *Wemyss McKenzie Simpson*
 - i. Who employed Simpson before he entered politics? Why might many colonial officials have had careers with this company?
 - ii. What were the terms Secretary of State Howe gave Simpson for negotiating?
 - iii. After the treaties were signed, Simpson left Manitoba. What sort of problems did this cause?
 - c. *Henry Prince*
 - i. What was Henry Prince's father known for? How might this have shaped Henry Prince's approach to negotiating Treaties 1 and 2?
 - ii. How did Prince and his father work together to advance the interests of their people?
 - iii. What can this museum exercise tell us about how little information we have about Prince's life?
 - iv. What do you think Prince and his fellow Indigenous negotiators thought about the Hudson's Bay Company's "sale" of Rupert's Land? (Hint, why did Henry Prince and other Indigenous leaders write and sign their manifesto in 1861?)
 - d. *James McKay*
 - i. Who was McKay's employer before he entered politics? Why might many colonial officials have had careers with this company?
 - ii. Why did the lieutenant governor think McKay was a good candidate for the first Executive Council in Manitoba?
 - iii. What was McKay's role in the treaty negotiations?
 - iv. Why might he have been chosen to negotiate the treaty?
 - v. How successfully did McKay balance Indigenous and Crown interests?
 - e. *Maps of Canada from 1873 to 1899*

- i. How do the maps you have seen over the last few days compare to maps of Canada now?
- ii. What do these maps tell us about how Canada was formed?
- iii. Thinking about our museum exercise, how are these maps similar to or different from stories you have heard about Canada's history?
- iv. How do these maps demonstrate the important role of Indigenous Peoples in shaping Canada?
- v. What do you take from the fact that the treaty borders do not match the provincial borders?

APPENDICES

SECTION 1: MATERIALS AND HANDOUTS FOR CREATING CANADA: MANITOBA AND CONFEDERATION

Handout: Introduction to Parliament**THE QUESTION PERIOD**

What were the main topics discussed in the video?

/5

List the political parties of the different politicians who spoke in the video (ex. "Conservative").

/5

Do the politicians address each other directly? Explain.

/5

How do members of the Parliament behave during Question Period?

/5

Total: /20

Biography Activity Handout



Your Name: _____

Name of Historical Figure: _____

Birth and Death Dates: _____

Family Members:

Where were they born? _____

Where did they live? _____

Pro- or anti-Confederation? _____

Reason(s) for pro-Confederation or anti-Confederation position:

Exit Card

Your Name: _____

Date: _____

Historical significance: Name the three historical figures you think had the biggest impact on Confederation and write a sentence about each explaining why. (You should have at least one figure from pro- and one from anti-Confederation.)

Cause and consequence: Name one way that Canada would be different if we didn't have Confederation.

Historical perspective: Name one person and one reason they were anti-Confederation.

If you were to select a new national capital, what city would you choose? Why did you choose this location? Do you think your choice would be different if you lived in a province other than Manitoba?

Adams G. Archibald in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.



The second son of Samuel and Elizabeth Archibald, Adams George Archibald was born on 3 May 1843 in Truro, Nova Scotia. He began a career in law as a notary public in 1836 and became an attorney after being called to the bar of Prince Edward Island in June 1836 and to the Nova Scotia bar seven months later. From there, Archibald became commissioner of schools in 1841, registrar in 1842 and judge in 1848. In 1849, he was appointed one of five commissioners to oversee the building of a telegraph line linking Halifax to the New Brunswick border.

Following the family tradition, Archibald successfully ran as a Liberal candidate for Colchester County during the 1851 general election. Thereafter, he proved to be especially effective in committees, often speaking quietly and offering well-structured arguments. He strove for consensus, but stubbornly fought for or against particular causes, and even broke party lines when he believed it to be necessary. (Archibald, for example, consistently opposed universal male suffrage.) In 1852, he advocated reciprocal trade with the United States and, in 1854, supported an agreement worked out in Washington between the British North American colonies and the United States.

In 1859, he became attorney general despite allegations of corruption during the by-election ratifying his appointment. Archibald became the Liberal leader in 1862, after Joseph Howe became the imperial fisheries commissioner. In 1864, his attempts to curtail universal male suffrage led to his government's defeat.

Archibald had not previously shown much interest in the Maritimes becoming part of the British North American union, but he became a strong proponent of Confederation after the 1864 Charlottetown and Quebec conferences both because he believed that it would likely secure the Intercolonial Railway for Nova Scotia and because Confederation offered him liberation from provincial politics.

In 1867, John A. Macdonald appointed Archibald as secretary of state in the first post-Confederation cabinet. In the resulting by-election, however, Archibald lost his seat and he resigned from the cabinet in April 1868. He was re-elected during another by-election the following year, and he subsequently became the first lieutenant governor of Manitoba and the North-West Territories. When he arrived in the Northwest in August 1870, he discovered that Colonel Garnet Joseph Wolseley, the leader of the military expedition sent to the area, had already appointed Donald Alexander Smith as acting governor of Assiniboia. Archibald then declared a new government for Manitoba and subsequently attempted to balance cementing Canadian control of the region with satisfying the expectations of the former resisters. This pursuit of reconciliation was only partially successful and was somewhat hindered by Canadian and imperial refusals to grant a general amnesty for the resistance. Archibald even shook Louis Riel's hand when reviewing Métis, who subsequently organized to resist a short-lived attack by Fenians. Archibald went on to help negotiate Treaties 1 and 2, but he lacked the power to properly resolve Indigenous concerns.

After leaving Manitoba, Archibald briefly served on the Supreme Court of Nova Scotia before becoming the province's lieutenant governor from 1873 to 1883. After briefly returning to the House of Commons, he was too ill to stand for re-election and in 1891 and passed away the following year.



Image held by Library and Archives Canada.



George-Étienne Cartier in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Sir George-Étienne Cartier was born on 6 September 1814 at Saint-Antoine-sur-Richelieu, Lower Canada to a wealthy merchant and political family. At the age of twenty-three, he participated in the rebellions in Lower Canada in 1837 and afterward was forced to flee to the United States for roughly six months. Indeed, newspaper reports claimed that he was killed in the ensuing confrontations. When Cartier returned from the United States in October of that year, he resumed his law practice. In 1848, Cartier began his political career by winning the seat for Verchères in the Legislative Assembly of United Canada. In 1852, Cartier introduced the bill that created the Grand Trunk Railway Company, and he was subsequently appointed one of its legal advisors the following year. He soon became the leader of the Parti Bleu. The party drew much of its support from the Roman Catholic Church and was thus strongly committed to preserving the power of the Catholic Church and French culture in what is now Quebec. Many Bleus also had strong ties to big business. Cartier, for example, was intimately involved with the Grand Trunk Railway. In 1857, Cartier and John A. Macdonald supported each other as co-Premiers, and the two men continued to work closely as leaders of their respective French and English coalitions until Cartier’s death in 1873.

As a leader in the Great Coalition, Cartier was one of the leading advocates of Confederation and took a leading role at the Charlottetown and Quebec conferences, and strongly defended the proposal in the Legislative Assembly. The *Bleu* leader believed that it was the only alternative to annexation to the United States. In 1865 he declared, “We must either have a Confederation of British North America or else be absorbed by the American Confederation.” Cartier also desired the expansion of the Province of Canada’s financial and political influence across British North America. He therefore supported the construction of an intercolonial railway and Canada’s acquisition of the North-West. Both of these endeavours would also serve his business interests.

After Confederation, his interests converged on Manitoba. In 1869, he went to London with William McDougall to arrange for the purchase of the territory from the Hudson’s Bay Company and ultimately conducted the brunt of these discussions when McDougall fell ill. When the Canadian government’s hasty attempt to occupy the territory without first consulting the existing inhabitants sparked the Red River Resistance, Cartier again took the initiative. He pursued a general policy of appeasement, meeting with Bishop Alexandre-Antonin Taché, who rushed to the region to help resolve the conflict, as well as with a subsequent Red River delegation that ventured to Ottawa to negotiate the formal terms of union. Though small, Manitoba would become a province, and the French Canadian leader ensured that the Métis were promised their own lands, separate school rights and dual language protections.

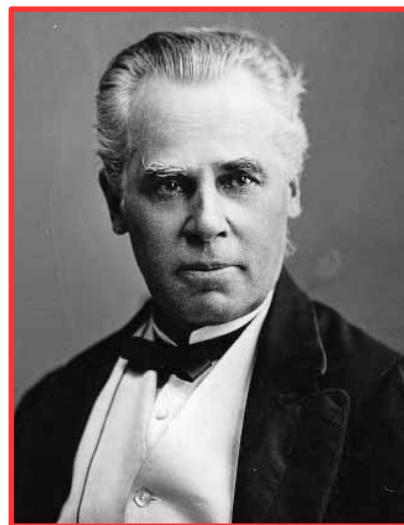


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William McDougall in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.



Born in present-day Toronto on 25 January 1882, William McDougall grew up in a Scottish family that emphasized education. He attended a Methodist school which later became Victoria College, where he learned business and communication and gained an awareness of the modern progression of sciences. Having witnessed the 1837 burning of Montgomery's Tavern and concluded that the rebellion had been a push against oligarchies, he developed strong liberal views. After completing his schooling, he undertook legal studies under James Hervey Price and supported the Clear Grit Reform movement (which advocated ballot votes, freer landholding laws, secularization of the clergy reserves and elective democratic instructions). In 1847, McDougall joined a law firm and used this work to finance his journalism career. His newspapers initially catered to rural audiences, but he founded the *North American* newspaper in 1850 to challenge George Brown's mainstream Reform movement by giving voice to Clear Grit assessments.

McDougall first ran for office in 1854 but lost. Hard times forced him to sell the *North American* to George Brown and work as a journalist for the *Globe*. This sale, along with other political developments, helped to unite Reformers and bolster McDougall's standing within the movement, and he subsequently won the seat in Oxford North in the Legislative Assembly in 1858.

McDougall's personal eccentricity and political unreliability led others to label him "Wandering Willie." Yet his talents won him continued support. In 1862, he became Commissioner of Crown Lands. From this office, he laid the groundwork for Canada's expansion into the Northwest, including the repossession of Indigenous reserves on Manitoulin Island. He subsequently joined the Great Coalition cabinet and participated in the Charlottetown, Quebec and London conferences. A supporter of Confederation, McDougall hoped to leverage the new country's aggregated resources to expand into the Northwest.

As a result of his various political roles, professional skillset and a continued desire for power, McDougall was appointed the Minister of Public Works by Sir John A. Macdonald on 1 July 1867. By choosing to remain in the coalition cabinet after George Brown departed, McDougall was accused of having betrayed the reformers. McDougall responded by asserting that Confederation created a new political system free from old divisions and defended his decision to pursue his own political goals. The most important of these goals was Canada's expansion to the Pacific. In 1868, McDougall and Sir Georges-Étienne Cartier negotiated the transfer of the Hudson's Bay territory to Canada and, the following year, McDougall left the cabinet to become lieutenant governor designate of the North-West Territories. On 30 October 1869, however, McDougall was prevented from entering the territory by organized Métis from the Red River area. Despite the prime minister's instructions to wait in Minnesota until the Resistance ended, McDougall entered the Red River territory and declared Canadian sovereignty, drawing the ire of Macdonald, who had deliberately postponed the transfer of Hudson's Bay Company lands to Canada.

Humiliated, McDougall returned to Ottawa. He unsuccessfully tried to regain his parliamentary seat in 1872, and did not return to Parliament until he won the seat for Halton as a Conservative in 1878, only to be defeated in the next two elections. In the meantime, he continued his legal practice and advised Sir Wilfred Laurier on trade policy. In 1905, McDougall passed away, leaving almost no estate for his family.



Image held by Library and Archives Canada.

Donald Alexander Smith, 1st Baron Strathcona, in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.



Donald Alexander Smith was born in 1820 on Scotland’s northeast coast. After attending Forres Academy, he briefly apprenticed as a town clerk. Inspired by his uncle John Stuart—who was a fur trader—he embarked for Lower Canada in 1838 to join the Hudson’s Bay Company. Over the next thirty years, he worked his way up through the company, and was eventually promoted to commissioner of the Montreal department to manage the Hudson’s Bay Company’s (HBC’s) eastern operations.

In 1869, the negotiations to transfer the Hudson’s Bay Company territories to Canada concluded. The Métis of the Red River area feared that Canadian surveyors and settlers would dispossess them of their lands. An armed resistance soon formed under the leadership of Louis Riel. Later that year, Prime Minister Sir John A. Macdonald appointed Smith special commissioner to defuse the growing tensions. Smith arrived at Upper Fort Garry (Winnipeg) on 27 December 1869 to negotiate with Riel. Shortly after arriving, Smith attended a public meeting of Red River representatives on 19 and 20 January, where he presented promises from the federal government to respect the inhabitants’ land titles and right to a territorial council. Riel responded by convening the Council of 40 to consider the federal proposals, hear Smith elaborate these pledges, and appoint a delegation to send to Ottawa. In the meantime, however, the Canadian Party again unsuccessfully attempted to overthrow the Resistance. Four members were initially sentenced to death, but promises from Smith to encourage the inhabitants of the settlement’s English parishes to support the provisional government convinced Riel only execute Thomas Scott.

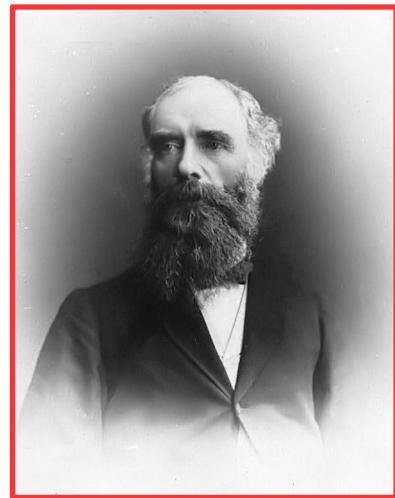


Image held by Library and Archives Canada.

Smith departed Upper Fort Garry 15 days later to return to Ottawa and report on their activities. Fresh from his success at defusing much of the tensions at Red River, the HBC appointed him president of its Council of the Northern Department. He then returned with Colonel Garnet Joseph Wolseley’s Red River expedition and, at the colonel’s request, briefly served as the acting governor of Assiniboia.

Thereafter, Smith continued to build his political career. After assuming the leadership of Manitoba’s new government, Governor Adams Archibald appointed Smith to his executive council. By the end of the year, Smith won a seat in the Legislative Assembly and, the following year, he successfully ran as the candidate for the federal riding of Selkirk. During the 1878 general election, he defeated former lieutenant governor of Manitoba Alexander Morris by 10 votes, but he lost a subsequent by-election spawned by corruption allegations. He re-entered the House of Commons as an independent Conservative for Montreal West in 1887, and was re-elected in 1891. In 1896, he was appointed high commissioner in London. Smith’s many accomplishments brought him a series of honours, including a knighthood and a peerage in 1897 (the latter creating the title Lord Strathcona).

Throughout his time in and out of politics, Smith continued to prosper from his connections with Hudson’s Bay Company and other businesses. He was, for example, among the incorporators of the Manitoba Western Railway (which was to run from Lake Manitoba to North Dakota). Smith’s financial support for the Canadian Pacific Railway was also essential to its progress, and he was eventually honoured with driving the CPR’s “last spike” into the ground. He was also involved in a wide variety of corporations and was among the most generous philanthropists of the early twentieth century. He died in England in 1914.

Alexander Mackenzie in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.



Alexander Mackenzie was born on the 28 January 1822 in Scotland as the third of ten sons to a family that was not well off and which consequently moved frequently. At the age of 13, with his father's health failing, Mackenzie began working fulltime as an apprentice stonemason and subsequently emigrated to Canada with the rest of his family in 1842 with only 16 shillings to his name. Mackenzie served as a contractor and foreman on major canal and building sites in southern Ontario and settled in Port Sarnia in Upper Canada in 1846 with his family. Mackenzie was also a Protestant who advocated for the separation of the Church and State in order to encourage personal freedoms, and he showed little interest in activities unrelated to self-improvement. He was also thrifty and, even after he became Prime Minister of Canada, complained about spending \$128 on a political banquet in 1876.

Mackenzie, started his political career in 1851 as a campaigner for George Brown's Reformer Party. During the 1861 election, Mackenzie won the seat for Lambton in the province's Legislative Assembly and quickly rose to become one of Brown's lieutenants supporting representation by population, government retrenchment and fiscal responsibility, and the supremacy of the Parliament over financial interests. He was a strong speaker and a good parliamentary tactician, but often lacked the flair to inspire those around him.

Mackenzie supported Confederation because it guaranteed key Reform goals like representation by population, but he disliked the “Great Coalition” because it required Reformers to ignore differences with their Conservative rivals. Mackenzie shared the pervasive thirst in Ontario to “settle” the Northwest, but frequently opposed the Conservative’s policies. In the case of Manitoba, Mackenzie shared the prevalent outrage against Thomas Scott’s execution and, even though he would later grant amnesty to Riel in 1875 after becoming prime minister, he joined Ontario Liberals in opposing any concessions to the Red River resisters during the early 1870s. When Macdonald’s government announced the establishment of Manitoba, Mackenzie opposed its over-representation in Parliament (according to the principle of representation by population).

As one of his party’s most outspoken voices, it was not surprising that Mackenzie eventually became Liberal leader in March 1873. Within a month of Mackenzie’s election, the Pacific Scandal severely weakened the Conservatives. The following January, the Liberals won the subsequent election and Alexander Mackenzie, with his reputation for honesty, became Prime Minister of Canada. His cabinet, however, struggled to coalesce, and disunity plagued the government. His government, nevertheless, achieved several important reforms, including the establishment of Canada’s Supreme Court.

In 1878, Mackenzie called for an election which his government subsequently lost to the Conservative Party. Although he returned to his seat in Lambton, he soon resigned as party leader. During the next decade, he became increasingly isolated and, with his voice failing, rarely spoke in Parliament after 1882. He died on 17 April 1892, after several months of being bedridden following a fall near his home.



Image held by Library and Archives Canada.

Louis Riel in Brief

This summary borrows from the Dictionary of Canadian Biography entry listed in the “Additional Resources” section of this mini-unit.

Louis Riel was born 22 October 1844 in the Red River Settlement, Manitoba. A controversial Canadian historical figure, he is a hero to some and a traitor to others. Riel was educated in Catholic Schools and, in 1858, was selected to be trained as a Métis candidate for the priesthood. Riel undertook this education successfully in Montreal until the death of his father in 1865 shook his confidence and led him to withdraw from the college the following March. To support his impoverished family, Riel instead became a law clerk for a Montreal firm and subsequently worked odd jobs in the United States.

Shortly after his return to the Red River Settlement in 1868, the settlement had acquired a small but growing and vocal Anglo-Protestant population from Ontario who had little respect for the much larger English and French Métis populations. The arrival of a Canadian land-surveying expedition the following year inflamed these tensions, and led Red River’s Métis to band together against the incursion. On 2 November 1869, Riel and his followers seized Upper Fort Garry without a struggle and, with their control of the surrounding region established, Riel invited all of Red River’s inhabitants, including the Anglo-Protestants, to discuss the region’s future in November 1869. This convention drafted a “List of Rights” that, after some modification, was later used by Red River representatives to negotiate Manitoba’s entry into Confederation as a province.

Before negotiations could begin, William McDougall asked the local Ontarians who opposed the Resistance to arm themselves and take back Upper Fort Garry. Riel, insisting that he and his forces were loyal to the Queen, easily dispersed these men before they could properly organize, taking several of their members captive. Shortly thereafter, the Resistance formed the Provisional Government of Assiniboia to administer the territory and open negotiations with Ottawa. The leaders of the Canadian movement, however, subsequently escaped from Upper Fort Garry and resumed fomenting against the Resistance despite the Provisional Government’s release of all Canadian prisoners by February. When the Resistance captured several of these men a second time, Riel and his followers tried and executed Thomas Scott—a belligerent young Orangeman who consistently infuriated his Métis guards—on 4 March 1870. Riel later explained that he refused clemency to ensure that Ottawa would seriously consider the Resistance’s demands, but the alleged “murder” infuriated Ontario Protestants and led Ottawa to send a military expedition to Red River. This force took control of the region, ending the resistance and forcing Riel to flee to the United States.

In 1884, Métis from Saskatchewan visited Riel and his family in Montana, convincing him to move to the Northwest and lead a new protest against Ottawa. In recent years, the Métis of that region had lost the buffalo, First Nations were frustrated by unextinguished land claims, and settlers had endured the collapse of land prices near Prince Albert when the Canadian Pacific Railway relocated. Riel once again formed a provisional government in Batoche but, this time, Ottawa sent the militia to Batoche on a newly completed section of the CPR, and the movement lacked the strength to ultimately defeat this assault. On 15 May 1885, the rebellion forces surrendered Batoche. Riel was subsequently tried, charged with treason and executed on 16 November 1885 in Regina.

Louis Riel, and the “List of Rights” that he largely inspired, created the impetus for Manitoba entering Confederation as a province instead of as a territory. These rights included state bilingualism, free homesteads and treaties for Indigenous Peoples.

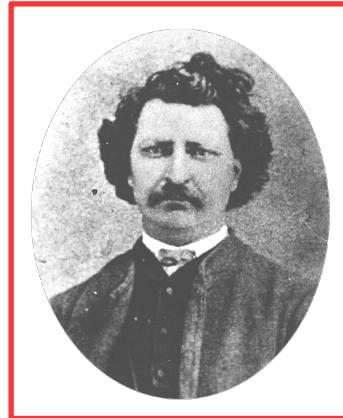


Image held by Library and Archives Canada.

Ballots



BALLOT

Be it resolved that Manitoba should join Confederation according to the proposed terms of union.

Yes No

BALLOT

Be it resolved that Manitoba should join Confederation according to the proposed terms of union.

Yes No

BALLOT

Be it resolved that Manitoba should join Confederation according to the proposed terms of union.

Yes No

BALLOT

Be it resolved that Manitoba should join Confederation according to the proposed terms of union.

Yes No

Teacher's Rubric for Evaluation of Confederation Debates

	4	3	2	1	Points
Factual Information	Significant contribution to the debate. Student was able to provide historical information relating to their character.	Reasonable contribution to the debate. Student missed a few crucial elements of historical information about their character.	Minimal contribution to the debate. Student missed a significant number of crucial elements during the debate.	Unsatisfactory contribution to the debate. Student did not provide enough crucial pieces of historical information about their character.	
Comprehension	Student fully understands the historical content and significance of the debate. Speech is well prepared and all questions are answered during the debate.	Student somewhat understands the historical content and significance of the debate. Speech is prepared and major concepts are understood.	Student vaguely understands the historical content and significance of the debate. Speech is somewhat prepared but major concepts are missed or misunderstood.	Student does not understand the historical content and significance of the debate. Speech is not well prepared and student has not contributed significantly to the debate.	
Delivery	Student clearly articulates during the jigsaw and debate. All questions are answered and delivered articulately.	Student reasonably articulates during the jigsaw and debate and questions are reasonably answered.	Student sometimes articulates during the jigsaw and debate but there are a few misunderstandings.	Student does not articulate during the jigsaw and debate and does not deliver the speech well and there are many misunderstandings.	
Rebuttal	Student can effectively rebut during the debate.	Student can adequately rebut during the debate.	Student has limited rebuttal during the debate.	Student is not able to rebut during the debate.	
Historical Thinking	Student shows significant understanding of historical thinking concepts and uses them throughout the debate (e.g., speaking as their historical figure would as opposed to giving their own views).	Student shows a general understanding of historical thinking concepts and uses some throughout the debate (e.g., can somewhat speak as their historical figure would).	Student shows some understanding of historical thinking concepts and uses a few throughout the debate (perhaps with some misunderstanding or citing their own views).	Student shows little understanding of historical thinking concepts (e.g., not speaking as their historical figure would or giving irrelevant arguments).	
Total					



Post-Debate Self-Evaluation

Name: _____

Your self-grade: _____

Describe your contribution to the group:

What would you do to improve your group work next time?

What would you do to improve your debating skills next time?

How could your team improve next time?

Teacher comments:

Teacher grade:

Additional Resources

GENERAL RESOURCES

“The Confederation Debates.” <http://hcmc.uvic.ca/confederation/>.

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Primary Source: Adams Archibald's Views on Confederation

When the House of Commons debated creating Manitoba, Adams Archibald said the following points:

SUMMARY STATEMENT

"The circumstances in which these events place us impose on us a stern duty. We must vindicate the supremacy of the national flag. But the readiest mode of doing so is, at the same time, to show these people that their fears are unfounded, that their rights shall be guaranteed, their property held sacred, and that they shall be secured in all the privileges and advantages which belong to them, as Britons and as freemen. This is why I rejoice that the Government have proposed a most liberal Bill, which gives the people every guarantee they have a right to ask. With this Bill in one hand, and the flag of our country in the other, we can enter, not as conquerors, but as pacifiers,¹ and we shall satisfy the people there that we have no selfish object of our own to accomplish, that we go there for their good as well as for our good."

House of Commons, 7 May 1870, pg. 1431.

IMPORTANCE OF MANITOBA AND GENEROUS TERMS OF UNION TO CANADIAN EXPANSIONISM

"My hon. friend from Lambton speaks of the value of the great domain on which we are about to enter in the most glowing terms.² He dwells on its importance as the site of the only railway which can find its way to the Pacific, over a fertile country. I entirely agree with him in his judgement. I feel that the value of this great Territory cannot be overestimated, and it is because I feel thus—and because the Province we are now organizing is the key of the whole—that I entertain³ so strong a desire that we should get possession of this, which assures us of the whole. I consider it sound policy to deal in a liberal spirit with the troubles we have, so as to efface them at once and forever. If this Bill proposed to deal with the whole North-West Territory, we should feel much more difficulty in approaching the subject. If we were called upon to give form and shape to the political institutions which were to regulate a whole continent, we would do well to hesitate. To my mind the smallness of the limits of the Province is no objection. If it be one, it is one capable of an easy remedy. All we require to know is that a larger Territory ought to be included, and at any time the limits can be extended. You may enlarge, but you will find it difficult to contract. But after all, is it so very small? It contains 14,000 square miles. That is not a very large tract, perhaps, in the minds of the people of the great Province of Ontario, but with us by the seaboard, a Province five or six times as large as Prince Edward Island, is no contemptible Territory... in Manitoba there is hardly an acre that is not cultivable. It is capable of sustaining a population of millions from the soil alone, and such a Province cannot be called mean or



Image held by Library and Archives Canada.

¹ Pacifiers = peacemakers

² Glowing terms = praise

³ Entertain = feel

contemptible. It is true the present population *does not exceed fifteen to seventeen thousand*, but they will not remain long at that figure. One of the first results which will follow the organization of the country, will be a large influx of Immigration. Quebec will contribute its share, Ontario will do the same, many will come from beyond the water, and in two years we shall find there a population of double the number; and in five years it will amount to a very considerable population. Let them come from where they may; let them be of any origin, or race or creed; let them go in and possess the country, working it under the organization we are now framing, or under any other organization which they may think fit to adopt, all that we have to do is to see them fairly started in the race.”

House of Commons, 7 May 1870, pgs. 1429–1430.

LOCAL AUTONOMY AND MINORITY RIGHTS

“These men are here by the invitation of the Canadian Government. They were appointed at a meeting of representatives from the various districts, convened at Fort Garry for that purpose. They are here, therefore, as the representatives of the people of that district, or, at all events, the representatives of that portion of the people who have taken part in these troubles. They may have sympathized with the actors in the *emeute*...⁴ If they can be of any use, it will be because they have the confidence and may be supposed to understand the views of the people behind them. These people are in armed insurrection.⁵ We wish to know what the difficulties are, we invite them to send delegates, and they send them on our invitation. The question is not whether the conduct of these people has been right or wrong. We want to know what it is they complain of, and they send these men to tell us. They are, therefore, so far representatives, and any insults hurled against them are insults to the people who sent them here. I ask my honourable friend for Lambton [Mackenzie], if he thinks any good is to come of his undertaking to proclaim on the floor of this House that one of these men is a drunkard and a loafer—and that another, in reckless disregard of his sacred character, has been complicated with rebellion, and violence and outrages of the worst kind. A man holding the high position of the hon. member for Lambton in this House and in this country has a large amount of responsibility thrown upon him. His words should be weighed and measured. I fear such language is not calculated to promote the settlement of these unhappy troubles.”

House of Commons, 7 May 1870, pgs. 1428–1429.

INDIGENOUS LOYALTY TO THE CROWN

“It has hitherto been the pride of Canada, that in her dealings with the Indian⁶ tribes, she has evinced a spirit of generosity. That in making treaties she has dealt liberally, and what she has promised solemnly,⁷ she has kept faithfully. And at this moment she is reaping the reward of her good faith. If there is any one thing more than another that will assist us in putting an end to these Western troubles, it is the fact that the Indian tribes in every quarter are grateful to their great mother the Queen, for the way in which they have been dealt with, and are loyal to a man. There is also one other thing that very much helps us. In the country at this moment there are no more loyal subjects of the Crown than our fellow citizens of French descent. There are no men more truly British in their feelings, in their attachment to the Sovereign, in their love of British connection than are the French Canadians. And in this respect the half-breeds of French origin⁸ in the territory reflect the loyalty which they inherit from both races. They have no sympathy with

⁴ *Emeute* = riot

⁵ Insurrection = rebellion

⁶ Indians = an archaic term for First Nations Peoples

⁷ Solemnly = in a formal or dignified manner

⁸ Half-breeds of French origin = Métis

republican institutions,⁹ and if at this moment we have but little to fear from Filibusters¹⁰ and Fenians in the West, it is due to the fact that the men who are frightened, unnecessarily frightened, into an aggressive attitude, have no sympathy with the people and no regard for the institutions of their Southern neighbours."

House of Commons, 7 May 1870, pg. 1432.

DESIRE TO WORK WITH MÉTIS

"A flood of light has poured in upon us, and yet it is impossible to deny that in many points we are still in the dark. This little community which has grown up in the very heart of the continent is unique. Separated by boundless prairies from intercourse with the people of the South, barred out from Canada by 800 miles of swamp and wilderness, and mountain and lake, separated from the people on the Pacific shores, by the almost impassable chain of the Rocky Mountains, they have had little intercourse¹¹ with the outer world. And yet they have among them men, who have had the advantages of the best education which Europe can afford—men who in intellectual culture, in manners and in every social qualification are not surpassed in any country. And yet, these men are brought into immediate contact with the most primitive people in the world, with men in the primary stages of society, in the lowest and rudest conditions of civilization. Is it any wonder that a community so secluded from all the rest of the world, uninformed of all that is transpiring around them, should be subject to great, to unreasonable alarms, when suddenly the barrier is burst, which separates them from the rest of the world, and they see their country about to be entered by strangers? Is it any wonder that their fears should be raised; should be traded upon by Demagogues Ambitious of power and place? I do not think it is. I deplore¹² as much as any man in this House, I can blame with as much severity as any man in this House, the fatal results which have followed, but I can not say I am astonished that under the circumstances in which these men were placed, and with the fears they entertained, just such things should occur as have occurred, and that they should have culminated in the sad event which we all alike deplore and condemn."

House of Commons, 7 May 1870, pg. 1430.

⁹ Republican institutions = in this case, a government that is not loyal to the British Crown

¹⁰ Filibusters = a group engaging in unorganized warfare

¹¹ Intercourse = interaction

¹² Deplore = disapprove of



Primary Source: George-Étienne Cartier's Views on Confederation

When the House of Commons debated creating Manitoba, George-Étienne Cartier said the following points:

SUMMARY STATEMENT

“...the expedition was one of peace, and was necessary for the acquisition of the Territory. The Canadian Government was in this matter acting in accordance with the Imperial authorities. The measure which had just passed the House, was one of pacification,¹ and was necessarily preceded by an expedition to re-establish the authority of the Queen and restore order and security to life and property in the country. It was necessary to send troops to protect a large portion of the people there who were at the mercy of an armed minority. The spirit which had been shown by England towards Ireland showed that she desired to do justice to all her Possessions,² and as well to Red River as to others. It was necessary that her authority should be established there, and it was for that purpose the expedition was to be sent, and not for the purpose of carrying on war. It was the desire of the Convention that troops should be sent and every one must be aware that in consequence of the troubles which had existed, unless authority was re-established and troops sent to maintain it, there was a danger of various sections of the people engaging in civil war, whereas if the law Courts were to be able to exercise their powers, they must be supported by the force necessary. Irregularity has taken place on both sides, and it was probable that the Imperial Government, as was its custom, would grant an amnesty to offenders. With regard to Mr. [Guillaume] Gaucher’s question, the composition of the force shewed [sic] that it was not sent with a feeling of hatred, different creeds and races being mixed together.”

House of Commons, 10 May 1870, pgs.1506–1507.

“There was the case of Ireland, conquered hundreds of years ago, and the misgovernment there was only now about to be relieved by Protestant votes. We wanted no such state of things here—no country baptized in blood. The House and country ought to be thankful that the North-West Territory would be annexed without a drop of blood being shed (hear, hear). The moderation of the half-breeds³ had been remarkable; and now they understood the policy of the Government was to be pacific.⁴”

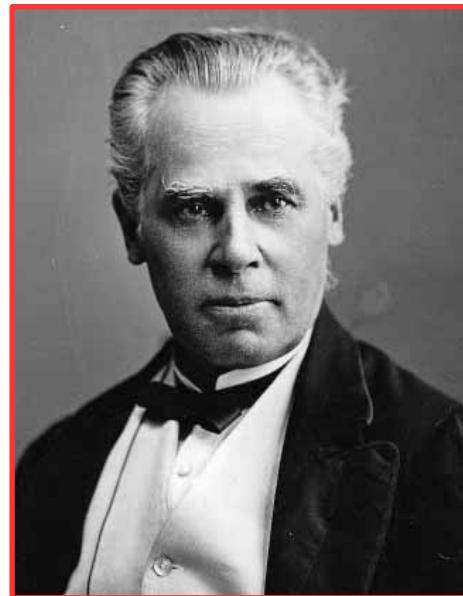


Image held by Library and Archives Canada.

¹ Pacification = create peace

² Possessions = territories

³ Half-breeds = an archaic term for Métis

⁴ Pacific = peaceful

House of Commons, 21 February 1870, pg. 118.

FRENCH CANADIANS AND THEIR FUTURE IN MANITOBA

"It had been published in some papers that there was a conspiracy against his hon. Friend [McDougall], because a French Gouvernor⁵ ought to be sent there, and that the Territory ought to be a second Quebec. He thought that these statements were the most wicked untruths that had ever been published. He had promised his friend his support, and he should not have been guilty of doing anything to give the least appearance of truth to such a wicked and mischievous untruth. The French Canadians were an impulsive race, and he thought it very wrong for a writer or a speaker to attempt to raise a disturbance in the East as well as in the West. They were French Canadians, but they were also British subjects (cheers), and were as much British, even if not more so, than the British (cheers). He was a pure Frenchman, and he defied them to produce a more loyal man. Suppose that he was appointed to the Governorship, would his being a French Canadian make him unfit for that position? (No! no.) Sir G.-E. Cartier then contrasted the liberality⁶ of the Provinces of Ontario and Quebec, and gave a stirring description of the loyalty of the old French inhabitants of the Province of Quebec. As to the inhabitants of the Red River, the French had gone there with their fathers, but some stupid fanatical papers had said there should be no Frenchmen there. At any rate there was no intention to send a French Government there; but still their paper had no right to speak of the French population as they had done. The Red River must be a Province like Quebec, Ontario, Nova Scotia, or New Brunswick, but a Province for every race to settle in. He thanked God there were in Lower Canada 250,000 honest English-speaking residents; and he and his co-nationalists⁷ only regretted that there were not double the number. At the last census there were 80,000 French Canadians in Upper Canada. He hoped at the next census there would be 100,000 more (laughter), and he was convinced that the Upper Province would not be the worse for this increase. The address stated that the policy of conciliation would be adopted."

House of Commons, 21 February 1870, pg. 118.

ON MANITOBA BECOMING A PROVINCE, RATHER THAN A TERRITORY

"He [Cartier] did not intend to refer to what had taken place in the Territory... they ought to drown those difficulties by liberal measures. He thought the people in the Territory were educated, and the conference at Red River would contrast favourably with theirs at Quebec. (Ironical hears.⁸) The original inhabitants of Upper Canada were only 10,000 when the Province was formed; and the settlers now at Red River Territory would contrast favourably with them. The scheme of the Hon. Mr. McDougall would cause discontent, and keep alive alarm and contention,⁹ thus preventing the settlement of the country. The Government Bill, if carried, would go abroad as the settlement of the Red River difficulty; whereas the... Municipal Government proposed by the amendment would not achieve any such end. It would put off the formation of a Province for three years [and] launch them into a territorial Government... If the hon. member for Lanark [McDougall] had succeeded in entering the Province, and establishing a Government as he proposed the cost would have greatly exceeded this sum."

House of Commons, 9 May 1870, pg. 1457.

⁵ Gouvernor = Governor

⁶ Liberality = generosity

⁷ Co-nationalists = French Canadians

⁸ Ironical hears = mocking sounds from the opposition MPs

⁹ Contention = heated disagreement

SMALLNESS OF MANITOBA

“...He himself would not enter on the merits of the Bill, but make a few prefatory observations in answer to those of the member for Lambton. He had found fault with the Constitution of the Territory, and there being two Houses for so small a portion of the Territory. He referred to Prince Edward Island, with its population of only 85,000, and an area of only 1,300,000 acres, which, from the first, had a political organization and all the machinery of a Government, and to New Brunswick, which, at the time of its separation from Nova Scotia, had a population not larger than that of Nova Scotia. Manitoba was the key to the whole territory, and when they had defined its limits they had done a good work. This Bill had, as it were, disclosed the policy of the Government, for it was evident there was room between Ontario and the Rocky Mountains for several Provinces, and Manitoba was made the model or starting point for the Provinces to be erected to the Pacific Ocean.”

House of Commons, 2 May 1870, pg. 1309.

MÉTIS LANDS, FIRST NATIONS LANDS AND THE RAILWAY

“...it was the intention of the Government to deal most liberally with all occupants of lands in the Territory. It mattered not what their descent might be. There would not be a penny exacted¹⁰ from anyone holding a title from the Hudson's Bay Company. The descendants of white people had no pretensions to the lands of the Territory, and consequently no provision was made for them in the Bill. In further reply to the hon. members, he (Sir G.-E. Cartier) said that the Indian¹¹ Reserve was to do for all the tribes in the North-West. With regard to the provision for pure Indians there were only 1,700 in the Province, and their claims would be provided for.”

House of Commons, 9 May 1870, pg. 1447.

“Hon. Sir George-E. Cartier then contended that any inhabitant of the Red River country having Indian blood in his veins was considered to be an Indian. They were dealing now with a territory in which Indian claims had been extinguished, and had now to deal with their descendant—the half-breeds. That was the reason the new Province had been made so small.”

House of Commons, 9 May 1870, pg. 1450.

“The Government intended to be liberal, and the claims of the half-breeds would be seen by those interested, to have been considered. The Government agreed that the lots should be 200 acres. He might say that the intention of the Government was to pursue a land policy which would not be surpassed in liberality by any Province in the Dominion, or any State in the neighbouring Union, or by the Federal Government itself (hear, hear.) If the children of half-breeds should fail to avail¹² themselves of the liberal offers made them to settle on the reserves, the land would be forfeited to the Crown.”

House of Commons, 9 May 1870, pg. 1458.

“With regard to land grants, there had been a discussion before recess, and it was unnecessary to repeat the arguments then advanced. The Government intended to be liberal, and the claims of the half-breeds would be seen by those interested, to have been considered. The Government agreed that the lots should be 200 acres. He might say that the intention of the Government was to pursue a land policy which would not be surpassed in liberality by any Province in the Dominion, or any State in the neighbouring Union, or by the Federal Government itself. (hear, hear.) If the

¹⁰ Exacted = taken

¹¹ Indians = an archaic term for First Nations Peoples

¹² Avail = take advantage of

children of half-breeds should fail to avail themselves of the liberal offers made them to settle on the reserves, the land would be forfeited to the Crown."

House of Commons, 9 May 1870, pg. 1458.

"The land question was the most difficult one to decide of any connected with the measure; it was one of the most important connected with the welfare of the Territory; it would soon be necessary to construct a railway through Red River and consequently the Dominion Parliament would require to control the wild lands. If the lands were left in the hands of the Local Parliament¹³ there might be great difficulty in constructing the British Pacific Railroad, although the Dominion Government held the control of the lands it was only just to give something in return for them. Thus arose the reserves. Was it not just and liberal to provide for the settlement of those who had done so much for the advancement of the Red River country—the Indian half-breeds? The intention of the Government was to adopt a most liberal policy with respect to the settlement of the Territory."

House of Commons, 9 May 1870, pg. 1446.

"The land, except 1,200,000 acres, was under the control of the Government, and these were held for the purpose of extinguishing the claims of the half-breeds, which it was desirous not to leave unsettled, as they had been the first settlers, and made the Territory. These lands were not to be dealt with as the Indian reserves, but were to be given to the heads of families to settle their children. The policy, after settling these claims, was to give away the land so as to fill up the country. As it did so emigration¹⁴ would go westward, fill up other portions of the Territory, and so the grand scheme of Confederation would be carried out."

House of Commons, 2 May 1870, pg. 1309.

"He would conclude by reiterating that their measure was more liberal, just, and economical than the measure proposed by his hon. Friend [Mackenzie]."

House of Commons, 9 May 1870, pg. 1458.

¹³ Hands of the Local Parliament = provincial government jurisdiction

¹⁴ Emigration = the act of leaving one's own country to settle permanently in another



Primary Source: William McDougall's Views on Confederation

When the House of Commons debated creating Manitoba, William McDougall said the following points:

SUMMARY STATEMENTS

"Any hon. member¹... who could stand up to palliate² and defend the acts of those who were in armed rebellion to the Dominion could hardly be called a loyal man. What was wrong with the Cabinet? Did they wish to encourage rebellion? Here, to-night, the members of the Government had attempted a defence of the rebellion. He denied that they expounded the views of the country at large. If there could be any excuse for that rebellion, he could not blame hon. gentlemen for speaking as they had done; but he denied that anything had ever been done in the North-West to provoke that rebellion. There was nothing to justify it, and nothing in its whole course to palliate its enormity, or deserve the defence of the hon. member for Hants.³ It was unfair to blame him (Hon. Mr. McDougall) for the fatal results of his journey into Red River, and the blunders which brought about the rebellion. The blame, if it lay with any one, lay with the Government, which had sent him up and failed to keep faith with him."

House of Commons, 9 May 1870, pg. 1481.

"If they [the government] honestly desired to carry out Confederation and to establish as soon as practicable their authority in the North-West, he would defend them and help them to carry out their policy; but, on the other hand, if it appeared to him and to the judgment of his friends in this House that their policy was not calculated to accomplish this object, but likely to encourage those in resistance to authority, then he would oppose them, and, if necessary, vote to turn them out of office."

House of Commons, 22 February, 1870 pgs. 140–141.

"The only objection to that was the question of the Indians,⁴ but he apprehended no difficulty from that source if proper endeavours were made to let the Indians know the changes, so as to prevent false impressions from getting abroad. With regard to the size of the Province only 900,000 acres would be open for the settlement of new settlers. He denied the right of the half-breeds⁵ to any reserve and if the Province was made too large they could diminish it."



Image held by Library and Archives Canada.

¹ Hon. member = member of Parliament

² Palliate = make less severe or unpleasant without removing the cause

³ Member for Hants = Joseph Howe, the Secretary of State

⁴ Indians = First Nations

⁵ Half-breeds = an archaic term for Métis

House of Commons, 7 May 1870, pg. 1436.

PROVINCIAL VS. TERRITORIAL STATUS

“He objected to the Bill as premature, and thought it should only be proposed at the end of four or five years, when they had seen whether the Government which they were creating might find itself embroiled in any new difficulty in consequence of the already existing difficulties of the different populations and recollections of former disputes... They [the federal government] should provide such a Government as was suited to the wants and number of the population, and when it was found that they had grown out of their district and municipal system, and were ready to bear the expenses of a Provincial system, let the House give it to them.”

House of Commons, 7 May 1870, pg. 1437.

MÉTIS LAND CLAIMS

“The other difference between his plan and that of the Government was in regard to land. They must offer greater inducements⁶ to emigrants⁷ than they would find in Minnesota, if they wished to get them to come to their Territory. He proposed to give them 200 acres of land, a residence of 3 years, and a fee of \$5, instead of, as in the United States, 160 acres, 5 years, and \$10. There were difficulties of various kinds in Minnesota, and several Canadian emigrants who had settled in that State had waited upon him at Pembina, expressing their wish to go into the Red River Territory if a liberal⁸ land policy were adopted. That was the case with many of the western States. The superiority of the land was acknowledged. He had adopted, with modifications, the American Homestead law,⁹ to which there was nothing similar in the Government Bill.”

House of Commons, 9 May 1870, pg. 1454.

“Hon. Mr. McDougall said there was really no Indian claim such as was alluded to in the Bill. As soon as the Indian mingles with the white he ceases to be an Indian, and the half-breeds were just as intelligent and well able to look after their own affairs as any white man. He referred to the half-breeds who accompanied the delegates to Canada, as an instance of what he asserted. Mr. Monkman belonged to the tribe known among the Americans as Swampies,¹⁰ his mother being a full-blooded native, and he would prove the intelligence of those men. The Indians of the Province claimed the lands given by Lord Selkirk.¹¹ The first negotiation that he had at Pembina was with Indians, who, with their usual sagacity, said that the insurrection arose with those who had come into the country, and not with the Indians. They asked him what the Government intended to do with their lands, and he had communicated with the Secretary of the Provinces. The clause made no provision for them, and they could not go on the land and survey it with a view of settlement, without raising a war. The claim of the half-breeds was not founded on justice or law, and would lead to great inconvenience. The provisions of the Bill, that he had prepared, had a clause that every man going in and settling should have the right of ownership of land, and that would meet the claims of the half-breeds. If there were any young half-breeds wanting land, they could obtain it by a free grant. But agriculture was not the natural pursuit of those men. They were hunters

⁶ Inducements = incentives

⁷ Emigrants = individuals who leave their own country to settle permanently in another

⁸ Liberal = generous

⁹ American Homestead law = surveyors mapped out family farms in square lots that generally ignored Indigenous ownership.

¹⁰ Swampies = Maškēkowak, the Cree of certain portions of northern Manitoba and Northeastern Saskatchewan

¹¹ Lord Selkirk = Thomas Douglas, 5th Earl of Selkirk helped to found the Selkirk settlement in southern Manitoba

and trappers, and the only effect of those reserves would be to retard¹² the settlement of the country, but not to settle the half-breeds. If free grants were given and a homestead provision made, the Government would have done their duty and acted as justly and liberally as could be expected of them. What was it that kept Canada back, what but those reservations of land for one thing or another. Their very best lands had been shut off from settlement in that way, and the country had been placed at a disadvantage compared with the neighboring Republic. Emigrants had passed through Canada to settle in the United States, where they could appropriate the best unsettled lands they could find. Canada's very best lands had been reserved under the old English idea which hon. gentlemen opposite had in their heads, and which had been the curse of the country through that reservation. If they would agree on some conclusion respecting a Homestead Law and strike out those appropriations, they would follow the most just and liberal course."

House of Commons, 9 May 1870, pgs. 1447–1448.

MCDougall's Anti-French Anti-Catholic Views

During the parliamentary debate, McDougall read the following excerpt from a letter that he sent to Prime Minister John A. Macdonald from the Northwest:

"My dear Sir John,—As I intend to leave for Toronto to-morrow, and shall visit, and probably speak to my constituents before my return, I desire to recapitulate,¹³ for greater certainty in future discussions, some of the views and opinions in regard to the present crisis in the North-West, which I have expressed to you and other members of the Cabinet since my arrival in Ottawa. I also desire to mention some of the points in your policy, in respect to which I shall feel it my duty to raise an issue in Parliament and in the country. In the first place, I have tried to impress¹⁴ upon you, what I firmly believe is the fact, that the resistance of the priests and the French half-breeds to your representative was not in any sense a personal matter, as has been represented in Canada, but was the result of a deep-laid, well planned, and so far, well executed conspiracy to prevent the union of Rupert's Land with Canada; that the movement is directed, aided, and will, in the spring, be openly joined by American politicians, filibusters¹⁵ and sympathizers, both within and without the Territory, with a view to its annexation to the United States—that the rebels now in arms aver¹⁶ and believed that they have sympathizing friends in Canada in high places, even in the Cabinet, who will delay, if they do not entirely prevent, all coercive measures until they can establish their Provisional Government on a firm basis, and support it with a force that will render any attempt by Canada to displace it impossible: that all attempts to persuade or talk over the leaders of the conspiracy by the missionaries you have sent them, and by the offers of such terms of concessions as you can constitutionally make, will certainly fail; and that if they seem to listen or yield, which, so far, they are not inclined to do, for they have imprisoned your missionaries, you will soon discover that their only object is to gain time—that in a word the movement of Riel & Co.,¹⁷ is a political revolution, and not the mere outbreak of ignorant half-breeds exasperated by stories mostly untrue; of individual wrong-doing, which they fear may be repeated, and have taken up arms to prevent that—while they are tools of cunning men, and these stories have helped to sharpen them for their work."

House of Commons, 9 May 1870, pgs. 1483–1484.

¹² Retard = delay

¹³ Recapitulate = summarize

¹⁴ Impress = to make someone understand

¹⁵ Filibusters = a group engaging in unorganized warfare

¹⁶ Aver = claim

¹⁷ Riel & Co. = the Red River resisters

FIGHTING VS. NEGOTIATING WITH RED RIVER RESISTANCE

During the parliamentary debate, McDougall read the following additional excerpt from a letter that he sent to Prime Minister John A. Macdonald from the Northwest:

"The leaders and secret abettors of the conspiracy know what they are about, and will yield to one argument, and one only—'force.' Viewing the case in this light, and with the best opportunity which any Canadian official has had to see and judge, I have urged immediate preparation for the transportation of a sufficient force in the spring to crush the outbreak at a blow... I have told you, and I repeat the statement here, that my Commission, or Charter, prescriptive though it be, is at your service, and that my opinion is that it should be held by a military man until law and order are restored in the Territory... I have renounced¹⁸ your refusal to accept the transfer of the Territory on the 1st of December, as agreed upon by the three Governments, as an act of unpardonable folly, not to say a crime which placed me in the position of an impostor, and but for the providential interference in the eye of the law, a filibuster and a felony;¹⁹ that by your continued refusal to accept the transfer, you are abetting the rebels, giving them the very encouragement and position they seek, to wit:²⁰ that of a Government *ex necessitate*²¹ and exposing your agents to be bold, as they have been bold, without the power of reply,—that they have no business there as the representatives of Canada, until Canada acquires a right to the country; that your pretence²² of an agreement, expressed or implied, that the temporal Government was to hand over the Territory to Canada with all its inhabitants, half-breeds and Indians, in a friendly mood and without arms in their hands was unwarranted in law and unjust to both the Hudson's Bay Company and the Imperial Government; and finally, that your hesitating half-hearted policy for the future, predicated upon the representations of the rebels and their abettors with whom Mr. Howe established friendly relations when in the Territory and from whom you have derived our chief council in this whole matter, is the sure and speedy mode of establishing an independent Government in the North-West hostile to Canada and friendly to the United States, and before the summer is over, able to maintain its position by force."

House of Commons, 9 May 1870, pgs. 1483–1484.

"The measure was before the House and it was for them to see that in framing a Government for the new Province, and in view of what had taken place, they should so far respect public opinion in Canada, the British feeling of the Dominion, that should render it beyond peradventure that any one that had been guilty of murder and robbery should be elected a member of the Legislature. He thought if some such provision was not made that they should have such men as Riel, Lepine and the traitors who sat in conclave²³ on poor Scott elected to the Legislature. It would be extremely unwise, and under the peculiar circumstances, it was not more than just and right in view of the highest interests of the Dominion to put it beyond the power of the people to elect such men to the administration of the affairs of the Province. The hon. gentleman [Cartier] had referred to the Quebec Conference, and said no such provision had been made in it as that, but the agreement was that the law should exist as it was till²⁴ Parliament should see fit to alter it. He admitted the House was competent²⁵ to deal with such matters; but he thought it would be a disgrace to allow such men as Riel to be elected to the Legislature in the new Province."

House of Commons, 10 May 1870, pg. 1500.

¹⁸ Renounced = ignored

¹⁹ Felony = crime

²⁰ To wit = that is to say

²¹ *Ex necessitate* = from necessity

²² Pretence = hint at

²³ Conclave = a private meeting

²⁴ Till = until

²⁵ Competent = capable of

SEPARATE SCHOOLS

"He should also propose to strike out the 20th clause relating to separate schools. They had better see what provisions the Local Parliament might make with regard to this question, after which the Governor General exercised the vote power. He opposed the clause as inapplicable to the country and as suggestive of a state of things which it should be preferable not to suppose to exist."

House of Commons, 7 May 1870, pg. 1437.

"... the effect of the [Education] clause, if not struck out, would be to fix laws which the Local Legislature could not alter in future, and that it would be better to leave the matter to local authorities to decide, as in the other Provinces. He quite agreed with his hon. friend in giving the same powers to this Province as the others, and it was for that reason that he desired to strike out the clause."

House of Commons, 10 May 1870, pgs. 1502–1503.

"There was also another provision very important which he did not find in the Government Bill. He referred to the school reserve lands.²⁶ That principle was adopted in the western States, and the good results were very great, and it appeared that informing that new Province, they should adopt that new system. He had put a provision in this Bill with that view, putting the whole control of them under the local authority."

House of Commons, 9 May 1870, pg. 1454.

²⁶ School reserve lands = During the nineteenth century, schools often paid for their operation by renting land given to them by the government. In the case of separate (either French or Catholic) schools, politicians often wanted to withhold or limit this privilege to limit the number and size of separate schools.



Primary Source: Alexander Mackenzie's Views on Confederation

When the House of Commons debated creating Manitoba, Alexander Mackenzie said the following points:

SUMMARY STATEMENTS

"He looked upon it as an undertaking of vast political importance to the future of the country. He looked upon it as a question essential to the continuance of their existence as a British Independent power on the continent. He considered that without that Territory it would be impossible to maintain their present political relations, and a change in political relations, which that House and the country would be adverse to,¹ would be the inevitable consequence of any departure from the policy long held by Canada of acquiring that Territory for the Dominion."

House of Commons, 7 May 1870, pg. 1415.

"... he [Mackenzie] looked upon the whole proposal of the Government as one that was open to great objection, and that the whole course taken in the North-West matter was one exceedingly disastrous to the country. The House was informed at the beginning of the session that the Government had declined taking possession of the country, and had not paid the amount agreed to with the Hudson's Bay Company, in order to throw the expense of settling the disputes on the Imperial Government, and to force them to take possession for us, and to hand it over to us as a new purchase. He had always looked upon the Territory as their own, and the payment as a payment simply to obtain a quit claim deed² to us of that Territory. He looked upon the proposal of the Government as most reprehensible, and calculated to bring our Government and people into dispute with Imperial statesmen, as a refusal, under the circumstances, they had no right to make. He was now convinced, after much careful examination of the evidence of everyone who had come from that Territory, that had the proposition been carried out, with good faith, that insurrection, with all its consequent troubles, disasters and murder would have been avoided. In consequence of this conduct of the Government they had been threatened with a war of races and nations, and now as the result of all this political tergiversation³ and bad faith, the pitiable⁴ compensation of the Imperial Government being willing to pay one-quarter part of the expenses attending the restoration of Government. This showed more than anything he could name the results of the



Image held by Library and Archives Canada.

¹ Adverse to = oppose

² Quit claim deed = a legal document used to transfer land

³ Tergiversation = conflicting or evasive statements

⁴ Pitiable = pathetic

policy the Government pursued, and the want of national faith⁵ which had characterized the Government in their dealing."

House of Commons, 2 May 1870, pg. 1305.

NEGOTIATING WITH RESISTERS

"He (Mr. Mackenzie) was not willing that they [Red River resisters] should be recognized as the representatives of the people, nor in any sense considered with more favour than the loyal men who had suffered from their (the delegates') rebellion. He was willing to hear everyone from that Territory—but what was the loyalty of the Premier? He [Sir John A. Macdonald] had often lectured the Opposition in the absence of argument, on their want of loyalty, but he (Mr. Mackenzie) would not sit in that House without raising his indignant protest against the reception of those men nominated by Riel as delegates... He [Mackenzie] had shown consideration for the Government, and was not prepared to take any extreme views or perpetrate any injustice on any portion of the people, but he was not prepared to see those men received as delegates representing the people over whom they had tyrannized because of their loyalty, while the representatives of the truly loyal settlers who had remained true to their allegiance throughout, were treated as outcasts and bastards, no attention being paid to their representations (hear)."

House of Commons, 3 May 1870, pgs. 1335–1336.

"What he complained of was, that everything should be conceded⁶ to one party and nothing to the other—that delegates of rebels should be consulted, while delegates of a large portion of the people, and those the loyal party, were disregarded...⁷ He would like to see if there was a majority in this House who would refuse to give protection to the loyal inhabitants of that country in face of the public opinion of the Dominion. He would like to see if there were a dozen members in that House with such a want of manliness and honesty as to allow rebels to drive loyal men from the Territory seize their property, endanger their safety and even take life when there was no excuse for it. (Hear, hear.) Those very rebels had now assembled in a mock legislature there, and were assuming to deal with the lands of the Crown, as that House would not dare to do. He referred to an Act passed by the Legislature of Assiniboia, enacting that two miles hay privilege be converted by that Act into fee simple ownership. There was no reference to the Crown at all, why that House would not dare to pass an Act such as that one, yet that Legislature, that had established itself in the most irregular way imaginable, was to be allowed to exist, and no troops were to be sent there, according to the hon. member for Hochelaga,⁸ because the Bill passed by that Parliament satisfied the people who were carrying on that mock Legislature."

House of Commons, 3 May 1870, pg. 1515.

LAND POLICIES

"He [Macdonald] had told the House about the land policy, no further than this, that lands in occupation held under license or agreement of the Hudson's Bay Company, were to be retained by those in possession or the present local authorities, while the Dominion are to exercise control over the remainder of the Territory. A certain portion is to be set aside to settle Indian⁹ claims and another portion to settle Indian claims that the half-breeds¹⁰ have. But these half-breeds were either Indians or not (hear). They were not looked upon as Indians, some had been to Ottawa, and

⁵ Want of national faith = lack of public support for

⁶ Conceded = given up

⁷ Disregarded = ignored

⁸ Hon. member for Hochelaga = Anoine-Aimé Dorion—a French Canadian MP who had previously commented on the Red River situation.

⁹ Indian = an archaic term for First Nations Peoples

¹⁰ Half-breeds = an archaic term for Métis

given evidence, and did not consider themselves Indians. They were regularly settled upon farms, and what the object could be in making some special provision for them that was not made for other inhabitants was more than he could well understand."

House of Commons, 2 May 1870, pg. 1306.

"There was one provision in the Bill which he thought very disastrous. The Province, as now proposed, included an area of a little over 13,000 square miles, of which 500 were water, and a great portion of pastureland, which was not fit for settlement, so that by taking one-half, they had 6,500 square miles left—taking the land held by the population, or that claimed by the Hudson's Bay Company, there would be left altogether 2,500,000 acres for settlement, and of that the Bill proposed to set apart 1,400,000 acres, leaving a million for settlers who were to go into the country. He was entirely opposed to the land policy of the Bill. His impression was that they had committed a great mistake in the land policy of the old Provinces, and he did trust that, in securing that new country, they would have been able to lay out the whole land for settlement and pour in it a tide of settlers who would open up the whole country. If that policy was adopted, there would be no need of a reservation at all, (cheers)..."

House of Commons, 7 May 1870, pg. 1420.

"The effect of this [reserve] policy would be to shut up that portion of the Territory from immediate settlement, and turn emigrants¹¹ from Manitoba to lands not more inviting, but less difficult of access, on the other side of the line. He was a little pained by the assertion of the hon. Minister of Militia [Cartier] that those people had never thrown off their allegiance, and had never done anything wrong, but stood up for the protection of their rights. If the people had been in any way oppressed or if any violation of their rights had taken place, he would not only justify but assist them so far as he could, if in the Territory or where he could render them assistance. A people suffering under oppression had a right to use almost any force to preserve their rights; but in that case there had been no oppression, but merely a groundless fear that their rights might be interfered with, as the only incentives to their acts of disloyalty and violence. But the hon. Minister of Militia was entirely wrong when he asserted that they never threw off their allegiance. Did the hon. Minister ever read their declaration of independence? He would read it further—"We solemnly¹² declare, in the name of our constituents and in our own names, before God and man, that from the day the Government we always respected abandoned us to the people of a foreign land, Rupert's Land and the North-West became free and exempt from allegiance to that same Government." Yet, after that declaration, the hon. gentleman said the people never threw off their allegiance. Could the hon. gentleman, at any period of his own history, have used more violent language?"

House of Commons, 9 May 1870, pg. 1460.

"He advocated the policy that the half-breeds who were the head of a family should have the title of 200 acres of land, and that a white settler should be put on the same footing. By that means they would avoid the possibility of keeping land in reserve for an indefinite time, and would promote its settlement."

House of Commons, 9 May 1870, pg. 1449.

"Mr. Mackenzie said they had everything to do with the extinguishment of the Indian title. It was one of the conditions of obtaining possession of the Territory. The extinguishment of the half-breed title took one-sixth of the lands of the new Province and the extinguishment of the claims of the pure blooded Indians would take two-sixths of the entire area. There was half the Province gone. There were now 600,000 acres settled, and the Hudson's Bay Company, besides holding 10,000 acres in possession, claimed one-twentieth part of the land of the Province. Taking water

¹¹ Emigrants = individuals who leave their own country to settle permanently in another

¹² Solemnly = in a formal or dignified manner

and waste lands from the country there was absolutely little or nothing left for emigrants to settle upon. That would be the result of the policy of the Government. Before they proposed to extinguish the half-breed title the House ought to know what the Government intended to do with the Indian title... He advocated the policy that the half-breeds who were the head of a family should have the title of 200 acres of land, and that a white settler should be put on the same footing. By that means they would avoid the possibility of keeping land in reserve for an indefinite time, and would promote its settlement."

House of Commons, 9 May 1870, pg. 1450.

PROVINCIAL VS. TERRITORIAL STATUS

"...did seem a little ludicrous to establish a little municipality in the North-West of 10,000 square miles—about the size of two or three counties in Ontario—with a population of 15,000 people, having two Chambers, and a right to send two members to the Senate and four to the House here (laughter). The whole thing had such a ludicrous look that it only put one in mind of some of the incidents in Gulliver's Travels. It may be on more close investigation that more palliating circumstances might be brought to light for this extraordinary Constitution, but at the present moment he could only say that he looked upon it as one of the most preposterous¹³ schemes that was ever submitted to the Legislature."

House of Commons, 2 May 1870, pg. 1306.

"He did not, however, consider it advisable to establish a permanent Government in the Territory at present, and would prefer to see a Governor of the Territory for a year or two who would be able to ascertain the desires and wishes of the inhabitants of the Territory as to the form of Government to be introduced... it would be far better that they should pass a Bill organizing a temporary Government, with a Council of members to be elected from regular electoral divisions, and that they should in the meantime govern the country, and should indicate to Parliament what form of Government they desired. (Hear.)"

House of Commons, 7 May 1870, pg. 1420.

He would therefore move that the Bill be committed, with a view to the adoption in the Bill of a Temporary and Territorial form of government. 'That the Legislature should be chosen by popular voice, and there should be representation in the Dominion Parliament, combining with due regard the rights of the people and the economical administration of local affairs, the means of obtaining a knowledge of the public will as to form of the Legislature and the tenure of the lands of the Province, thus obviating¹⁴ the putting upon them of a form of government to which they might object' (Hear.)"

House of Commons, 9 May 1870, pg. 1461.

MINORITY RIGHTS AND SEPARATE SCHOOLS

"He trusted that the Government would bring down such a statement as to the claims which were to be recognized in the clauses of the Bill, because in absence of the knowledge as to the extent of these claims it was manifestly impossible to pass any such claims. Everything must be done so as to retain the liberty¹⁵ of every class and creed of Her Majesty's subjects on the same footing and that no one shall have any special claims or privileges recognized in that new Territory. He would look with very grievous apprehension¹⁶ on anything that would introduce into that new Territory

¹³ Preposterous = ridiculous

¹⁴ Obviating = avoiding

¹⁵ Liberty = freedom

¹⁶ Grievous apprehension = severe hesitancy

the divisions which were for so many years so disastrous in our own country (hear), and which kept many of the denominations concerned in these disputes in a state of internecine¹⁷ warfare, which produced results so disastrous to society generally, and particularly to the churches engaged. Anything that had the effect of preventing this, we must insist on here, and that no legislation shall be initiated by this House, which has a tendency to initiate, permit or perpetuate anything of that sort. (Cheers.)"

House of Commons, 2 May 1870, pgs. 1306–1307.

"Mr. Mackenzie was prepared to leave the matter [separate school rights] to be settled exclusively by the Local Legislature.¹⁸ The British North America Act gave all the protection necessary for minorities; and local authorities understood their own local wants better than the General Legislature. It was his earnest desire to avoid introducing into the new Province those detrimental discussions which had operated so unhappily on their own country, and therefore hoped the amendment would be carried."

House of Commons, 10 May 1870, pg. 1503.

¹⁷ Internecine = destructive to both sides

¹⁸ Local legislative = local (as opposed to federal) jurisdiction



Primary Source: Louis Riel's Views on Confederation

When the Red River Resistance debated joining Confederation, Louis Riel said the following points:

SUMMARY STATEMENT

"We must not expect to exhaust the subject. If we have the happiness soon to meet the new Lieutenant-Governor, we will have time and opportunity enough to express our feelings. For the present let me say only one thing—I congratulate the people of the North-West on the happy issue of their undertakings (cheers). I congratulate them on their moderation and firmness of purpose; and I congratulate them on having trust enough in the Crown of England to believe that ultimately they would obtain their rights (cheers). I must, too, congratulate the country on passing from under this Provisional rule to one of a more permanent and satisfactory character. From all that can be learned, also, there is great room for congratulation in the selection of Lieutenant-Governor which has been made. For myself, it will be my duty and pleasure, more than any other, to bid the new Governor welcome on his arrival (loud cheers). I would like to be the first to pay him the respect due to his position as Representative of the Crown (cheers). Something yet remains to be done. Many people are yet anxious and doubtful. Let us still pursue the work in which we have been lately engaged—the cultivation¹ of peace and friendship, and doing what can be done to convince these people that we never designed to wrong them (cheers), but that what has been done was as much in their interest as our own (hear)."

Legislative Assembly of Assiniboia, 24 June 1870, pg. 119.

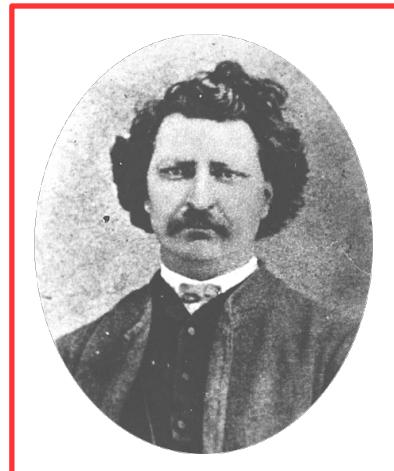


Image held by Library and Archives Canada.

"There are, I know, some differences between the residents of different localities—and perhaps the easiest way to dispose of them would be that each side should concede something. A spirit of concession, I think, ought to be manifested on both sides; and if it is, we will be cordial and united. If we were so united,—as was said long ago,—the people of Red River could make their own terms with Canada. We have had here already three Commissioners from the Dominion; and now, perhaps, we have another come among us, in the person of His Lordship the Bishop of St. Boniface,—one who is generally beloved and esteemed in the land, and to whose mission, I doubt not, the highest attention will be paid. For my part I would certainly like to see in the person of His Lordship a Commissioner, invested with full power to give us what we want (cheers). But we have to be careful: for we do not know what that power is; and we must not rush blindly into the hands of any Commissioners. Let us act prudently²—that is all I urge,—if we do so, we will be safe enough (cheers)."

Legislative Assembly of Assiniboia, 9 March 1870, pg. 8.

¹ Cultivation = the process of growing

² Prudently = carefully

PROVINCIAL VS. TERRITORIAL STATUS

"Cannot we make regulations for outsiders, with reference to the sale and disposition of our lands? This land question, and that of our means of raising money, constitute perhaps the principal points in the whole provincial arrangement. As to the administration of justice, have we not in the chair a gentleman who has long acted in that capacity, and who is amply capable of administering justice in the Territory (cheers). I would say, let us not go too fast. I have ample confidence in the good sense of our people for managing all matters wisely; and as to matters of a general nature, they will be managed by the Dominion (cheers)."

Convention of 40, 4 February 1870, pg. 64.

"As to ourselves, I do not say positively that it is for our own good to go in as a province; but I think it a fair matter for the consideration of the Convention. On the whole I think that the position of a Province might suit us better than that of a Territory, but found it very difficult to decide."

Convention of 40, 4 February 1870, pg. 63.

"I was very nearly induced to adopt your views, expressed in committee, Mr. Ross, with regard to a Crown Colony.³ One important consideration which we must bear in mind, is, that as a Territory we escape a great deal of heavy responsibility that may weigh on us as a Province. Of course it would be very flattering to our feelings to have all the standing and dignity of a Province. The exclusive powers to Provinces are considerable, and in themselves satisfactory, if we found them applicable to our case. (Mr. Riel then read the Confederation Act to show the powers conferred on Provinces.) He alluded specially to Article 5, which provides that the management and sale of the public lands belonging to the Provinces and of the timber and wood thereon, is vested in the Province. This, he alluded to, as one of the most important, as far as we are concerned. In looking at the advantages and disadvantages of the provincial and territorial systems, we have to consider fully the responsibility of our undertaking. Certainly, the North-West is a great pearl in the eyes of many parties."

Convention of 40, 4 February 1870, pg. 63.

"As to this question of a Province, let me ask, is it not possible for us to settle our own affairs in a satisfactory manner? Cannot we make regulations for outsiders, with reference to the sale and disposition⁴ of our lands? This land question, and that of our means of raising money, constitute perhaps the principal points in the whole provincial arrangement. As to the administration of justice, have we not in the chair a gentleman who has long acted in that capacity, and who is amply capable of administering justice in the Territory (cheers). I would say, let us not go too fast. I have ample confidence in the good sense of our people for managing all matters wisely; and as to matters of a general nature, they will be managed by the Dominion (cheers)."

Convention of 40, 4 February 1870, pg. 64.

"For myself, I say that discussion on this subject should not be shut off. As a Province, we would have a higher status; and it is certainly worth considering why we should not look for that higher status. It remains to be seen whether we would be best as a Province or a Territory."

Convention of 40, 4 February 1870, pg. 67.

³ Crown colony = territorial status

⁴ Disposition = distribution, sale

LOCAL AUTONOMY

"I would like to ascertain one point, which is of great importance. Are we going to enter into Confederation only to give Canada jurisdiction over us?"

Legislative Assembly of Assiniboia, June 24, 1870, pg. 115.

"Gentlemen of the Legislative Assembly—It may be out of the regular run of business to allude⁵ to a matter which is foreign to it, but I would say a word on a subject which interests us... now we are recognized abroad—recognized because we have taken a bold stand among the nations. Even if we are a community small in number, our attitude has been that of honest, determined, straightforward men. We certainly have some right to complain of injustice at the hands of some parties in Canada—parties who are now crying out against us. But our answer is, that we have as much confidence in the British flag as they have themselves (cheers). We have only to continue as we have begun. They cannot disturb us (cheers)."

Legislative Assembly of Assiniboia, 3 May 1870, pg. 81.

"In the negotiations for the transfer of this country it was struck out, and I see it forms no part of the bargain as it stands. I would now move, instead of my former motion, 'That all arrangements and stipulations made by the Hudson [sic] Bay Company in the matter of the transfer of the Government of this country to the Dominion of Canada, be null;⁶ and that all arrangements on this subject on the part of the Government of Confederation, be made directly with the people of Red River.' In explanation Mr. Riel stated that his motion had no reference to dealings with the Imperial Government, but simply provided that all negotiations for the transfer of the country should be carried on between Canada and the people of Red River and not between Canada and the Company."

Convention of 40, 5 February 1870, pg. 73.

"One result of our labors is that the people generally now have, for the first time in the history of this land, a voice in the direction of public affairs. They have here a full representation. Herein,⁷ we may congratulate ourselves that our work has been a good one; and, indeed, it may almost be said to be the only result we have arrived at as yet."

Legislative Assembly of Assiniboia, 9 March 1870, pg. 7.

"“We are here on most important business,—business affecting the welfare of the country; and if, says Mr. Riel, I could regard Mr. Smith as in a position to concede to us all the rights we desire or deserve,—or assure us that he would put us in a way to get them,—or assure us we would get even the most important of them—I would welcome him in the most hearty manner (loud cheers). But we must not allow the rights of the people to be jeopardized by our mode of treating them at this meeting. We are to be firm (cheers). We are to stand as a rock in defence of the rights and liberties of the country. Canada at the outset ought to have known our wishes and respected the people of this country; but she had not done so in a satisfactory manner. Now that she begins to respect us, we are not unwilling to meet these advances and consider them fairly and justly (cheers). Mr. Riel concluded by saying that being now in a position to get our rights, he could heartily welcome Mr. Smith to this country (cheers).”

Convention of 40, 27 January 1870, pg. 15.

"I would like the Local Legislature to have its power exerted from Fort Garry. I want this country to be governed for once by a Local Legislature. Our country has been hitherto differently

⁵ Allude = mention

⁶ Null = nothing

⁷ Herein = in this place

governed and they were within an ace⁸ of selling us. But now, I say let the authority of the Legislature be everywhere and influencing everything... We are not here to deprive anybody of their rights. For my part, I wish the whole country was under the control of the Local Legislature. We have to work for the country, in case the Canadians will not work for us."

Convention of 40, 2 February 1870, pg. 53.

PRESERVING MÉTIS AUTONOMY

"As a principle of action, we must seek to do what is right, and at the same time have a special regard to the interests of the people of this country. We must seek to preserve the existence of our own people. We must not by our own act allow ourselves to be swamped.⁹ If the day comes when that is done, it must be by no act of ours. I do not wish in anything I may do to hurt the stranger; but we must, primarily, do what is right and proper for our own interests. In this connection, all outsiders are to be looked upon as strangers—not merely Americans, but Canadians, English, Irish and Scotch. All are strangers in the sense that they are outsiders, that they do not appreciate the circumstances in which we live, and are not likely to enter fully into our views and feelings. Though in a sense British subjects, we must look on all coming in from abroad as foreigners, and while paying all respect to these foreigners, we must at the same time respect ourselves. The circumstances of our country are peculiar;¹⁰ and if therefore we do anything peculiar, looking at analogous¹¹ cases, it must be explained on the principle that we are a peculiar people in exceptional circumstances... If we allow all residents of one year in the country the right to vote, it is not impossible but in the second year they may rule us; and that surely is not for us to seek. Looking at the composition of this Convention, I am not sure that this will triumph, but those who come after will thank us for our efforts, even if we should fail."

Convention of 40, 3 February 1870, pg. 56.

LAND RIGHTS AND INDIGENOUS RIGHTS

"The grant is made to extinguish so much of the Indian¹² title as is inherited by children having Indian blood. But, apart from this, the general Indian title has to be extinguished by being dealt with separately. All those having Indian blood have a title which must be extinguished as well as the general Indian claim."

Legislative Assembly of Assiniboia, 24 June 1870, pg. 114.

"It is impossible to say what danger may beset us after we enter Confederation—and three years of this amount of protection is the very least we could ask. We must keep what rights and property we have now by every means in our power."

Convention of 40, 3 February 1870, pg. 60.

"After looking at the whole matter, this idea occurred to me, and I throw it out for consideration... would it not be wise in us to ask for a certain tract of country? Why not ask for a certain block of land, to be under the exclusive control of the Local Legislature? Let that land be disposed of as the people through their representatives, thought best for their interest. Of course when we attained the status of a province, we would at once have control of all the public lands of the country. But at present we were asking to go into Confederation as a Territory. In reference to the remark

⁸ Within an ace = very close to

⁹ Swamped = overwhelmed

¹⁰ Peculiar = unique

¹¹ Analogous = similar

¹² Indians = an archaic term for First Nations Peoples

made last night, that we ought not to take the position of Indians, I say it is very true: and I would say further, that here is a request which we can make with perfect consistency as civilised men."

Convention of 40, 2 February 1870, pg. 49.

"We must not regard the Company¹⁴ as something detestable. At the same time we must bear in mind that the public interests must be above those of the Company. I object to this getting one-twentieth of the land as is proposed.¹⁵— as it would give them a very unreasonable influence in the country. It would perhaps enable them to double the number of their Forts and their influence against the people. It meant five acres out of one hundred, and is, in my opinion, altogether too large. With greatly increased influence wielded by the Company, what would be the result? Had this tremendous influence been in the hands of the Company... it might have been raised against us,— and the affair might have been so disastrous as to result in the death of many in the room (cheers). I do not say that the Company should be crushed, for they are a source of power in this country; but we must keep them on the same footing as the other merchants. They must take their chance with the people, as a portion of them, and not as a section having a predominant influence... We, in this Settlement, must get control of all the lands in the North-West, or stipulate to enter as a Province shortly, in order to get that control (cheers)."

Convention of 40, 5 February 1870, pgs. 72–73.

¹⁴ The Company = the Hudson's Bay Company

¹⁵ Note: Under the sale agreement, the Hudson's Bay Company retained ownership of 1/20th of its former lands, which it subsequently sold at high prices to speculators and "settlers" coming from outside of Manitoba.



Primary Source: Donald Smith's Views on Confederation

Donald Smith spoke before the Council of 40 during its debates on Confederation on 7 February 1870. He commented on each of the demands in its "List of Rights."

SUMMARY

"Mr. Chairman and gentlemen, in addressing you now, I may say that it is my duty to give you every information in my power; and, coming as I do, as a Commissioner from the Canadian Government, it will give me the utmost pleasure to do so (cheers). I need hardly say now, that Canada is not only disposed to¹ respect the people of this country; but is most desirous of according to them every privilege enjoyed by any Province of the Dominion,— all the rights of British subjects, in fact, which are enjoyed in any portion of the Dominion (cheers)."

Convention of 40, pg. 15.

RECOGNITION OF THE RESISTANCE'S AUTHORITY

"When I had the honor of conferring with members of the Canadian Government, they assured me of their desire to consult the wishes of the people of the Territory in respect to matters connected with the composition of the Local Legislature; and their intention was, that as soon as the North-West became a part of the Confederation, that at least two-thirds of the members of the Council should be selected from among the residents. I was commissioned to assure the people of this. For the time being, Councillors under the former Government were to retain their seats,— that is, in the Government of the Hudson [sic] Bay Company, which at the time I left Ottawa was the only Government known in Canada. It would have been for that Council to have recommended to the Dominion Government any alterations they might deem necessary for placing the Local Government more in accordance with the wants and wishes of the community. These recommendations would be introduced in a bill to be submitted to Parliament."

Convention of 40, pg. 80.

LOCAL AUTONOMY

"Mr. Smith I will now proceed to the List of Rights. I have been up to time, but in the short period allowed me to think over these articles, I have been able to throw together only a few thoughts. Two hours is but a very short time to consider a document which has occupied the time of this Convention some eleven or twelve days. With regard to article one, the Convention has already

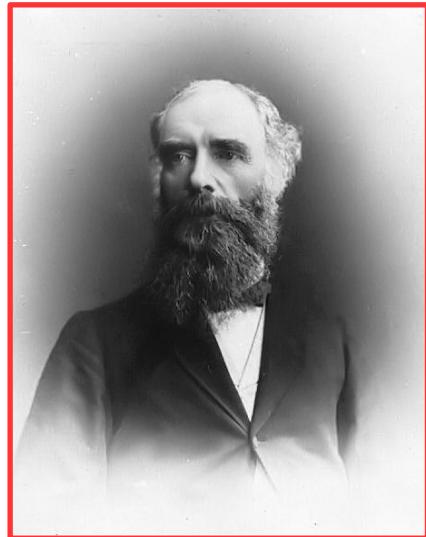


Image held by Library and Archives Canada.

¹ Disposed to = inclined to

had a communication to the effect that the Dominion Government had provided by Order-in-Council² for the continuance of the present tariff of duties in the Territory for at least two years; and I feel convinced that the Government will be prepared to recommend to Parliament such measures as will meet the views of the Convention as expressed in this article. The article is as follows...

"Article 4 of the list is as follows:— '4. That while the burden of public expense in this Territory is borne by Canada, the country be governed under a Lieutenant-Governor from Canada, and a Legislature, three members of whom, being heads of departments of the Government, shall be nominated by the Governor-General of Canada.' To this I would say—When I had the honor of conferring with members of the Canadian Government, they assured me of their desire to consult the wishes of the people of the Territory in respect to matters connected with the composition of the Local Legislature; and their intention was, that as soon as the North-West became a part of the Confederation, that at least two-thirds of the members of the Council should be selected from among the residents. I was commissioned to assure the people of this. For the time being, Councillors under the former Government were to retain their seats,—that is, in the Government of the Hudson Bay Company, which at the time I left Ottawa was the only Government known in Canada. It would have been for that Council to have recommended to the Dominion Government any alterations they might deem necessary for placing the Local Government more in accordance with the wants and wishes of the community. These recommendations would be introduced in a bill to be submitted to Parliament..."

"...the Council here, as in the first instance constituted, would as soon as possible be replaced by a Legislature to be chosen by the people. Bearing this in mind I did not hesitate to give it as my opinion that the Dominion Government will ask Parliament to provide a liberal Government for the country while it remains a Territory. The fifth article says:—

"5. That after the expiration of this exceptional period the country shall be governed as regards its local affairs as the Provinces of Ontario and Quebec are now governed, by a Legislature elected by the people, and a ministry responsible to it, under a Lieutenant Governor appointed by the Governor-General of Canada."

"With regard to this, I have the most explicit assurance from the Canadian Government that such will be the case. Article 6 says:—

"6. That there shall be no interference by the Dominion Parliament in the local affairs of this Territory, other than is allowed in the Confederated Provinces; and that this Territory shall have and enjoy, in all respects, the same privileges, advantages and aids, in meeting the public expenses of this Territory, as the other provinces in Confederation have and enjoy.'

"For this I believe the Dominion Government will provide in a liberal spirit.

"Article 7 says:— '7. That while the North-West remains a Territory the Legislature have a right to pass all laws local to the Territory over the veto of the Lieutenant-Governor by a two-thirds vote.'

"This article brings up some constitutional considerations, with which it would be unpardonable presumption on my part were I to deal summarily. But I would repeat most distinctly that the Dominion Government will pay the utmost deference to the wishes of the Convention as regards this and all other matters in connection with the Government of the country; and I have full confidence that the decision arrived at, will be acceptable to the people."

Convention of 40, pgs. 79–82.

² Order in Council = the Crown's order, in this case composed by members of the federal cabinet, on an administrative matter

LANDS

"Article 8 is:— '8. A Homestead³ and Pre-emption Law.' It has already been intimated to me by the Canadian Government, with a view of its being made known to the people of the Settlement, that all property held by residents in peaceable possession, will be secured to them; and that a most liberal⁴ land policy in regard to the future settlement of the country, will be adopted,— every privilege in this respect enjoyed in Ontario or Quebec, being extended to this Territory."

Convention of 40, pgs. 81–82.

SEPARATE SCHOOLS

"Article 9 states:— '9. That while the North-West remains a Territory the sum of \$25,000 a year be appropriated for schools, roads and bridges.' In respect to this article, it may be better that I should not speak as to any particular sum; but I feel quite certain that an amount even exceeding that here mentioned, will be appropriated for the purposes referred to. I can give an assurance that this will be done."

Convention of 40, pg. 82.

RAILWAY

"11. That there shall be guaranteed uninterrupted steam communication to Lake Superior within five years, and also the establishment by rail of a connection with the American railway as soon as it reaches the international line."

"I do not hesitate to give this assurance, as the works on the Lake Superior route, which have been progressing actively since the early part of last summer, will doubtless be completed much within the specified time. As to the railway to Pembina, shortly after the American line reaches that place, it will certainly be carried out. If I might be permitted a remark with respect to this article I would say, that I would not be loath to make a personal promise. I have seen a number of prominent men, connected with large undertakings in England as well as in Canada. The matters alluded to⁵ in this article have been spoken of, and I know all are most anxious to push on with such undertakings, knowing that it will be for their own interest to do so. In this way, I have no doubt that private enterprise will shortly accomplish such undertakings as are here proposed. Shortly before leaving Canada, I myself was in business connection with such men as Mr. Hugh Allan, Mr. A. Allan, of the steamboat line; Mr. King, President of the Bank of Montreal; Mr. Redpath, the owner of one of the most extensive establishments in Canada; and other men of note there. Our object was, to get up a Rolling Stock Company.⁶ In the first instance we had, I think, a contract for some 500 cars. And some fine day I hope that the townsmen of Winnipeg will see some of these cars making their way across the prairie (cheers). I hope you will see them coming laden with the manufactures of Canada, and returning laden with the surplus products of the country. Though I have some connection with the Hudson Bay Company, I may also say that I have been largely connected with public enterprises.⁷ In connection with some men of standing I have been connected with other enterprises. I have had considerable interest in a large woollen mill in Cornwall. Some of our blankets have already come in here, and no doubt many more will come in, as they are better and cheaper than others. I hope yet to see men come in here, establish

³ Homestead = family farm

⁴ Liberal = generous

⁵ Alluded to = referred to

⁶ Rolling Stock Company = railway

⁷ Public enterprises = government projects

such manufactures, use up your wool, and circulate more money in the place (cheers). This they will do, no doubt, as soon as they will find it to their advantage (cheers).⁸"

Convention of 40, pgs. 82–83.

BILINGUALISM/BICULTURALISM

"It is a matter of business; and I am sure the people here would be very happy to have such people coming among them (cheers). The twelfth article is:—

"“12. That the English and French languages be common in the Legislature and Courts, and that all public documents and acts of the Legislature, be published in both languages.’

"As to this I have to say, that its propriety⁹ is so very evident, that it will unquestionably be provided for. Article 13:—

"“13. That the Judge of the Supreme Court¹⁰ speak the French and English languages.”

"The answer given to the foregoing, will apply equally here."

Convention of 40, pg. 83.

INDIGENOUS RIGHTS

"The fourteenth article says:—

"“14. That treaties be concluded between the Dominion and the several Indian¹¹ tribes of the country, as soon as possible.’

"Fully alive to the necessity of doing this, the Dominion Parliament will not fail to take an early opportunity of dealing with this matter with the view of extinguishing, in an equitable manner the claims of the Indians—so that settlers may obtain clear and undisputable titles.”

Convention of 40, pg. 83.

PARLIAMENTARY REPRESENTATION

"The fifteenth article is:—

"“15. That we have four representatives in the Canadian Parliament — one in the Senate and three in the Legislative Assembly.”¹² The Convention will not expect me to say definitely as to the number of representatives to be elected in the Territory, for the Canadian Parliament. But I can promise that the circumstances and requirements of the country will be fully and liberally considered in making the allotment. The sixteenth article is as follows:—”

Convention of 40, pg. 83.

LOCAL AUTONOMY

"“16. That all the properties, rights and privileges, as hitherto enjoyed by us, be respected, and that the recognition and arrangement of local customs, usages and privileges, be made under the

⁸ Cheers = peoples attending the Convention of 40 cheering about Smith's promise.

⁹ Propriety = appropriateness

¹⁰ Supreme Court = in this case, the province's highest court, which are today known as "Superior Courts"

¹¹ Indians = an archaic term for First Nations Peoples

¹² Legislative Assembly = the House of Commons in Ottawa

control of the Local Legislature.' On the part of the Canadian Government as well as of Her Majesty's Representative in British North America—and also as coming immediately from the Sovereign—assurances have been given to all, that the properties, rights and privileges hitherto enjoyed by the people of the Territory would be respected; and I feel sure that the Dominion Government will, with pleasure, [accede?] to the Local Legislature, the recognition and arrangement of local customs, usages, and privileges. The seventeenth article says:—

“17. That the Local Legislature of this Territory have full control of all the public Lands¹³ inside a circumference, having Upper Fort Garry as a centre; and that the radii¹⁴ of this circumference be the number of miles that the American line is distant from Fort Garry.’

“With regard to this article, my knowledge of the country and of the extent to which this concession might affect public works &c. is too limited to admit of my expressing any decided opinion on the subject further than that full and substantial justice will be done in the matter.”

Convention of 40, pgs. 83–84.

ON THE INVITATION FOR FURTHER NEGOTIATIONS WITH RED RIVER RESISTANCE

“Having gone through the articles, may I now be permitted to say a few words? Your list is not only long, but contains many things of great importance. In coming here first, I had no idea of it! Nor had the Canadian Government. However I was authorized by them, as Commissioner, to do what in my judgement might appear best in the state of public affairs here. It was thought, at the same time, that there might be some points raised which I really could not deal personally with any satisfaction to the people of the country. This being the case, and looking at the suggestion put forward by the Very Reverend the Grand Vicar, with reference to a delegation from this country to Canada,— I have now on the part of the Dominion Government—and as authorized by them—to invite a delegation of the residents of Red River, to meet and confer with them at Ottawa (cheers). A delegation of two or more of the residents of Red River—as they may think best—the delegation to confer with the Government and Legislature, and explain the wants and wishes of the Red River people, as well as to discuss and arrange for the representation of the country in Parliament (cheers). I felt that, this being the case, it was less necessary for me to deal very particularly with these matters. On the part of the Government I am authorised¹⁵ to offer a very cordial reception to the delegates who may be sent from this country to Canada (loud cheers). I myself feel every confidence that the result will be such as will be entirely satisfactory to the people of the North-West. It is, I know, the desire of the Canadian Government that it should be so (cheers).”

Convention of 40, pg. 84–85.

¹³ Public lands = lands owned by the government

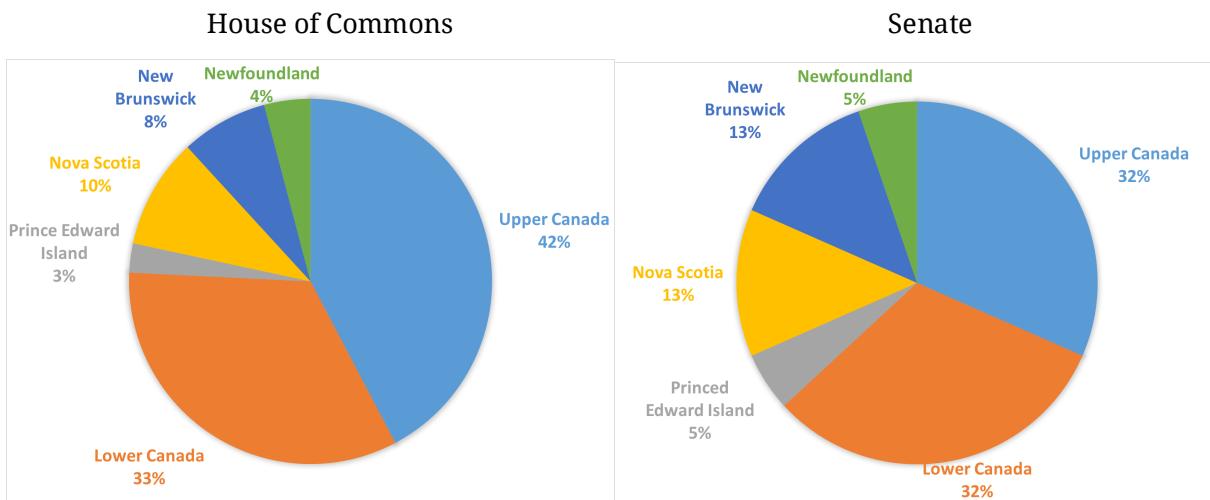
¹⁴ Radii = radius

¹⁵ Authorised = authorized



72 Resolutions Handout

PARLIAMENTARY REPRESENTATION



DIVISION OF POWERS

Federal Powers	Military	Postal Service	Indigenous Peoples
Provincial Powers	School	Health Care	Prisons

SECTION 2: MATERIALS AND HANDOUTS FOR CREATING CANADA: FURTHERING INDIGENOUS-CROWN RELATIONSHIPS



Response Log Handout

Name:	
Date:	
Answer one of the five questions below:	
Mark out of 5	
Questions I have:	
Mark out of 5	

Please answer **ONE** of the following questions:

- Were there any things you did that left no trace or that left only traces that would not be preserved? What does this suggest about the historical record?
- What might future historians think about you if they were able to study your traces?
- If the historian was from a difficult culture or language, would they understand your trace?
- What if historians only examined traces that you left purposefully? How much of a trace would you have left?
- What other kinds of traces, relics, testimony and records would help historians learn about our society?
- Would it have been easier if you had recorded your traces with words? What if these words were in another language?



Handout: Treaties 1 and 2

TREATIES 1 AND 2 BETWEEN HER MAJESTY THE QUEEN AND THE CHIPPEWA AND CREE INDIANS¹ OF MANITOBA AND COUNTRY ADJACENT WITH ADHESIONS

LAYOUT IS NOT EXACTLY LIKE ORIGINAL

TRANSCRIBED FROM: EDMOND CLOUTIER, C.M.G., O.A., D.S.P. QUEEN'S PRINTER AND CONTROLLER OF STATIONERY OTTAWA, 1957 92099-1

Treaty No. 1

ARTICLES OF A TREATY made and concluded this third day of August in the year of Our Lord one thousand eight hundred and seventy-one, between Her Most Gracious Majesty the Queen of Great Britain and Ireland by Her Commissioner, Wemyss M. Simpson, Esquire, of the one part, and the Chippewa and Swampy Cree Tribes of Indians, inhabitants of the country within the limits hereinafter² defined and described, by their Chiefs chosen and named as hereinafter mentioned, of the other part.

Whereas all the Indians inhabiting the said country have pursuant³ to an appointment made by the said Commissioner, been convened at a meeting at the Stone Fort, otherwise called Lower Fort Garry, to deliberate upon certain matters of interest to Her Most Gracious Majesty, of the one part, and to the said Indians of the other, and whereas the said Indians have been notified and informed by Her Majesty's said Commissioner that it is the desire of Her Majesty to open up to settlement and immigration a tract of country bounded and described as hereinafter mentioned, and to obtain the consent thereto⁴ of her Indian subjects inhabiting the said tract, and to make a treaty and arrangements with them so that there may be peace and good will between them and Her Majesty, and that they may know and be assured of what allowance they are to count upon and receive year by year from Her Majesty's bounty and benevolence.⁵

¹ Indians = First Nations

² Herinafter = further on in this document

³ Pursuant = in accordance with

⁴ Thereto = to that, to that place

⁵ Benevolence = generosity

And whereas the Indians of the said tract, duly convened in council as aforesaid,⁶ and being requested by Her Majesty's said Commissioner to name certain Chiefs and Headmen who should be authorized on their behalf to conduct such negotiations and sign any treaty to be founded thereon⁷, and to become responsible to Her Majesty for the faithful performance by their respective bands of such obligations as should be assumed by them, the said Indians have thereupon named the following persons for that purpose, that is to say:

Mis-koo-kenew or Red Eagle (Henry Prince), Ka-ke-ka-penais, or Bird for ever, Na-sha-ke- penais, or Flying down bird, Na-na-wa-nanaw, or Centre of Bird's Tail, Ke-we-tayash, or Flying round, Wa-ko-wush, or Whip-poor-will, Oo-za-we-kwun, or Yellow Quill,—and thereupon in open council the different bands have presented their respective Chiefs to His Excellency the Lieutenant Governor of the Province of Manitoba and of the North-West Territory being present at such council, and to the said Commissioner, as the Chiefs and Headman for the purposes aforesaid of the respective bands of Indians inhabiting the said district hereinafter described; and whereas⁸ the said Lieutenant Governor and the said Commissioner then and there received and acknowledged the persons so presented as Chiefs and Headmen for the purpose aforesaid; and whereas the said Commissioner has proceeded to negotiate a treaty with the said Indians, and the same has finally been agreed upon and concluded as follows, that is to say:

The Chippewa and Swampy Cree Tribes of Indians and all other the Indians inhabiting the district hereinafter described and defined do hereby cede, release, surrender and yield up to Her Majesty the Queen and successors forever all the lands included within the following limits, that is to say: Beginning at the international boundary line near its junction with the Lake of the Woods, at a point due north from the centre of Roseau Lake; thence to run due north to the centre of Roseau Lake; thence northward to the centre of White Mouth Lake, otherwise called White Mud Lake; thence by the middle of the lake and the middle of the river issuing therefrom to the mouth thereof in Winnipeg River; thence by the Winnipeg River to its mouth; thence westwardly, including all the islands near the south end of the lake, across the lake to the mouth of Drunken River; thence westwardly to a point on Lake Manitoba half way between Oak Point and the mouth of Swan Creek; thence across Lake Manitoba in a line due west to its western shore; thence in a straight line to the crossing of the rapids on the Assiniboine; thence due south to the international boundary line; and thence eastwardly by the said line to the place of beginning. To have and to hold the same to Her said Majesty the Queen and Her successors for ever; and Her Majesty the Queen hereby agrees and undertakes to lay aside and reserve for the sole and exclusive use of the Indians the following tracts of land, that is to say: For the use of the Indians belonging to the band of which Henry Prince, otherwise called Mis-koo-ke-new is the Chief, so much of land on both sides of the Red River, beginning at the south line of St. Peter's Parish, as will furnish one hundred

⁶ Aforesaid = previously mentioned

⁷ Thereon = according to the treaty below

⁸ Whereas = taking into consideration the fact that

and sixty acres for each family of five, or in that proportion for larger or smaller families; and for the use of the Indians of whom Na-sha-ke-penais, Na-na-wa-nanaw, Ke-we-tayash and Wa-ko-wush are the Chiefs, so much land on the Roseau River as will furnish one hundred and sixty acres for each family of five, or in that proportion for larger or smaller families, beginning from the mouth of the river; and for the use of the Indians of which Ka-ke-ka-penais is the Chief, so much land on the Winnipeg River above Fort Alexander as will furnish one hundred and sixty acres for each family of five, or in that proportion for larger or smaller families, beginning at a distance of a mile or thereabout above the Fort; and for the use of the Indians of whom Oo-za- we-kwun is Chief, so much land on the south and east side of the Assiniboine, about twenty miles above the Portage, as will furnish one hundred and sixty acres for each family of five, or in that proportion for larger or smaller families, reserving also a further tract enclosing said reserve to comprise an equivalent to twenty-five square miles of equal breadth, to be laid out round the reserve, it being understood, however, that if, at the date of the execution of this treaty, there are any settlers within the bounds of any lands reserved by any band, Her Majesty reserves the right to deal with such settlers as She shall deem just, so as not to diminish the extent of land allotted to the Indians.

And with a view to show the satisfaction of Her Majesty with the behaviour and good conduct of Her Indians parties to this treaty, She hereby, through Her Commissioner, makes them a present of three dollars for each Indian man, woman and child belonging to the bands here represented.

And further, Her Majesty agrees to maintain a school on each reserve hereby made whenever the Indians of the reserve should desire it.

Within the boundary of Indian reserves, until otherwise enacted by the proper legislative authority, no intoxicating liquor shall be allowed to be introduced or sold, and all laws now in force or hereafter to be enacted to preserve Her Majesty's Indian subjects inhabiting the reserves or living elsewhere from the evil influence of the use of intoxicating liquors shall be strictly enforced.

Her Majesty's Commissioner shall, as soon as possible after the execution of this treaty, cause to be taken an accurate census⁹ of all the Indians inhabiting the district above described, distributing them in families, and shall in every year ensuing the date hereof, at some period during the month of July in each year, to be duly notified to the Indians and at or near their respective reserves, pay to each Indian family of five persons the sum of fifteen dollars Canadian currency, or in like proportion for a larger or smaller family, such payment to be made in such articles as the Indians shall require of blankets, clothing, prints (assorted colours), twine or traps, at the current cost price in Montreal, or otherwise, if Her Majesty shall deem the same desirable in the interests of Her Indian people, in cash.

⁹ Census = counting an area's residents to determine the exact population

And the undersigned Chiefs do hereby bind and pledge themselves and their people strictly to observe this treaty and to maintain perpetual peace between themselves and Her Majesty's white subjects, and not to interfere with the property or in any way molest the persons of Her Majesty's white or other subjects.

IN WITNESS WHEREOF, Her Majesty's said Commissioner and the said Indian Chiefs have hereunto¹⁰ subscribed¹¹ and set their hand and seal at Lower Fort Garry, this day and year herein first above named.

Signed, sealed and delivered in the presence of, the same having been first read and explained: ADAMS G. ARCHIBALD, Lieut.-Gov. of Man. and N.W. Territories. JAMES McKAY, P.L.C. A. G. IRVINE, Major ABRAHAM COWLEY, DONALD GUNN, M.L.C. THOMAS HOWARD, P.S. HENRY COCHRANE, JAMES McARRISTER, HUGH McARRISTER, E. ALICE ARCHIBALD, HENRI BOUTHILLIER.	WEMYSS M. SIMPSON, [L.S.] Indian Commissioner,
	MIS-KOO-KEE-NEW, or RED EAGLE (HENRY PRINCE), his x mark
	KA-KE-KA-PENAIS (or BIRD FOR EVER), WILLIAM PENNEFATHER, his x mark
	NA-SHA-KE-PENNAIS, or FLYING DOWN BIRD, his x mark
	NA-HA-WA-NANAN, or CENTRE OF BIRD'S TAIL, his x mark
	KE-WE-TAY-ASH, or FLYINGGROUND, his x mark
	WA-KO-WUSH, or WHIP-POOR-WILL, his x mark
	OO-ZA-WE-KWUN, or YELLOW QUILL, his x mark

Memorandum of things outside of the Treaty which were promised at the Treaty at the Lower Fort, signed the third day of August, A.D. 1871.

- For each Chief who signed the treaty, a dress distinguishing him as Chief.
- For braves and for councillors of each Chief a dress; it being supposed that the braves and councillors will be two for each Chief.
- For each Chief, except Yellow Quill, a buggy.
- For the braves and councillors of each Chief, except Yellow Quill, a buggy.

¹⁰ Hereunto = to this document

¹¹ Subscribed = agreed

- In lieu of¹² a yoke of oxen for each reserve, a bull for each, and a cow for each Chief; a boar for each reserve and a sow for each Chief, and a male and female of each kind of animal raised by farmers, these when the Indians are prepared to receive them.
- A plough and a harrow¹³ for each settler cultivating the ground.
- These animals and their issue to be Government property, but to be allowed for the use of the Indians, under the superintendence and control of the Indian Commissioner.
- The buggies to be the property of the Indians to whom they are given.
- The above contains an inventory of the terms concluded with the Indians.

**WEMYSS M. SIMPSON,
MOLYNEUX St. JOHN,
A. G. ARCHIBALD,
JAS. McKAY.**

COPY of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor General in Council on the 30th April, 1875.

On a memorandum dated 27th April, 1875, from the Honourable the Minister of the Interior, bringing under consideration the very unsatisfactory state of affairs arising out of the so-called "outside promises" in connection with the Indian Treaties Nos. 1 and 2, Manitoba and North-west Territories, concluded, the former on the 3rd August, 1871, and the latter on 21st of the same month, and recommending for the reasons stated:

1st. That the written memorandum attached to Treaty No. 1 be considered as part of that Treaty and of Treaty No. 2, and that the Indian Commissioner be instructed to carry out the promises therein contained, in so far as they have not yet been carried out, and that the Commissioner be advised to inform the Indians that he has been authorized so to do.

2nd. That the Indian Commissioner be instructed to inform the Indians, parties to Treaties Nos. 1 and 2, that, while the Government cannot admit their claim to any thing which is not set forth in the treaty, and in the memorandum attached thereto, which treaty is binding alike upon the Government and upon the Indians, yet, as there seems to have been some misunderstanding between the Indian Commissioner and the Indians in the matter of Treaties Nos. 1 and 2, the Government, out of good feeling to the Indians and as a matter of benevolence, is willing to raise the annual payment to each Indian under Treaties Nos. 1 and 2, from \$3 to \$5 per annum, and

¹² In lieu of = instead of

¹³ Harrow = a farming implement dragged over plowed land to break up clods, remove weeds and cover seed

make payment over and above such sum of \$5, of \$20 each and every year to each Chief, and a suit of clothing every three years to each Chief and each Headman, allowing two Headmen to each band, on the express understanding, however, that each Chief or other Indian who shall receive such increased annuity or annual payment shall be held to abandon all claim whatever against the Government in connection with the so-called "outside promises," other than those contained in the memorandum attached to the treaty.

The Committee submit the foregoing recommendation for Your Excellency's approval:

W. A. HIMSWORTH,

Clerk Privy Council.

Certified,

W. A. HIMSWORTH,

Clerk Privy Council.

We, the undersigned Chiefs and Headmen of Indian bands, representing bands of Indians who were parties to the Treaties Nos. 1 and 2, mentioned in the report of the Committee of the Queen's Privy Council of Canada, above printed, having had communication thereof, and fully understanding the same assent thereto and accept the increase of annuities therein mentioned, on the condition therein stated, and with the assent and approval of their several bands, it being agreed, however, with the Queen's Commissioners, that the number of braves and councillors for each Chief shall be four, as at present, instead of two, as printed 1875.

In the presence of the following: ALEX. MORRIS, L.G. [S.L.] JAMES McKAY. ISAAC COWIE. FRANCIS FIELD. JOHN A. DAVIDSON. CHARLES WOOD.	Representing East-Manitoba or Elm Point: SON-SONSE, chief, his x mark
	NA-KA-NA-WA-TANG, his x mark.
	PA-PA-WE-GUN-WA-TAK, his x mark.
	Councillors. Representing Fairford Prairie:
	MA-SAH-KEE-YASH, chief, his x mark.
	DAVID MARDEN, Councillor, his x mark.
	JOSEPH SUMNER, Councillor, his x mark

	Representing Fairford Prairie:
	RICHARD WOODHOUSE, chief.
	JOHN ANDERSON, Councillor.
	JOHN THOMPSON, Councillor, his x mark
	Formerly Crane River and now Ebb and Flow Lake:
	PENAISE, chief, his x mark (son of deceased Broken Finger.)
	BAPTISTE, Councillor, his x mark.
	KAH-NEE-QUA-NASH, Councillor, his x mark.
	Representing Water Hen Band:
	KA-TAH-KAK-WA-NA-YAAS, chief, his x mark.
	WA-WAH-KOW-WEK-AH-POW, Councillor, his x mark.
	Représentants de la rivière de la Tortue et de la rivière de la Vallée ainsi que de Riding Mountain:
	KEE-SICK-KOO-WE-NIN, chief, his x mark. (in place of Mekis, dead.)
	KEE-SAY-KEE-SICK, Councillor, his x mark.
	NOS-QUASH, brave, his x mark.
	BAPTISTE, brave, his x mark.
	Representing the St. Peter's Band:
	MIS-KOO-KE-NEW, (or Red Eagle), his x mark.
	MA-TWA-KA-KEE-TOOT, his x mark.
	I-AND-WAY-WAY, his x mark.

	MA-KO-ME-WE-KUN, his x mark.
	AS-SHO-AH-MEY, his x mark.

We, the undersigned Chiefs and Headmen of Indian bands representing bands of Indians who were parties to the Treaties Nos. 1 and 2, mentioned in the report of a Committee of the Queen's Privy Council of Canada, "as printed on the other side of this parchment," having had communication thereof and fully understanding the same, assent thereto and accept the increase of annuities therein mentioned on the condition therein stated, and with the assent and approval of their several bands, it being agreed, however, with the Queen's Commissioners, that the number of braves and councillors for each Chief shall be four, as at present, instead of two, as printed 1875.

Signed near Fort Alexander, on the Indian Reserve, the twenty-third day of August in the year of Our Lord one thousand eight hundred and seventy-five. Witnesses: J. A. N. PROVENCHER, Indian Commissioner. J. DUBUC, A. DUBUC, JOSEPH MONKMAN, Interpreter. WM. LOUNT, H. L. REYNOLDS.	KAKEKEPENAIS, or (WILLIAM PENNEFATHER), his x mark JOSEPH KENT his x mark PETANAQUAGE, or (HENRY VANE), his x mark PETER HENDERSON his x mark
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We the undersigned Chiefs and Headmen of Indian bands representing bands of Indians who were parties to the Treaties Nos. 1 and 2 mentioned in the report of a Committee of the Queen's Privy Council of Canada, as printed on the other side of this sheet, having had communication thereof and full understanding of the same, assent thereto and accept the increase of annuities therein mentioned, on the condition therein stated, and with the assent and approval of their several bands, it being agreed, however, with the Queen's Commissioners, that the number of braves and councillors for each Chief shall be four, as at present, instead of two, as printed.

Signed on the reserve at Rosseau River, 8th day of September, 1875.	MA-NA-WA-NANAN, (or CENTRE OF BIRD'S TAIL) Chief, his x mark
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J. A. N. PROVENCHER, Indian Commissioner. Witness: JAS. F. GRAHAM.	KE-WE-SAY-ASH, (or FLYING ROUND), Chief, his x mark
	WA-KOO-WUSH, (or WHIPPOORWILL) Chief, his x mark
	OSAH-WEE-KA-KAY, Councillor, his x mark
	OSAYS-KOO-KOON, Councillor, his x mark
	SHAY-WAY-ASH, Councillor, his x mark
	SHE-SHE-PENSE, Councillor, his x mark
	MA-MAH-TAK-CUM-E-CUP, Councillor, his x mark
	PAH-TE-CU-WEE-NINN, Councillor, his x mark
	PAH-TE-CU-WEE-NINN, Councillor, his x mark
	AK-KA-QUIN-IASH, Brave, his x mark
	ANA-WAY-WEE-TIN, Brave, his x mark
	TIBIS-QUO-GE-SICK, Brave, his x mark
	NE-SHO-TA, Brave, his x mark
	NAT-TEE-KEE-GET, Brave, his x mark

SOURCE

Reproduced from "Treaties 1 and 2 Between Her Majesty The Queen and the Chippewa and Cree Indians of Manitoba and Country Adjacent with Adhesions." *Indigenous and Northern Affairs Canada*. <https://www.aadnc-aandc.gc.ca/eng/1100100028664/1100100028665>.

Handout: Wemyss McKenzie Simpson

Wemyss McKenzie Simpson (30 March 1824 – 31 March 1894) was the Indian Commissioner who negotiated and signed Treaties 1 and 2 on behalf of the government of Canada. Simpson came to Lower Canada¹ in 1841 and was employed by the Hudson's Bay Company, who he worked for until 1864. He began his employment with the company as a clerk, and was later promoted to chief trader and then chief factor.² He was the last chief factor of the company post at Sault Ste. Marie, Ontario. Simpson was a member of the House of Commons for Algoma from 1867 to 1871. In 1870, Simpson was appointed as a special commissioner to negotiate a passage of troops through the territory of the Saulteaux in North Western Ontario. Though a treaty was not completed with the Saulteaux, Simpson did manage to negotiate the passage of the troops (on their way to Red River and conflict with the Métis) through the territory in exchange for gifts.

In 1871 Simpson accepted appointment as the Indian commissioner for Rupert's Land and resigned his seat in Parliament. When he received his instructions by Secretary of State Howe, Simpson also received a copy of the Robinson Treaties from Ontario, indicating that the government thought of those treaties as a model for later agreements. Nonetheless, Simpson had some room to negotiate. Secretary of State Howe's instructions to Simpson stated:

The powers entrusted to you are large, and they should be used with constant reference to the responsibility which the Government owes to Parliament and to the Country for the judicious and economical expenditure of the funds and supplies entrusted to your charge. It should, therefore, be your endeavour to secure the cession³ of the lands upon terms as favourable as possible to the Government, not going as far as the maximum sum hereafter named unless it be found impossible to obtain the object for a less amount (Daugherty 1983).

Simpson was allowed to offer up to \$12 per year for each family of five, with small monetary increments⁴ for larger families. He was encouraged to pay less, if possible, with Howe reminding him that some Ontario lands had been purchased at the rate of \$4/year for a family of five. Simpson arrived in Manitoba on 16 July 1871 to negotiate what would become Treaty 1. He met with Lieutenant-Governor Adams G. Archibald, Simon James Dawson and James McKay, a Métis member of the Executive Council of Manitoba, to form a plan. The men "concluded that it would be best to extinguish Indian title to the lands within the Province, for much of the timber ground to the east and north, as well as to a large tract of agricultural land west of the Portage" (Daugherty 1983). Simpson went to Fort Garry on the 25th of July. Finding that few Indigenous parties had arrived, Simpson held preliminary meetings with Chief Henry Prince. Simpson met again with the indigenous parties who had arrived on the 26th and 27th. On the 29th the Anishinaabe negotiators indicated what lands they wished to have reserved to them. Simpson considered their proposal "utterly out of the question." He proposed much smaller reserves, which he said would be acceptable to the Queen. Agreement was slowly reached, and Treaty 1 was signed in August 1871.

Shortly after the treaties had been signed there were complaints that treaty promises were not being honoured by the government. In February 1872, James McKay wrote to Lieutenant-Governor Archibald, telling him that the Anishinaabe and Swampy Cree were complaining that the terms of the treaty were not being fulfilled. In particular, they complained that they had not been provided with the promised agricultural implements.⁵ Archibald placed much of the blame

¹ Lower Canada = Present-day Quebec

² Chief factors sat in council with the governors as district heads. They also received a larger share of the company's profits or losses.

³ Cession = a formal giving up of rights to property

⁴ Increments = increases

⁵ Implements = tools

for this on Simpson. The lieutenant-governor concluded that it would be impossible to maintain good relations between the settlers, government and Indigenous parties if the treaties promises were not closely kept. He felt that, because Simpson was not living in Manitoba, it would be difficult for him to maintain good relations and that “[i]t would be a mere mockery in reply to their request for explanations or aid, to say they may apply to a commissioner, distant a thousand miles from here” (Daugherty 1983). For his part, Simpson denied that he had received any applications for agricultural tools, ignoring Archibald’s concern that such applications could not be made with him living so far away. Throughout 1872, it appeared Simpson was not eager to fix this and other implementation problems. When Alexander Morris became lieutenant-governor in December 1872, he wrote to the federal government in Ottawa requesting that it honour its treaty commitments and suggested appointing an Indian commissioner who would live in the province. This move had the desired effect, and Simpson was replaced as commissioner by Joseph Provencher. Provencher was a politician and newspaper editor. He was a member of the Council of Keewatin from 1876 to 1877.

Simpson’s legacy as an Indian commissioner is mixed. He succeeded in negotiating treaties which were, at least from the government’s point of view, a success. He failed, however, in implementing the treaty promises, and seemed to have little interest in ensuring the treaty promises were kept. Simpson died at Fort Monroe, Virginia, in 1894.

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Handout: Mis-Koo-Kinew (or Henry Prince)

BIOGRAPHY

On 3 August 1871, Mis-Koo-Kinew (or Henry “Red Eagle” Prince) signed Treaty 1 on behalf of the “St. Peter’s Band,” now known as the Peguis First Nation. Prince was born around 1819 on the St. Peters Indian Reserve. He was the youngest son of an indigenous woman (later baptized as Victoria King) and Chief Peguis (1774–1864), the famous chief of the Saulteaux. Before his death, Chief Peguis became famous for his role in aiding the Selkirk settlers. Upon their arrival at Red River in 1812, he defended them, showed them how to subsist¹ from the country. Although he remained friendly with settlers and traders, Peguis later became disillusioned² because of trespassing on his lands and violations of his 1817 treaty with Lord Selkirk.

When Chief Peguis died in 1864, Prince became Chief of the Saulteaux. At the time, Prince was a 45-year-old grandfather with six children. In 1857, Chief Peguis had petitioned the Aborigines’ Protection Society in the United Kingdom to advocate for a “fair and mutually advantageous treaty” for his people. Indigenous peoples in Manitoba had been advocating for a treaty with the federal government since the late 1850s. The Hudson’s Bay Company’s “sale” of Rupert’s Land in 1870 had caused alarm among Indigenous peoples, particularly since they had never recognized the company as owning the lands. They wondered how the Hudson’s Bay Company could have sold lands that the company had never owned, lands that had always belonged to Indigenous peoples. The government began treaty negotiations with the belief that it already “owned” the land in question. This perplexed Indigenous people, who thought the land was not the Hudson’s Bay Company’s to sell. This issue was raised many times, including at treaty negotiations. Peguis and Henry Prince published an “Indian Manifesto” in the settler newspaper *The Nor’Wester*, insisting that anyone who cultivated Indigenous land would have to make annual payments.

Henry Prince was among the most vocal Indigenous voices who supported agreeing to a treaty with the government. He negotiated on behalf of the St. Peter’s Indian Settlement, whose members were the most numerous group at the negotiations. Prince emphasized that he and his people had not supported the Métis resistance the preceding year, remaining loyal to the Queen. Though he felt a treaty was needed to protect his people’s interests, he was uncertain about the terms that the Crown proposed. He recalled that his father’s dying words asking him to maintain the line established under the Selkirk Treaty of 1817.³ As law professor Aimée Craft writes, “Henry Prince explained that when he did things, he did them for the benefit of all Indians, although he acknowledged the limits of his jurisdiction by explaining that his authority extended only ‘as far as Fort Garry,’ the geographical boundary of his band’s territory” (Craft 2013). The government, on the other hand, “was only willing to negotiate treaties according to its own timetable based on external and often short-term needs rather than concern for the long-term well-being of the Indians” (Daschuck 2013). Henry Prince, then, came to the treaty negotiations with the intention of securing the well-being of his people in the face of increasing settlement and a government intent on opening the lands to make room for that settlement.

SOURCES

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<http://www.thecanadianencyclopedia.ca/en/article/treaties-1-and-2/>.

¹ Subsist = survive

² Disillusioned = unhappy

³ The Selkirk Treaty was signed between Lord Selkirk and Chiefs at the Red River Settlement in 1817. It was negotiated in response to Indigenous concerns about settlement and agricultural development on their lands. The treaty was intended to provide compensation for lands already taken and to prevent further lands being taken without consent.

"Chief Henry (Mis-Koo-Ke-New), 'Red Eagle' Prince (1819–1902), Sarah Badger (1826–1898)." *Red River Ancestry.ca*. <http://www.redriverancestry.ca/PRINCE-HENRY-1819.php>.

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INDIAN MANIFESTO

The manifesto,⁴ reproduced below, was published in the Red River Nor'Wester newspaper on 15 April 1861 and documents his sentiments on Indigenous rights to their ancestral lands.

A document has been handed us for publication which was signed by six Indian magnates on the 16th January, 1861. We give the substance, as it affects some of the settlers. It says:—

Of late, several person have extended their cultivation of Indian Lands, that is they have ploughed up, enclosed and sown lands outside of the two miles.—We hereby declare, that all persons who have before this time cultivated Indian Lands and also all those who may in future bring portions of unoccupied Indian land under cultivation,—shall be secured in the enjoyment of the said lands occupied as above stated on the annual payment of one bushel of wheat for every five bushels of seed sown on the aforesaid lands, and for barley and potatoes at the same rate,—by each party occupying said lands,—as an acknowledgment of our property in the said lands.

Done this sixteenth day of January one thousand eight hundred and sixty-one.

PEGUIS, his x mark. Chief.

MANNAMIO, his x mark.

MOOSCOOSE, his x mark.

ESKFPACAKOOSE, his x mark.

ACCUPAS, his x mark.

HENRY PRINCE, his x mark.

Handout: James McKay

James McKay was a fur trader, guide and politician. He was born in 1828 at Edmonton House, North-West Territories (present-day Alberta) and was son of another fur trader. His mother was Métis. He died at St. James, Manitoba on 2 December 1879.

James McKay was educated at Red River. He worked for the Hudson's Bay Company (HBC) from 1853 to 1860, where he advanced rapidly, serving as clerk and postmaster, and establishing posts on the Sheyenne and Buffalo rivers in American territory in 1859. His ability to speak Indigenous languages and his thorough knowledge of the prairies made him a well-known guide whose services were sought by distinguished travelers. He was responsible for meeting Sir George Simpson on several of the trips made by the HBC governor from eastern Canada via the Mississippi en route to Upper Fort Garry (Winnipeg). As one writer recounted: "Jeemie McKay was proud of the fact that, always on the tenth day of their start from Crow Wing [Minnesota] at the stroke of noon from the Fort Garry bell, he landed Sir George at the steps of the Chief Factor's House. Relays of horses enabled him to do this, rain or shine; and the slightest stoppage in muskeg or stream found McKay wading in to bring Sir George on his broad shoulders to dry land."

In 1857 McKay guided the British expedition headed by Captain John Palliser from Fort Ellice (St. Lazare, Manitoba) through the Saskatchewan plains to its winter quarters at Fort Carlton (Sask.). In 1859 when the Earl of Southesk, on a western hunting trip, was in Simpson's party from Crow Wing to Upper Fort Garry, he described McKay: "Immensely broad-chested and muscular, though not tall, he weighed eighteen stone; yet in spite of his stoutness he was exceedingly hardy and active, and a wonderful horseman. His face – somewhat Assyrian in type – is very handsome: short, delicate, aquiline nose; piercing dark grey eyes; long dark-brown hair, beard, and moustaches; white, small, regular teeth; skin tanned to red bronze from exposure to weather. He was dressed in Red River style – a blue cloth 'capot' (hooded frock-coat) with brass buttons; red-and-black flannel shirt, which served also for waistcoat; black belt round the waist; buff leather moccasins on his feet; trowsers of brown and white striped home-made woollen stuff."

McKay left the service of the HBC—Simpson tried unsuccessfully to keep him—to work on his own at trading, freighting, mail transportation and supervision of road construction. He had married Margaret Rowand in June 1859 and established a fine home at Deer Lodge. A son died in infancy; McKay had informally adopted a girl named Augusta whose parents had been killed by Sioux and who lived with the Grey Nuns.

McKay was appointed a member of the Council of Assiniboia in 1868 and president of the Whitehorse Plains District Court. When disturbances broke out in the Red River Settlement in 1869–70, McKay was prepared to accept the plans of the Canadian government for administration of the newly acquired territory, but he would not actively oppose his Métis friends who were resisting the Canadian government's advances on their territory. He withdrew for a time to the United States to avoid the situation. He later managed to prevent a visit to the settlement by an armed group of Sioux First Nations which might have provoked hostilities in the delicate situation. McKay was later named one of the English councillors in the provisional government of the new province.

After the province of Manitoba was formed, Lieutenant Governor Adams George Archibald appointed his first council (non-elected governing council), on 10 January 1871. He included McKay. McKay's addition to the two French and two English representatives, wrote Archibald, "would in no way disturb the delicate balance since his father was Scotch, his mother [French Métis] and though he himself [is] a Catholic he has two brothers Presbyterians." McKay occupied several important positions in the government of Manitoba until he was forced by ill health to retire in 1878. He was president of the Executive Council from 1871 to 1874. He was a member of the Manitoba Legislative Council throughout its existence, 1871–76, and its speaker until 1874. McKay was minister of agriculture in the Robert Atkinson Davis government, 1874–78. The program of the Bureau of Agriculture and Statistics over which he presided was confined, as were

those of other departments of the Manitoba government of that period, by inadequate funds. However, the bureau did undertake the compilation¹ of information for the advancement of agriculture and the encouragement of immigration, and supported the establishment of agricultural societies. McKay represented Lake Manitoba in the Legislative Assembly, 1877–78. Throughout his political career, he was described as “cautious, of excellent judgment in some instances; but had implicit faith in the advice of the clergy and [was] not likely to oppose the views of the Archbishop. I must say in fairness he considered those opposed to him, and was at all times willing to discuss public questions with his opponent, with a degree of justice, and at times wonderful adroitness.”² From 1873 to 1875 McKay was also a member of the Council of the North-West Territories in which he concerned himself with problems affecting the native population, including the regulation of the buffalo hunt and the control of the liquor traffic.

It was in the settlement of Indigenous claims that McKay made his most significant public contribution. He had assisted in the negotiation of Treaties No 1 (Lower Fort Garry) and No 2 (Manitoba Post on Lake Manitoba) in 1871, and No 3 (North West Angle of Lake of the Woods) in 1873. He was one of the commissioners for Treaty No 5 (Winnipeg) in 1875 and for Treaty No 6, concluded at Forts Carlton and Pitt (near present-day Lloydminster) in 1876.

The text of several treaties indicates that the treaties were signed and witnessed after “having been first read and explained by the Honorable James McKay.” As Alexander Morris, lieutenant governor of Manitoba and the North-West Territories, pointed out, McKay on these occasions “had the opportunity of meeting with them [the Indigenous peoples] constantly, and learning their views which his familiarity with the Indian dialects enabled him to do.” He was both negotiator and interpreter. He played an important role in getting Treaty 1 signed. By the seventh day of negotiations, the parties were quite far apart in their demands and many bands were prepared to leave the negotiations altogether. McKay asked the bands to stay for one more night. As Aimée Craft writes: “It is unclear what James McKay said or did during the evening, but the chiefs remained at the Fort and signed the treaty the following day, the eighth and final day of negotiations. The treaty was signed, with no further terms negotiated, nor any explanation on the record of what had transpired to change the collective minds of the chiefs. The chiefs were ‘in better humour,’ and signed the treaty promptly” (Craft 2013).

At Fort Carlton, in 1876, he said to the Indigenous peoples gathered there: “I hope you will not leave until you have thoroughly understood the meaning of every word that comes from us. We have not come here to deceive you, we have not come here to rob you, we have not come here to take away anything that belongs to you, and we are not here to make peace as we would to hostile Indians, because you are the children of the Great Queen as we are, and there has never been anything but peace between us.” Morris’s observation that this “remarkable man, the son of an Orkneyman by an Indian mother... possessed large influence over the Indian tribes, which he always used for the benefit and the advantage of the government” must be coupled with other statements attesting to his generosity in treating with First Nations. He was associated with his fellow commissioners in Treaty No 6 in according additional benefits to the Indigenous residents, including provision for medical supplies and for assistance in times of epidemic and general famine, and during the initial period of establishment on reserves. James McKay died at his estate in the parish of St. James.

Reproduced from Turner, Allan R. “McKay, James.” *Dictionary of Canadian Biography*, http://www.biographi.ca/en/bio/mckay_james_10E.html, with some updates.

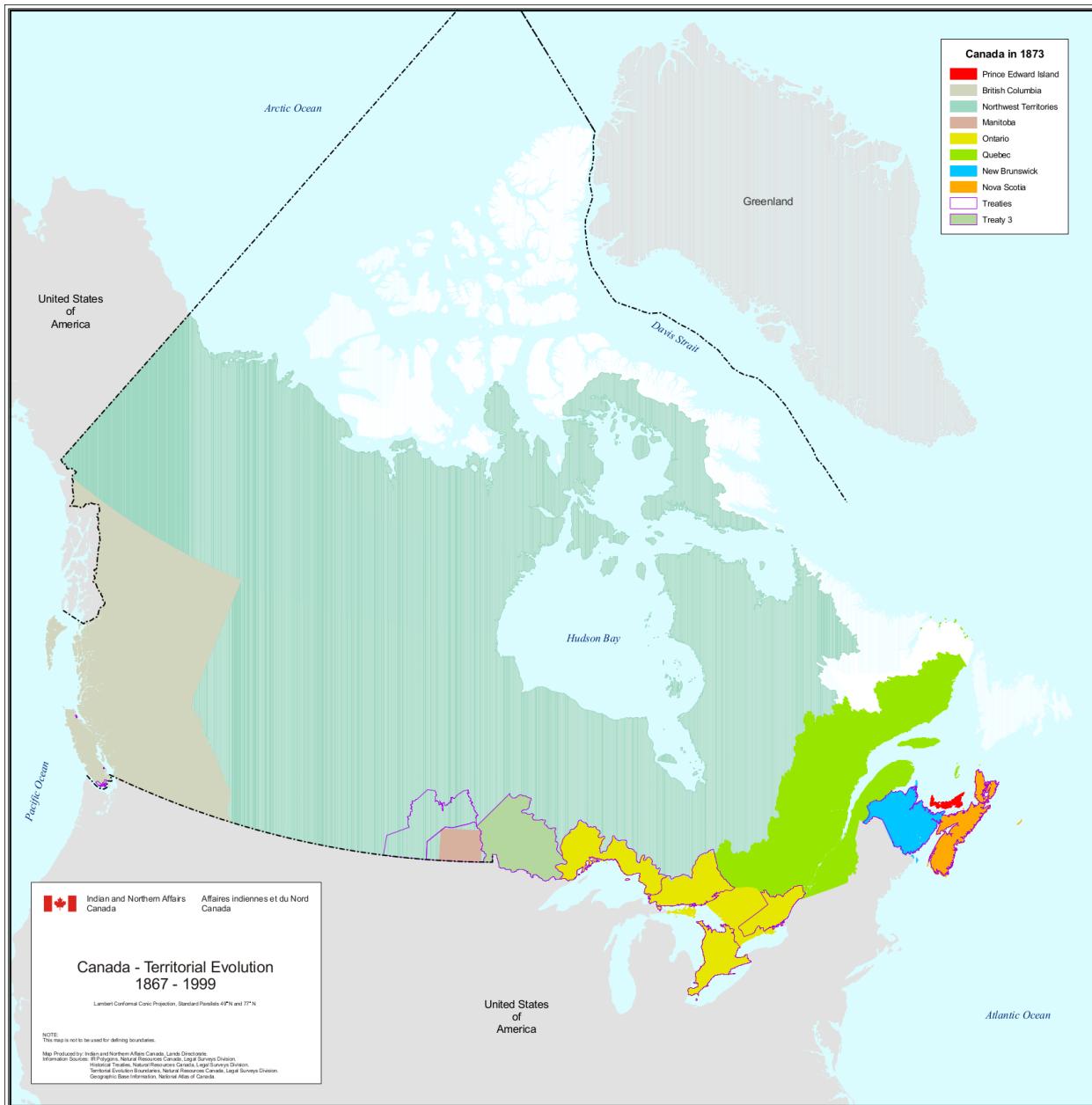
¹ Compilation = gathering

² Adroitness = cleverness

Handout: Maps of Canada

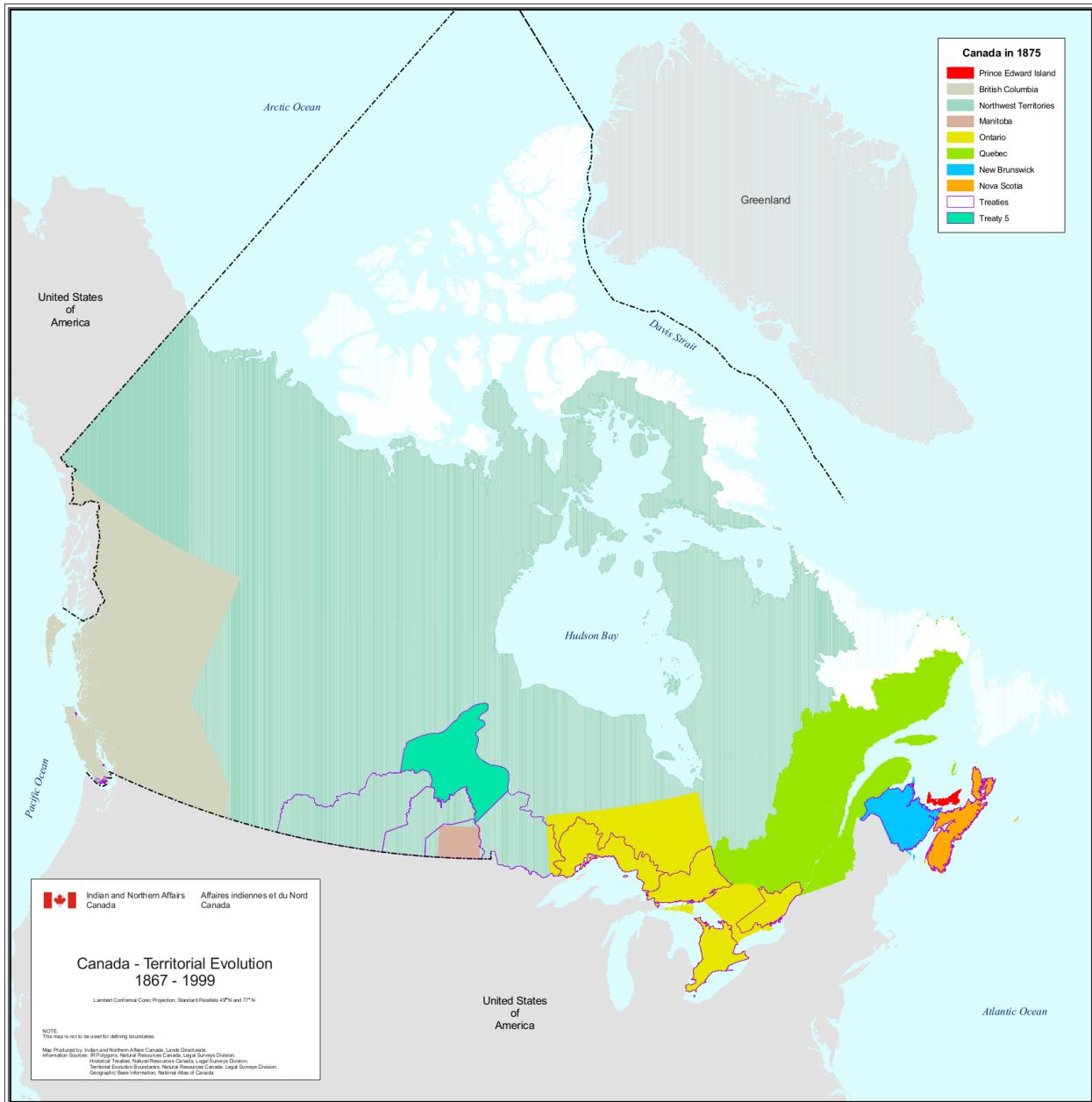
Canada's boundaries evolved over time. Manitoba, for example, began as a "postage stamp" sized province in 1870, but soon grew to encompass its present-day boundaries. The Crown and Indigenous groups also signed a number of treaties that remain foundation agreements to this day. Please review the maps below and report on what the changes meant in the past, and discuss their present-day relevance.

CANADA IN 1873



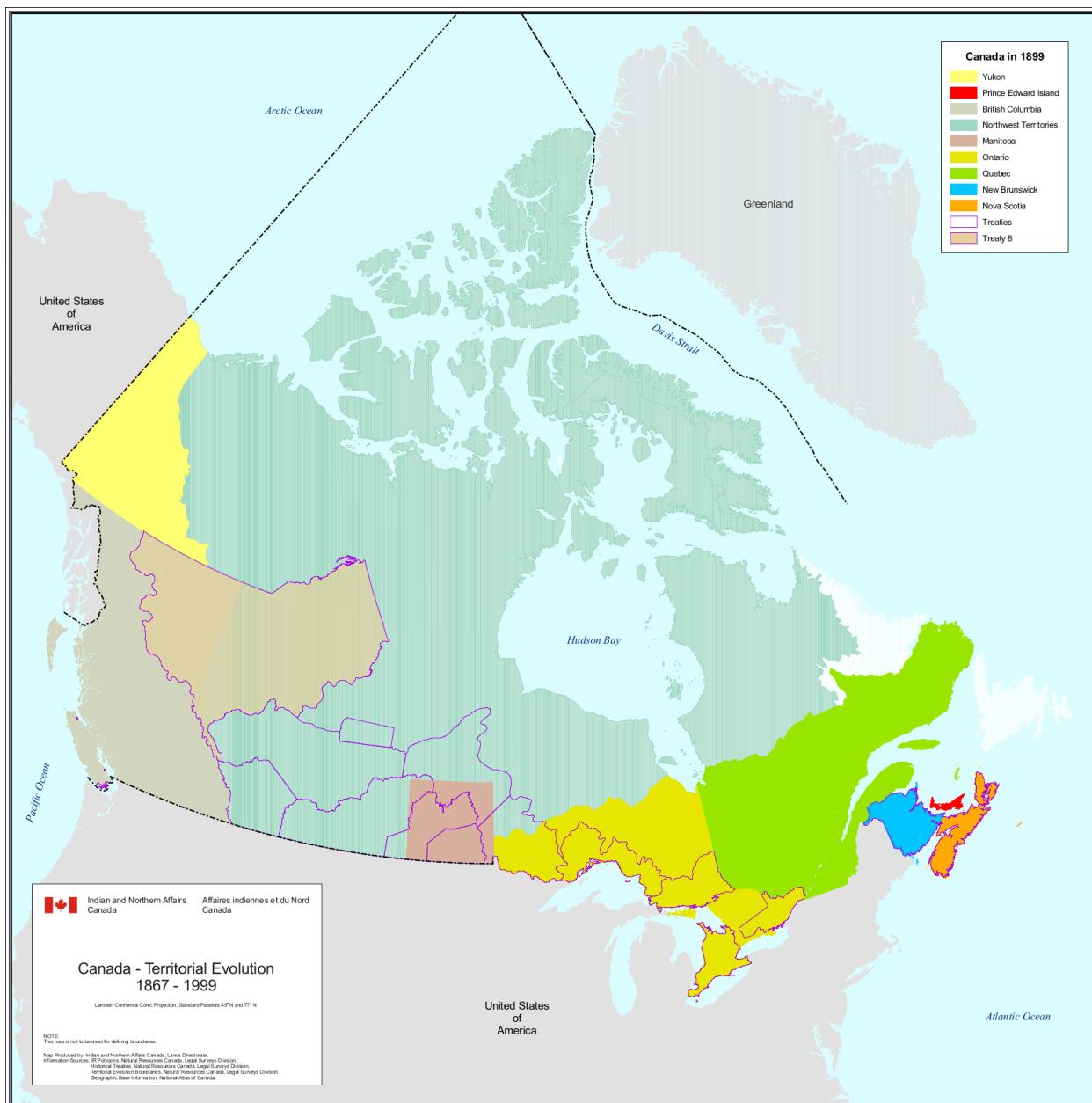
Map reproduced from:
https://www.aadnc-aandc.gc.ca/DAM/DAM-INTER-HQ/STAGING/texte-text/hc1873trty_1100100028668_eng.pdf.

CANADA IN 1875



Map reproduced from:
http://www.aadnc-aandc.gc.ca/DAM/DAM-INTER-HQ/STAGING/texte-text/hc1875trtry_1100100028657_eng.pdf.

CANADA IN 1899



Map reproduced from:
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WE ARE ALL TREATY PEOPLE



The Numbered Treaties

Between 1871 and 1921, the British Crown and First Nations (Anishinabeg, Anishininiwak, Ininiwak, and Dene) entered into eleven separate Treaties that enabled the Government to actively pursue agriculture, settlement, transportation links and resource development in the Canadian West and North. These Treaties are commonly referred to as the Numbered Treaties and cover northern Ontario, Manitoba, Saskatchewan, Alberta, north-eastern British Columbia and the Northwest Territories.

The First Nations negotiated and entered into the Numbered Treaties in order to formalize a long standing relationship with the Crown. This relationship developed through many years of interaction and trade with newcomers. The First Nations entered into Treaties to protect their livelihoods, cultures, languages and land bases. First Nations did not view the Treaties as a surrender of their land but as an agreement to share the land with Newcomers.

From the Crown's perspective, under the Numbered Treaties, the First Nations ceded tracts of land to the Crown in exchange for specific rights. These Treaty rights include: reserve lands for the sole use and benefit of First Nations, education, health, agricultural assistance, livestock, annuities, ammunition, clothing, taxation exemptions and continued rights to hunting, fishing, trapping and harvesting.

TREATY NO. 1

Treaty No. 1 was entered into on August 3, 1871 at Lower Fort Garry. Communities enjoying the benefits and responsibilities of Treaty No. 1 land include: Winnipeg, Portage La Prairie, Selkirk, Steinbach, Emerson and Winkler. The First Nation Treaty No. 1 communities are: Brokenhead, Long Plain, Peguis, Roseau River, Sagkeeng, Sandy Bay and Swan Lake.

TREATY NO. 2

Treaty No. 2 was entered into at Manitoba House on August 21, 1871. A few of the communities that enjoy the benefits and responsibilities of Treaty No. 2 land include: Ashern, Brandon, Dauphin, Minnedosa and Roblin. The First Nation communities of Treaty No. 2 are: Dauphin River, Ebb & Flow, Keeseekowenin, Lake St. Martin, Lake Manitoba, Little Saskatchewan, O-Chi-Chak-Ko-Sipi, Pinaymoontang and Skownan.

TREATY NO. 3

Treaty No. 3 was entered into at the Northwest Angle of Lake of the Woods, Ontario on October 22, 1873. The Manitoba First Nation community of Treaty No. 3 is Buffalo Point. Manitoba communities that enjoy the benefits and responsibilities of Treaty No. 3 land include: Falcon Lake, Middlebro and Point du Bois.

TREATY NO. 4

Treaty No. 4 was entered into at Fort Qu'Appelle, Saskatchewan on September 15 and 21, 1874. The majority of the Treaty No. 4 territory is in Saskatchewan. However, an area of western Manitoba is included in Treaty No. 4 territory. Manitoba communities that enjoy the benefits and responsibilities of Treaty No. 4 land include: Birch River, Mafeking and Swan River. Manitoba First Nation Treaty No. 4 communities are: Gambler, Pine Creek, Rolling River, Sapotawayak, Tootinawaziibing, Waywayseecappo and Wuskwi Sipi.

TREATY NO. 5

Treaty No. 5 was entered into on September 20, 1875 at Berens River and September 24, 1875 at Norway House. The First Nation Treaty No. 5 communities are: Beers River, Black River, Bloodvein, Chemawawin, Cross Lake, Fisher River, Hollow Water, Kinonjeostegon, Little Grand Rapids, Misipawistik, Mosakahiken, Norway House, Opaskwayak, Pauingassi and Poplar River. Some of the Manitoba communities that enjoy the benefits and responsibilities of Treaty No. 5 are: Bissett, Cranberry Portage, Headfort, Head Lake, and Thompson.

Adhesions to Treaty No. 5

Adhesions to Treaty No. 5 were entered into at various dates and locations starting in 1875 and ending in September 2001 at O-Pipon-Na-Piwin. The First Nations who entered into Adhesions to Treaty No. 5 are: Bandubeezox, Fox Lake, Garden Hill, God's Lake, Granville Lake, Manto Sipi, Nishikawayashik, O-Pip-On-Na-Piwin, Waagamack, War Lake and York Factory. Manitoba communities that enjoy the benefits and responsibilities of the Adhesions to Treaty No. 5 include: Churchill, Gilliam, Leaf Rapids, and Lynn Lake.

TREATY NO. 6

Treaty No. 6 was negotiated and entered into on August 23 & 28, 1876 at Fort Carlton and September 19, 1876 at Fort Pitt, Saskatchewan, although the entire Treaty No. 6 territory lies within Saskatchewan the First Nation communities of Mathias Colomb and Marcel Colomb who participated in the making of Treaty No. 6 are within Manitoba.

TREATY NO. 10

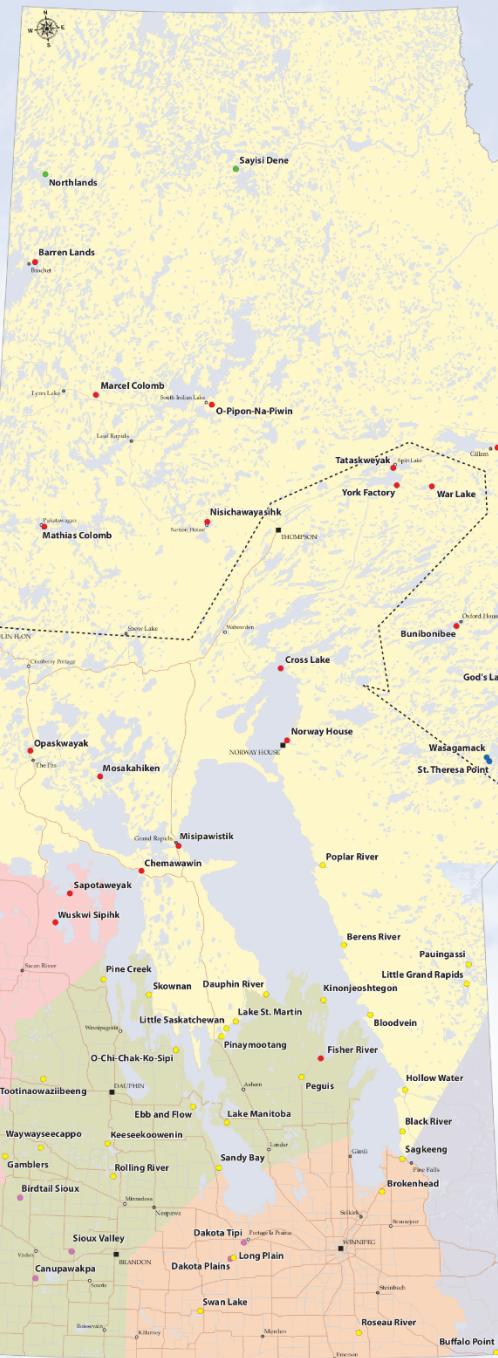
Treaty No. 10 was entered into on multiple dates and locations in 1906. The majority of the Treaty No. 10 territory is within Saskatchewan but the Treaty No. 10 First Nation communities within Manitoba are Barren Lands and Northlands.

THE DAKOTA NATION

The Dakota people in Manitoba are not a party to the Numbered Treaties. However, they are recognized as having use and occupation of territories within Manitoba having secured alliances and arrangements with the Crown and other First Nations in Manitoba. Dakota communities in Manitoba are Birdtail Sioux, Chippewawka, Dakota Tipi, Dakota Plains and Sioux Valley.

MAP DISCLAIMER: This map is provided as a public service by the TRCM. It is presented for illustrative purposes and does not imply the expression of any opinion on the part of the TRCM or their partners concerning the legal status of any First Nation or territory. The information contained in this map is derived from a number of sources which may, in part, be current. Any inaccuracies found here are outside the control of the TRCM and any conclusions drawn from this map are the sole responsibility of the user. Due to the scale of the map the Treaty boundaries are approximate and do not reflect the actual Treaty boundaries as stated within the text of the Treaties. The boundaries are for general information purposes only.

For more information about the Treaty Relations Commission of Manitoba please visit our website at www.trcm.ca or call the TRCM office at 1-204-777-1871.



NATIONS

- Cree
- Oji-Cree
- Dakota
- Ojibway
- Dene

TREATY AREAS

- Treaty No. 1
- Treaty No. 2
- Treaty No. 3
- Treaty No. 4
- Treaty No. 5

Treaty Adhesions:

- Treaty No. 5 (1875 & 1908)



In Partnership with the Assembly of Manitoba Chiefs
and Aboriginal Affairs and Northern Development Canada

Handout: Treaty Commission Medals



(Treaty 1 & 2 Medal)

(1873 Treaty Medal)

Images reproduced from: Courchene, Darren H. "The Development of the Indian Treaty Medals of Canada." *Treaty Relations Commission of Manitoba*. <http://www.trcm.ca/about-us/trcm-medal/>.

TREATY MEDALS, 1871

Silver medals were very much a part of the regalia of the treaty ceremony. They offered a lasting visual reminder to all the participants of their treaty commitments. For example, in describing Treaty 7, Sarah Carter has noted that “From the Blackfoot perspective the treaty meant four things: that they would give up warfare against the Cree and other traditional enemies; that they would be allowed to continue to hunt; that each member would be given a small annual payment as well as cattle and farming tools; and that each chief would get a medal, money, a uniform, and a Winchester rifle” (Carter 2014).

The medal bears a bust of Queen Victoria and the inscription “VICTORIA REGINA”; the reverse side bears a wreath of oak leaves and acorns joined by a knot. The medal was not made specifically for the treaties; it was purchased from J. S. & A. B. Wyon of London, England, and was selected from pre-made stock. Interestingly, it resembles medals that were awarded at agricultural fairs. Since the medal used in Treaties 1 and 2 was considered too small and the design inappropriate, a substitute medal was commissioned by the federal government in 1872 from silversmith Robert Hendry of Montreal.

The design for the new medal was adapted from the Confederation medal of 1867, to which Hendry added an outer 11 millimetre ring. The medal bears the likeness of Queen Victoria. The inscription that was soldered to the outer ring reads “DOMINION OF CANADA CHIEFS MEDAL 1872.” Four allegorical figures—representing lumbering, mining, fishing and farming—are stamped on the reverse side with a seated Britannia. The outer inscription on the reverse side reads “INDIANS OF THE NORTHWEST TERRITORIES.” The inscription CANADA INSTAURATA 1867 JUVENAS ET PATRIUS VIGOR can be translated as “Canada was established in 1867 through youth and patriotic strength.”

Despite the impressive size of this Canadian-made medal—it measured 95 millimetres in diameter and 10 millimetres in thickness—the silver plating peeled off too easily, so an alternative had to be found. In 1873, several copies of a third silver medal with a more appropriate western theme were ordered from J.S. & A.B. Wyon of London, England, at a cost of \$24 each. They featured a bust of Queen Victoria and the inscription “VICTORIA REGINA,” and on the reverse side, a stylized First Nations encampment at sunset, with a First Nations leader in war costume and a British officer shaking hands.

The inscription on the reverse side reads: “INDIAN TREATY N°. – / 187-.”

The spaces were deliberately left blank and would be incised with the treaty number and date at the appropriate time.

SOURCES

Carter, Sarah. *The True Spirit and Original Intent of Treaty 7*. Montréal: McGill-Queen's University Press, 2014.

Courchene, Darren H. “The Development of the Indian Treaty Medals of Canada.” *Treaty Relations Commission of Manitoba*. <http://www.trcm.ca/about-us/trcm-medal/>.

THE CONFEDERATION DEBATES

EDUCATION TEAM



Jennifer Thiverge led *The Confederation Debates* education committee. She is a PhD candidate in History at the University of Ottawa and has a Masters of Education and a Bachelor of Education in Voice, Drama, and History. Her research interests are interdisciplinary, ranging from using drama to teach about World War One, Dark Heritage and Collective Memory in the Museums, to how gender plays a role in the History of Computer Science. As an active historian and educator, Jennifer has extensive experience in both fields.



Daniel Heidt, PhD is *The Confederation Debates* project manager. His doctoral research on Canadian politics and Ontario federalism during the nineteenth century demonstrated that asymmetrical political influence does not necessarily destabilize national unity. He also has a strong background in digital humanities and co-owns Waterloo Innovations, a company dedicated to working with researchers to improve digital workflows.



Bobby Cole is an MA student in Canadian and Indigenous Commemorative History at the University of Ottawa. His research focuses on the Historic Sites and Monuments Board of Canada's representation of Indigenous history in the 30 years following the Second World War.



Robert Hamilton is a PhD student at the University of Victoria Faculty of Law. His research focuses on Aboriginal law in Canada, with a specific focus on Aboriginal and Treaty rights in Canada's Maritime Provinces. Robert holds a B.A. (Hons) in Philosophy from St. Thomas University, a J.D. from University of New Brunswick Law School, and an LL.M. from Osgoode Hall Law School. He has published in the area of Aboriginal land rights in the Maritime Provinces and has presented his research at numerous academic conferences.



Elisa Sance is a PhD student in Canadian-American history at the University of Maine. Her doctoral research focuses on language, citizenship and identity in teacher training in Maine and New Brunswick during the twentieth century. As part of her training, Sance studied the teaching of modern languages, the teaching of children with learning and behavior problems in the regular classroom, and feminist pedagogy. She regularly attends professional development events on related topics and participates in outreach programs benefitting high schools and middle schools in Maine.

Adam Blacklock, Erica Fischer, Varun Joshi, Kira Smith, and Maria van Duinhoven, composed biographical briefs for several of the historical figures included in this package.

In addition to the quotes identified by volunteer transcribers, Kayla Grabia and Melissa Todd canvassed the records for many of the quotes found in the primary document handouts. Beth Graham kindly reviewed the entire lesson plan for typos and various inconsistencies.

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