THE LIEUTENANT-GOVERNORSHIP IN MANITOBA

1870 - 1882

A Thesis

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Master of Arts

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by

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PREFACE

This work might be said to comprise one principal study - the lieutenant-governorship - and several secondary studies - the aftermath of the Red River Insurrection, and the broad lines of Manitoba's social and economic development from 1870 to 1882. The latter aspects, which occupy the fifth, eighth, and tenth chapters, were judged necessary as essential background material which has not yet received adequate treatment by Canadian historians. Their inclusion accounts for the perhaps unusual length of this thesis.

It is only fitting to acknowledge at this point the generous assistance lent by the staffs of the Provincial Library and Public Archives of Manitoba, and of the Public Archives of Canada. The interest reflected in their co-operation provided constant encouragement. The same must be said of the judicious guidance given by Professor W. L. Morton, of the Department of History of the University of Manitoba, who bore patiently the rather violent fluctuations in the writer's enthusiasm and exertions.

TABLE OF CONTENTS

CHAPTER		PAGE
1.	INTRODUCTION - A PANORAMA	1
2.	1870 - THE NEW PROVINCE	7
	i. "A Frontier of Anticipation" - 9; ii. "Le Contrat de Mariage" - 19.	
3.	THE LEGAL FRAMEWORK	24
	i. The Documents - 24; ii. The Question of Status - 29.	
4.	THE FIRST APPOINTMENT	41
	i. Adams George Archibald - 41; ii. Arrival and Assumption of Office - 44.	
5.	BACKGROUND OF CONFLICT	53
	i. The First Year - 57; ii. The 'Fenian' Raid - 66; iii. The Second Year, 1871-72 - 80.	
6.	THE PATERNAL DESPOT	88
	i. Creating the Machinery - 88; ii. Support and Opposition - 97; iii. The Problem of Responsible Government - 104; iv. Peripheral Functions - 115; v. Evaluation - 124.	
7.	THE OLD GOVERNOR AND THE NEW	127
	i. Archibald's Resignation - 127; ii. The Choice of a Successor - 131; iii. Alexander Morris - 134.	
8.	THE CONFLICT RESOLVED	138
	i. Initiation - 139; ii. 1873 - 145; iii. 1874 - 151; iv. Settlement - 158; v. Aftermath of Criticism - 161.	

CHAPTER PAGE

9. DEVOLUTION OF CONTROL 166

i. Breakdown of Paternalism - 167; ii. Ministerial Dissensions - 174; iii. Responsible Government - 178; iv. Remnants of Power - 184; v. Federal Functions and the N.-W. T. - 190; vi. Evaluation - 202.

10. AN EVOLVING SOCIETY 207

i. Communications - 207; ii. Population Growth - 214; iii. Aspects of the Provincial Economy - 222.

11. "LE ROI FAINEANT" 230

i. Appointment of Cauchon - 230; ii. The 'Do-Nothing' Administration - 238.

12. POLITICS IN RETROSPECT 246

BIBLIOGRAPHY 253

ABBREVIATIONS

P.A.C.: Public Archives of Canada.

P.A.M.: Public Archives of Manitoba.

1874 Report: "Report of the Select Committee on the Causes of the Difficulties in the North-West Territory in 1869-70." Canada, Journals of the House of Commons, vol.VIII, 1874, Appendix No.6.

CHAPTER 1

INTRODUCTION - A PANORAMA

> "The smallest Province though Manitoba is, the office of its lieutenant-governor has entailed more extensive responsibilities than that of any other Province in the Dominion."
>
> - Editorial, "Lieut.-Governor Morris" Free Press Weekly, Dec. 1,1877.

Were this study to be given an adequately descriptive title it would be something in the nature of: "The Role of the Lieutenant-Governors in the Political and Social Development of Manitoba, 1870 to 1882." It is obvious from such a description that the question of scope is of prime importance, and it would not be inappropriate, here at the start, to indicate generally what the following chapters attempt.

The lieutenant-governor, it was felt, must be regarded in a two-fold aspect. The first is as a political office, endowed with certain intrinsic functions and powers which are, relatively speaking, constant. But these functions and powers are essentially theoretical. For the lieutenant-Governor is also sinew and bone, mind and will, in a society which is equally a matter of mind and will. Consequently the historical operation of those theoretical functions and powers is determined by the mutual impact of those minds and wills, varying from individual to individual and even from moment to moment.

It is a common practice among constitutionalists gravely to undertake studies of the former aspect in isolation - to describe and define the theoretical office as a significant political fact. But it is here submitted that any such significance is illusory, and that the real significance lies in the

conjunction of three elements; the office, the man, and the society. Only through a conception embracing this broad view can distortion and false illusion be avoided.

Thus a narrowly constitutional approach was rejected at the outset. So, too, was the purely biographical approach. These things are meaningless unless related to the provincial society of the years in question, and when this is done the dates confining the study become important.

Manitoba in 1870 was that singular society, "a frontier of anticipation," far removed from the advancing fringe of settlement. In its external relations, at least with respect to the young Dominion of Canada, it was remote and ingrown. From the inception of the Red River settlement its avenues to the outer world had been predominantly to the north, and at the time of Confederation such tendency as existed away from this northern cast of outlook veered to the south; such had been the case for two decades. If Confederation represented the triumph of Laurentian courtship it was a purely political marriage, and the social and economic consummation was yet to come.

In its internal aspect Red River was, as might be expected of an 'anticipatory' society accustomed to paternalistic Company rule, protoplasmic and static - almost stagnant. The 1869-'70 Insurrection was in no sense a radical revolt; for the English-speaking minority of the insurgents it was the blind protest of bewildered and suspecting rustics; for the majority, the métis, it was the obstructive strategy of an ultra-conservative group who sensed the social revolution which the metropolitan link would bring, a revolution beyond the limits of their adapt-

ability. Red River was, one might say, a British North American counterpart to the American 'hill-billy' country, exhibiting the same lack of sophistication in social and political organization, the same distrust of outsiders, the same resistance to change, and even matching the Kentucky mountain folk in the possession of a distinctive dialect.

By 1882, however, this society had been transformed. The metropolitan link had been forged through immigration and the development of communications, culminating in the arrival of the C.P.R. at Winnipeg in that year. Internally the complexion of provincial society had changed beyond recognition through that same influx of settlers, Canadian, American, and European. In the face of the profound social changes wrought by these newcomers, the unassimilable half-breeds retreated to their last stand on the Saskatchewan River banks. The immigrants submerged many of the old local issues and altered the balance of forces on the prest, and brought with them political experience, even political instincts, as the emergence of political parties in 1882 indicates.

It is this social and political transformation, then, that forms the dynamic background against which the following study of the early lieutenant-governors is made. A background of developing communications with the outside, bringing immigration and settlement, and, within the province, of shifting lines of factional and party alignment. It might be objected that such a background dwarfs the subject, but this chronicle, as it unfolds, should refute any such objection. Indeed, it is only in this panoramic setting that an undistorted account of

the lieutenant-governorship in these years can be given.

The lieutenant-governor, in 1870, occupied a position of peculiar importance, owing to three factors. First, he was the one tangible link to the new parent state of Canada, the evidence of the transcontinental promise. Second, he was within the community, the sole outside arbiter of the internal strife which was the heritage of the Insurrection, the one neutral position around which the disputants could meet. Third, he was the sole point of political experience in an otherwise politically unsophisticated community. Under these circumstances the choice of the first governor was a matter of vital importance, and it will be shown that this potential significance of the office was fully realized under Mr. Archibald.

Thereafter, however, the influx of immigrants and the growth of communications completed the metropolitan link; immigration and experience created growing self-confidence and savoir-faire in political matters; and with these developments the initial importance of the lieutenant-governor - probably unique in the history of that office in the Canadian provinces - declined progressively. In this decline, moreover, the attitudes of the individual governors were of enormous importance, for by their policies they could accelerate or retard the emergence of widespread civic capacity. In any event, by 1882 the lieutenant-governor was reduced to a position in the political society of Manitoba scarcely more vital than that occupied by his counterparts in the older provinces.

The lieutenant-governorship in the 1870's was a many-faceted office, and some attention must be directed to the

other aspects. The governor was not only an element in the provincial political structure, but also a part of the federal constitution, appointed and paid by the national government, instructed by the Governor General in Council, and in a large measure responsible to them for his actions. Like the Governor General of that era, he represented not only the executive power of the Crown, but also the will of the 'home' government. As long as the federal government pursued anything like a domineering colonial policy towards the new province, the lieutenant-governor occupied a position similar to that of the Imperial governors in the years preceding responsible government: accountable to his home government for events within his domain, but increasingly restricted in his ability to control colonial government as the political experience and astuteness of the colonists grew.

Insofar as such a policy in Ottawa is evident from a study of these years, it must be demonstrated in the following pages. And, in truth, the facts show that at the outset federal control of the province was exercised to a marked extent through the lieutenant-governor, whose pro-consular role was made possible by the weakness of local political organization. Even before the emergence in 1882 of the first provincial party lines, however, that pliant legislature which supported this role of the governor disappeared, and at the end of the period one encounters in the newly evolved parties a signpost pointing to a subsequent study of the avenues through which, thereafter, federal control sought to operate.

In yet another respect the lieutenant-governor acted as agent of the federal government, one which can receive but pass-

ing attention in this study; his responsibility for the administration, within the province, of the programmes of the federal departments. This function initially bulked large in the lieutenant-governor's task - Indian Affairs, Crown Lands, Customs - but it was not, strictly speaking, a function of the office itself. Its effect on the role of the governors was indirect: the prestige of the incumbent of the office was, at the start, undoubtedly enhanced by his vast powers over these vital matters, subject in part to his successful execution of popular policies, and his influence in provincial affairs was increased correspondingly. And as special agents were appointed to relieve the lieutenant-governor of these duties, leaving him eventually with only nominal responsibility, if any, his influence suffered a corresponding decline. But, at any rate, these duties were peripheral to the role of lieutenant-governor proper, and will be indicated only to the extent of their indirect importance.

Finally, it is to be borne in mind that, until 1876, the same person held twin offices as lieutenant-governor simultaneously, of Manitoba and the new colonial empire in the North West Territories. But from the beginning the governors kept the affairs of the two offices separate, and the remarks in the foregoing paragraph regarding his function as an agent for the federal departments apply equally to his function as lieutenant-governor of the Territories.

CHAPTER 2

1870 - THE NEW PROVINCE

Historians run to analogy like as cabbage runs to seed, and in this the historians of the Canadian West are no exception. There is a curious variety in the metaphors chosen to describe the annexation of the North-West and the creation of Manitoba. To Professor G.F.G.Stanley, Canadian of English origin, these events mark the 'birth' of western Canada, and the Manitoba Act of 1870 is presumably in the nature of a birth certificate.[1] To Judge L.-A. Prud'homme, French-Canadian and trained in the droit civil, the occasion was matrimonial, and the Manitoba Act was a 'contrat de mariage.'[2] And surely in the eyes of the métis, who have been inarticulate, the Manitoba Act must have seemed in retrospect the death warrant of their Red River society.

Just so, among contemporaries of Red River there were widely divergent reactions. In 1870 and throughout the years encompassed in this study, the métis fought stubbornly but vainly against social extinction. The newcomers from Ontario, at the other extreme, regarded Manitoba as something new-born, created in the image of their former province. Only among the old English-speaking settlers and the French-Canadians (including those adaptable métis who remained métis in name only) was there continuity from the old west to the new; life went on, but there had been a change of status - a marriage if you like.

It was this conflict of viewpoints that perplexed the Ottawa authorities in 1869-'70. The full story of Sir John A.

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1. G.F.G.Stanley, The Birth of Western Canada, London, 1936.
2. L.-A. Prud'homme, "Le Conseil Législatif de Manitoba," Transactions, Royal Society of Canada, 1931, Sec.I,pp.61-64.

Macdonald and the west has yet to be told, and its broad outlines can only be guessed at here. Sir John, before the event, behaved in the manner of an unwilling parent called in to watch the birth of an unwanted child. There seemed to be no way out of it if the United States were to be prevented from severing for all time the route to the Pacific.[3] "But," Macdonald remarked at an early point in the negotiations, "in any other point of view, it seems to me that that country is of no present value to Canada. We have unoccupied land enough to absorb the immigration for many years, and the opening of the Saskatchewan would do to Canada what the prairie lands of Illinois are doing now - draining away our youth and strength."[4]

By 1867 Macdonald was apparently reconciled to the approaching event. But imagine his consternation at finding, in 1869, that the child whose birth he was awaiting was demanding with all the assertiveness of youth that there must be a wedding instead, complete with marriage contract. Here indeed was a shot-gun wedding, by its very nature distasteful to the groom; and, from Sir John's viewpoint, with a child-bride, a babe-in-arms.[5]

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3. Sir Joseph Pope, Memoirs of the Right Honourable Sir John A. Macdonald, (Toronto, 1930) pp.397-98; Macdonald to Edward Watkin, Mar.27,1865.
4. Ibid.
5. It is perhaps possible to regard all of Macdonald's failures in the west - and certainly those two disastrous ones of 1869 and 1885 - in terms of this confusion of metaphors. He never knew whether he was dealing with a child or an adult; he could never determine its needs, nor anticipate its reactions. Small wonder that his exasperation sometimes became explosive, as when, in the 1873 session of Parliament, Mr. Robert Cunningham, M.P. for Marquette, supported a provincial demand with a veiled threat of secession. "Mr.Macdonald," the newspaper reported, "said he did not care for the threat of the hon. Member for Marquette. He and his Province might leave Confederation tomorrow for all he cared. It had been a nuisance and a trouble to the Dominion ever since it became

Whatever view may be taken of the Manitoba Act, this much is certain: that however much it may have created, it assumed the prior existence of certain human resources for the new province. Something had gone before - the community of Red River.

i. "A Frontier of Anticipation."

All writers are agreed in stressing the isolation of Red River in 1870. One calls it an "island". Another says: "It had all the characteristics of a frontier except the essential one of continuity with other settlements. Its base was neither at tidewater nor in the parent country, but, until the middle of the nineteenth century, in itself. If a frontier, it was a frontier of anticipation, insulated by wilderness scarcely penetrable, and in consequence stagnant."[6] Or, to take yet another likeness, it was not a wave-crest but a puddle.

The focal point lay at Upper Fort Garry, the seat of government under Hudson's Bay Company rule, Provisional Government, and, at first, provincial government. Before it was clustered the nucleus of Winnipeg; across the river from the rear gate was St. Boniface. Geographically, politically, and socially it was the linchpin of the community.

Of Winnipeg, in 1870, there were only unpromising beginnings. A scant eight years had passed since the first building

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a Province of Canada, and it was contrary to his wish that it had ever been admitted (cries of order). He did not care though it was sunk (loud cries of order and uproar)." - The Manitoban, May 17,1873; "By Telegraph - Government House at Fort Garry." It would be unfair to imply that this accurately reflected Macdonald's policy, but it undoubtedly indicates an underlying attitude.

6. W.L.Morton, "TheRed River Parish: Its Place in the Development of Manitoba;" Manitoba Essays, edited by R.C.Lodge (Toronto, 1937) pp.89-90.

in the village had been erected by McKenny & Co., Rev. George Bryce, arriving in 1871, recorded as his first impressions, "a street with a few irregular buildings, some of them log, with a slanting surface requiring in muddy weather the skill of a Blondin to walk it, and the two story yellow stopping place with its dim and smoky lights!"[7] The village, only one of three ganglia which later merged their growth to produce the city, had no legal existence until incorporated as the City of Winnipeg in 1873. It had not even a post office building of its own, but had to use the office in Fort Garry.

St. Boniface, across the river, had about the same population, three hundred, but, endowed as it was with a cathedral, a bishop's palace, and a school, it could (and did) look down its nose at the upstart village. It could look back fifty-two years to its beginnings - a Roman Catholic mission under Father Provencher in 1818.

Other settlements were scattered along the banks of the Red and Assiniboine Rivers, clustered, like St. Boniface, about the churches and missions. There is perhaps some significance in the fact that although all but one of the settlements existing in Assiniboia before 1870 were either trading forts or parishes, that single exception, Winnipeg - neither fort nor parish - was destined to dominate the future province.

The settlers of English and Scottish descent lived chiefly along the west side of the Red River, between Fort Garry and the Lower Fort, twenty miles downstream, with a few to the

7. George Bryce, "Early Days in Winnipeg," The Historical and Scientific Society of Manitoba Transactions, No.46 (1894) p.4.

west along the north bank of the Assiniboine, around Headingly and St.James. Across the Red between the forts, alongits banks to the south of the forks, and on the Assiniboine beyond Headingly lived those of French descent. But the distinction, although marked in most cases by a difference in language, was not as clear-cut as these bare facts would indicate. On the contrary there was a surprising homogeneity among these elements. Partly this arose from the conditions of frontier life which produced, as on the great American frontier, that curious blend of individualism and social cohesion. But chiefly it is attributable to the bond of common maternal blood, for few white women had come to Red River and mixed blood was the rule rather than the exception. However the French half-breeds and English half-breeds may have differed in characteristics - and the differences were quite striking - there was always an overriding and unifying sense of kinship. In Professor Stanley's words: "Cut off, as they were, from European expansion by the accident of geography and by the deliberate policy of the Hudson's Bay Company, they developed a resolute feeling of independence and a keen sense of their own identity which led them to regard themselves as a separate racial and national unit, and which found expression in their name, 'The New Nation.'"[8]

Occupations within the settlement varied but little, and virtually all were concerned with either freighting or farming - or open, although illicit, trading. It was here, in fact, that the difference between English and French half-breeds becomes apparent, for the former showed a greater preference for farming,

8. Stanley, op.cit. p.10.

while the latter, more happy-go-lucky, scorned so settled an existence. But each year all were to be found together in the most important occupation of all - Red River's distinctive annual event: the buffalo hunt.

So strong was the sense of unity among the half-breeds of differing paternal tongue, religion and blood, that not even the superimposition on the colony of eastern Canadian racial feuds could seriously impair it. And, indeed, at each extreme there were powerful divisive forces, mutually hostile. On the one hand the Roman Catholic clergy, drawn largely from Quebec, had long dreamed of transforming the settlement into a 'little Quebec,' and as this hope was threatened by immigration of a hostile nature the dream became an active policy.

On the other hand disruptive forces broke into the close-knit settlement from outside, in the form of immigrants from Ontario, or Canada West as it then was. Dr. John Christian Schultz, from Kingston, led the movement which continued steadily, although in slight strength, throughout the 1860's. Meekness and caution were not to be expected in men willing to risk the gamble of the long trip through wilderness to something little less than wilderness, and the boldness and aggressiveness of these men, coupled with their heritage of strong racial and religious prejudices and their contempt for the simple contentment of the half-breeds, created strange and dangerous currents of feeling. The leaven was relatively small, but little was needed. Within a decade the whole loaf was leavened.

It is safe to say that until the intrusion of this element of ferment there was no serious political problem:

"...in that happy, bucolic era haying was more important than politics...."[9] True, there had been agitation throughout the 1840's against the Company's rigid trading restrictions, but after the winning of freedom of trade in Sayer's trial of 1849, harmony prevailed. In any event, that earlier dispute had been wholly economic, and at no time did it give rise to a challenge to the political order.

The political organization had been no more complex than the needs of the colony dictated. At the top (within the colony only, and subordinate to the Governor of Rupert's Land) was the Governor of Assiniboia, sent to guard the Hudson's Bay Company's interests. For his assistance a Counsel was provided, appointed by the Company, but in practice chosen by the Governor. Judicial matters were directed by a special officer, the Recorder of Rupert's Land, and under him a fairly extensive organization developed: three judicial districts, each with a number of magistrates holding courts twice-monthly, with summary jurisdiction. The supreme tribunal was the Quarterly Court of the Governor and Council of Assiniboia.

At virtually all times the rule was paternalistic and benevolent. "Although the interests of the Company naturally predominated, nevertheless there was a deliberate attempt to make the Council fairly representative of all the interests in the colony."[10] Protestant and Catholic clergy, English half-breeds and French half-breeds, all had their seats at Council. The needs of the settlers were never forgotten, in consequence,

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9. W.L.Morton, op.cit. p.101.
10. Stanley, op.cit. p.15.

and from time to time attempts were made to improve their lot through the introduction of local industry, such as brick-making, or of stable farming in hemp or sheep. Almost without exception these attempts failed, but the failure was caused not by any want of sincerity in Council's efforts, but by the inertia of the people. These failures were accepted by the Governor and Council with a shrug of the shoulders; theirs was no heavy-handed paternalism.

The society itself developed certain rudimentary forms of social organization, two of which are found to have taken on later a political significance. The first, and more truly unique was the buffalo hunt whose military organization was the supreme institutional achievement of Red River. With its development into a mass endeavor by the entire settlement it became essential that patterns of control be evolved and strict rules of conduct formulated. In 1869 it was demonstrated that these patterns and rules could, with very little change, be applied to the organization and direction of a political resistance movement.

The other important local institution was the church parish, which in Red River acquired a quite exceptional character. At a very early stage the parish passed from an instrument of church organization to the basic social institution, and if, as it has been reported, there is no indication that the parishes were self-conscious political units,[11] at least they performed quasi-political functions, such as petitioning Council. And in the troubles of 1869-'70 these two acquired a new political status, as the units for representation in the

11. W.L.Morton, op.cit. p.95.

Assembly of the Provisional Government.

Such was the degree of social and political sophistication reached by the Red River settlement in 1869. "Economically and politically it was a simple society and filled the needs of a simple people for nearly two generations."[12] But adequate as it may have been, it did not fit the people of Red River for self-government, and it was inevitable that following the abrupt introduction of parliamentary forms in 1870 the need for political tutelage should become at once apparent. In this respect one of the most serious deficiencies of the old society was the complete lack of local government institutions - everything was directed from Fort Garry. Yet not until 1873 were steps taken to remedy this deficiency, by which time the need had been recognized as far away as Ottawa. Macdonald himself urged Lieutenant-Governor Morris to introduce a municipal system without further delay. "The emigrant from Ontario will understand its working," he wrote, "& it will introduce a feeling of responsibility & self-government among the people, of which they are as yet altogether ignorant. They have hitherto relied entirely on the Hudson's Bay Co. & have never thought nor acted for themselves."[13]

The indifference of the people could reasonably be attributed to general satisfaction with the state of affairs in the settlement. The system, if such it can be called, was well liked by the old settlers, and, indeed, naturally so, since it reflected their way of life. What it lacked in terms of self-government was compensated for, in part at least, by its benevolence.

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12. Stanley, op.cit. p.17.
13. P.A.C., Macdonald Papers, vol.521,pp.655-56; Macdonald to Morris, Oct.8,1872.

This was true, of course, only to the extent that all elements in the settlement were represented on the Council, and political discontent was lacking for only as long as social homogeneity prevailed. In the 1860's these conditions began to disappear, and in that decade serious political issues arose. The aggressive Canadian newcomers, rightly identifying the official policy with the profoundly conservative society of which they were so contemptuous, attacked the authoritarian form of rule by Governor and appointed Council.[14]

The major difficulty raised by this hostility towards the established order arose from the absence of physical power in support of the government's authority. Small military forces had been maintained in the settlement to protect the Company's interests, but even these (which had not been effective in defending the trading monopoly at the time of Sayer's Case) had been withdrawn in 1861. The lack of forces during the following decade[15] permitted the Canadians to defy the Company's authority quite openly, and then to point to this successful defiance as proof of the Company's incapacity for government and the need for a new authority - namely, Canada. There is no doubt that by 1869 Company rule was a shell, and that a political vacuum existed. One of Lieutenant-Governor Archibald's first reports to the Secretary of State for the Provinces, in October, 1870, was to

14. Evidence of this attack is to be found in the settlement's only newspaper of the 'sixties, Nor'Wester, begun in 1859 by two Ontario Immigrants, William Buckingham and William Coldwell, which became especially bitter after its ownership and direction were assumed in 1865 by Dr. Schultz.

15. In June, 1866, the Council of Assiniboia authorized the Governor to enrol a mounted militia of 100 men, for the defence of the colony against Indians. This was not, however, a body capable of enforcing the Company's rule.

the effect "...that no duties at all - or with very few slight exceptions, were collected last year - and none at all this year."[16] A government which cannot enforce the collection of its revenues is government in name only. The question in 1869 was: who could fill the vacuum?

There was little chance of a new effective order growing out of the settlement itself.[17] Where, then, was Red River to find a political order to which it might become affiliated? Here the settlement's isolation became a problem - one which the mere act of political union with Canada did not, in itself, solve, and which troubled the early lieutenant-governors of the new Province of Manitoba.

The extent of this isolation can be clearly illustrated in terms of communications. Mr.J.V.Dillabough remarks that "gold was discovered in the Cariboo and the Red River settlers were the first to hear of it, but the last to reach it."[18] It may even be doubted that they were anything like the first to hear of it. By water, when the season permitted, there were two avenues to the world: north to Hudson Bay by York boat, to meet the Company ship which visited York Factory each year; or south into Minnesota. The first steamboat from the south, the 'Anson Northrup,' appeared at the settlement in 1860, and through the following decade shared the entire length of the Red River, from Fort Garry to Georgetown, Minnesota, with the Hudson's Bay

16. Canada: Sessional Papers, 1871, No.20, p.42; Oct.21,1870.
17. In point of fact, the Provisional Government of 1870 was of this sort, but it is doubtful that it could have succeeded for long, as anything more than a 'caretaker' regime.
18. J.V.Dillabough, Transportation in Manitoba, a mimeographed study for the Economic Survey Board, Province of Manitoba, (Winnipeg, 1938) p.18.

Company's 'International.' But until 1870 only Company freight was brought by the steamers, and few passengers. General freight had to make the long trip north by horse-cart - creaking, grease-less, metal-less Red River carts. At one time as many as 1,500 of these carts were used on the Fort Garry - St.Paul route, giving rise to the chief occupation of the French half-breeds.[19] The springless buckboard appeared in 1867, but the first stage coach was not destined to reach Fort Garry until September, 1871, the same year in which Mr.J.J.Hill's steamboat, the 'Selkirk,' provided river transportation for the goods of the general public.

Such was the situation in 1870. However, great undertakings were then being planned, the first of these being the Dawson Trail from Fort Garry to the North-West Angle of Lake of the Woods, whence a lake and river route led with little interruption to Thunder Bay on Lake Superior. Named after Simon J. Dawson, who had traversed the general route for the Province of Canada in 1857, it was planned as an all-Canadian road and water route, and Thomas Monro, Engineer of the Dominion Department of Public Works, was able to report to Lieutenant-Governor Archibald, before the latter's departure for Fort Garry in the summer of 1870, that he had completed the survey and that the road would be kept open until a railway could be built.[20]

Railways were the ultimate aim, and ambitious plans were already being laid in 1870. If the Canadian Government's plans were somewhat vague, those of J.J.Hill of St.Paul were more definite. Red River was to be tapped from the south. When,

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19. Ibid. p.10ff.
20. P.A.M., Lieutenant-Governors' Papers; Letter & report of Monro to Archibald, July 7,1870.

in the winter of 1870, Donald A.Smith, southbound from Fort Garry, met Hill travelling north from St.Paul, the discussion that occurred may have been the kernel from which sprang the Canadian Pacific and the Great Northern Railways.

But that was all for the future, and Red River's isolation in 1870 was a fact beyond dispute, despite the progress that had been made in communications. That progress can be seen in terms of the mail service, which grew from a single annual mail through Hudson Bay in 1853, to monthly mail through the United States in 1857, weekly mail in 1863, and twice-weekly in 1868.[21] The service at best was irregular - weather, and the disposition of the carriers permitting - and only as fast as a Red River cart. The first lieutenant-governor found his task further hampered by the absence of security, for in the course of sorting at Pembina the mail was thoroughly pawed and inspected by a crowd of post-office loafers.[22]

Despite this isolation Red River was not permitted to go its way unnoticed by the outside world. And it is not surprising that the change of authorities, when attempted in 1869, should have caused trouble. A fresh stream of water turned into a placid puddle can be expected to stir up mud - especially if the stream itself is by no means clear. But it will also banish stagnation.

ii. "Le contrat de mariage."

The details of the troubles of 1869-'70 need not be

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21. Manitoba Free Press Weekly, Jan.18,1879; "Local and Provincial - Mails in Manitoba."
22. Canada, Sessional Papers, 1871, No.20, p.29; Archibald to the Secretary of State for the Provinces, Sep.29,1870.

retold here. That a new political power was necessary has been pointed out. That any change would be difficult can readily be understood in the light of the remoteness of the settlement, and the breakdown, through immigration, of its social unity.

The new Dominion of Canada was destined to succeed the Hudson's Bay Company in authority, and its initial plan was embodied by Parliament, in 1869, in 'An Act for the Temporary Government of Rupert's Land.'[23] With singular lack of imagination, it provided for continuing rule by governor and council, failing to see that such a course would merely continue the imperfections of form of the old regime. With the social cohesion of the community already a thing of the past, conciliar rule satisfactory to the whole community would be impossible, and without representative institutions the strength of the contending factions could not be gauged with any certainty. Increasingly the Governor and Council would have had to rely on their coercive powers, for lack of the means to measure public support of or hostility to their policies.

In its initial choice of Lieutenant-Governor and officials, the federal government demonstrated that the last vestiges of the representative principle were to be eliminated from the local hierarchy. It is not to be wondered at that, as Judge Prud'homme amplified his metaphor, "...la future épouse repoussa tout d'abord ses avances peu courtoises et trop familières. Le Canada dut consentir à rédiger avec elle les conditions du contrat de mariage."[24]

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23. Statutes of Canada, 32-33 Vic. cap.3.
24. Prud'homme, op.cit. p.61.

The insurrection resulted - the relatively restrained protest of an essentially mild and conservative people. It was a curious affair: the aggressive element, the men of such stuff as revolutions are made, were on the side of the new authorities.[25] In truth, the insurrection was more in the nature of a counter-revolution, for although the weapon of civil disobedience was political, the real enemy was the social revolution presaged by the immigrants of the 'sixties. This flavor of 1869-'70 is bound to be lost if, as so often happens, the insurrection is remembered chiefly for the one event which was out of keeping with the insurgents' character - the inexcusable judicial murder of Thomas Scott on March 4th, 1870. And yet, it is perhaps right that that single event should be best remembered; for it was that event which made the Insurrection important, not only in the history of Manitoba, but in the history of Canada. Without the Scott execution there would have been no amnesty question. And how infinitely easier would have been the role of lieutenant-governor in the new Province had there been no amnesty question, will subsequently appear.

After much journeying of delegates to and from Fort Garry and Ottawa, and protracted negotiations involving four lists of rights demanded by the colony, agreement was reached and the terms of union were settled. On May 3rd, 1870, Sir John Young, the Governor General, cabled to Lord Granville of the Colonial Office: "Negotiations with delegates closed satisfactorily. A province named Manitoba erected, containing eleven

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25. The legality of that authority was, at the start at least, rather questionable.

thousand square miles."[26] More accurately, the 'postage-stamp' province contained 13,907.796 square miles, or 8,900,988 acres, more than one square mile for each of its people.[27]

The deficiency of the 1869 Act was remedied: the constitution of the new province rested on a representative system. Institutionally, the essentials of full parliamentary self-government were brought into existence. Political comprehension was lacking, and the capacity of self-government not yet proven, but the political schooling of Manitoba had begun. It could safely be predicted that the education would have its stormy moments, but the ease with which it would be accomplished depended greatly on the lieutenant-governors, who were to be the principal mentors of the new province - though not its only ones.

Because of the illness of Sir John A. Macdonald it fell to the lot of Sir George Etienne Cartier to pilot the Manitoba Bill through Parliament in Ottawa,[23] and the charge has been made that Cartier attempted to bolster the plan of creating in the new province a little Quebec.[29] His biographer replied that "if such was Cartier's ambition it was for him a perfectly legitimate one;"[30] but, in fact, that is nothing in the Act to support the charge. Section 22, it is true, established the rights of religious denominations in the field of education, but

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26. Arthur S. Morton, A History of the Canadian West to 1870-71, (London, no date), quotation on p.914.
27. P.A.M., Lieutenant-Governors' Papers; report of Dominion Surveyor-General, Col.Dennis, Mar.22,1871.
28. Statutes of Canada, 33 Vic.cap.3.
29. John Boyd, Sir George Etienne Cartier, Bart., His Life and Times, ('Bonne Entente' edition, Toronto,1917) p.302f.
30. Ibid.

little that was not already to be found in Section 93 of the British North America Act, 1867; moreover, this education clause appears to have been a sine qua non in the demands of the Red River insurgents. The only other clause which might be construed as favoring the French-speaking element was the tenth, providing for life tenure of office in the Legislative Council; but the Act went on to provide that the balance could be adjusted to shifts in the composition of the population through an increase in membership from seven to twelve after four years. And it will be seen that subsequent complaints within the province of partiality towards the French, were directed in no case against the Manitoba Act but against the executive, the powers of which lay largely beyond the Act's comprehension; certainly executive policy could not be embraced in the statute. Yet, despite all this, it was undoubtedly regarded by some among the French, as it was by Judge Prud'homme, as a 'contrat de mariage.'

"Il est clair, précis; il consacre des droits inattaquables.

"Mainte fois, dans le passé, nous l'avons énvoqué pour reclamer justice.

"C'était la sauvegarde officielle de nos libertés."[31]

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31. Le Métis, Apr. 17,1875; "L'Acte de Manitoba!!!"

CHAPTER 3

THE LEGAL FRAMEWORK

1. The Documents.

It was remarked in the foregoing chapter that the aspect of the provincial constitution with which this study is most concerned, the executive, lay principally beyond the comprehension of the Manitoba Act. Only two short paragraphs, the sixth and seventh, were directly concerned with the executive, and these provided no more than that there should be a Lieutenant-Governor appointed by the Governor General in Council, and an Executive Council chosen by the Lieutenant-Governor, composed at first of not more than five members.

Certainly, as Professor Keith has noted, "Manitoba's constitution assumes but does not enact responsible government."[1] But responsible government, which is essentially a matter of political attitudes and habits, defies nice statutory definition; there is good reason for believing that even where it has been successfully incorporated in a formal constitution, as in Eire, its success has in fact been owing to the effective organization of public opinion in the form of political parties. The problem of responsible government in Manitoba in the 1870's, it will appear from this study, was not one of deficient constitutional law, but rather one of political inexperience.

Some, however, of the functions of the lieutenant-governor were indicated in the Act, and two types of function are evident. There were, first, his executive powers, exercised as

1. A. Berriedale Keith, Responsible Government in the Dominions, (2nd edition, Oxford, 1928) I, 52. The use of "constitution" as synonymous with the Manitoba Act is unfortunate.

executive head of the province: the selection of Executive Councillors (section 7), appointment of Legislative Councillors (section 10), definition of electoral divisions (section 16), regulation of elections "until the Legislature of the Province otherwise provides" (section 18), and the summoning and dissolution of the Legislature (section 19). And further, by the second clause, all pertinent and compatible sections of the British North America Act of 1867[2] were made applicable to the new province, thus extending to Manitoba the provisions regarding the security of tenure of the lieutenant-governor - for at least five years, unless removed for good cause which must be communicated to Parliament (section 59) - and the all-important powers of granting or withholding assent to legislation or reserving it for the Governor General's pleasure (sections 55, 56 and 57, in conjunction with section 90). In the same way the first subsection of section 92 effectively protected the office against tampering by the local legislature under its powers of constitutional amendment.

The second class of powers assigned to the Lieutenant-governor under the Manitoba Act were what might be termed "agency" powers, wherein he acted as a federal rather than a provincial official. These were, by section 31, the drafting of allotments for the grant of 1,400,000 acres to families of half-breed residents in the province, and, by section 32, subsection five, the adjustment of rights of commons and cutting hay claimed by the inhabitants.

Finally, the 1870 statute enacted that the federal

2. 30-31 Vic. cap.3 (United Kingdom).

government would provide the lieutenant-governor's salary (section 26 (1)),[3] and that he should hold, concurrently, the office of lieutenant-governor of the North-West Territories (section 35).

The Commission by Letters Patent, appointing the Honorable A.G. Archibald as first lieutenant-governor[4] is even less revealing about the office. This document, issued in the name of the Queen, refers only generally to the lieutenant-governor's duties without defining them.

> "And we do hereby, authorize and empower, require and command, You on, from, and after the day to be so named by Us, for the admission of Rupert's Land and the North Western Territory into the Union or Dominion of Canada, as aforesaid in due manner to do and execute, in all things, that shall belong to your said Command, and the trust We have reposed in you, according to the several provisions, and instructions granted or appointed to you by virtue of these presents, and of the Act hereinbefore recited, and according to such instructions as are hereby given to you, or which may, from time to time, be given to you, in respect of the Province of Manitoba aforesaid, and the Government thereof, by order of Our Governor General in Council, under the sign manual of Our said Governor General, or by Us, through one of the Privy Council of Canada, and according to such laws are, or shall be in force within the said Province of Manitoba."

From this it would appear that the Instructions might disclose the nature of the lieutenant-governorship. However, as regards instructions issued by "Our Governor General in Council, under the sign manual of Our said Governor General" no such document was issued to any Lieutenant-governor until 1892.[5]

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3. Subsequently fixed at $7,000 annually - Canada, Sessional Papers, 1871, No.20, p.2; Order in Council, May 20, 1870. In addition, as lieutenant-governor of the North-West Territories, Mr. Archibald received $1,000 annually - P.A.M., Lieutenant-Governors' Papers, Dispatch 443, Sec'ty.of State to Archibald, July 18, 1871.
4. P.A.M., Lieutenant-Governors' Papers, unnumbered 'Records' book; May 20, 1870.
5. Canada, Justice Dep't.: Memorandum on Office of Lieutenant-Governor of a Province, (Ottawa, 1938) 7ff. Alpheus Todd gives the date as 1882 - Parliamentary Government in the British Colonies, (2nd edition, London, 1894) p.517.

Nevertheless, Archibald was signally honored above all other contemporary governors in receiving instructions by letter from the Under Secretary of State for the Provinces,[6] drafted apparently in recognition of the fact that public inexperience within the Province would require the lieutenant-governor to be well briefed in his powers. This dispatch is the most rewarding of all.

In part, the letter of instruction was a re-statement or amplification of the lieutenant-governor's statutory powers and functions: in selecting executive councillors he was authorized to appoint only indispensable officers, leaving the other posts vacant until after the election of an Assembly (paragraph 2); the appointment of legislative councillors was to be delayed until the executive council was complete and the heads of departments installed (paragraph 3); and paragraphs 4, 5, and 6 reminded him of his duties regarding the creation of provincial electoral districts, the calling of the initial legislature, and the forwarding to Ottawa at the close of each session, of certified copies of all Acts. Similarily, his 'agency' duties were amplified in paragraphs 9 and 10: the former instructed him to hold a census of the half-breed heads of families and their children in preparation for the distribution of the land grant; the latter requested a report of his opinions regarding the adjusting of the rights of commons and rights of cutting hay.

In addition, a number of new duties were specified. One of these, in paragraph 7, directed the Governor to protect

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6. Canada, Sessional Papers, 1871, No.20, pp.4-6; Dispatch 371 Aug. 4, 1870.

immigrants and, more significantly, "...to restrain them from any lawless intrusion upon the settlers or upon Indian Tribes which may be calculated to provoke resistance." The others, in paragraphs 11 to 15, are of particular importance for they reveal the immensity of Governor Archibald's task. He was instructed to furnish Ottawa with a number of reports: on the state of the laws and the system of administering justice which prevailed in the province at its creation; on the system of taxation and licensing, of maintaining the roads, and "...generally on the Municipal Organization (if any)...;" on the state of the Indian tribes and their relations to the other inhabitants; on the currency system; and on the number and categories of governing officials formerly employed by the Hudson's Bay Company. He was, in short, to make a grand inquest into the political, social and economic condition of the new province.

Finally, there were two provisions which must have puzzled Governor Archibald greatly, simple enough in appearance but obscure in their applicability. The first paragraph directed that "in the Government of Manitoba you will be guided by the Constitutional principles and precedents which obtain in the older Provinces, and with which it is assumed you are sufficiently familiar." And paragraph 8 went on to prescribe that "in dealing with the Province of Manitoba you will give your Advisers the full exercise of the powers, which in the older Provinces have been wisely claimed and freely exercised, but you will be expected to maintain a position of dignified impartiality, and to guard with independence the general interests of the Dominion and the just authority of the Crown." The only possible

interpretation is that responsible government should be introduced from the start; but it also appears that the lieutenant-governor would be held responsible to Ottawa for the protection of Dominion interests - and the definition of 'Dominion interests' might be anything the federal authorities chose to make it. Here was that dual responsibility which was by its very nature an impossibility, and the history of the lieutenant-governorship in Manitoba in the 1870's is in a sense a commentary on these two paragraphs.

ii. The Question of Status.

These were the bare bones of the office, under the organic law of the new province and the general instructions to the lieutenant-governor. For the flesh and sinew we must look elsewhere. But first, consideration must be given to the protracted dispute, growing out of these documents, over the fundamental status of the lieutenant-governors - in relation to the Crown, the Dominion and the provinces.

It is possible today for Professor Keith to declare that "...there is no doubt that the prerogative powers of the Crown, as far as they appertain to a Provincial Government, are inherent in the Lieutenant-Governor."[7] Such a statement would not, in 1870, have gone unchallenged. Confederation had been 'carpentered' on Macdonald's plan of '...one people and one government, instead of five peoples and five governments, with merely a point of authority connecting us to a limited and insufficient extent... one united Province with the Local Governments and Legislatures

7. Op.cit. I,514.

subordinate to the Central Government and Legislature."[8] And it is to be noted that by section 34 of the first draft bill for the British North America Act of 1867, the executive officer in each province was to be styled the "Superintendent" - clearly establishing him as a Dominion agent with only statutory powers.[9]

Only in one matter was the Lieutenant-Governor generally conceded the power to act in the Queen's name: the assembling and proroguing or dissolving of provincial legislatures.[10] This had been established by the sixth section of the Commission of the Governor General.[11] In all other respects the governors' right to use the Queen's name or to exercise the royal prerogatives was either denied or at least disputed. He had not, of course, the powers of pardon or of conferring honors, although it was subsequently ruled by the Canadian Supreme Court that a provincial legislature might confer power to pardon offences against provincial legislation.[12] And the Minister of Justice, in a report approved by the Governor General in Council on April 1st, 1875, criticized the use in provincial legislation of the terms

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8. Parliamentary Debates on the Subject of the Confederation of the British North American Provinces (Quebec, 1865), reprinted in W.P.M. Kennedy, Documents of the Canadian Constitution 1759 - 1915, (Toronto, 1918) p.615.
9. Joseph Pope (ed.), Confederation Documents, (Toronto, 1895) p.172
10. P.A.M., Lieutenant-Governors' Papers, dispatch 151 (Manitoba 32), Sec'ty of State for the Provinces to Morris, Mar.20, 1873 - enclosing dispatch 'Canada 114,' Secty. of State for Colonies (Kimberley) to the Governor General (Dufferin), Nov. 7, 1872.
11. Canada, Sessional Papers, 1882, No. 141, p.34; report of the Minister of Justice, Hon. T. Fournier, approved by Order in Council of Apr. 1, 1875. For an exhaustive discussion of the limitations on the power of a lieutenant-governor, see Todd, op.cit. pp.580-624.
12. A.-G. for Canada v A.-G. for Ontario, 23 S.C.R. 458.

"Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province." "...Little doubt can be entertained," he reported to the approval of Council, "that the same is incorrect; that the enacting party should be, under Section 92, 'The Legislature' of the Province, and that a Lieutenant-Governor has no power to assent to the laws of a Legislature in the Queen's name, inasmuch as the Queen herself has not that power, and cannot, therefore, depute it."[13]

One incident in particular evoked a protest from a governor of Manitoba during this period. In a dispatch of January 7th, 1875 to Governor General Lord Dufferin, the Secretary of State for the Colonies, Lord Carnarvon, gave a very restricted definition of the lieutenant-governor's status:

> "The Lieutenant-Governors of Provinces of the Dominion, however important locally their functions may be, are part of the Colonial Administrative Staff, and are more immediately responsible to the Governor General in Council. They do not hold Commissions from the Crown, and neither in power nor privilege resemble those Governors or even Lieutenant-Governors of Colonies to whom, after special consideration of their personal fitness, the Queen under the Great Seal and her own hand and signet delegates portions of her prerogatives and issues her instructions."[14]

Manitoba's lieutenant-governor of that time, Alexander Morris, took issue with Carnarvon's statements. In a long and exhaustive dispatch to the Secretary of State in Ottawa, typical of Morris' correspondence, he offered a closely-reasoned legal argument in rebuttal.[15] In the first place, he asserted, the lieutenant-governors do represent the Queen in certain of their functions; the Privy Council of Canada which appoints them is

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13. Canada, Sessional Papers, 1882, No. 141, p.34.
14. Ibid. 1875, No.11, p.38.
15. P.A.M., Lieutenant-Governors' Papers, letter book 'H' Mar.15, 1875.

the Queen's advisory body to aid her in the Government of Canada, and the lieutenant-governors are consequently royal representatives. And, secondly, Governor Morris pointed out that the lieutenant-governors of the original provinces lost at Confederation only such powers as were transferred to the Governor General, and retained their royal status with respect to all other matters, under sections 12, 64, and 65 of the B. N. A. Act; and further, that the lieutenant-governor of Manitoba, by virtue of section 2 of the Manitoba Act, received all the powers possessed by the lieutenant-governors in the older provinces.

Throughout this period the judiciary differed among themselves regarding the status of the provincial governors. But it is of interest to note that when, in 1892, the Judicial Committee of the Privy Council finally settled the question,[16] the view expressed in Lord Watson's decision was substantially that of Morris' second line of argument.

There were certain functions which, it would seem, were unquestionably performed by Lieutenant-governors as subordinate officers of the Dominion Government: in particular, the pwers of withholding assent to and reserving provincial legislation.

The power of withholding assent - the veto - was the lesser of the two in importance, for it was seldom exercised. There was, in fact, little need of it: a lieutenant-governor could as easily reserve a Bill to prevent its coming into operation, and leave the final decision - and responsibility - with the federal authorities. The view commonly taken is that of

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16. The Liquidators of the Maritime Bank of Canada v The Receiver-General of New Brunswick, A.C. 437.

Alpheus Todd: "By constitutional analogy it may be assumed that lieutenant-governors are not at liberty to withhold the royal assent to bills which have passed the legislative chambers - inasmuch as the power of veto by the Crown is now practically obsolete, in the mother country...."[17] The lieutenant-governor's power of reservation was the chief problem. There were two cardinal questions demanding answers: on what grounds? - and on whose advice?

Nowhere were the grounds for reservation or provincial legislation clearly set forth. In 1873 the Governor General in Council approved a report by Sir John A. Macdonald in which he declared that "...in any Province the Lieutenant-Governor should reserve a Bill in his capacity as an officer of the Dominion and under instructions from the Governor General."[18] But, in fact, no instructions regarding reservation were issued prior to 1882.

Sir John had, in 1868, instructed the Minister of Justice about the occasions on which provincial Acts should be disallowed. "...those Acts which he may consider:-

1. As being altogether illegal or unconstitutional;

2. As illegal or unconstitutional in part;

3. In cases of concurrent jurisdiction as clashing with the Legislation of the general Parliament;

4. As affecting the interests of the Dominion generally...."[19] But it is doubtful whether these instructions could be construed as defining grounds for reservation by a lieutenant-governor. And in any case their use by a governor as a guide would raise

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17. Todd, op.cit. p.518
18. Canada, Justice Department Memorandum..., p.20, quoting Order in Council of Aug.29,1873.
19. Canada, Sessional Papers, 1869, No.18, pp.1-2; June 8, 1868.

certain problems: if he were a competent lawyer he might be qualified to discover all but the borderline cases of unconstitutionality; but how should he determine whether or not Dominion interests were adversely affected? The only guide - and one that was frequently used - was the Dominion Government's record of disallowance. Governor Morris, in a dispatch to Ottawa of October 10th, 1874, requested that "...in the event of the disallowance of an act of a local legislature, the fact of the disallowance, together with its cause, should, in addition to the notice in the Canada gazette, be communicated to the other local governments."[20]

A study of the bills reserved in Manitoba during the 18'70's reveals a variety of reasons for reservation. Lieutenant-Governor Archibald, during his two years, reserved a total of eight bills. Three of these, concerning railways, he considered likely to interefere with federal policy; one dealing with the telegraph drew the same objection; two either infringed or conflicted with federal jurisdiction over navigable streams; and the remaining two, respecting in the one case the provincial legal profession and in the other surveyors, he considered premature and unsuited to provincial needs.[21] None of these received the assent of the Governor General.[22]

Alexander Morris, in 1873, reserved six bills, and in only one case - an Act respecting aliens - did he give as his reason "doubts" as to provincial competence; at the same time he

20. Ibid. 1877, No.89, pp.43-44.
21. Ibid. pp. 177-78 and 194-95; Archibald to the Secty of State for the Provinces, July 14,1871, and Apr.14,1872.
22. Ibid. pp.179-80 and 195-96; Orders in Council of Nov.29,1871 and Dec. 30,1872.

recommended that the Bill be approved. He also approved three others, concerning the taxation of wild lands, the protection of half-breed land grants, and the incorporation of a railway; but he was doubtful in each case of the acceptability of the legislation. Of the other two, one was very similar to the law society Bill reserved by Archibald in the preceding year, and Morris acted on the same grounds; and a Bill relating to prairie fires he considered "contrary to sound principles and likely to prove injurious to the interests of the Dominion."[23] All but the last two were subsequently assented to by the Governor General.[24]

But Morris then did a volte face, which coincided, as will be seen, with the introduction by him of a greater degree of responsible government. In 1874 he reserved no bills, and in the following year only one - partly because of doubts about its constitutionality, partly on grounds of policy.[25] Similarly, in 1876 he reserved only one, and that because of doubts as to the competence of the legislature.[26] And in the same year Morris defined his attitude towards reservation with unmistakable clarity. Although he strongly disapproved of the Act to abolish the Legislative Council of Manitoba, he refrained from reserving it because the competence of the legislature to pass it was certain. And in his dispatch to the Secretary of State reviewing the history of the measure, he made rather revealing statements:

"I am of opinion...that I should be instructed hereafter to reserve for the assent of His Excellency the Governor General, all Bills that may involve any change of the constitution,

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23. Ibid. pp.53-55; Morris to the Secty. of State for the Provinces, Mar.15,1873.
24. Ibid. pp.55-58; Orders in Council of Feb.27,1874.
25. Ibid. pp.228-29; Morris to Secty. of State, Nov.4,1875.
26. Ibid. p.152; Morris to Secty. of State, Feb.11,1876.

created by the Manitoba Act of 1870, and that I should also receive instructions as to any other class of Bills which in the judgment of His Excellency in Council should be reserved. Hitherto I have acted to the best of my judgment conferring with my Council and endeavouring to examine the legislation, in the light of the British North America Act with regard to the local and Dominion Powers."[27]

Thus Morris did not, after 1873, reserve legislation on any grounds other than unconstitutionality - never, that is, as being 'premature,' or 'unsuitable,' or 'contrary to the principles of sound legislation.' It is difficult to see how he could have acted otherwise, having once committed himself to the principle of responsible government. If badly-written or ill-advised laws were to be enacted, the responsibility must rest with the local ministry; it was not the duty of a constitutional governor to protect them against the possible consequences of their own mistakes.

Lieutenant-Governor Cauchon's reservation policy is unfathomable. The Journals of the provincial Assembly record two instances, one in 1879 and one in 1882,[28] but, although Cauchon wrote to the Dominion authorities about at least one of them,[29] there is no record of either Bill in the Dominion Sessional Papers. The 1879 Bill, eliminating much of the public printing in French, was reserved on grounds of possible unconstitutionality;[30] but no grounds can be discovered anywhere for the reservation in 1882 of a Bill to incorporate the Loyal Orange Lodge, although a personal aversion would be readily understandable.

27. P.A.M., Lieutenant-Governors' Papers, letter book 'M' pp.25-39; Feb.12,1876.
28. Manitoba, Journals of the Legislative Assembly, 1879, 83; 1882, 74
29. P.A.M., Lieutenant-Governors' Papers, letter book 'M' pp.685-687; Cauchon to Governor General, Sep.20,1879.
30. Ibid.

The other aspect of the reservation problem - the question of whose advice should guide the lieutenant-governor - is indicated by the last sentence quoted above from Morris' dispatch of February, 1876: "Hitherto I have acted to the best of my judgment conferring with my Council...." In the absence of explicit instructions from Ottawa the governors were thrown entirely on local counsel, or upon their own judgment. In Manitoba, in the first three years, it appears that both Archibald and Morris exercised their own discretion. But Morris' subsequent policy of conferring with his executive council raises a serious question: for a cabinet to have the power of advising reservation of bills passed by the legislature is a violation of the parliamentary principle of cabinet responsibility to the legislature.

Apparently, however, this practice was prevalent in the Canadian provinces, attributable doubtless to the failure of the Dominion authorities to issue instructions regarding the use of reservation. Finally, in 1882, a Dominion Order in Council set forth a statement of principles which directed, among other things, that:

> "The Lieutenant-Governor is not warranted in reserving any measure for the assent of the Governor General on the advice of his ministers. He should do so in his capacity of a Dominion officer only, and on instructions of the Governor General. It is only in a case of extreme necessity that a Lieutenant-Governor should without such instructions exercise his discretion as a Dominion officer in reserving a bill. In fact, with facility of communication between the Dominion and Provincial governments such a necessity can seldom if ever arise."[31]

In future, then, the lieutenant-governor might leave all decisions regarding his function as agent of the Dominion, at least

31. Canada, Justice Department Memorandum, p.22; quoting Order in Council of Nov.29, 1882.

in the matter of reservation, to the Dominion Government. Thus, at the end of the period under review, the pattern of the lieutenant-governor's status was becoming clear: in his capacity as executive head of the province he was the obedient instrument of the local government; in that of Dominion agent he referred all matters to Ottawa. At no time would he be required to use his own judgment. Individual lieutenant-governors would vary in their attitudes towards the office, and this pattern would, of course, be essentially theoretical, but the pattern nonetheless existed.

The history of reservation and disallowance[32] demonstrates a salient fact: that the entire question of legal status - and all the volumes of legal dispute on the matter - is substantially a 'red herring' drawn across the path of the constitutional student. The object, initially, was political: to establish the supremacy of the Dominion government. And as a consequence of that object the lieutenant-governor was placed in a position of legal subordination. But that object was, in part at least, frustrated by other political factors - and to the extent that it was frustrated the lieutenant-governor became independent of the Dominion government. The important aspect of the question of status is political: in what light was the office regarded by the authorities in Ottawa, by the lieutenant-governors themselves, and by the provincial authorities, and to what extent was each able to make his views prevail?

This, of course, goes to the heart of the federal

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32. The question of Dominion disallowance of provincial legislation lies outside the scope of this study.

problem, for the status of a lieutenant-governor is inseparably linked to the status of his provincial government. Even in the comparatively mature eastern provinces there were strong local loyalties resisting Dominion claims to anything like full ascendency. As Manitoba gained maturity this same resistance to domination became evident - one need only recall the controversy over disallowance of railway legislation, and the Manitoba Schools Question. And a province which denied the subordination of its government to Ottawa would deny no less vehemently the subordination of its lieutenant-governor - a branch of its legislature and the embodiment of its executive power.

During Manitoba's early years the problem was less one of status vis-a-vis Ottawa than one of status within the province. In the immature, unorganized province the governor needed, above all, prestige. But nothing could be more damaging to the prestige of the office than for the Dominion authorities to treat it as a mere agency of the central Government. When Lieutenant-Governor Morris, in his Speech from the Throne in February 1873 referred to himself as the representative of the Queen,[33] Sir John A. Macdonald chided him. "You are only mediately so," he wrote. "You are the representative of the Governor General who is the representative of the Queen."[34] Morris, in reply, conceded Macdonald's assertion, "...but," he added, "I used the language deliberately, because in this country it is important that the authority of the Queen should be brought before the people."[35] For the same reason he continued the use of "Your

33. Manitoba, Journals of the Legislative Assembly, 1873, p.7.
34. P.A.C., Macdonald Papers, vol.522, p.796; Macdonald to Morris, Feb.18,1873.
35. Ibid. 252, 409; Mar.5,1873.

Excellency" as the form of address - as Archibald had done before him - despite the Imperial Order in Council of July 24th, 1868, which had prescribed "Your Honor."[36] Even to Alexander Morris, whose reverence for the law was unsurpassed, practical necessity overruled legal niceties. This, then, becomes henceforth a political rather than a legal study of the lieutenant-governorship.

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36. P.A.M., Lieutenant-Governors' Papers; dispatch 809, Secty of State for the Provinces to Archibald, Dec.30,1871, enclosing dispatch 164, Secty. of State for Colonies to Governor General, July 24, 1868. The same practice was followed in British Columbia during the first few years after union - see Walter N. Sage, "The Position of the Lieutenant-Governor in British Columbia in the years Following Confederation". Essays in Canadian History (ed.by R.Flenley,Toronto,1939)p.185,n.

CHAPTER 4

THE FIRST APPOINTMENT

i. Adams George Archibald.

On May 15th, 1870, the Governor General, Sir John Young (later Lord Lisgar), telegraphed to Earl Granville: "Mr. Archibald of Nova Scotia is to be Lieutenant-Governor of the North West."[1]

Much thought had gone into the choice. Sir Joseph Pope in his biography of Sir John A. Macdonald sketches the general outlines of the matter: the abandonment of William McDougall, the consideration of William McTavish, former Governor of Assiniboia, of Donald A. Smith, and Colonel Garnet Wolseley - and the eventual selection of Archibald.[2] Smith, who was suggested by Hon. Joseph Howe, might well have been chosen, but in a letter to Sir Stafford Northcote he expressed unwillingness.[3] Then Smith, in turn, is reported to have urged the claims of Colonel Wolseley, only to have Sir George Cartier veto them.[4] "Cartier," writes his biographer, "by preventing Wolseley from becoming Lieutenant-Governor of Manitoba, not only most likely prevented serious political complications in Canada but undoubtedly rendered a service to the British commander, who became one of the world's most noted soldiers and a Field Marshall of the Empire."[5]

In the end Cartier carried the day and installed his

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1. E.H.Oliver (ed.), The Canadian North-West, Its Early Development and Legislative Records, (Ottawa, 1914-15) II,972.
2. Pope, op.cit. p.420.
3. Beckles Willson, The Life of Lord Strathcona & Mount Royal, (London, 1915) pp.250-51.
4. Boyd, op.cit. pp.304-05.
5. Ibid. p.305.

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close friend, Archibald, in the newly created office, for although the latter "...at first was adverse to accepting the appointment ...he did so at Cartier's earnest request."[6]

Adams George Archibald, a little-known Father of Confederation, was born May 18th, 1814, in Truro, Nova Scotia. Son of a judge, Samuel Archibald, he was trained in the law, being called to the bar of Prince Edward Island in 1836, and in the following year to that of Nova Scotia. Not for another twelve years did his political career begin: elected to the Nova Scotia assembly for his own Colchester County in 1851, Solicitor-General of Nova Scotia in 1856, and Attorney General from 1860 to 1863.[7]

From the start of the Confederation movement Archibald was an active participant. As early as 1857 he had been one of two Nova Scotian delegates sent to London to discuss the question of union with the other British North American provinces.[8] In 1864 he attended both the Charlottetown and Quebec Conferences, and was present two years later at the final conference in London. Little can be determined from the usual sources of his part in the deliberations, except that he was a supporter of Confederation throughout. Pope's Confederation Documents records only that he supported George Brown's motion to establish a federal rather than a legislative basis for union;[9] and that he himself introduced an unsuccessful motion "that it is

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6. Ibid. p.305.
7. P.A.M., "Manitoba Biography 1886-1902," a collection of newspaper clippings, p.94; from the Manitoba Free Press Nov.15, 1892 - "Sir A. Archibald Dead."
8. J. C. Dent, The Canadian Portrait Gallery, (Toronto, 1880-81) I.87.
9. Op.cit. pp.7,59.

inexpedient to name in the constitution the subjects to be entrusted to the Local Legislatures"[10] - his aim evidently being to strengthen the provinces.

Sir John A. Macdonald, on July 1st, 1867, named him as Secretary of State for the Provinces in the first federal government, but after his defeat in the general election of November 1867, Archibald resigned and applied himself to mending political fences in the province which had repudiated the Union he helped create.

Such is the barest sketch of Archibald's life before his appointment as Lieutenant-governor. No adequate biography has yet been written, and any such attempt would be out of place here. Personally he seems to have been popular, and politically competent - certainly capable of bold initiative. In Manitoba, while he had many political enemies, there is no indication of personal feuds. Rev. George Bryce, who arrived during Archibald's tenure of office, wrote of him later as "...the most genial and generous governor Manitoba has had. He was most ardent in desiring to advance the educational and religious interests of the Country. His commanding presence, courtly manner, and yet withal kind and hearty disposition, made him a favourite."[11]

In the introductory chapter it was stated that the lieutenant-governor of Manitoba occupied a position of three-fold significance in 1870,[12] and Archibald's importance can best be appreciated in relation to these three aspects. Enjoying as he

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10. Ibid. p.27.
11. P.A.M., "Manitoba Biography 1886-1902," a collection of newspaper clippings, p.94.
12. Supra, p.4.

did the confidence and intimate friendship of the Dominion leaders, he was ideally suited to the function of sole link with the eastern authorities. Astute and decisive, experienced in negotiation, he could fulfil admirably his role of arbitrator within the new province. And in terms of political experience he was unsurpassed among the men available for the pst, with fifteen years of parliamentary experience, a thorough understanding of Confederation, and a leaning towards provincial autonomy. One writer relates that Sheriff Colin Inkster, who knew Archibald well, "...pointed out that the choice of Archibald as first Governor was on grounds not of party service but of statesmanship; and that no Governor since had been appointed on that basis."[13] Whatever the accuracy of the latter part of the statement, the first part appears incontrovertible.

ii. Arrival and Assumption of Office.

The task of the first Lieutenant-Governor was undeniably one requiring all possible competence. As Judge Prud'homme remarks: "Il prit la province ab ovo."[14] In addition to the diversity of duties laid upon him by the statutes and instructions, Governor Archibald was also made responsible for the organization and initial administration within the province of the work of the federal departments. Under an Order in Council of August 2nd, 1870, he was appointed Administrator of Crown Lands,[15] and was even burdened with the organization of postal and customs

13. Elizabeth Parker, "Manitoba's First Lieutenant-Governor," Dalhousie Review, X (1930-31) p.519.
14. "Le Premier Parlement de Manitoba, 1870-1874," Transactions, Royal Society of Canada, 1923, Sect.I, p.166.
15. Canada, Sessional Papers, 1871, No.20, p.6.

machinery.[16]

There was, moreover, one feature in his manifold task which had not been anticipated - a heritage of the old Company rule. From the earliest days the Governor of Assiniboia had been the 'Great White Father' of the colony, lending a patient and sympathetic ear to endless complaints of misfortune and grievance by all inhabitants. That he was expected to continue the practice was discovered by Archibald immediately upon his arrival, as his dispatch of September 17th, 1870, to the Secretary of State indicates: "In the primitive condition of affairs here, the most trivial matter must be brought to the notice of the Governor, and from morning to night I have not a moment to myself...."[17] "Governor Archibald," Bryce reported, "very kindly bore with the infliction, but by degrees worked society up to the idea of regarding a man appointed from Ottawa as a higher being."[18]

To meet these tasks Archibald was given a relatively free hand. "Sir George Cartier said to me in effect," he reported, "'Now that you are going up to the country while its affairs are very unsettled; you must exercise your best judgment,

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16. Ibid. pp.29-47.
17. Ibid. p.16.
18. P.A.M., "Manitoba Biography 1886-1902," p.94. The following excerpt from a settler's diary may be regarded as typical:
"Saw Hon^ble Mr. Archibald Leut.Gov^r today & Judge Jonson & told them about the Scoundrel Faucett usurping on my claim & taking Indians to intimidate me & extorting money out of me The Gov^t said I would have ample justice done me in regard of my lands that I was the kind he wished to encourage & that I could punish Faucett at any time I choose to take him up at any time The Judge said it was fraud for him to jump my claims & his resorting to Indians to extort Hack mail was a malicious offence against the law of the country." P.A.M., Diary of Kenneth McKenzie, Portage la Prairie settler from Ontario; Saturday, Oct.29, 1870.

and do what you can to preserve the public peace; we have implicit faith in your discretion and good sense.'"[19]

Little in the way of assistance was given, however. Francis Godschall Johnson, who had been Governor of Assiniboia from 1855 to 1859, was appointed Recorder and Special Commissioner to report on the laws existing in Manitoba,[20] this relieving Archibald of that one assignment. But for the time being no other aid was given. For the rest of his duties the Lieutenant-Governor was thrown back on the meagre human resources of the province; the facts do not appear to bear out William Leggo's statement that "the population comprised many highly educated men, and very many well qualified to undertake all the duties appertaining to a Constitutional Government."[21] Only two of the old inhabitants might be singled out for special mention: Bishop Taché of St. Boniface, spiritual head of the Roman Catholics, whose knowledge of and influence over the métis was unsurpassed; and James McKay, whose understanding of Indian affairs throughout the entire North-West was to prove invaluable to both Archibald and Morris.

As it happened, however, Archibald's assumption of office coincided with the arrival in the new province of a group of men with invaluable political and legal experience, sent, according to at least one report, by Sir George Cartier to provide experianced and moderate leadership for the French-speaking element.[22]

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19. 1874 Report, p.134; Archibald's testimony.
20. Canada, Sessional Papers, 1871, No.20, p.25; Order in Council, Aug.20, 1870.
21. The History of the Administration of the Right Honorable Frederick Temple, Earl of Dufferin, (Montreal, 1878) p.516.
22. J.L.Holmes, Factors Affecting Politics in Manitoba: A Study of the Provincial Elections 1870-99, (1936, unpublished) pp.3-4.

Another writer views them as: "... des catholiques capable d'y maintenir l'influence de la vraie religion en face de l'immigration protestante."[23] Their arrival was hailed by Bishop Taché: "Messieurs Girard, Dubuc, Royal, Clarke nous sont venus du Canada, et, avec quelques bons éléments que nous possédions déjà, nous pouvons nous flatter d'une représentation honorable et probablement supérieure dans notre legislature locale, en sorte que pour le moment nous ne sommes pas dans une position inférieure, et pendant les quatres ans de la première session du Parliament nous pouvons obtenir des lois avantageuses."[24]

These men were all to figure prominently in early Manitoba history: Henry J.H.Clarke, an Irish-born Catholic; Joseph Dubuc, schoolmate and friend of Louis Riel, and friend of Father Ritchot; Marc Amable Girard, a schoolmate of Bishop Taché; and Joseph Royal, like the others a lawyer, and the most brilliant of the quartette. Shortly after, a fifth arrived, Alphonse A.C. LaRivière, who was to assume the leadership of the French in their struggle against the overwhelming English-speaking immigration.[25] The lieutenant-governors were to know these men well, and to make full use of their ability.

The one other important element in Governor Archibald's human resources was the military force which had preceded him into the Province and remained to lend strength to his authority and to that of his successor. Nominally, according to the instructions issued by the Adjutant-General to the Officer Commanding the Active Militia at Fort Garry, the lieutenant-governor

23. Dom Benoit, Vie de mgr Taché, (Montreal, 1904) II,121.
24. Ibid. II, 159; letter to Mgr. Grandin, Coadjutor, Dec.9,1870.
25. Ibid. II, 121-23

had no control over the force. But the instructions went on to state that: "As, however, the territory of Manitoba is cut off by distance from immediate communication with the Governor General, should the Lieut.Governor require exceptional military duties of you, he must furnish you with a requisition, in writing, detailing the object, and you will use your own discretion as to the course you may think necessary."[26] Moreover, should Archibald require the use of troops as civil police, the Officer Commanding was authorized to turn over to him such officers and men as should volunteer for the civil tasks; whereupon they would become subject directly to the Governor's orders, without reference to the Officer Commanding.[27]

A year later the commandant was further empowered to augment the force, presumably by local enlistments, whenever the lieutenant-governor should consider it necessary to meet an emergency.[28] When, in October 1871, Lt.Col. Osborne Smith was dispatched to the Province to assume command of the troops, he again was instructed to consult with the lieutenant-governor regarding the requirements for the defence and security of Manitoba.[29]

Thus, insofar as the lieutenant-governor's authority must rest on coercive power, Archibald was reasonably well

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26. P.A.M., Lieutenant-Governors' Papers; dispatch 521, Secty of State for the Provinces to Archibald, Oct.29, 1870 - enclosing Instructions of Oct. 18, 1870.
27. Ibid.
28. P.A.M., Lieutenant-Governors' Papers, dispatch 641, Secty of State for the Provinces to Archibald, Sep. 25,1871 - enclosing Order in Council of that date.
29. Ibid. dispatch 687, Secty of State for the Provinces to Archibald, Oct.16, 1871 - enclosing Instructions to Osborne Smith of October 14, 1871.

equipped. He might hope to escape the unhappy experience of Governor McTavish - his authority defied and the very success of that defiance thrown up as evidence of his incapacity to govern.

Archibald was sworn in as Lieutenant-Governor before the Governor General in Ottawa on July 23rd, 1870.[30] After detailed discussions in the Dominion Capital he travelled west in the wake of Colonel Wolseley's force, through the Great Lakes and overland from Lake Superior, along the 'Snow Road.' Before his departure from the east it had been proposed to him by Bishop Tache that he should be met at the North-West Angle (of Lake of the Woods) by an honor guard of the French métis, but, by Archbald's statement, "...I desired that both classes of Metis should meet me, that I might not enter the territory with one class or party only."[31] In the end he came unescorted, thereby endowed at the start of his administration with unqualified neutrality amid the factional disputes of the province. On the morning of September 2nd he stepped ashore at Fort Garry, followed thirteen days later by his wife and daughter, and the Governor's residence in the Fort again became the social and political centre of Red River.[32]

Colonel Wolseley's troops had preceded Archibald by nine days, and as Riel and the other Provisional Government leaders had fled, there followed a brief inter-regnum during which, as Willson states, "...Mr. Smith was de facto Governor and Admin-

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30. Canada, Sessional Papers, 1871, No.20, p.17.
31. 1874 Report, p.135 - Archibald's testimony.
32. During the summer months the lieutenant-governors and their families moved to 'Silver Heights,' Donald A. Smith's house near the Assiniboine River, eight miles from Fort Garry.

istrator of Manitoba."[33] On September 3rd Smith issued a summons to the Council of Assiniboia for a formal surrender of authority to Archibald.[34]

The Council met on September 6th, and presented an address of welcome in which they pledged their loyalty and support, and assured Mr. Archibald of the loyalty of the people, "...notwithstanding the events of the past year."[35] The address also referred to the "...many acts of kindness shown from time to time by the Honorable Company to this Settlement." The new Lieutenant-Governor was cautious - in the province were many who had slight regard or even more positive hatred for the Hudson's Bay Company - and in his reply to the Address he scrupulously ignored all mention of the Company.[36]

Caution was, in fact, the keynote of Archibald's first days, for, he wrote,

> "I found the people of the settlement in a state of much excitement, such as would naturally follow the events of the past few months, and I have taken much pains in endeavoring to tranquillize them and lead them to see how important it is to the prosperity of the country, that all the leading men, irrespective of party, should come forward and give me their aid in establishing a Government that can secure the peace of the country on a solid foundation."[37]

One of the first requisites was to establish the prestige of the new authority. Since he had already been sworn in his office, he held a levee on September 6th, at which the facts of his commissions were declared to a representative body of citizens, "...while the presence of Colonel Wolseley and theofficers of

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33. Op.cit. 258.
34. Oliver, op.cit. I, 620.
35. Ibid. I, 621-22.
36. Ibid. I, 622-23.
37. Canada, Sessional Papers, 1871, No.20, p.10; dispatch to Secty. of State for the Provinces, Sep.10,1870.

the expedition enabled me to have it done with some éclat."[38] From the first he recognized the value of ceremonial in the unsophisticated society.

On September 17th, after selecting his first executive councillors, Governor Archibald issued his first Proclamation, enjoining the people to keep the peace.[39] Although he cannot yet be said to have started the machinery of government running, he was at least ready to start constructing that machinery. Within the province there seemed to be no hostility; those who did not lend active support from the start contented themselves with a wait-and-see attitude. Alexander Begg asserts that the Canadians distrusted him because of comment in the opposition press in the east, which was trying to discredit the Macdonald Government for making the appointment.[40] But Dr. Schultz, in the first number of his new paper, the News-Letter, revealed no antagonism: "The appearance and manner of the new Governor of Manitoba go a great way toward impressing those with whom he may come in contact that he is thoroughly capable of bringing about that much to be desired peace and quietness which the province has long been yearning for, and we sincerely trust that as his policy is developed the result will not conflict with first impressions."[41]

At the other extreme, among the métis, Archibald was known to be a friend of Cartier's, and hopes were high. His

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38. Ibid.
39. P.A.M., Lieutenant-Governors' Papers, Registry of Commissions Liber 'A' pp.28-31. According to M.A.Girard, this Proclamation had been prepared beforehand by the Dominion Government in Ottawa"...and had come up ready for publication." - 1874 Report, p.179, Girard's testimony
40. History of the North-West (Toronto, 1894-95) II, 28.
41. News-Letter, No. 1, Sep. 13, 1870; "Lieut.-Governor Archibald's Levee."

support had been cultivated from the time of his appointment, and as early as June 24th the Assembly of the Provisional Government, in its last motion, "...resolved unanimously that the new Governor be welcomed on his arrival."[42] Louis Riel, in a letter to Bishop Taché a month later, wrote: "Mes profonds respects à M. Archibald; nous désirons vivement son arrivée."[43] But Archibald, for his part, was not sorry to find when he arrived that the métis leaders had fled. "It is perhaps the best solution. While feeling runs so high here, as it does at present, an attempt at arrest would have been met by resistance, and in the end we would perhaps have had to call out the military, and we would have had a world of trouble, which the absence of these people enables us to escape."[44]

Archibald would need all the support he could muster. Under the best of conditions the task would have been difficult; against Manitoba's background of conflict it was formidable. Nor would competence be sufficient; at times it would call for perseverence amounting to an act of faith. That Archibald possessed just such faith is perhaps indicated by a passing remark he once made to the United States Consul in Winnipeg: "'Mr. Taylor,' he observed with enthusiasm, 'I am not a giant, but I am on the shoulders of a giant.'"[45]

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42. P.A.M., Sessional Journal of the Legislative Assembly of Assiniboia.
43. R.P.Morice, O.M.I., Histoire de l'église catholique dans l'ouest canadien, (Montreal, 1922) II, 304.
44. Margaret McWilliams, Manitoba Milestones, (London, 1928) p.107 - quoting letter from Archibald to Cartier, Sep.3,1870.
45. P.A.M., "Manitoba Biography 1886-1902," p.97; from the Free Press, Dec.15,1892 - "Governor Archibald," a letter from J.W. Taylor.

CHAPTER 5

BACKGROUND OF CONFLICT

Governor Archibald came to Manitoba without illusions. Long before he left Ottawa he knew how fragile was the provincial community, how precariously were its internecine hostilities contained. A contemporary eastern observer, writing a few years afterwards, recalled the situation that faced the first Governor:

> "He was seated on a powder magazine which a single spark might ignite. He was surrounded by the exasperated and excited French population, by the dissatisfied English and Scotch Half-breeds and the discontented whites, all having real and many serious grievances of which to complain. Peace was life to the colony, disturbances would be death, for the tide of immigration was now running to the rich lands of the new Province, and had it then been diverted into other channels, decades might have passed before its return."[1]

Peace he must have, peace at almost any price. Here was no question of right or wrong, of what was or was not promised. What mattered was that, rightly or wrongly, the mass of the people believed that there was to be a general amnesty.[2] Yet there was also the expectation of the Canadian minority to be considered, that the arrival of Canadian authorities would bring prompt retribution against the leaders of the insurrection; and what this minority lacked in numbers was more than compensated by the active and insistent support it received in Ontario. Archibald, when faced with these conflicting demands, replied that he was a governor, not a judge.[3] His policy must be that which would preserve order.

Though Archibald might refuse to judge, he must still

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1. Leggo, op.cit. p.554.
2. 1874 Report, p.135, - Archibald's testimony.
3. Ibid.

govern. At the time of his arrival warrants had already been issued against the métis leaders.[4] However, the quarry had fled, and within a week of his arrival the Governor advised Bishop Taché that Riel, Lépine, and O'Donoghue must remain away, for the sake of the peace, amnesty or none.[5] Privately, Sir George Cartier had sent the same advice to Riel, through Joseph Royal:

"...Sir George a parlé de l'exil de trois or quatre ans auquel lui même & les autres chefs du# mouvement du 1837 en B. Canada avaient été obligés de se soumettre, et m'a dit en me priant de vous le répéter: 'M. Riel en se conduisant ainsi se fait plus de bien à lui & aux siens que s'il était chez lui. C'est un démenti aux Ontariens et à tous ses ennemis, et c'est un motif pour ses amis de ne pas regretter ce qu'ils ont fait pour la cause dont il était la personification.'"[6]

This, then, was to be the first consideration in Archibald's handling of the conflict: "A year or two of quiet, with such immigration as we were likely to have was then all that was required to place the Province beyond the reach of danger. ...Immigration will fill it with an English-speaking people; but for this, peace and good order are to be the first requisites: with these the future of the country is assured."[7] It was an immense task, for the mere mingling of the hostile groups within a single community generated explosive forces. Moreover, even should the precious order be maintained, this latent civil strife might well stulify all progress and organization, for mass hysteria such as this would manifest itself at every turn, in every issue no matter how remote. Indeed, it would be futile to attempt an evaluation of Archibald's achievements, and to

4. Ibid. p.137.
5. Ibid. pp.137-38; Archibald to Cartier, Sep.10, 1870.
6. P.A.M., Riel Collection, Folio 3-L; Royal to Riel, Oct. 17,1870.
7. 1874 Report, p.142; Archibald's Memorandum of November, 1871.

some extent those of his successor, without an appreciation of this 'irrepressible conflict.'

The Lieutenant-Governor could not, of course, avoid a private judgment, nor could this judgment fail to color his actions. And the significant influence shaping Archibald's opinion in this matter was his parliamentary tradition. True, he had been sent to rule, to play the 'benevolent despot' - but the habits of responsible government were ingrained in him. There is no reason to reward as insincere his assurance to the people of St. James parish, a fortnight after his arrival, that his Government would be determined largely by the wishes of the population, as expressed through their representatives.[8] But the people of Manitoba in 1870, if free to choose their own representatives and, indirectly, their ministers, would be certain to choose, in the majority of cases, those who had led them in the previous winter - men whom they regarded as patriots and heroes. How, then, could the treatment of these men as criminals be reconciled with the principles of government by consent? And government by free consent was not merely a desirable ideal; it was practical necessity in this province where the habit of obedience was so lacking.

As, with the passage of time, the amnesty question dragged on inconclusively, this problem impressed Archibald increasingly, and he could find but one answer. This he clearly indicated in a letter to Joseph Howe, dated January 20th, 1872;

"Was there ever before a responsible Ministry resting on a House, of whose constituents more than half were liable to be

8. Leggo, op.cit. p.522.

hanged or sent to the penitentiary? To hang all, or to hang a few to whom the rest are blindly devoted, is much the same thing so far as a responsible Ministry is concerned. . . . In my view you have to choose between revoking responsible Government, and admitting that you cannot go back to inflict punishment for offences in which half the population were implicated, committed before responsible Government was conceded. . . . It seems to me that unless you expect to 'gather grapes of thorns or figs of thistles' you can hardly hope to carry on responsible Government by inflicting death penalties on the leaders of a majority of the electors."[9]

Archibald's personal feelings may have confirmed the policy which constitutional tradition forced upon him. Joseph Dubuc, shortly after arriving in the Province, and immediately after the Governor's arrival, described the latter to Riel as a sympathizer. "...On a au moins en notre faveur," he wrote, "le Gouverneur qui, il n'y a pas à en douter, est parfaitement bien disposé. Il se trouve dans la plus critique des situations. Il désire et attend l'amnistie autant que personne." It seems likely that The Manitoban, the newspaper whose editorials the Governor wrote at least occasionally and to which he referred as "the organ of the Government at Manitoba,"[11] accurately reflected his views when it asserted that the only disloyal participants in Riel's Insurrection were "...newcomers who had brought their anti-British feelings with them, and joined in Riel's movement for reasons peculiar to themselves."[12]

His judgment must, in any event, remain private. Its disclosure would have incurred the wrath of the 'Loyal party'[13] and destroyed the equilibrium. Consequently, no-one knew for

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9. 1874 Reports, p.152.
10. P.A.M., Riel Collection, Folio 3-R; Dubuc to Riel, Sep.6, 1870
11. 1874 Report, p.157, Archibald's testimony.
12. April 15, 1871; "Ontario vs Manitoba."
13. The title adopted by those who had opposed Riel's Provisional Government, and subsequent Ontario immigrants who joined them.

certain: extremists of each side suspected the worst. Riel himself never understood, and shortly after the disclosures of the 1874 Parliamentary committee he described Archibald's policy as one designed "...to consummate the conspicuous act of perfidy of which Canada had made us the victims."[14] On the other hand, the 'Loyal party' under Schultz, and later the transplanted Ontario Grits led by Stewart Mulvey, never ceased to vituperate Archibald as the tool of the French, and especially of Bishop Taché. Such recrimination from both sides was the inevitable consequence of the Governor's unhappy position.

i. The First Year.

Events immediately after his arrival left Governor Archibald little time to formulate a policy. His refusal to adopt a stand on the question of Riel's guilt or innocence, coupled with his high office, made him the neutral fulcrum of the balance, on which both sides exerted their full weight. Each bombarded him with claims and accusations, reinforced in the case of the 'Loyalists' by turbulence and spasmodic violence, and in that of the métis by sullenness and suspicion.

The violence of the Loyal party caused Archibald grave concern. To Sir John A. Macdonald he wrote on October 9th: "...Many of the French half-breeds have been so beaten and outraged by a small but noisy section of the people that they feel as if they were living in a state of slavery. . . . Bitter hatred of these people is a yoke so intolerable that they would gladly escape it by any sacrifice."[15]

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14. The Manitoban, Feb.21,1874; a translation of Riel's Memorandum in Le Nouveau Monde, 1874.
15. A.S.Morton, op.cit. p.920.

Since the aims of the métis, except for their demand for amnesty, were wholly defensive, they could well afford to approve a conciliatory policy, secure in the knowledge that any unfavorable deviation from that policy would throw to their support that same majority of the population which had supported the Provisional Government.

At Fort Garry, in every way the focal point in the conflict, the warring factions were providentially separated by the Red River. Intercourse across the river was negligible, and for extremists on either side to venture across was the height of folly. On September 7th, the day following his levee at Government House, it was necessary for the Lieutenant-Governor to cross to St. Boniface to meet the Frency, "...who," he wrote, "had been unable to be present at the Levee."[16]

The seriousness of this division was indicated with tragic emphasis on September 13th. Elzear Goulet, a member of the court-martial which had sentenced Thomas Scott[17] was recognized in Winnipeg and chased by Canadians; in attempting to escape by swimming the river he was drowned.[18] Archibald, lacking judicial machinery, commissioned Mr. H.J.G.McConville, a

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16. Canada, Sessional papers, 1871, No.20, p.11; Archibald to Secty of State for the Provinces, Sep.10,1870. Even then he did not meet the leaders of 1869. But on Jan.6,1871 he was visited by the newly elected representatives from the French parishes, and among them was Louis Schmidt, a member of the Provisional Government. Schmidt reported the meeting to Riel: "C'était la premier fois que j'entrais dans le Fort et que je voyais le Gouverneur. J'ai cru remarquer qu'il me temoignait une attention presque spéciale; de la grand nombre de conjectures que je fis. Il me semblait qu'il était content de voir un membre de Gouvernement Provisoire." - P.A.M., Riel Collection, Folio 3-K; Jan-7,1871.
17. Stanley, op.cit. p.105.
18. Canada, Sessional Papers, 1871, No.20, p.15; Archibald to Secty. of State for the Provinces, Sep.17, 1870.

recently arrived lawyer, to investigate; but no blame could be assigned to any particular persons.[19]

One fact, however, was clearly established by the investigation: that several among Goulet's pursuers were soldiers, members of the Canadian volunteer force. This alliance between Volunteers and Loyalists proved another source of trouble, as Archibald noted in his Memorandum of November, 1871: "With some (I cannot say how many) of the volunteers who went up, a desire to avenge the murder of Scott was one of the inducements to elist. . . . When the volunteers came to be disbanded, and were thus freed from all restraint, the hatred of the two classes exhibited itself more and more."[20] At all times they formed an obstacle to conciliation. "...Quelle protection espérer d'un gouvernement," asked the French, "dont les propres soldats sont les premiers à moquer de la loi & de son autorité?"[21]

Throughout the first weeks after his arrival Governor Archibald received a constant stream of petitions. Over five hundred citizens from the parishes of St. Andrews, St. Peters, St. James, Kildonan and Headingly asked the immediate arrest and punishment on the Insurrection's leaders and instigators, and the delivery for proper burial of the body of Scott.[22] Archibald, through his secretary, answered fire with fire: security was the first requirement of the province,

"...and yet, in point of fact, not a man in any one of the parishes from which the petitions have come, not a man of those who signed the petitions has offered himself in terms of

19. Ibid. pp.53-54; McConville's Report to Archibald, Sep.27,1870
20. 1874 Report , p.140.
21. P.A.M., Lieutenant-Governors' Papers; Royal to Archibald, Feb.23,1871.
22. Canada, Sessional Papers, 1871, No.20, p.48; Sep.28, 1870.

the appeal (for voluntary police) to take his share in the indispensable work of protecting the civil peace. . . . The gentlemen who have signed these petitions, many of whom are among the leading and most intelligent men of the Province, will not condemn the Government, they are too just to condemn it for not doing what could be done only by the aid which they themselves withhold."[23]

The métis, too, had their demands. Indeed, Archibald's first fears for the peace of the province were caused by Half-breed activity: a "disposition to turbulence" among a group collected at St. Joseph, Minnesota, who threatened a raid against Portage la Prairie, and a meeting on September 16th of about forty armed men at St. Norbert, for purposes unknown to Archibald.[24] Had he been better informed he would have known that this latter meeting represented a falling-out between Riel and O'Donoghue over their future course of action. "The Métis chieftain would brook no proposals which aimed to annex Manitoba and the North-west to the United States."[25] The only other outcome of the meeting was "The Memorial & Petition of the People of Rupert's Land and the North-West Territory, British America, to his Excellency, U. S. Grant, President of the United States," asking the president to remonstrate "...against the course of perfidy and oppression pursued by Canada towards the inhabitants of Manitoba."[26]

Balanced against the Loyalists' insistence on vengeance was the demand of the French-speaking inhabitants for the

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23. Ibid. pp.48-49.
24. Ibid. pp.50-51; Archibald to the Secty. of State for the Provinces, Sep.21,1870.
25. J.P.Pritchett, "The Origin of the So-Called Fenian Raid on Manitoba in 1871," Canadian Historical Review, X (1929) p.32; cites letter of Consul J.W.Taylor to Hamilton Fish, Nov.16,1870, in the Taylor Papers. Pritchett gives the date of the meeting as September 17th.
26. Ibid. p.27, quoted.

amnesty which they alleged had been promised by the Dominion authorities.[27] In reply to this Archibald temporized: "...it will be the desire of everybody, from the Queen on her throne to the humblest of her subjects, to bury in oblivion much that is painful in the history of the past year. What shape this desire may assume, it is not for me to say. That belongs to Her Majesty's Imperial Servants, not to this Province or to Canada, but I cannot doubt that Her Majesty's policy will be in accord with the honor of her Crown, and the good of her people."[28]

It was inevitable that the first provincial and federal elections in Manitoba should bring to the surface all the factional antagonisms and jealousies. At the outset Archibald was able to form, or cause to be formed, a well-organized 'Government party,' directed and co-ordinated by a Central Committee, and equipped with a powerful voice in The Manitoban. Through this organization he marshalled the moderate elements in the community and propagated his policy of conciliation, by resolutions of approval introduced at the campaign meetings. The Central Committee provided even a stereotype resolution: "That we heartily approve the liberal, generous policy announced and indicated by the Lieutenant-Governor of Manitoba, and pledge ourselves to do all in our power to carry out the same."[29]

But while the elections thus gave Archibald an apportunity to unite his supporters, they also served to perpetuate the solidarity of the opposition and to feed the first of con-

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27. The Manitoban, Nov.5,1870; Address to Archibald from the inhabitants of St.Norbert, Nov.1,1870.
28. Ibid.
29. The Manitoban, Nov.19,1870; "Public Meeting at St.Paul's." See also the issues of October 29th and November 5th.

flict. The Loyal party, too, held its meetings and passed resolutions, criticizing Archibald for his "almost insulting" reply to the request for Scott's body, and for his failure to do anything "...towards bringing rebels and murderers to justice."[30]

Election feeling mounted and the campaign was not without its violence. At a meeting at Poplar Point on November 30th, Dr. Lynch, a Loyal party spokesman, attached Archibald's administration as incapable and corrupt, in reply to which Mr. James Tanner defended the Government and led in the adoption of a vote of confidence. On his way home from the meeting Tanner was waylaid by "some ruffians," who panicked his horse, causing Tanner's death.[31] Again the culprits escaped detection,[32] perhaps fortunately for the peace of the community.

Among the French-speaking population unity prevailed and there was no issue for a campaign in their parishes. Fortunately, Riel refused to stand in the provincial constituency of St. Vital, as he was requested.[33] Similarly, doubtless under wise counsel, he turned a deaf ear to talk of his candidature for the House of Commons, in the federal constituency of Provencher.[34]

With the unfortunate exception of Tanner's death, the first test of Archibald's conciliatory policy was successfully

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30. Ibid. Nov.12,1870; "The Elections: Meeting in Kildonan." See also report in the next issue of a further Kildonan meet.
31. Ibid. Dec.3,1870; "Mob Law - The Loyalists at Work Again." "Election Meeting at Poplar Point" in the following issue.
32. Canada, Sessional Papers, 1871, No.20, pp.55-57; Report of Coroner's Inquest, Dec.2,1870.
33. P.A.M., Riel Collection, Folio 3-J; Paul Proux, Baptiste Nault et al to Riel. Nov.7,1870. See also, The Manitoban, Dec.17,1870; "Riel and the Elections."
34. P.A.M., Riel Collection, Folio 3-J; Joseph Lemay, Maxime Marion and J.B.Hamelin to Riel, Nov.28, 1870, and Riel's undated reply to Lemay. See also, The Manitoban, Dec.17,1870, and Begg, op.cit. II, 68.

passed. And it is suggested that primary credit for this must go to the Governor's mode of creating the electoral districts. These rested solidly on a parish basis[35] so that each constituency possessed the same relative homogeneity of population that the parishes had had. Above all, it sharply segregated the French and limited electoral contests to the English-speaking parishes where the bitterness between 'Government' and 'Loyal' parties was not sufficient to provoke serious outbursts.

The convocation of the first provincial Legislature brought the second test of the Lieutenant-Governor's policy, but the failure of the Loyalists at the polls mercifully excluded the worst of the factional passions from its deliberations. A resolution introduced in the Assembly by Mr. E.G.G.H.Hay, asking the Dominion or Imperial authorities to establish proper compensation for losses incurred during the Insurrection and to bring to justice all those guilty of crimes in connection therewith, was adopted only with an amendment moved by the Attorney-General, Hon. H.J.H.Clarke, which eliminated the assumption of the guilt of the Insurrection's leaders.[36]

The exclusion of the vengeance-seekers from the Legislature, however, did not mean that their agitation died. The conflict was kept alive by repeated protest meetings, and in the columns of the local newspapers. The Loyalists bruited their demands in Dr. Schultz' News-Letter, charging Governor Archibald with "...non-fulfillment of his promise to arrest Riel, O'Donoghue and Lepine if found within the province."[37] To which the Government

35. W.L.Morton, op.cit.
36. Manitoba, Journals of the Legislative Assembly, 1871, pp.52-54
37. News-Letter, April 29,1871 and May 10,1871

party replied through The Manitoban that the matter was not within Archibald's province: "It is not the business of a Governor to intermeddle in trials."[38] The French Half-breeds, on their part, supported the Government against the common enemy, through Joseph Royal's Le Métis, which first appeared in May, 1871.

Riel, who had never been far away, returned to the settlement on May 3rd, 1871,[39] adding by his very presence to the tension. To the Loyalists his continuing liberty within the province was proof of the corruption of the Government; to the Government it meant an added strain on the uneasy peace; and to the métis themselves, much as they might welcome him back, it meant constant vigilance against attacks on his person. On July 1st Archibald received a petition bearing over five hundred Half-breed names, protesting the reported issuance of warrants for their leaders' arrest, and reiterating at the same time their demands for amnesty.[40]

Subsequent events of the same month demonstrated clearly to Archibald that the danger of renewed strife had by no means passed. The trouble this time arose from immigration, the very process in which Archibald had predicted would be found the solution of the province's troubles. In fact, as late as the first of July, The Manitoban had hopefully observed that most of the

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38. May 6,1871; "Governor Archibald." Had Archibald been merely a constitutional ruler the defence would have been adequate, but the fact that he was in actual control of the policies of the provincial departments weakened its validity - why did not his Attorney General act? A Governor who governs must accept the responsibility.
39. Benoit, op.cit. II, 164.
40. 1874 Report, p.198; Supplementary Return No.145.

immigrants showed none of the narrow partisanship the Governor was trying to eradicate.[41] But a few days later Le Métis drew attention to a new and ominous development: "Il est constaté qu'une cinquantaine d'émigrés sont établis sur la réserve des métis de St. Charles. Des les premiers jours de leur arrivée, ils sont été avertis et notifiés de partir; mais ont mis à travailler. Où ils croient que les métis n'ont pas de droits, ou ils veulent fouler ces droits aux pieds. Que peuvent-ils alléguer pour leur justification?"[42]

One particular incident of this nature Archibald was to regard in retrospect as the first serious difficulty he encountered.[43] Not content with settling on the French Half-breed reserve at Rivière aux Islets de Bois, the immigrants added religious insult to the injury by changing the name of the river to the 'Boyne!'The métis were enraged. "They seemed to think," wrote Archibald, that property, race, and creed were all to be trodden under foot, unless they took care of themselves. They met in their parishes on the Assiniboine and Red River, and determined to march to the settlement and drive off the intruders."[44]

The Lieutenant-Governor acted immediately, in a manner which showed that his policy was genuinely one of conciliation and not, as charged by the extreme opposition, indulgence towards the Half-breeds. "I sent for some leading men among them (the métis) and warned them that if they lifted a hand or struck

41. July 1,1871; "The Land."
42. July 13,1871; "Les Terres."
43. 1874 Report, p.139 - Archibald's testimony.
44. Ibid, p.140; Archibald's Memorandum of November, 1871.

a blow it was all over with them."[45] Once again, the problem was not one of doing justice, but simply of preserving the peace.

The event convinced Archibald that his position was still far from secure. "Had blood been shed on that occasion," he speculated, "we should have had a civil war in which every French half-breed would have been an active participator; while from the English half-breeds, in accord on the question of property with the French, neutrality was the utmost that could have been counted on, and at this moment we had a garrison of only 80 men to defend all our military stores at Fort Garry, and to preserve the peace of half a continent besides."[46] In this, as in Governor Archibald's other crisés in the course of the conflict, the remoteness of his domain was the key to his action.

ii. The 'Fenian' Raid.

At the close of the first year Lieutenant-Governor Archibald received bi-lingual praise from his supporting newspapers for his conciliatory course. According to The Manitoban, the agitations of the Loyalist faction had proved innocuous and vain, owing to "...the forebearance of the section of the community, on the one hand, towards whom these manifestations of overt acts were principally directed, coupled with the discretion, the vigorous action, and the statesmanlike policy of Governor Archibald...."[47] In French, Le Métis echoed the sentiment: "La tâche à accomplir était d'essayer à concilier ce qui semblait inconcilable, à ramener sous le contrôle de la loi certains éléments

45. Ibid.
46. Ibid
47. Sep.2,1871; "A Year's History."

disposés à respecter ni loi ni autorité. Son Excellence l'a enterprise, cette tâche, et tout le monde connaît le succès obtenu."[48]

But mere words could not heal the rift, and a month later the civil order of the province was put to its greatest trial by ordeal, when Riel's former companion, W. B. O'Donoghue, attempted a raid from Minnesota.

O'Donoghue, after his break with Riel in September, 1870, had begun plotting annexation, aided by Colonel Enos Stuttsman of Pembina.[49] Rebuffed - or ignored - by the American authorities, he turned to the Fenian Brotherhood. The Fenian council in New York was not impressed, but 'General' O'Neil broke with the council and joined O'Donoghue.[50] Thus, from the viewpoint of the Brotherhood the affair was not a Fenian raid. And, indeed, O'Donoghue himself denied that it was of such a nature, describing it instead as "...simply a continuation of the insurrection inaugurated in '69, and with the same avowed intention, and by the same parties...."[51] Moreover, he claimed to hold a commission "...authorized by a resolution of the Council held at La Riviere Salle in September '70, over which council L. Reil (sic) presided."[52] But it would, in fact, be a continuation of the Insurrection only if the métis chose to make it so, and when, on October 2nd, 1871, O'Donoghue sent an envoy to invite their support, only two, Baptiste Lépine and André Nault, accepted,

48. Sep.7,1871; "Une Année d'Existence."
49. Pritchett, op.cit. p.32.
50. Ibid. p.38.
51. Canada, Debates of the House of Commons, 1876, pp.797-98 O'Donoghue's plea for amnesty to the Speaker of the House of Commons, 1875.
52. Ibid. p.798.

"...bien plus par curiosité que par interêt dans la cause du chef fénian."[53] The only interpretation that seems valid is that it was an affair of free-booters, acting for assorted reasons.

In any event, the raid itself was abortive - a farce, as it turned out. But the sluggish and primitive communications of the day permitted little accurate intelligence to reach Fort Garry, and the wildest rumors spread rapidly and kindled feverish excitement. The American Consul, J.W.Taylor, gave Governor Archibald advance notice of the raid, about September 11th, and was commissioned, presumably by Archibald, "...to assure the Washington authorities that there would be no objection at Ottawa or Fort Garry to the execution of orders to Col. Wheaton (of the U.S.Army forces at Pembina) to repress the hostile movement even in the streets of Winnipeg...."[54]

Bishop Taché met Riel at St. Norbert in September and received assurance that he was not supporting O'Donoghue;[55] in turn he assured Archibald on September 22nd that there was no danger of a métis uprising.[56] That the Bishop was convinced of this is indicated by his departure from the Province on the following day.

Fenian raids were not new in Canadian experience, and it was well known that the Brotherhood was well represented in Minnesota, drawing strong support from among railway construction

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53. A.-H. de Tremaudan, Histoire de la nation métisse dans l'ouest canadien, (Montreal, 1936) p.225. This statement is borne out by Riel's minutes of the meeting of métis at which the invitation was delivered - P.A.M., Riel Collection, Folio 3-0, Oct.4,1871.
54. P.A.M., "Manitoba Biography 1886-1902," p.97.
55. 1874 Report, p.53.
56. Ibid. p.74.

gangs. As it happened, the man who brought the first definite news to Fort Garry had, from 1865 to 1870, been employed in the eastern provinces to watch Fenian movements - Mr. Gilbert McMicken, Commissioner of the Dominion Police, and newly appointed Agent of Dominion Lands for Manitoba.[57] McMicken found the raiding party weak - only 41 volunteers, with no funds - but felt (or so he asserted later) that the danger of métis support was great.[58]

On his arrival at Fort Garry on Monday evening, October 2nd, McMicken reported immediately to the Lieutenant-Governor. "I told him exactly how matters stood with the Fenians and assured him that the report of a large gathering at St Joe was a baseless rumor; that O'Donoghue and O'Neil could not possibly muster over 70 men at Pembina, and probably not half that number."[59]

The Lieutenant-Governor immediately prepared a proclamation calling on the public to demonstrate their loyalty by forming militia companies in their parishes and holding themselves in readiness to fight.[60] Following the publication of this proclamation on Tuesday there was an immediate response from the English-speaking parishes. The Manitoban reported that

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57. P.A.M., "Manitoba Biography 1886-1902," p.74; from the Winnipeg Tribune, Mar.7,1871 - "Hon. Gilbert McMicken."
58. Gilbert McMicken, "The Abortive Fenian Raid on Manitoba" The Historical and Scientific Society of Manitoba Transactions, No.32, (1887-88) pp.2-3.
59. Ibid. p.8. McMicken's 1888 account does not seem entirely accurate. He asserts on page 3, that during an encounter in Minnesota with Taché, the latter gave the impression that there was a great danger of a general métis rising. This the Archbishop denied in an open letter in answer to McMicken - printed and bound with the original article - and Taché's actions at the time seem to support his assertion.
60. P.A.M., Lieutenant-Governors' Papers; Oct.3,1871.

"...before the evening was ended, every man in Winnipeg, with the exception of ten or twelve...had enrolled himself a Volunteer."[61]

For several days there were no further reports, but on Friday, October 6th, word was had that during the previous day the Fenians had crossed the border and sacked the Hudson's Bay Company post at Pembina, only to be promptly overwhelmed by American troops under Colonel Wheaton, who had also captured the leaders, 'General' O'Neil, 'General' Thomas Curley, and 'Colonel' J.J.Donnelly. The key figure, O'Donoghue, escaped from the melée but was subsequently taken, largely by the endeavors of French Half-breeds.[62] It is curious to note that Mr. F.W.Bradley, Canadian customs officer at Pembina, to whom O'Donoghue was delivered, turned the prisoner over to Colonel Wheaton rather than send him to Fort Garry, for fear of disloyalty on the part of the métis in the intervening French parishes.[63]

There seems to have been a general distrust of the French-speaking population at the time. The Canadian militia officer, Major Irvine, who had led his forces south from Fort Garry on the 6th, found it necessary to move his bivouac of Saturday night away from the proximity of St.Norbert, as his men were planning "an outrage."[64] On the other hand, Irvine's report the following day mentioned that "all the inhabitants on the road have been most ready in rendering us all aid and assistance we have required of them."[65]

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61. Oct.7,1871; "The Fenians."
62. Ibid.
63. Leggo, op-cit. 539.
64. 1874 Report, p.171 - Archibald's testimony.
65. McMicken, op-cit. p.19; quoted in Taché's open letter.

It was some days before rumors ceased to flow and the excitement died. A report received from Pembina on Sunday, October 8th, that the main attack was yet to come, was generally believed; even Governor Archibald, who privately considered it false, felt he could not afford to ignore it.[66] It proved to have no basis in fact.

Such are the unimpressive details of the raid. But the attempted invasion by a handful of armed men was by no means the Governor's chief cause for worry. His anxiety concerned not the Fenians but the métis, who had so recently regarded O'Donoghue as a leader and who still showed a restless distrust of their recent political affiliation to Canada. The Fenians had staked all on the chance that the métis would join them; and Archibald could spare no effort to prevent this:

> "Let the invader once establish himself on our side; let him be joined by a few hundreds of our population, so as to give the raid the air of civil war, and with the multitudes of Fenians among the Irish operatives on the railroads, and with recruits from the dregs of the large American cities, it is obvious we would have had no trifling matter to deal with. It became, therefore, my main object to present, if possible, a united front to the enemy. There were, of course, great difficulties in accomplishing that, as the events of the last two years had created great bitterness on both sides."[67]

The danger was aggravated by the pattern of settlement within the province, which placed the French-speaking population in a strategic middle position, able to sever the two groups of English, should civil fighting occur. From the first rumors in September Archibald worked unremittingly with the French clergy and assembly members. "At last," he reported, "my remonstrances and persuasion began to take effect. . . .Riel went into the

66. 1874 Report, p.141.
67. Ibid.p.139 - Archibald's Memorandum of November 1871.

French settlement and used his influence against O'Donoghue."[68]

Riel had, in fact, been in the settlement throughout the crucial days, and appears to have decided against aiding O'Donoghue from the first. However, the métis leaders moved cautiously. Riel, at a meeting at his house on September 28th, posed five questions which he considered the key to their action: First, had the Government sufficiently fulfilled its undertakings towards the métis? Second, were there grounds for believing that those promises would be kept in the future? Third, was it certain that O'Donoghue was coming in force? Fourth, if so, what were his aims? And fifth, "en tous cas, quelle conduite devons nous suivre prudemment à son égard, et à l'égard du Canada?"[69] The group answered 'no' to the first, reserved judgment on the second, and could only speculate about O'Donoghue's plans. No decision was reached. On October 4th a further meeting rejected O'Donoghue's invitation to join him, with the two exceptions already noted.[70] And next day, in a vote which was not apparently intended to bind the métis to any policy, all but one were in favor of supporting the Government.[71] The final meetings occurred on October 6th, with André Nault and Baptiste Lépine back to report that O'Donoghue was entirely dependent on métis support. At first Riel prevented a decision being taken, for fear of destroying the unity of the group, but at a subsequent meeting

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68. Ibid. p.140.
69. P.A.M., Riel Collection, Folio 3-0.
70. Supra. pp.67-68.
71. P.A.M. Riel Collection, Folio 3-0; Oct. 5,1871. Supporting the motion: Pierre Parenteau, Joseph Delorme, J.N. Ritchot, Baptiste Beauchemin, Elzear de la Gimodière, Maxime Lépine, Joseph St. Germaine, Pierre Leveille, Louis Riel, Angus McKay, F.-X. Dauphinais, and Ambroise Lépine. Dissenting, in favor of neutrality, was Baptiste Touron.

that evening the others insisted that he should give the lead, and he proposed that the métis should actively and openly support the authorities.[72]

The deciding factor may have been the correspondence which was passing between Riel and Governor Archibald during these days. In a letter dated October 4th, Abbé Ritchot, who had urged Riel's case in Ottawa in the spring of 1870, wrote to assure the Governor that the métis were loyal. But Riel, he added, refused to go forward as their leader against the Fenians without written assurances of his security, "au moins pour la circonstance actuelle."[73] Archibald gave these assurances the following day: "Should Mr. Riel come forward as suggested, he need be under no apprehension that his liberty shall be interfered with in any way: to use your own language, 'pour la circonstance actuelle.'" Moreover, the active support of the métis and their leaders"...cannot be looked upon otherwise than as entitling them to most favorable consideration."[74]

No other event in Governor Archibald's term of office showed so vividly his isolation and the consequent degree to which he was thrown upon his own judgment and initiative. In the name of the Queen he had already called upon the entire population for their active support. Now, by virtue of the same authority, he extended a promise of immediate immunity and a suggestion of future pardon to the man who stood condemned of treason and murder in the eyes of Ontario, and whose culpability for

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72. Ibid. Oct. 6, 1871.
73. 1874 Report, p.90 - Ritchot's testimony.
74. Ibid. p.91

the events of 1869-'70 was not yet denied by the Dominion or Imperial authorities.

As justification for his action the Lieutenant-Governor put forward the defence he had consistently used - necessity. Whether or not this plea was valid is a matter of opinion as much as one of historical fact. Who can tell, in retrospect, the intensity of feelings of the day? Perhaps it is sufficient to assert that, regardless of the exact extent of the danger of defection in the métis, the existence of any such danger, in the circumstances then existing, obliged the Lieutenant-Governor to refrain from no act and to withhold no promise which might be necessary to ensure the loyalty of all. On the other hand, it is interesting to observe that even before Archibald had given the assurances which he alleged to be so necessary, the editors of Le Métis had declared a loyal stand for their people, reinforcing the opinions of Bishop Taché and Father Ritchot: "Nous avons confiance dans la nation et ses chefs, et nous sommes fermement convaincus que la conduite de tous sera loyale, sage, prudente, et unanime. Prenons garde de nous diviser."[75] Riel, for his part, joined with Ambroise Lépine and Pierre Parenteau in a letter to Archibald on the 7th, to assure him "...that, without being enthusiastic, we have been devoted."[76]

The climax, for Archibald, came on Sunday, October 8th. Riel having gone forward as leader, a volunteer force had been organized in St. Boniface, and on Sunday morning Hon. M.A.Girard and Joseph Royal crossed to Fort Garry to invite the Lieutenant-

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75. Oct. 5, 1871.
76. 1874 Report, p. 147 - Archibald's testimony.

Governor to meet the force. Archibald decided, probably on Girard's advice,[77] that it would be unwise, in the existing state of excitement, to bring the métis volunteers to the English settlement where "...a stray bullet would have undone the work which I had been laboring at for weeks."[78] He therefore crossed to St. Boniface. There, he reported, "I found the half-breeds drawn up in line. After a tender of their services, through Mr. Girard, and my acceptance of the same, Mr. Girard came up to me with a person by his side, saying, 'This is the captain the French half-breeds have chosen to lead them.' He presented in the same way some four or five others. I shook hands with them all."[79]

Girard's deposition concerning the incident is interesting in the light of Archibald's subsequent denials that he knew with whom he was shaking hands. "I thought it would be better not to give the name of Riel to the Governor. . . . I supposed he understood it was Riel. . . . Mr. Dubuc introduced Ambroise Lépine by his name as a prominent man and the Governor also shook hands with him."[80]

However, Archibald was careful not to emphasize his denials. Instead, in relating the events of that day in his second proclamation, on October 13th, he made capital of the fact of Riel's presence there: "If among these people there were - and I believe there were - some persons whose exceptional position might have led O'Donoghue to look for their support, it

77. Ibid. p.180 - Girard's testimony.
78. Ibid. p.141 - Archibald's Memorandum of November 1871.
79. Ibid.
80. Ibid. p.180.

only adds to the value of the demonstration, and removes the last hope of the miscreants who have invaded your soil, that they would receive sympathy or aid from any class of the population."[81] The nature of the situation, he asserted, demanded the action taken. "It did not seem to me that it was quite the time, when the country was in danger, to enquire into the antecedents or spurn the offer of any man willing to fight against the Fenians."[82]

Later, in a private letter to Sir John A. Macdonald, the Lieutenant-Governor reiterated in defence of his action the general argument of responsible government: "If the whole French population to whom you have given the Eilective (sic) Franchise, with the members which that Franchise has created, choose to place at their head this or any other man, and offer their support to the Government at a most crcial moment would I be justified before accepting the offer or allowing the man to be officially introduced to me, to make enquiries what had been his past life?"[83]

The immediate reactions to Lieutenant-Governor Archibald's conduct in the Fenian crisis might perhaps have been foreseen. The effect in the eastern provinces and in Ottawa is perhaps beyond the purview of this study, and it will suffice to quote from Macdonald's private report to Archibald: "On talking the matter over with Tupper we came to the conclusion that it was my duty as your friend to tell you the state of

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81. The Manitoban, Oct. 14, 1871.
82. 1874 Report, p.142 - Archibald's Memorandum of November, 1871.
83. P.A.C., Macdonald Papers, vol.187, pp.419-20; Archibald to Macdonald, Dec. 20, 1871.

feeling here about the Hand-shaking with Riel. It has simply excited the English-speaking inhabitants of the Dominion to a state of frenzy. There is no reasoning with them and of course the Grits are [undecipherable] in their agitation in this point."[84] It cannot be determined whether or not Archibald considered these inevitable consequences in the east when making his decision. On the one hand, they might well have forced his recall and dismissal: Macdonald in the letter already quoted disclosed a fear of a vote of censure against the Government. But it is more likely that in the press of events Mr. Archibald's responsibility for the security of Manitoba left him little time for speculation about distant echoes.

Locally, the immediate reactions were for the greater part salutary. It was to be expected, of course, that the Loyalist (or, as it might better be termed at this time, the 'Grit') faction would bring ringing denunciations down on the Lieutenant-Governor's head.[85] It was alleged that the métis had lent their support only when it was evident that the threat had passed, in reply to which Archibald marshalled evidence to the contrary.[86] And in his interview by the Parliamentary investigating committee of 1874, he declared himself "...perfectly satisfied that the prevailing impression, as well among the French as among the English, was, that there was to be a fresh raid, and that the action of the French was not based on the idea that the affair was over, but on the idea that the difficulty still continued."[87]

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84. Ibid. vol.519, p.596; Dec.12,1871
85. Begg, op.cit. II, 71.
86. 1874 Report, p.141 - Archibald's Memorandum of November 1871.
87. Ibid. p.146.

So bitter, in fact, was the reaction of the more extreme Grits that instances were report d with apparent approbation in their own newspaper, The Liberal, of men refusing to volunteer in response to the first Proclamation. "...Let those rebels whom Governor Archibald has been petting, and fattening and spoon-feeding for the last year, fight for him...." [88] - such was the cry.

These, however, were exceptional cases. The real test came with the meeting on January 16th, 1872, of the provincial Legislature. In his Speech from the Throne the Lieutenant-Governor declared the loyal response to his Proclamation to have been"...convincing proof of the soundness of the policy which, notwithstanding the troubles of the past, has aimed to treat you all as one people interested in a common country and sharers of a common destiny."[89] And in the dispatch to the Secretary of State, accompanying the Address, he explained: "I took care when the House met that my speech should leave no chance to evade the question which has so exercised the people of Ontario. The paragraph touching the Fenian raid was framed on purpose to challenge criticism and elicit an unmistakable reply."[90] The result was highly gratifying: although in each House the supporters of the Government expressly invited opposition opinion, both bodies unanimously endorsed the Governor's course "in emphatic terms."[91] "Under Representative Institutions," Archibald wrote triumphantly to Macdonald, "it is not often that

88. The Manitoba, Oct.21,1871; "How Far Have We Got?" - quoted from The Liberal.
89. 1874 Report, p.152.
90. Ibid.pp.151-52; Jan. 20, 1872.
91. Ibid.

any act, of debatable character, commands a unanimous vote of both Houses. Where should I have been with my Representative Ministry if I had taken the opposite line?"[92]

In the long-term view, the most striking effects of Archibald's course during the Fenian raid were those which appeared at the Imperial level.[93] In a dispatch to the Secretary of State for the Colonies, in December 1874, the Governor-General, the Earl of Dufferin, emphasized the implications of Archibald's policy.

"Although my experience in such matters does not enable me to speak with any great authority, I confess I should have difficulty in convincing myself that after the Governor of a Province has put arms into the hands of a subject, and has invited him to risk his life - for that, of course, is the implied contingency, in the defence of Her Majesty's crown and dignity, and for the protection of her territory - with a full knowledge at the time that the individual in question was amenable to the law for crimes previously committed, - the Executive is any longer in a position to pursue the person thus dealt with as a felon."[94]

The Earl of Carnarvon, in reply, while denying that Archibald's relationship to the Crown was such that he could obligate it in this manner,[95] nonetheless conceded that "...in dealing with ignorant and half-educated people, it is obviously desirable that due recognition should, as far as possible, be given to any acts or promises which may reasonably be thought to bind or pledge either the Colonial or Imperial Government."[96]

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92. P.A.C., Macdonald Papers, vol.187, pp.445-46; Jan.19,1872.
93. The immediate reaction of the Imperial authorities in 1871 was highly favorable. The Colonial Secretary, Kimberley, commended Governor Archibald on his success in uniting the province in loyalty to the Queen. P.A.M., Lieutenant-Governors' Papers; dispatch No.2, Secty. of State for Provinces to Archibald, Jan.2,1872, enclosing dispatch 'Canada 571' Kimberley to Lord Lisgar, Dec.7,1871.
94. Canada, Sessional Papers, 1875, No.11, p.14; Dec.10,1874.
95. Supra. p.31.
96. Canada, Sessional Papers, 1875, No.11, pp.38-39; Jan.7,1875.

It is not surprising, therefore, that in the letter from the Governor General's secretary to the Minister of the Interior, accompanying the commutation of Ambroise Lépine's death sentence,[97] the reason indicated for Lord Dufferin's extraordinary act was Lieutenant-Governor Archibald's conduct during the Fenian crisis, which was deemed "...such as in a great degree to fetter the hands of Justice."[98]

With respect to the long-term effects within the Province, the remainder of this study will be, in a sense, an examination of that question. And, as will appear, in the long run the peace which Governor Archibald in October 1871 ensured to the province, proved a solvent of the problem of faction.

iii. The Second Year, 1871-'72.

The passing of the Fenian danger and its attendant threat of civil strife alayed but could not wholly dispel the Lieutenant-Governor's anxiety. The elements of the conflict were still present within the province, and the intensity of feeling, although now diluted, was still a significant factor in the group relations. In April, 1872, the Dominion Government, reversing a previous decision, ordered the maintenance in Manitoba of armed forces for a further year,[99] in response to Archibald's insistence that "it will require two or three years yet, before society will settle down to such a shape as will permit you safely to dispense with an armed force in the Province."[100]

97. Infra, chapter 8.
98. P.A.M., Lieutenant-Governors' Papers; Jan.15,1875, enclosed in dispatch No.159, Secty. of State to Morris, Jan.22,1875.
99. Ibid. dispatch No.226, Secty. of State for Provinces to Archibald, Apr.3,1872.
100. Ibid. dispatch No.41, Archibald to Secty. of State for Provinces, Mar.11,1872.

Even before this step, the Lieutenant-Governor had succeeded in removing from the country what he considered perhaps the most dangerous storm-centre, Louis Riel.

To the unreconciled opposition the most glaring proof of their lack of influence lay in Riel's ability, so pointedly demonstrated during the Fenian troubles, to enjoy liberty in the midst of the community. His presence mocked them, and it was inevitable that an attempt should be made against him. This occurred on December 8th, 1871, when a party of armed men, led by one, Buchanan, raided Riel's house in St. Vital, claiming to hold warrants for his arrest. Riel was away, and the raiders could only threaten the women of the household and vow bitterly that the métis leader would be killed before the night had ended.[101]

This incident served to remind Archibald of the danger of Riel's presence, and when, in the following months, the Ontario Legislature offered rewards totalling five thousand dollars for the arrest and conviction of the "rebels," he became convinced that Riel must leave immediately, for fear of "...the small band of lawless men, idlers and rogues who infest the taverns of Winnipeg."[102]

Within the province there was the usual mixed reaction to the Ontario rewards. The Legislative Assembly on February 2nd, by a vote of 18 to 5, reproved the Ontario Legislature for its interference: "The Government of this Province is responsible to our own Assembly and people and to them alone, and must within

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101. Ibid. Pierre Parenteau et al. to Archibald, Dec.9,1871.
102. 1874 Report, p.154; Archibald to Cartier, Feb.24,1872.

their sphere of action conduct the administration of public affairs in accordance with the well understood wishes of our people as expressed through their representatives in this House."[103] The Legislative Council had already passed a similar resolution on the preceding day.[104]

In the case of the Winnipeg Grits, of course, the rewards added fresh incentive to an old desire. And the métis, recognizing this fact, "...determined that the parties against whom the rewards were directed should remain in the country, and that the people should protect them by an armed force against any attempt to arrest them."[105]

The Lieutenant-Governor promptly approached Archbishop Taché[106] to work out a plan, and found his course already indicated. Sir John A. Macdonald (fearing at the time a repetition of the Fenian raid) had entrusted to the Archbishop, during the latter's visit to Ottawa in December 1871, one thousand dollars from the secret service funds, to be used in Getting Riel and the other métis leaders out of the country.[107]

Archibald immediately supported the plan, and when Taché reported that a further £600 would be necessary, he undertook to find the money.[108] On February 6th Archibald, Taché and Donald A. Smith met at Government House, and Smith agreed to advance the necessary amount, to be repaid him by the

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103. P.A.M., Lieutenant-Governors' Papers, dispatch book No.3; dispatch No.14, Archibald to the Secty. of State for the Provinces, Feb.3,1872.
104. Ibid.
105. 1874 Report, p.154; Archibald to Cartier, Feb.24,1872.
106. Elevated to Archbishop, Nov.9,1871; Benoit, op.cit. II,144.
107. 1874 Report, pp.54-56; Archbishop Taché's testimony
108. Ibid.

Dominion Government. This money, with the other $1,000, was given to Riel and Lépine on condition that they remain out of the country for a year, and that they should on no account return before the general election of 1872.[109]

Governor Archibald himself made no report of the decision at the time, except to remark in his letter to Sir George Cartier that "Mr. Donald Smith, when he goes down, will be able to explain to you the particulars of the danger which I think is now averted...."[110]

It was as well for the tranquillity of the province that the manner of Riel's ostracism was kept secret at the time. Even when, two and a half years later, it was revealed in the Parliamentary enquiry, the reform paper in Winnipeg, the Free Press Weekly, loosed a strident protest: "Mr. Donald A. Smith and Mr. Slumbering Traitor Archibald were contributing their mite in aid of the escape of the red-handed murderer - accessories after the fact - cheating the law out of its rights, the people out of justice."[111]

Riel and Lépine crossed the American border, and comparative peace descended on the province. In March the Lieutenant-Governor could report that "the state of feeling in the Province is happily so much improved that there is little danger now of collision arising out of past troubles...."[112] But he felt obliged to add that "the fire remains smouldering."

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109. A full account of the transaction is given in Willson, op. cit. pp.299-300, and in the depositions made before the 1874 Select Committee by Archibald, Taché, and Smith.
110. 1874 Report, p.154; Feb.24,1872.
111. Sep.5,1874; "The Right Hon. Sir John's Latest Bequest."
112. P.A.M., Lieutenant-Governors' Papers, dispatch book No.3; dispatch No.41, to Secty. of State for Provinces, Mar.11,1872.

Just as Riel's departure had quieted the community, with his return feelings flared anew. Archibald was exasperated: "It was quite understood they were to stay at least a year. I think it likely I named the time; I thought a year's absence would soothe the feelings of the people, and give them time to devote themselves to their business affairs; while I felt that as long as they remained there was no hope of peace, and that it was perfect madness for Riel to present himself for Parliament."[113] But Riel returned in June, 1872,[114] and promptly embarked on that course of "perfect madness." He agreed to stand as candidate in the constituency of Provencher, for the federal elections of that autumn.

There was little doubt that he would be elected. Only Archibald's Attorney General, H.J.H.Clarke, saw fit to stand in opposition, and his was a futile gesture. Feelings quickly mounted until, about September 1st, Clarke was reported to have challenged Riel to a duel.[115]

Then, providentially, a solution appeared. Owing to the practice of that time of 'staggering' elections, the main contests in the eastern provinces occurred several weeks before the polling in Manitoba, and Sir George Cartier was defeated on August 28th in his riding of Montreal East. On September 4th, Sir John A. Macdonald telegraphed to Archibald: "Get Sir George elected in your Province - do not however allow late Provisional resign in his favor."[116]

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113. 1874 Report, p. 155; Archibald's testimony.
114. Benoit, op. cit. II, 187.
115. Le Métis, Sep. 4, 1872; "L'argument du revolver."
116. 1874 Report, p. 165.

"It struck me," Archibald afterwards related, "that this afforded an opportunity of electing Sir George for Provencher."[117] Again he called on Archbishop Tache to act as intermediary, and on the following day was able to telegraph Sir John that Cartier would be unopposed if he would accept certain conditions.[118] These conditions, "...written down by myself as dictated by the Archbishop,"[119] which had already been approved by Riel, required Sir George to pledge his support to Métis land claims. Archibald, feeling that this stipulation of conditions was ungracious, successfully urged that they be withdrawn. The Archbishop, in 1874, asserted that the Lieutenant-Governor had argued "...that this would bind Sir George so tightly that he could not help doing even moreafterwards than he had done towards the amnesty."[120] This was denied by Archibald, but his denial of having made the statement does not diminish the truth of its content. Even if he did not say so at the time, he must certainly have realized, along with Macdonald and Cartier, that the course he was following would place Sir George under personal obligation to the métis generally and to Riel in particular, and would obligate Sir John as party leader.

Clarke, at the Governor's request, had withdrawn his candidature, and nomination day, September 12th, found Cartier unopposed, and supported by all elements of the population, including Dr. Schultz,[121] who during his year and a half as Member of Parliament for Lisgar had proven himself a loyal

117. Ibid. p.155.
118. Ibid. p.164; Sep. 5, 1872.
119. Ibid. p.164.
120. Ibid. p.58.
121. The Manitoban, Sep.14,1872; "Provencher."

ministerialist. Optimistically, Sir John telegraphed: "The election of Cartier seems to have been well managed, and the fact of Riel's being proposed and retiring in favor of Sir George Cartier was skillfully concealed. That fact must never get out."[122] In point of fact it was no secret, in Manitoba, at least, and was bound to come out as another prop for Riel's case in the final investigation.

The federal elections in other Manitoba constituencies were marred by riots and vandalism, despite the elimination of Riel from the contest. After two years of conciliation the conflict was still unresolved, as Archibald prepared to leave. But peace had been preserved and was bringing its own irresistible solution. Dominion legislation of 1872 prepared the way for immigration, which in that year was but a trickle but would soon become an impressive stream.[123] Archbishop Tache and the other leaders of the French-speaking population watched the influx with mounting fear. "Si c'est possible," the Archbishop wrote to the Bishop of Trois Rivieres, "envoyez-nous du monde. Si nous n'avons point d'immigration catholique, nous sommes perdus à tout jamais: le flot ontarien de nous déborder de toutes parts."[124]

And already another movement, not of immigration but of emigration, was starting that transformation in the social complexion of the province which would dissolve the last scars of the wounds left by the Insurrection. The unassimilable elements

122. P.A.C., Macdonald Papers, vol.521, p.571; Macdonald to Morris, Sep.26, 1872.
123. Statutes of Canada; 35 Vic. cap.23 - Land Act of Apr.14, 1872; 35 Vic. cap. 28 - Immigration Act of June 14, 1872.
124. Benoit, op.cit.II, 196; quoting letter of Apr.4,1872.

among the métis as early as 1871, had begun the trek westwards in the wake of the buffalo, and had established the nucleus of the St. Laurent colony on the Saskatchewan River.[125] For the more deeply rooted métis there remained to preserve their distrustful exclusiveness only the unsettled amnesty question and their unsatisfied land claims. The regime of Lieutenant-Governor Morris was to see the end of these.

125. Vide Stanley, op. cit.p. 179ff, and M. Giraud, "A Note on the Half-Breed Problem in Manitoba, "Canadian Journal of Economics and Political Science, 3, (1937) pp. 543-44.

CHAPTER 6

THE PATERNAL DESPOT

1. Creating the Machinery.

Among the Lieutenant-Governors' papers of this period is a 'Registry of Commissions, Liber A,' which provides, in effect, a formal history of the Province of Manitoba from September 17th, 1870 to June 12th, 1872. Here is recorded, in dry-as-dust form, the process of organization - the creation of offices and the appointment of administrative officials. The list is almost exhaustive: Executive and Legislative Councillors, the Chief and Deputy Constables and Country Constables, Constables of the Courts of Petty Sessions, provincial Sheriff and Coroner, Justices of the Peace, Justices and Presidents of Petty Sessions, Commissioners for the taking of oaths, Surveyors of Highways, County Assessors, County Registrars of Deeds, County Coroners, members of the Board of Health, Vaccination officers, and a host of clerks - Clerks of the Courts of Petty Sessions, Clerks of License, Clerks of the Peace, Clerks of the Executive Council, the Legislative Council, and the Legislative Assembly. The human resources of the province must indeed have been strained. Not the least of the Lieutenant-Governor's tasks was that of finding men for the jobs.

Mr. Archibald, for two weeks after his arrival, was the entire government of the province. It was, as can well be imagined, a fortnight of observing and evaluating, for a misstep at the start might have been disastrous. But the need for organization was pressing, and by the middle of September Archibald felt sufficiently secure to start the process. By Letters Patent

issued in the Queen's name on September 16th, he commissioned the first two administrative officers of Manitoba; Mr. Alfred Boyd as Provincial Secretary and Executive Councillor, and Mr. Marc Amable Girard as Provincial Treasurer and Executive Councillor.[1] The Governor's report of these appointments to the Secretary of State for the Provinces indicates the considerations that guided him in his choice.

"Thinking it was now time to organize a Government, and that I had become sufficiently acquainted with the people to form some idea of the material out of which this could be formed I have chosen a man representing each section of the population here, and appointed them members of my Executive Council. Mr. Alfred Boyd is a merchant of good standing here. He is a man of fair abilities, of considerable means, and very popular among the English half-breeds. He was chosen by the Parish of St. Andrew's (the most populous parish in the settlement), as a delegate to the Convention last winter. While highly esteemed among the English party he is not obnoxious to the French. I have appointed him Provincial Secretary.

"Mr. Marc Amable Girard is a French Canadian, from Varennes below Montreal, who has recently moved here. He is a notary by profession, has been Mayor of Varennes, and is a gentleman of some property, and of good standing, and seems to be the nominee of the French party. I have appointed him Provincial Treasurer."[2]

The Governor set his new assistants - for they were scarcely advisers - to work immediately. Girard's first task was to prepare a digest of the old laws of Assiniboia - the simple code which had sufficed Red River in its stagnant days but which could form no more than a starting point for any legal order adequate to an expanding province.[3]

At the same time Governor Archibald began actively to govern his realm, and ruled for several months by proclamation, commencing with that of September 17th calling on the population

1. P.A.M., Lieutenant-Governors' Papers, Registry of Commissions, Liber A, pp. 1-5.
2. Canada, Sessional Papers, 1871, No.20, p.16; Sep.17,1870.
3. Ibid. pp. 116-134.

to keep the peace.[4] A proclamation of a week later forbade the sale of liquor to the Indians,[5] and one of October 6th opened certain of the courts.[6] The main task was to convoke a Legislature, for the Lieutenant-Governor's power to rule by decree was narrowly restricted, and Archibald's other three proclamations of 1870 were directed to that end. He prepared, and published on November 28th, an electoral code,[7] followed two weeks later by the proclamation of electoral districts.[8]

The dispatch to Ottawa announcing the electoral districts gives the impression that Archibald had done all the work unaided,[9] but the biographer of Monseigneur Taché relates a different tale:

> "Le Lieutenant-Gouverneur, qui ne connaissait pas les établissements du pays, se trouvait embarrassé pour faire cette division. Il s'adressa à Mgr Taché qui avait une si parfaite connaissance du pays et une si haute intelligence. Le prélat accueillit sa demande avec empressement. Au bout de quelques jours, il présenta au Lieutenant-Gouverneur un projet de division. . . .
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> "Le Lieutenant-Gouverneur fut enchanté d'un travail qui tendait à satisfaire tous les intérêts et à mettre l'apaisement et la concorde dans le pays. Il en fit part à son ministre M. Boyd et aux Anglais les plus influents; tous s'en montrèrent très satisfaits. Le projet fut adopté sans que rien n'y fût changé."[10]

In fairness to the Lieutenant-Governor he should probably be assigned more of the credit for the division, although he doubtless made good use - as on so many occasions - of the Bishop's knowledge of the Province.

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4. Supra. p. 51
5. P.A.M., Lieutenant-Governors' Papers, Registry of Commissions, Liber A, pp.32-34; Sep.24,1870.
6. Ibid. pp.35-38.
7. Ibid. pp.39-42.
8. Ibid. pp.43-53, Dec.13,1870. Vide supra. p.63. A map of the 24 districts is to be found in Holmes, op.cit. facing p.2.
9. Canada, Sessional Papers, 1871, No.20, pp.82-85; Dec. 9,1870.
10. Benoit, op. cit. II, 128-29.

A final proclamation, on the last day of the year - the day following the elections - summoned the legislature.[11] Thereafter, Archibald had all the essential ingredients of an organized province.

During the first election campaign Governor Archibald kept in the back ground, but that he was active behind the scenes is evident from his private correspondence with Macdonald. Sir John had written that "much depends on the successful start of your legislative machine, and you would be quite justified in taking a personal interest in the result of the elections, so as to secure the return of a body of respectable men representing the various races and interests."[12] Archibald needed little bidding. "I am happy to say that everything goes on here satisfactorily," he wrote on December 4th. "We shall be able to receive a good working majority in our local house, and I think will send up three out of four of the members of the Commons if not the whole four."[13] "We" apparently referred to the 'Government party,' distinguished by its desire to forget past troubles and to heal the factional rifts, as opposed to the Loyal Party, composed of those demanding punishment for the leaders of the insurrection.[14]

Enumeration, begun on October 27th, was completed in

11. P.A.M., Lieutenant-Governor's Papers, Registry of Commissions, Liber A, p.54.
12. P.A.C., Macdonald Papers, vol. 517, p.425; Nov. 1, 1870
13. Ibid. vol. 187, p.163.
14. Vide supra pp. 61-62. Whether Archibald was attempting at the same time to create in Manitoba a stronghold for Macdonald's new Liberal-Conservative national party is conjectural. Donald A. Smith and Robert Cunningham, 'Government party' supporters returned in the 1872 federal election, subsequently turned against Sir John's Government in 1873, while Dr. Schultz, an opponent of the Government party, proved in time to be one of Macdonald's most loyal supporters.

November, and Archibald resolved to"...hurry on the local Elections, to get my own members elected while everything is serene. I shall be sustained I have not a doubt by a fair majority in the local legislature and I hope to find you three at least of the M P from this quarter."[15] The election followed on December 30th, and the Government party was victorious. The balance of racial and religious interests was remarkably precise: twelve whites to twelve half-breeds, half of each being Catholic and half Protestant.[16] Only five were members of the Loyal party, and one of these was subsequently unseated in favor of a Government supporter.[17] Not one among them was an Ontario man.[18]

Governor Archibald could now complete the formation of his ministry. On January 10th, 1871, he appointed Henry Joseph Hynes Clarke as Attorney General, Thomas Howard as Minister of Public Works and Agriculture, and James McKay as Executive Councillor without portfolio.[19] Ten days later Howard and Boyd exchanged offices, the former becoming Provincial Secretary.[20] "My object," Archibald reported to Macdonald, "has been to pick out the best four men I could find in the Assembly, and add one who will be in the Legislative Council when formed."[21]

Clarke, who became Government leader in the Assembly by virtue of his speaking ability,[22] has been regarded by some

15. P.A.C., Macdonald Papers, vol.187, pp.177-78; Archibald to Macdonald, Dec.11,1870.
16. Benoit, op.cit. II,129.
17. Holmes, op.cit. pp.7-8
18. The Manitoba, Apr.15,1871; "Ontario vs. Manitoba."
19. P.A.M., Lieutenant-Governors' Papers, Registry of Commissions, Liber A, pp.24-25.
20. Ibid. pp.26-27.
21. P.A.C., Macdonald Papers, vol. 187, pp.183-84, Jan. 16,1871.
22. Prud'homme, Transactions, R.S.C., 1923, Sec. I, p.170.

writers as the first Premier.[23] The Governor's correspondence establishes the fallacy of this view:

"Before appointing them I discussed with them individually the Policy which I had pursued and intended to pursue, so as to see that they were prepared to give it a hearty support. This they promised to do. . . . I called them together on the 14th and handed them a memo. of the work that was to be done before calling the Assembly together. . . . In fact I gave the council a memo of 32 Bills which would be absolutely necessary to form the sketch of a Provincial constitution, and have set them to work to get their hands in."[24]

Macdonald, in Ottawa, was thoroughly satisfied with the conduct of his 'proconsul' in Fort Garry. "You must allow me to congratulate you on the success that has attended your administration so far, and on the result of the elections. The future progress of the administration of affairs will now be comparatively easy, as your Government will have a Parliamentary majority to lean on."[25]

By March Archibald's council had made its preparations for the first session of the provincial Legislature, and there remained only the appointment of the Legislative Council to complete the machinery. This was summoned by letters patent of March 10th,[26] and its composition is an interesting reflection of the Lieutenant-Governor's policy. James McKay, president of Council (and already a member of the ministry), was a Scots half-breed trader, Catholic in his religion, whose intimate knowledge of Indian affairs was of incalculable value. Francois X. Dauphinais, Catholic métis, had been a member of the former

23. Begg, op.cit.II, 32, and Holmes, op.cit. p.8.
24. P.A.C., Macdonald Papers, vol. 187, pp.187-89; Archibald to Macdonald, Jan. 16, 1871.
25. Ibid. vol. 518, p. 161; Macdonald to Archibald, Jan. 25, 1871.
26. P.A.M., Lieutenant-Governors' Papers, Registry of Commissions Liber A, pp.65-72.

Council of Assiniboia, and subsequently vice-president of Riel's Provisional Government. Salomon Hamelin, the other métis councillor, represented the métis element opposed to Riel - but equally opposed to the Loyal party. J. H. O'Donnell, an Irish Catholic, represented the Irish element which O'Donoghue had led during the Insurrection. The others, Colin Inkster, Francis Ogletree, and Donald Gunn, were drawn from the Protestant and English-speaking 'old settlers.'[27] There were no representatives of the Loyal party; all were supporters of the Lieutenant-Governor.

On March 15th, 1871, the first Legislature of the province was opened with all the pomp the Governor could muster. In his Speech from the Throne,[28] Archibald drew the attention of the assembled Houses to those considerations which must guide them in their work: their isolation, and their inexperience; caution, he urged, was essential. The first need was organization - the elaboration of the courts and legal machinery, the definition of the rights of property, the establishment of local and municipal institutions. The second need was economy. And in concluding he indicated unambiguously his opinion of those who opposed his policy of conciliation: "In my efforts to calm down the exasperations arising from the painful events of last winter, I have been seconded by the co-operation of the great body of the intelligent and responsible people of this country, irrespective of race or creed...."

The session was a busy one, but its legislation

27. Prud'homme, Transactions, R.S.C., 1931, Sec.I, p.62.
28. The Manitoban, Mar.18,1871; "Provincial Parliament, Opening Ceremonies."

generally satisfied the Governor, who kept a close watch over its deliberations to the extent of establishing his private secretary on the floor of the House.[29] "The Laws you have passed," he declared in the Speech of Prorogation, "may not be framed on the model of those of older Countries, but they are at all events suited to the circumstances of your own Country, and they will remove much of the doubt and uncertainty which, until this hour, have hung over the rights and obligations of this Province."[30]

The achievements of 1871 can be comprehended from Archibald's review of his administration up to the end of that year - a memorandum which was published anonymously as a leading editorial in The Manitoban.[31]

At the beginning of the administration, it was pointed out, there had been no civil security in Manitoba, with only an uneasy truce between hostile factions, and bands of restless Indians roving the province. There were no police, no gaol, no code of law, no power to convene Grand or Petit Juries and consequently no means of securing indictments or convictions. There was no postal system and no customs machinery, and the authority of the Dominion officials to collect duties was challenged by local traders. Surveys were virtually non-existent, and the outlying regions were inaccessible except by dog team or Red River

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29. Manitoba, Journals of the Legislative Assembly, 1871, p.22.
30. The Manitoban, May 6, 1871; "Close of the Session."
31. 1874 Report, p.157 - Archibald's testimony. The Memorandum appeared as "Manitoba, The History of a Year," in The Manitoban, Jan.1,1872, and is published on pp.158-62 of the 1874 Report. Modesty was not, apparently, one of the Governor's attributes, and Le Metis, ignorant of the Memorandum's source, chided Mr. Cunningham of The Manitoban for being too fulsome in his flattery of Mr. Archibald; the latter, it was remarked, had been given credit for everything but the sunshine and the flow of the rivers. - Jan.11,1872; "L'Histoire de 1871."

cart. But, the anonymous Archibald exulted, see the changes our leaders have wrought!

"Out of the chaos in which the arrival of the Lieutenant-Governor found us order and peace have been evoked; the excitements of times of troubles have passed away. A police has been organized, an emmeration of the inhabitants made, the country has been parcelled off into electoral divisions, elections have been held, an Assembly returned and convened, a responsible Ministry (sic) constituted, a code of laws enacted, courts of justice organized and put into operation, justice administered, criminals tried, convicted and sentenced; the Indian title to half a continent released, the public domain of the Province surveyed, laid off in blocks and made ready for immigration; lines of communication with Thunder Bay by the Lakes, and with Duluth and St. Paul by the United States, improved; steamships for communicating with the interior in the course of construction, and railway exploration across the continent almost complete; mail routes and post offices established all over the Province, customs houses instituted and duties collected, prisons and penitentiaries built; and, last of all, a telegraph line established, making us part and parcel of the living world. We may well ask whether the crowding of all these events into the compass of a single year is not a theme upon which we may congratulate ourselves and the Dominion to which we belong. We challenge the world to produce an instance where such an amount of work in any country has crowded the annuls of a single year. . . .

"Where all have worked well it would be invidious to distinguish; but this we may say, that the Government of the Dominion and the officials they have sent here, the Lieutenant-Governor of the Province and the gentlemen with whom he has been surrounded, as his constitutional advisers, have acted with but one aim - that of faithfully discharging the responsible functions which the possession of this noble heritage imposes upon those who have in their hands the administration of public affairs."[32]

Even after due allowance has been made for the patent 'window-dressing' in this account, the record is impressive. That it was so was essentially to Archibald's credit, for his mind and energy provided the guiding genius in the formulation of policy, the creation of machinery, the enactment of laws, and even the detailed day-to-day administration. And all the while he trod the precarious path of conciliation.

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32. The Manitoban, Jan.1,1872; "Manitoba, The History of a year."

ii. Support and Opposition.

Needless to say, the people of Manitoba were by no means indifferent to the acts of Governor Archibald and his government. The alignment of forces in relation to his policies never disappeared after its initial formation during the 1870 elections.

In support Archibald had been able to mobilize a substantial section of the English-speaking population, under the leadership of such men as H.J.H.Clarke, Colin Inkster, who was to be active in Manitoba's administration for sixty years, Alexander Begg, merchant and chronicler of early Manitoba, Robert Cunningham, newspaper proprietor, James Ross, of one of Winnipeg's 'first families,' and Captain Macdonald, a Red River half-breed who had returned to the province with Wolseley's force.[33] The support of the métis was attested by the electoral appeal made by John Bruce, former president of Riel's 'National Committee;' "...nous devons nous rallier autour du Lieutenant-Gouverneur et appuyer se politique sage et liberale parce qu'il est l'ami de tous les bons citoyens."[34]

Mr. Cunningham's newspaper, The Manitoban (owned and edited jointly by Cunningham and William Coldwell), carried the Lieutenant-Governor's colors and fought his political battles - often with ammunition provided by the Governor himself. Its stand was clearly declared in the first number of October 15th, 1870: "...we shall do all in our power to strengthen the hands of the new Government in its endeavours to secure law and order;

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33. It is nowhere explicit in the contemporary newspapers who comprised the 'Central Committee' of the Government party, but these are the spokesmen of the party most frequently mentioned in The Manitoban.
34. The Manitoban, Dec.10,1870; "Aux electeurs de Manitoba."

to consolidate the institutions of the country, and to develop the resources of the Province."

Such were the Government forces - and they welcomed the label 'administration candidate.' "Amongst us as matters stand," declared The Manitoban, "an Administration Candidate may be looked upon as a man who is prepared to stand by an administration, which has been formed amid circumstances altogether abnormal and peculiar, - and which has not only been formed, but formed with a success which could scarcely have been looked for."[35]

The opposition - the Loyal party - centred around the stormy figure of John Christian Schultz, one of the most striking leaders in Manitoba history. At worst he was a scoundrel, at best a politician of a rather unscrupulous order - in this, perhaps, the child of his age. At the time of the passage of the Manitoba Act, it was asserted, Schultz' support as leader of the Canadian settlers at Red River, was secured at the last minute only by the payment to him of $11,000 on account of his claims for compensation for alleged losses suffered in the Insurrection.[36] During the heat of the 1870 election campaign The Manitoban made an even more remarkable charge against him - which may have had a large element of truth in it:

"It has been stated that the Party which has been formed to carry out the Government policy, have approached Dr. Schultz abjectly, begging him to join them. This statement is of a piece with almost every statement made by Dr. Schultz's miserable organ, relative, not only to the elections, but to the Governor and his policy. It goes on the principle of mendacity, and out of this capital is endeavouring to maintain an ephemeral existence. It was Dr. Schultz who approached, and offered to do what he has done over and over again - to sell his friends to further his own interests. The fact is, and can be sworn to, that Dr.

35. Ibid. Jan.7,1871; "They Know All about It."
36. Ibid. Feb.25,1871; "That 'Eleven Thousand Dollars.'"

Schultz made the following offer to the Committee: 'If you run me for any district - I don't care which - and promise not to oppose me, I will go in with you.' This offer was scouted by the Committee. The Doctor, further, modestly demanded that the Committee should eject Mr. Begg from their number, and keep out Mr. Bannatyne."[37]

The Doctor's 'miserable organ' was the News-Letter, which throughout its brief existence fought a losing battle against The Manitoban.

The Schultz party during those first elections waved the 'loyalty' flag for all it was worth. A speech by Dr. Lynch, one of Schultz' most vocal lieutenants, exemplifies the line of attack:

"Instead of meriting support and approval, His Excellency deserved condemnation. We are yet without responsible Government through his procrastinating weak policy. Why was not the census taken at once on his arrival? Why have not the Elections been held before now? I cannot see unless it be for some such object as securing the elections in his favor. Talk of 'representative responsible Government' . . . where is it? The Governor has two irresponsible advisers, and even they are only figure-heads - the real advisers being the Hudson's Bay Company, who were as deeply implicated in the rebellion as the worst of the Riel party. Then look at the appointments that have been made - especially that of John Bruce, the first President of the Provisional Government. Could anything be worse than that? Could anything show more clearly the Governor's lack of sympathy with the loyal party?"[38]

There was, it will be noticed, just enough truth in the facts to make the allegations plausible. But as long as resistance to Riel's movement was proclaimed as the criterion of loyalty, the group had no chance of success as a political party. Schultz, self-styled 'the people's candidate,' went down to defeat with all but four of his running-mates. The Manitoban, as could be expected, pointed a strong moral:

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37. Ibid. Nov.12,1870; "Shameful Proposition."
38. Ibid. Dec.10,1870; "Election Meeting at Poplar Point."

"...as to the LieutenantGovernor and his policy, and as to the position of the 'People's Candidate' thereunto, the people began to bethink themselves. And after thinking over the matter, they discovered, that the policy of the Governor was the right policy - that he had come to the country armed with a policy, and with his policy in his hand - which is now apparent to every thinking man, was the right one - he was not to be bullied by anybody into any other, and that the man who had set himself to impede and even defy the Governor in his arduous labours, was not the man for them."[39]

It would have been closer to the truth to recognize that the election had simply carried the Insurrection to the polls, and that Schultz, with only the same support he had received the previous wihter, suffered a repetition of his earlier defeat, in about the same degree.

Dr. Schultz' leadership of the opposition forces continued undiminished for six months. Governor Archibald was charged with falsification of the census returns in favor of the French half-breeds - an attempt by Schultz to turn the English and Scots half-breeds against the Governor.[40] The News-Letter further reported, after prorotation of the first session, that Archibald had taken a roundabout route to the Legislature because "it was feared, no doubt that he might be hissed as he passed along."[41] The attack extended to Archibald's officials: H.J.H.Clarke, "the recently imported police court lawyer who for two months has been Mr. Archibald's prime minister and Attorney General;"[42] and A.G.B.Bannatyne, whose activities it was claimed should be immediately investigated, "if the Lieutenant Governor were possessed of even a modicum of sense or if

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39. Ibid. Jan.4,1871; "The Cause."
40. News-Letter, Jan.25,1871; "The Census." Also Feb.8,1871; "An Incorrect Census."
41. Ibid. May 10,1871; "Prorogation of the House."
42. Ibid. May 13,1871.

he paid the slightest attention to public opinion...."[43]

A long catalogue of Archibald's sins in the News-Letter of April 29th, 1871 brought the faithful Manitoban to the defence.[44] Against the charge that the Governor appointed only 'rebels' to government office, the Governor's paper listed with approval sixty-odd appointments, and asserted in return that "the fact is, the Governor did not deem it his duty to appoint two or three very particular, very noisy and very consequential 'loyalists'; hence this perpetual wail about ignoring all loyal men." To the complaint that favoritism characterized the grant of government printing contracts to The Manitoban, it was rejoined that the News-Letter lacked the necessary facilities. The charge that Archibald had sent a member of his cabinet to electioneer against Schultz during the federal election campaign was flatly denied as "utterly unfounded." Denied, too, was the assertion that the electoral division represented a deliberate gerrymander in favor of the French element.[45] The News-Letter replied scathingly: "Will Mr. Archibald instruct his editor to address himself to answer these charges instead of attempting to be-little our sheet and filling his own with accusations of our being 'disappointed and consequential people.'"[46]

All in all, ample justification is encountered for The Manitoban's summary of the doctor's unremitting opposition:

"Since the day when the Governor first set his foot on the soil of Manitoba till now, Schultz has shown himself malignantly hostile, not only to the Governor's régime, but even to the Governor himself; and in every conceivable way has done his

43. Ibid. May 24,1871.
44. The Manitoban, May 6,1871; "Governor Archibald."
45. Ibid. "Electoral Divisions of Manitoba."
46. News-Letter, May 10,1871; "The Lieutenant Governor and His News-Paper."

best to impede and annoy him."[47]

However, in the federal by-elections in Manitoba on March 2nd, 1871, Schultz was returned as M.P. for Lisgar constituency,[48] and gradually he relinquished his leadership of the opposition in provincial politics. On July 1st the News-Letter was conveyed to Mr. Stewart Mulvey, and became The Manitoba Liberal. In time, Mulvey succeeded to the leadership of the opposition forces,[49] thereby, to some extent at least, relieving their hopeless identification with the opponents of the 1869 Insurrection; for Mulvey represented a new element in Manitoba politics - the Ontario Grits of post-Insurrection immigration. Schultz, becoming a staunch Macdonald man, abandoned his hostility to Macdonald's appointee, and as early as December, 1871, it was noted that the opposition in the province had split: "On the one hand we have Mr. Mulvey denouncing the Governor, and on the other we have Dr. Schultz denouncing the Cabinet and upholding the Governor."[50]

Some of the most effective criticism of Archibald's Government came from the east, where interest kindled by the Insurrection was still alive. Not all the eastern comment was

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47. Jan.24,1871; "More Rumors." In the light of this picture, a remark of Rev. George Bryce made twenty years later, seems unaccountable: that while Bryce had visited Archibald in Halifax in 1878 the latter had "...enquired kindly after all Manitoba people, especially for his friend Dr. Schultz." - P.A.M., "Manitoba Biography 1886-1902," p.94.
48. The Manitoban, Mr.5,1871.
49. Ibid. Nov.18,1871; "A Political Farce," and "The Mapleton Meeting."
50. Ibid. Dec.9,1871; "The Question." And yet, apparently, Schultz was still far from reconciled to Governor Archibald, for it was reported, in April of 1872, that Schultz was threatening to start impeachment proceedings against him. - Ibid. Apr.27, 1872; "Governor Archibald's Resignation."

unfavorable: in January 1871, The Manitoban reprinted praise for Archibald from the Ottawa Times, the Montreal Gazette, and the Ottawa Citizen.[51] But others, especially the Toronto Globe, were bitterly hostile; The Manitoban again took up cudgels in the Governor's defence:

"Now that the Ontario elections are over, we hope that our contemporary (sic) and all those journals which follow its lead will do us justice. Their manifest desire to make out a case against our Government, in order somehow through that channel to have a fling at the Ontario or Ottawa Government, encouraged loafers in this country who had or supposed they had personal grievances to write long yarns. In these tirades the imagination was largely drawn upon, and fact distorted. In due time, these communications would appear with some unwarrantable comments. Thus was it that in some parts of Ontario, the impression was created that this was the worst-managed Province of the Dominion. Our Lieut.-Governor was pronounced a sympathiser with rebels, a tool of Cartier or Tache, or something else equally uncomplimentary."[52]

William McDougall, in his pamphlet, The Red River Rebellion, joined in the attack from the east,[53] to which it was replied that "it could hardly be expected that he would approve of any appointment to the office which he himself longed to fill, but could not."[54]

To the News-Letter all this was welcome grist,[55] and through its columns - and those of its successor - all the adverse comment from Ontario was publicized within the Province. The Manitoban was moved to reply that: "The great difficulty with some people here, is to get into their heads the fact that Manitoba is not a colony of Ontario, or of the four Provinces

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51. Ibid, Jan.21,1871, "More Rumors;" and Jan.28,1871, "Lieutenant-Governor Archibald."
52. Ibid. Apr.15,1871, "Ontario vs Manitoba."
53. Ibid. Apr.22,1871, "Hon. Wm. McDougall."
54. Ibid.
55. For example, News-Letter of May 3,1871, "What They Think in Canada."

which, prior to last July, comprised the Dominion."[56]

Governor Archibald, however, was concerned less with the effects of this criticism in Manitoba than with its effects in Ontario, and more especially in Ottawa. As long as he considered it necessary that he control the provincial government, he needed the support of the Dominion authorities to strengthen his hand. And the political leaders in Ottawa were naturally highly sensitive to eastern opinion. To his already difficult dual responsibility - to the people of his province and to the Dominion Government - was thus added an indirect responsibility to public opinion in Ontario, and for that matter in Quebec as well.

iii. The Problem of Responsible Government.

Responsible government was, in fact, the foremost of Archibald's problems as Lieutenant-Governor. Already it has been pointed out that it was complicated by the criminal liability, in the eyes of the law, of the acknowledged leaders of the majority of the people. Moreover, the successful operation of responsible government requires a high degree of political experience on the part of the public, and, more particularly, on the part of their elected representatives. This experience was lacking in Manitoba.

These difficulties were recognized at the outset. "Although you are a Constitutional Sovereign," Macdonald had instructed Archibald, "it is evidently necessary that, in the present state of affairs, you should be in fact a paternal despot."[57]

56. The Manitoban, Aug.26,1871, "Manitoba a Province."
57. P.A.C., Macdonald Papers, vol.517, p.425; Nov.1,1870

The Lieutenant-Governor, it would appear, shared this conviction. His first major steps have been seen: the direction of the first election campaign, to ensure a malleable Legislature, and the appointment of a ministry which, while meriting the description "representative," was scarcely "responsible" in the usual political sense - for acceptance of the Governor's policies was the condition of appointment, and responsibility was directed to the Governor. Final responsibility, to both the people of Manitoba and the Dominion Government, was assumed by Archibald.

The same attitude is evident throughout Governor Archibald's correspondence with the national leaders. Writing to Sir George Cartier in May, after prorogation of the local Legislature, he expressed satisfaction with its achievements, but added that "...to attain this end, required a pretty firm hand with friends and foes."[58] And where he had been unable to control the decisions of the legislators, he invoked his power of reservation, holding up four of the 1871 bills.[59]

Sir John A. Macdonald, while critical of one or two minor details,[60] was generally pleased with the first session: "I have gone carefully over all your Acts of last session & must congratulate you on your legislation."[61] Archibald accepted full credit. "If you had seen some of the drafts proposed for my acceptance," he wrote, "you would have felt somewhat as I did when I threw them aside, and undertook, amid the distractions of

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58. Ibid. vol.187, p.222; May 26,1871.
59. Manitoba, Journals of the Legislative Assembly, 1871, p.75; vide supra p.34.
60. P.A.C., Macdonald Papers, vol.519, pp.19-21; Macdonald to Archibald, July 12,1871.
61. Ibid. vol.519, p.527; Macdonald to Archibald, Oct.18,1871.

of the Session, the labor of drafting them myself."[62]

Even a despot needs advisers, and Governor Archibald's ministers were not mere cyphers.[63] For example, Attorney General Clarke's opinion was sought on the legality of enforcing in Manitoba the customs laws of the Dominion.[64] Nor did Archibald limit his consultations to cabinet members. Joseph Royal, then Speaker of the Legislative Assembly, was commissioned to help draft the Education Bill of 1871 in conformity with the wishes of the Catholic population.[65]

On the other hand, Archibald by no means left his officers free in the conduct of their own departments. When Clarke's bill establishing the Manitoba Bar displeased the Governor he had it altered in the Legislative Council and forced Clarke to accept the modifications.[66] And Royal, in his capacity as Superintendent of the Catholic Section of the Board of Education, modified his plan for the creation of school districts, in accordance with Archibald's instructions.[67]

Moreover, it is obvious from the Lieutenant-Governors' files that Archibald jealously guarded his control of correspondence with Ottawa. He appears never to have passed a dispatch

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62. Ibid. vol. 187, pp. 304-05; Nov. 3, 1871.
63. Rather, they bore the same relationship to him that they would normally have borne to a premier.
64. P.A.M., Lieutenant-Governors' Papers, dispatch No.138, Archibald to the Secty. of State for Provinces, Apr.3,1871.
65. Ibid. Royal to Archibald, Mar.25,1871. In connection with the Education Act, Benoit asserts that "le projet fut préparé sous la direction et presque sous la dictée de mgr Taché..." -- op.cit. II, 130. The statement is unsubstantiated, and probably over-estimates Taché's part, although Archibald undoubtedly sought his advice frequently on such matters.
66. P.A.C., Macdonald Papers, vol.187, pp.223-24; Archibald to Cartier, May 26,1871.
67. P.A.M., Lieutenant-Governors' Papers; Royal and Molyneux St. John, for Board of Education, to Archibald, July 4,1871.

along to the minister of local federal officer concerned, but merely notified them of the contents. Even dispatches clearly of vital concern only to subordinates were retained.[68] For that matter, the earliest indication of even the contents of a dispatch having been specifically referred to a minister was in the spring of 1872.[69]

Governor Archibald's direction of legislation continued through the session of 1872, but there is evidence that he was meeting some obstinacy from his ministers, especially Clarke, and was having to invoke his statutory powers. Clarke was trying again to enact the Bar provisions to which Archibald objected, and the Lieutenant-Governor sought to force the adoption of a supplementary bill which would embody features eliminating his objections. To Macdonald he wrote: "I told him distinctly he must either put through Bill No. 3 which I then handed him, or I should be obliged to defeat his little game by reserving for the decision of the Governor General the main Bill which would then be brought into operation just when it suited you."[70] But Clarke would not be coerced, and the Act "to constitute and incorporate the Law Society of Manitoba" was among the bills reserved by Archibald at the end of the session.[71]

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68. For example, dispatches Nos.238 and 256, Secty. of State for the Provinces to Archibald, May 2 and May 8, 1871: the first contained instructions for the Recorder, Judge Johnson, regarding claims arising out of the Insurrection; the second was a memorandum from the auditor authorizing the Provincial Treasurer to pay certain accounts out of the federal funds held by him. Ibid.
69. Ibid.Dispatch No. 221 (Manitoba No.40), Secty. of State for the Provinces to Archibald, Mar.30,1871 - regarding appointments to the Bench in Manitoba. There is a pencil notation in the margin by Archibald: "Indorse & make copy to enclose to Mr. Clarke..."
70. P.A.C., Macdonald Papers, vol.187, pp.470-71; Feb.24,1871.
71. Manitoba, Journals of the Legislative Assembly, 1872, p.77; vide supra p.34.

That Macdonald still regarded Archibald's position of leadership in the province as secure is indicated by his remarks in acknowledging receipt of the reserved bills: "In your infant Society it is necessary that the Lt. Gov^r should be a paternal despot and it is fortunate that your Cabinet allow you to reserve them without remonstrance. Such being the case the Gov Gen^l must deal with them as being reserved by you with the advice of your Council."[72]

It is doubtful that Clarke's position in the Province was strong enough to enable him seriously to challenge Archibald's dominance. The peculiar factor which made the Governor's pro-consular role possible still existed in 1872 - and, indeed, for several years after. That factor was ministerial instability, and as long as it persisted - which would be until the emergence of party lines - a Governor could, if he wished, maintain a friendly cabinet by manipulation of the divers groups in the Legislature.[73]

Evidence of this lack of cabinet solidarity is found throughout Archibald's period. It was, of course, reflected in the manner of choice of the ministers: each being chosen by reason of the support which he, as leader of a specific element, could command in the Legislature. It was to be seen in the first session of the Legislature when one minister, Alfred Boyd, voted in the Assembly against the others, on the motion to unseat John

72. P.A.C., Macdonald Papers, vol.521,pp.552-53; Sep.24,1872. But reservation "with the advice of your Council" is a highly questionable practice - vide supra p.37.
73. Should he attempt this injudiciously he might expect the 'enabling'factor to disappear rapidly, and party divisions to take form - on the issue of the Governor's power. Such a development is not unknown in Canadian history.

Taylor, a Loyal party representative from Headingly.[74]

The changes in cabinet personnel during the first two years are particularly instructive. Alfred Boyd owed his seat to his influence over the English half-breeds[75] but in the autumn of 1871 a more influential leader appeared. This man, John Norquay, had at the outset of the first session, shown a coldness towards the administration, but had subsequently become a government supporter.[76] On December 14th, 1871, Norquay replaced Boyd in the Executive Council, taking the ministry of Public Works and Agriculture. The Government newspaper explained Boyd's resignation: "He sees that an element is wanting in the Cabinet to give it the full confidence of the English Half-Breed population. And in order to give that element a place in the Cabinet, and so further the interests of the Province, he resigns."[77] The same pattern is evident, to some extent, in the next appointment, made necessary by the resignation of M. A. Girard, on March 9th, 1872, from his post of Provincial Treasurer.[78]

For some months a rift had been noticeable between leaders of the French-speaking element, and as early as November 25th, 1871, Archibald had forecast changes to Macdonald: "You can easily understand... that what with internal dissensions

74. The Manitoban, Apr.1,1871; "The Headingly Election."
75. Vide Supra, p.89.
76. According to Archibald, Norquay had been driven to support the Government by the violence of the opposition leaders, especially Schultz. P.A.C., Macdonald Papers, vol.187, p.396, Archibald to Macdonald, Dec.15,1871.
77. The Manitoban, Dec.16,1871; "Mr. Boyd's Resignation;" also "Resignation of Mr. Boyd" in the same issue.
78. He had been appointed to the Senate of the Dominion in the preceding December. The Manitoban, Mar.16,1872.

in theGovernment, and what with dissensions in the ranks of the French Private members supporting it, it may happen that some modification of the government will be necessary."[79]

The chief parties to the dispute were Attorney General Clarke and Joseph Royal, Speaker of the Assembly and editor of Le Métis. The initial falling-out is attributed by Alexander Begg to Clarke's prosecution of L'Etendre, a métis tried for and convicted of having participated in the Fenian raid; Royal, after the trial, had charged Clarke with conducting the prosecution unjustly. "This attack on theAttorney-General was the beginning of a bitter campaign which Le Métis waged against him with the object of destroying his influence with the French Half-Breeds, his loyalty to whose interests had been one of the chief causes of his unpopularity with the self-styled loyal Canadian party."[80]

Royal's attack in Le Métis urged the necessity of cabinet changes, while supporting the Lieutenant-Governor personally.[81] "Certes," he wrote, "nous respectons le Lieut.-Gouverneur, et nous ne cesserons de le défendre personnellement lorsqu'il sera attaqué par MM. Mulvey et Cie.; mais nous ne le confondons pas avec ses ministres, et persomme n'en a le droit".."[82]

That Royal was determined to change the ministry was recognized in the province by the beginning of 1872.[83] And it seems likely that Archibald would welcome any change that would

79. P.A.C., Macdonald Papers, vol.187, pp.378-79; Nov.25,1871.
80. Begg, op.cit. II,96
81. Nov.23,1871 - "Le Ministère;" Nov.30,1871 - "Le Gouverneur et le Ministère;" Jan.4,1872 - "Notre Condition Politique."
82. Ibid.Nov.30,1871; "Le Gouverneur et le Ministère."
83. The Manitoban Jan.1,1872; "Cool."

curb the Attorney General, for, at the time of his dispute with Clarke over the Bar provisions, he wrote to Macdonald that "Public considerations alone have made me tolerate him and now the time is at hand when the same considerations will operate the other way."[84] After Girard's resignation, the Lieutenant-Governor reported simply that "Mr. Royal, late speaker of the Assembly, seemed to me, the person best qualified to fill the place in the Cabinet when vacant."[85] Royal entered the cabinet on March 9th, and on the 14th became Provincial Secretary, Thomas Howard assuming the Provincial Treasury.[86] The feud between Royal and Clarke continued, emphasizing the lack of cabinet solidarity and the need for positive leadership by the Governor. The Provencher election of September[87] raised this ministerial quarrel to a pitch which Alexander Morris characterized as "grave." Both Archibald and Morris had to intervene to hold the Government together.[88]

In this way the Lieutenant-Governor kept his ministry representative of enough groups in the Assembly to ensure a majority there.[89] He might have argued that this lack of cabinet solidarity obliged him to undertake the role of prime minister

84. P.A.C., Macdonald Papers, vol.187, pp.474-75; Feb.24,1872.
85. P.A.M., Lieutenant-Governors' Papers, dispatch book No. 3, dispatch No.49, to Secty. of State for Provinces, Mar.18,1872.
86. Ibid. Registry of Commissions, Liber A, pp.207-209.
87. Vide supra p.84.
88. P.A.C., Macdonald Papers, vol.252, p.241; Morris to Macdonald, Nov.25, 1872.
89. Cf. Sir Joseph Trutch, Lieutenant-Governor of British Columbia, 1871-1876. "He was the dominating influence of the Cabinet, so that it might be said that he was not only the Throne itself, but the power behind the Throne." E. O. S. Scholefield & R.E. Gosnell, British Columbia, Sixty Years of Progress, (Vancouver & Victoria, 1913) II, 15, n.1; quoted by Sage, op.cit. p.184.

in order to avoid inconsistency and confusion in policy. How far such a plea would have been justified will be seen when the work of Archibald's successor is considered. There is, however, this much to be said in its favor: that the 1870 leaders of the majority were barred from political leadership by their culpability for the events of the Insurrection, and consequently there would be of necessity a period of flux before new leaders were thrown up. During this period a despot may well have been necessary.

In any event, insofar as the ministerial instability was a reflection of general political inaptitude in the new province, it did in fact justify Archibald's active leadership. And several events of the first two years indicated that the people were a long way from the necessary degree of political experience and understanding. One such instance occurred in the first month after Archibald's arrival, when the witnesses to the death of Elzear Goulet exhibited a distrust of the methods of enquiry, stemming from ignorance of such proceedings.[90] The general habit of regarding the Governor as 'father-confessor'[91] is perhaps an even more striking illustration.

It is notable that The Manitoban, in one of its first issues, thought it necessary to give an editorial lecture on the working of politics under the new constitution, to correct certain misapprehensions.

"A correspondent says the people in his neighbourhood object to being represented in the Assembly by any of the Governor's advisers - in other words, by any Minister of the Crown - on the ground that such minister must be a mere creature of His Excellency, and not free to discharge his duty to his constituents.

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90. Canada, Sessional Papers, 1871, No.20, pp.53-54; Report to Archibald by H.J.G. McConville.
91. Vide supra p.45.

This is a foolish notion, and we should hope the number of people who entertain it is very small. . . . The idea that such a man must be a mere creature of the Governor is perfectly erroneous, because any ministry must command a majority in the legislature to exist at all; and having that majority, His Excellency is bound to accept them as men in whom the people have confidence. They are, to say the least, as independent of the Governor as he is of them. . . . But, says our correspondent, he may favor one section at the expense of another - he may ally himself to some party. We are glad to see this fear expressed, because so long as Governor Archibald maintains an impartial position, he has a right to expect approval at the hands of those entertaining the fear. We know of some who blame him because he refuses to countenance their sectional views and schemes. These parties assume they are right and ought to be countenanced, making no allowance for the opinions and wishes of those from whom they differ."[92]

The same newspaper, perhaps expressing the Governor's viewpoint, consistently opposed the creation of political parties during these first years, on the grounds that they would be premature. "We are not consolidated enough to wage party warfare - we are young and must creep before we go. The efforts of all should be concentrated on consolidation."[93]

The general inexperience was shared by the representatives in the Assembly. For example, the provision of a members' indemnity of $200 in the first estimates was changed by a majority vote of the House, against the Cabinet's wishes, to $300. Attorney General Clarke immediately pointed out that such action was unacceptable: "The Government has done all in its power to make the revenue of this country meet its expenditure. But if members come to the conclusion that their own private interests are going to be superior to the interests of the country, they must be prepared to take the consequences."[94] Mr. E. G.

92. The Manitoban, Nov. 19,1870, "Politics in Manitoba."
93. Ibid. Jan.15,1872, "The Jest;" also Dec.3,1870, "French Law."
94. Ibid. May 13,1871, "Legislative Assembly," report of the proceedings of May 2, 1871.

C. H. Hay, leader of the opposition forces in the House, admitted that "it would be a farce to break up the ministry on this little question,"[95] and the vote was reversed.

After more than a year in the province, the Lieutenant-Governor still found it necessary to instruct the public on elementary political practices. Public meetings in several parishes, at the instigation of the opposition groups, adopted resolutions which criticized the ministry and even the Assembly as unrepresentative, and demanded a new election.[96] The advice received from Sir John A. Macdonald, who had been informed of the resolutions, is of interest:

> "You can of course only give the answer that you mention to any application for a dissolution. You might take the opportunity of expatiating on the fact that the Dominion Parliament conferred upon you, although an infant Province, a Constitution with as large powers as those given to the older and more populous Provinces - that they received at once the power of self Government which had to be fought for more than a quarter of a Century, by the older Provinces before it was granted by the Mother Country. That in your character as a Constitutional Governor it is your bounden duty to see that the Constitution is carried out in spirit and in letter - that the whole theory of the Constitution is, that the people speak by their representatives in Parliament, and that you are bound to take the advice of the Ministry which has the confidence of that Parliament.
>
> "You can go on to say that you will refer the Petitions & resolutions for a dissolution to your Constitutional advisers who will no doubt give them all the consideration that their importance merits."[97]

Such advice must indeed have been given 'tongue-in-cheek' by the man who was congratulating Archibald on his success in the role of "paternal despot."[98] The Lieutenant-Governor's reply to

95. Ibid.
96. P.A.M., Lieutenant-Governors' Papers, dispatch No.302, Archibald to the Secty. of State for the Provinces, Dec.2,1871; vide The Manitoban, Nov.11,1871, "Delegates."
97. P.A.C. Macdonald Papers, vol. 519, pp.598-601; Dec.12,1871.
98. It was not the only occasion on which Macdonald recommended to Archibald the use of the plea of 'constitutional limitations' when it seemed profitable. For example: "You must

the petitions, in fact, anticipated Macdonald's suggestions.[99]

How far these pointless petitions were simply an attempt to embarrass the administration, and how far they represented popular ignorance of constitutional practice cannot be determined. But it seems likely that the latter explanation is at least partly valid. There is no question that the Province was deficient in political experience. Archibald, by contrast well-versed in parliamentarism, was consequently forced to take the lead.

iv. Peripheral Functions.

One further aspect of Governor Archibald's record remains to be noticed, although fleetingly: those duties in connection with matters beyond the scope of the provincial government, which were peripheral to the role with which this study is primarily concerned. The effect of these on the lieutenant-governorship was two-fold: they naturally made heavy inroads on the governor's time and energies, in the face of which Archibald's achievements are the more impressive; and, as they were for the greater part matters in which the provincial population was keenly interested, the governor's importance in the community was greatly enhanced. Linked with this latter feature was the augmenting of his patronage power, with which to reward supporters - a power of vital importance, as the old Assemblies of Upper and Lower Canada had long since learned.

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remember that upon this point [the punishment of election rioters in 1872] you must take the advice of your local Council, and throw the responsibility upon them." - Ibid. vol.521, pp.645/2-46, Macdonald to Archibald, Oct.1,1872.

99. Ibid. vol.187, p.387ff, Archibald to Macdonald, Dec.13,1871; vide The Manitoban, Dec.2,1871, "The Delegates."

Some of these 'miscellaneous' duties of Lieutenant-Governor Archibald were only temporary in nature, falling to his lot simply because at first he was the only representative of the Dominion Government in the new province. These, of course, formed a part of his general problem of initial organization. Some, such as the census, and postal and customs matters, have been mentioned before. But there were others which remained under his charge throughout his term - matters like half-breed lands which had been assigned to him by the Manitoba Act, and duties which arose out of his concurrent role as Lieutenant-Governor of the North-West Territories.

An immediate census was needed in 1870 to establish the basis for the allotment of half-breed land reserves. During the first month after his arrival the Governor worked out in detail a simple enumeration system,[100] and on October 15th he announced in the official Gazette the five areas on which the census would be based, with one French and one English enumerator for each. By late December he was able to send to the Secretary of State an accurate statement of the social composition of Manitoba.[101]

100. Details in Archibald's dispatch of Oct.15,1870, to Secty. of State for Provinces, Canada, Sessional Papers, 1871, No.20. p.74ff.

101. Ibid. pp.90-93; Dec.26,1870. The English books showed a total of 11,965, the French 11,963. The differences, which were slight, may be seen from the following summary:

	English	French
White population	1614	1565
Christian Indians. . . .	581	558
French Half-breeds . . .	5694	5757
English Half-breeds. . .	4076	4083
Catholic	6059	6247
Protestant	5906	5716
British subjects	11903	11932
American citizens. . . .	62	31

Concurrently, as was seen, Archibald was making preparations for the first elections, both provincial and federal. The four parliamentary constituencies which he recommended to the Secretary of State[102] were adopted without change by the Dominion Government.[103] But the Lieutenant-Governor's concern with the federal elections did not end there, for their entire conduct was assigned to him, with an electoral code substantially the same as that he had prepared for the provincial elections.[104] His responsibilities embraced the selection of polling places, the appointment of Returning and Deputy Returning Officers, Election and Poll Clerks, and even the designation of the polling dates, "...which, it is presumed, you will make the same in each of the Electoral Districts."[105] Much of this work again devolved on Archibald in the federal election of 1872, although on that occasion, of course, his main concern was with the election of Cartier in Provencher.

The postal problem which the first Governor faced in 1870 was part of his general problem of communications, which will be considered later.[106] In connection with Customs, the investigation of which was another of his initial assignments, he discovered that such machinery for collection as had existed was inadequate, and that in fact it had broken down completely during the Insurrection.[107] His report brought immediate action,

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102. Ibid. pp.82-85, Dec.9,1870.
103. Ibid. pp.86-88, Proclamation of Jan.5,1871.
104. P.A.M., Lieutenant-Governors' Papers, dispatch No.31, Secty. of State for the Provinces to Archibald, Jan.21,1871.
105. Ibid.
106. Infra, Chapter 10.
107. P.A.M., Lieutenant-Governors' Papers, dispatch No.25, Archibald to the Secretary of State for the Provinces, Oct.21,1870.

and by Order in Council on November 16th the Dominion Government appointed a special commissioner to make temporary arrangements for collection.[108] However, when a local merchant subsequently refused to pay the duties demanded, in a test case of March, 1871, it was still necessary for the collector to appeal to the Lieutenant-Governor for authority to seize the dutiable goods.[109]

Governor Archibald was relieved of such responsibilities little by little, as the federal departments organized their local machinery, but for some time to come he remained the 'chore boy' for the myriad small problems that arose from time to time. When a dispute occurred in 1871 regarding the location of the boundary line at Pembina, he was again saddled with all the work.[100] The investigation of pension claims was another minor bother that cropped up periodically.[111]

Of greater weight, however, were the matters which demanded more or less continuous attention throughout his term. Some of these, such as the issuing of marriage licenses as the Governor General's deputy,[112] were slight, but others proved to be among his most demanding duties.

At first it seemed that Archibald was to be regarded as an agent of the Dominion Government in all its affairs in Manitoba - or at least as the channel of communication. After

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108. Ibid. dispatch No.574, Secty. of State for the Provinces to Archibald, Nov.17,1870.
109. Ibid. dispatch No.132, Archibald to the Secty. of State for the Provinces, Mar.24,1871.
110. Canada, Sessional Papers, 1871, No.20, pp.110-118
111. P.A.M., Lieutenant-Governors' Papers, dispatch No.451, Secty. of State for the Provinces to Archibald, July 19,1871.
112. Ibid. Commission in an unnumbered 'Records' book.

petitions were sent to Ottawa from several parishes, early in 1871, protesting any withdrawal of troops from the province, the Secretary of State for the Provinces instructed Archibald to inform the petitioners that "...all communications intended for the consideration of the Dominion Government should be forwarded through the Lieutenant Governor of the Province."[113] But a year later, in an instance where Archibald had forwarded a petition for the remission of sentence of a convict, he was advised that such petitions should go directly, as they did "...not in any way belong to the Local Government but rest exclusively with the Governor General of Canada."[114] Thereafter the practice was for the Lieutenant-Governor to be by-passed in all federal matters except those in which he was actively engaged.

Foremost in importance, and complicated by the jealous interest shown by the population, were the various land questions. Many titles were insecure; there was no uniform system of tenure; surveys were fractional and inaccurate; claims such as that made by each settler along the river to hay privileges on the two-mile strip behind his property, were rooted in custom alone; reserves had to be set aside for the children of half-breed heads of families - and protected against immigrants; and the Indian title which existed over much of the Province had to be extinguished. All these land matters fell to the lot of the Lieutenant-Governor, and his correspondence was filled with them: Indian lands, Crown lands, half-breed lands, woodlands.[115]

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113. Ibid. dispatch No.151, Mar.20,1871
114. Ibid. dispatch No.46 (Manitoba No.8), Jan.25,1872.
115. The complexity of the land question, and the great volume of source material which must be analyzed, have made it impossible to attempt adequate treatment in this thesis. A

The Manitoba Act had assigned to the Lieutenant-Governor the allotment of lands to the half-breeds out of the statutory reserve of 1,400,000 acres. The census of 1870 had been the first step in the process. But in the beginning the 1,400,000 acres existed only in theory, and in March, 1871, Governor Archibald was instructed to designate the townships to be allotted, in whole or in part.[116] Everything then had to wait for the conclusion of treaties with the Indians, and the completion of surveys. As rapidly as possible the reserves were chosen, and by August, 1872, Archibald had established, with the approval of the half-breeds concerned, tentative reserves for nineteen out of the twenty-four districts.[117] But immigration was well under way, and the newcomers paid little heed to the reserves.[118] By the end of his term Archibald was becoming very concerned over the situation, for in attempting to protect the half-breeds' rights he had succeeded only in intensifying the hostilities within the province. "I am extremely anxious," he wrote to the Secretary of State for the Provinces, "that the individual allotment should be made soon, believing as I do that the feverish and jealously sensitive feeling that has shown itself in so many instances towards the new comer will cease if the partition was once made and the Patents were being issued to those who by their age were entitled to receive them."[119]

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separate study is required. All that can be undertaken here is to suggest the bare outlines of the problem, and its effect on the Lieutenant-governorship.

116. P.A.M., Lieutenant-Governors' Papers, dispatch No.216, Secty. of State for the Provinces to Archibald, Mar.21,1871.
117. Ibid. dispatch book No.4, dispatch No.10, Archibald to the Secty. of State for the Provinces, Aug.26,1872
118. Supra, pp.64-66.
119. P.A.M., Lieutenant-Governors' Papers, Oct.15,1872.

The necessity for treaties with the Indians to extinguish their title to the land was reinforced by security considerations. In one of his first reports to Ottawa after arriving in the province Archibald warned that: "The Indians in this neighborhood are in a state of considerable excitement. The are much demoralized by the transactions of the last few months. They do not see why they should not have some share of the property, which they know to be in the possession of people who are not its owners."[120]

The immediate requirement was to persuade the Indians to leave the neighborhood of the settlements, where their presence created dangerous tensions, and this the Governor succeeded in doing at pow-wows held on September 15th and 18th, by putting the fear of small-pox into them, granting provisions, and promising a treaty for the following year.[121]

This stop-gap policy was completely successful and the immediate problem was eliminated.[122] But the Indian titles had still to be dealt with, and for this task Archibald was given assistance, in the appointment of Wemyss M. Simpson as Indian Commissioner; and he drew heavily, at all times, on the experience of James McKay, "...himself a half-breed intimately acquainted with the Indian tribes, and possessed of much influence over them."[123] Even so, the negotiations each time

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120. Canada, Sessional Papers, 1871, No.20, p.11, Archibald to the Secty. of State for the Provinces, Sep.10,1870.
121. Ibid. p.15ff., Archibald to the Secty. of State for the Provinces, Sep.17 and 21, 1870.
122. Ibid. p.24, Archibald to the Secty. of State for the Provinces, Feb.4,1871.
123. Alexander Morris, Treaties of Canada with the Indians of the North-West, (Toronto, 1880), p.25.

had to be conducted by the Governor. "Archibald found it was absolutely necessary for him to put on the sovereign in order to succeed in making the Treaties which Simpson failed to make."[124]

The first treaty was signed at the Stone Fort, twenty miles down the Red River from the Forks, on August 3rd, 1871, and on the 21st of the same month a second treaty was concluded at Manitoba Post, on Lake Manitoba.[125] Indian lands in Manitoba were for the greater part ceded by the Stone Fort Treaty alone, but as settlement had little regard for boundaries it was felt necessary to make some provision for adjoining areas as well. The larger task of extinguishing the Indian title throughout the North-West Territories Archibald left to his successor. But he had seen enough of Indian matters to feel anxiety about the offhand policies of the Dominion Government.

"There is occupation enough for the entire time of an able administrator in looking after Indian affairs here, and it is a very inadequate conception of the duty of the office, which supposes the responsibility to begin and end with paying over the annuities agreed upon.

"The Indians require to be attended to carefully. They are like children in many respects, but there are some in which it would be dangerous to treat them as such."[126]

This complaint sounds curiously contemporary in 1948. Lo, the poor Indian!

These duties naturally entailed expenses which could not be charged against the Lieutenant-Governor's provincial revenues. At first, Archibald was at a loss as to how and where he was to draw the necessary funds, and temporarily the Dominion

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124. P.A.C., Macdonald Papers, vol.522, p.841, Macdonald to Morris, March 1873.
125. Details in Morris, Treaties, chap.IV.
126. P.A.M., Lieutenant-Governors' Papers, dispatch No.53, Archibald to Secty. of State for Provinces, Mar.18,1872.

Auditor of Public Accounts placed money on deposit with the Provincial Treasurer of Manitoba, for the Governor's use.[127]. The latter, however, was more or less responsible for the accounting of these funds. In the fall of 1871 Gilbert McMicken was appointed Assistant Receiver-General for Manitoba, relieving both the Provincial Treasurer and the Lieutenant-Governor of their responsibilities.[128].

Finally, mention must be made of Archibald's functions as Lieutenant-Governor of the North-West Territories. This office was unquestionably of subordinate importance to him - his immediate task was the organization of Manitoba. And, in fact, until his work in Manitoba was complete and, as it were, a base for operations in the West had been established, the Territories must be left largely to their own devices - to the buffalo, the Indians, and the Hudson's Bay Company.

This is evident in the fact that the Council of the North-West Territories was not actually appointed until after Archibald's departure, so that his power to govern was very narrowly restricted. The two chief occasions on which he was called upon to act were the small-pox outbreaks of 1870 and 1871, and both times his main object was to keep the disease out of Manitoba. This he could accomplish under his Manitoba jurisdiction, by quarantine regulations. When he tried to do more he encountered difficulties. In October, 1870, he considered

127. Ibid. dispatch No.224, Secty. of State for the Provinces to Archibald, Apr.24, 1871.

128. Ibid, Secty. of State for the Provinces to Archibald, Sept. 14, 1871. McMicken at that time relieved Governor Archibald of many of his initial tasks: as Dominion Lands Agent, as Immigration Agent, and as Commissioner of Police for Manitoba.

it necessary to constitute a "Council of Rupert's Land and the North Western Territories" and enact "legislation" relating to the treatment of small-pox.[129] At the time, he himself had doubts as to the legality of this act, and when criticized for it by Macdonald[130] again pleaded 'necessity' as justification.[131]

By 1872, with the provincial machinery in Manitoba well established, Archibald could look more closely at his larger realm; and he was not pleased with what he saw.

> "...What with Indians, restless and dissatisfied: what with Halfbreeds settled in the West with absurd ideas of their rights and Halfbreeds going west propagating the notions by which their large concessions have been won here - What with Miners, Smugglers, Immigrants, Travellers and adventurers of all Kinds, seeking the Interior on the opening of the spring, it is evident that the Government must be prepared with some means of maintaining order, unless they are willing to see repeated events as disastrous as those which occurred in this Province two years ago."[132]

There was much of this in the dispatch of March 6th, 1872 - a detailed, insistent account. A month later, however, Governor Archibald was preparing to leave the West at any moment, and the organization of the Territories had to await the arrival of other men.

v. Evaluation.

The most discerning contemporary estimate of Archibald's regime was written by Joseph Royal - who, indeed, proved himself the shrewdest political observer in the province. Looking back, in 1874, Royal laid an unerring finger on the essential principle

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129. Canada, Sessional Papers, 1871, No.20, pp.71-73.
130. P.A.C., Macdonald Papers, vol.517, pp.540-43, Macdonald to Archibald, Nov.18,1870
131. Ibid. vol.187, p.169. Archibald to Macdonald, Dec.6, 1870
132. P.A.M., Lieutenant-Governors' Papers, dispatch book No.3, dispatch No.38, Archibald to the Secty. of State for the Provinces, Mar.6,1872.

guiding the first Governor:

"M. Archibald était peut être le seul homme d'état capable de faire face à d'aussi serieuses difficultés. Il passa par dessus la règle fondamentale du régime qu'il avait à inaugurer; en vertu de l'axiome - salus populi suprema lex; il fut luimême son Premier Ministre. On le voit alors appeler pour le seconder, non pas les chefs reconnus de chaque section de la population, mais des hommes qui, pris individuellement, représentaient chacun un grand influence. . . . M. Archibald se chargea d'harmoniser peu à peu ces divers éléments à force de prudence, de promesses, d'habileté et de conciliation. Il y reussit. Il fut tour à tour et souvent en même temps Procurer General, Trésorier, Ministre des Travaux Publics et Secrétaire Provincial, accablait le gouvernement d'Ottawa de dépêches et de mémoires, concluait des traités extravagants avec les sauvages, recevait députations sur députations, les unes demandant l'amnistie, les autres la tête de Riel, trouvant encore le moyen de répondre à tout, d'aller un peu partout, de voir un peu tout le monde, et d'organiser les divers départements de l'administration. Telle fut l'activité dévorante, tel fut le rare talent d'administrateur deployés par le regretté M. Archibald."[133]

Whatever Governor Archibald's critics may have said - and they said much - they could not accuse him of indolence or inattention to duty. There was no disputing his energy and incisiveness: the magnitude of his achievement was evidence enough. Nor is it likely that they would have denied, if pressed, his competence as an organizer and administrator. But they might have objected that a lieutenant-governor is not, under conditions of constitutional government, intended to be an organizer and administrator - that Archibald was in fact a usurper of power which belonged to the people of Manitoba.

Theoretically, they would have been right. Governor Archibald *was* a usurper. The fact that he and his superiors in Ottawa considered that paternalism was necessitated by the political inexperience of ninety-five percent of Manitoba's population, could not invalidate - override as it might - the

133. *Le Métis*, Aug.1,1874, "Responsabilité Ministèrielle" - an abstract of Royal's speech to the Assembly on July 14, 1874.

political claims of the other five percent. Whatever faults Dr. Schultz may have had, both personal and political, he and his fellow critics, accustomed to self-government, had a just grievance against despotic government, however good. And in defence of their rather questionable violence it may at least be said that this was the necessary catalyst of politics in the inert society of Red River. The course of political education throughout the world has ever been a stormy one. The 'Loyalists' must have their due.

The 'Right,' it must be concluded, was on both sides. The rightness of the Lieutenant-Governor's policy, viewed in the light of practical necessity, was equally undeniable. The key lay in that principle which Royal had recognized: salus populi suprema lex.

CHAPTER 7

THE OLD GOVERNOR AND THE NEW

1. Archibald's Resignation.

The task of Lieutenant-Governor Archibald - in terms of responsibility, perseverence, and plain drudgery - was unquestionably the most exacting that any Canadian lieutenant-governor has ever been called upon to undertake. Among those who had the opportunity of observing his administration at close hand, this was generally recognized. "He has had to form out of very crude elements a political machine," it was remarked; "and whilst the task was being done he has wrought in a way that his friends often asked, 'how can he stand up?'"[1]

After a year in the Province the Governor was finding the strain intense, and Macdonald's letter of December, 1871, describing the uproar in Parliament over the hand-shaking incident[2] apparently decided Archibald on resignation. "You must not allow any act of mine," he wrote in reply, "to weaken your Government by diminishing your hold on any class of your supporters. . . . Besides," he added, "I have already been here longer than I stipulated for when I came, I have had no small share in the work of organization. I am content with the result of a year's work - and I shall enjoy repose the more after a period of (undecipherable) and anxiety."[3] He therefore enclosed his resignation, to be used by Macdonald whenever it was thought opportune.

The public dispute that raged subsequently over whether

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1. The Manitoban, Apr.27,1872, "Governor Archibald's Resignation."
2. Supra, pp.76-77.
3. P.A.C., Macdonald Papers, vol.187, pp.428-30, Dec.31,1871.

the resignation was voluntary or a veiled recall by Macdonald, is relatively unimportant. News of the resignation first became known in April 1872,[4] at which time The Manitoban admitted to having known of it "for more than three months" - that is to say, since the beginning of the year. When it was rumored, almost immediately, that Macdonald was recalling the Governor in displeasure over the events of the previous October, The Manitoban replied that, in point of fact, the resignation offer had been made in September, antedating the Fenian raid by a month.[5] Le Métis, on the other hand, continued to assert rather bitterly that "...le gouvernement d'Ottawa céèait en cela à une pression des radicaux d'Ontario, à la vielle des débats sur le traité de Washington, et il espérait diminuer les fureurs de le tempête qui s'annonçait. C'était lâche, indigne; mais tel est le fait."[6]

In the Governor's native province the Halifax British Colonist added fresh denials of the rumors. "It is but just to Mr. Archibald to state that he went to Manitoba with the view of remaining there only one year, in order to organize the new Province. He was prevailed upon last autumn to prolong his stay on account chiefly of the Fenian troubles that had threatened the Province."[7] On the whole, this account appears closest to the truth, and it is to be concluded that, in fact, the initiative came from Archibald himself.

Perhaps the only importance of this controversy was that it served to emphasize the difficulties of a Lieutenant-

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4. The Manitoban, Apr.20,1872, "Latest news."
5. Ibid. Apr.27, 1872, "Governor Archibald's Resignation."
6. Le Métis, July 31,1872, "La Question des Terres."
7. Quoted in The Manitoban, May 18,1872, "Lieutenant-Governor Archibald."

Governor in Manitoba - forced to take a stand on issues in which large sections of the Canadian population were acutely interested. It was a far cry from the role of lieutenant-governor in the eastern provinces. To Archibald's successor the controversy would stand as a warning - if any were needed - that Manitoban politics were Dominion politics, and that as long as he undertook to dominate provincial government, from either necessity or choice, he would be held accountable by the eastern public, through their influence with the Dominion authorities.

Further emphasis was provided by the mingled praise and censure which the news of the Governor's resignation provoked. In April, 1872, when the first reports reached Manitoba, the "equal-rights-law-and-order" faction, embracing the main opposition elements in Winnipeg, burned him in effigy.[8] In retort, Archibald's supporters prepared and circulated an address of commendation: "Your policy, as we view it, has been in the highest degree successful in securing peace and prosperity in the Province, and your statesmanlike action has resulted in bringing about a state of matters, which could hardly have been anticipated."[9] All told, 1549 signatures accompanied the address on its presentation to the Lieutenant-Governor, on June 26th, including all the provincial leaders of church, government and business. Conspicuous by their absence, of course, were the names of the Schultz and Grit factions.

The local newspapers reflected their customary attitudes: to The Manitoban Governor Archibald was "...the best and most

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8. Begg, op.cit. II, 99.
9. The Manitoban, June 29 to July 13, 1872.

faithful friend Canada could have had in Manitoba...; "[10] Le Métis doubted that a successor of equal ability could be found;[11] and the Free Press Weekly, a 'reform' paper whose début coincided with the change of Governors, described him as "...a dishonored and despised man."[12]

The newspapers of the eastern provinces, too, had their say. In Nova Scotia a native son was honored by the Halifax Reporter and the British Colonist.[13] Elsewhere, political sympathies alone dictated the estimate: in Toronto the Globe found an opportunity for heaping further abuse on Macdonald and on the policies of his agent in Manitoba,[14] while the Mail had nothing but praise.[15]

One tribute, however, stands out, for its author was not only well qualified to judge but also - in theory at least - unswayed by political considerations, Lord Lisgar, the Governor General, found occasion to refer to Manitoba's Governor in an address at Montreal:

"Much praise is due to the Lieut.-Governor, Mr. Archibald, for the legal attainments, the unwearied industry, and the fine temper which he brought to bear on the difficulties he had to encounter. (Hear, hear) He literally encountered the wilderness, but he has cleared away the forest and taken out the stumps. Whoever succeeds him, for I hear Mr. Archibald wishes to leave, with views and objects of his own, will have an easy task. He will enter upon the results of another man's intelligent labours, and will not probably, have more obstacles in his way than are found in the older settled provinces."[16]

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10. May 4,1872, "The Old Governor and the New.".
11. Nov.30,1872, "Aurons-Nous un Gouverneur?"
12. Dec.14,1872, "A New Leaf."
13. Quoted in The Manitoban, May 18, 1872, "Lieutenant-Governor Archibald."
14. Ibid. May4, 1872, "The Old Governor and the New.".
15. Ibid. July 27, 1872, "The Lieutenant-Governor of Manitoba."
16. Ibid. July 6,1872.

ii. The Choice of a Successor.

The selection of the second lieutenant-governor seems to have been unattended by the scramble of applicants that had marked the first. Perhaps the vicissitudes of Archibald's first year discouraged others. There were never, it seems, more than two possible choices. The Canada Gazette of April 13th, 1872, promulgated the appointment of Francis Godschall Johnson, "to be Lieutenant-Governor of the Province of Manitoba [and of the North-West Territories] vice the Honorable Adams George Archibald, resigned." But Alexander Begg, in his History of the North-West, related that the nomination of Judge Johnson was withdrawn after its legality was questioned in Parliament.[17] If such was the case it was never reported in the watchful Manitoba newspapers. In any event, the first newspaper report of Archibald's resign tion mentioned Alexander Morris as a possible successor,[18] and no other possibility seems ever to have been considered.

Governor Archibald expected a replacement in the spring of 1872. Writing to Bishop Grandin in the North-West Territories on April 20th, with reference to a question which the Bishop had raised, the Lieutenant-Governor mentioned his impending departure and added that: "Under these circumstances, it would not be proper for me to discharge any but the routine duties absolutely necessary to be done to keep the machinery of Govt in motion - and I shall hand over your letter to the gentleman who will succeed to my position, asking him to dispense of the matters

17. II, 100-01.
18. The Manitoban, Apr. 20, 1872, "Latest News."

referred to in it....#[19] Ten days later he telegraphed to Sir John A. Macdonald, believing that his commission had expired with the announcement of his resignation: "Gazette of 13th & telegram of 25th received. New Governor should be here. Is needed at this moment. Risk without Governor greatly increased."[20] To which Macdonald replied only that Archibald's commission would continue until the new Governor should be sworn in.[21]

Alexander Morris, the man destined to succeed Archibald, arrived in Manitoba on August 13th, having been appointed its first Chief Justice of the Court of Queen's Bench on July 2nd.[22] During the next few months the task of rounding out the judicial machinery occupied his time - as is testified by his draft of rules and fee schedules for the Queen's Bench Court and Prothonotary's Office, to be found among the Lieutenant-Governors' papers of that period. This task, it is reported, he had barely time to complete before succeeding to the governorship.[23] Macdonald suggested that Morris might further use his 'leisure' in framing a municipal system for the Province.[24]

Meanwhile Morris had a golden opportunity for finding his way about the community and observing some of the problems he was to inherit. As Chief Justice he was most struck by the problem of lawlessness, which showed itself in the election riots of that fall.[25]

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19. P.A.M., Lieutenant-Governors' Papers.
20. P.A.C., Macdonald Papers, vol.187, p.500, Apr.30,1872.
21. Ibid. Apr.30,1872.
22. P.A.M. Lieutenant-Governors' Papers, unnumbered 'Records' book.
23. Morris, Nova Britannia, or Our New Canadian Dominion Foreshadowed, (Toronto, 1884), Editor's introduction, p.ix.
24. P.A.C., Macdonald Papers, vol.521, pp.655-56, Oct.8,1872.
25. Morris, Nova Britannia, pp.154-55, charge to the Grand Jury, October, 1872.

On the day after Morris was appointed Chief Justice, Governor Archibald suggested that he be named Administrator as well, to permit Archibald's departure.[26] Eventually this was done, by Order in Council on October 2nd,[27] but Macdonald was still unwilling to see Archibald leave the province. "I presume," he wrote, "that from the disturbances that have recently taken place, you would not like to leave until Morris is in a position to assume the reins. I think myself it would be unsafe to leave the Country without a Governor."[28] Archibald had left of October 8th, however, before Macdonald's letter arrived.

Even at this date Morris' acceptance of the lieutenant-governorship was by no means assured. "If Archibald does not come back," he wrote to Macdonald, "I wish you to offer me the appointment as a compliment, but you understand that I will decline it - my health would not permit me to accept it."[29] And in the middle of November, Morris' correspondence indicated that he did not expect to remain long in control.[30] But the Dominion Government apparently determined that Morris should be Lieutenant-Governor, and a commission was issued on December 2nd.[31] On December 21st, 1872, the oath of office was administered to Governor Morris at Government House, Fort Garry.[32]

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26. P.A.C., Macdonald Papers, vol.187, p.512, Archibald to Macdonald, July 3, 1872.
27. P.A.M., Lieutenant-Governors' Papers, dispatch No.583 (Manitoba 84) Secty. of State for Provinces to Archibald, Oct.5.
28. P.A.C., Macdonald Papers, vol.521, p.596, Oct.1,1872.
29. Ibid. vol.252, Oct.25,1872; quoted by Ross G. Babion, in Alexander Morris: His Place in Canadian History, (1945, unpublished) p.85.
30. Ibid. vol.252, Morris to Macdonald, Nov.16,1872; cited in Babion, op.cit. pp.87-88.
31. P.A.M., Lieutenant-Governors' Papers, dispatch No.684 (Manitoba 105) Secty. of State for Provinces to Morris, Dec.7,1872.
32. The Manitoban, Jan.4,1873.

iii. Alexander Morris.

Alexander Morris resembled his predecessor in many respects - a background of legal training, many years of parliamentary experience, and an intimate knowledge of the politics of the Dominion. Born in Perth, Ontario, on March 17th, 1826, he was educated there, at Madras College in St. Andrew's, Scotland, at the University of Glasgow, and at Queen's College, Kingston. As a student-at-law he had been articled in Kingston to the most famous firm of the day - the partnership of John A. Macdonald and Alexander Campbell - and it was inconceivable that he should avoid a political life after this association.[33]

Unlike Archibald, Morris' part in Confederation was small, but the one event associated with his name was decisive. When Macdonald and A. T. Galt met George Brown on June 17th, 1864, to end the political deadlock then existing in the Province of Canada and make common cause of Confederation, Morris, a supporter of Macdonald, had prepared the way.[34]

It would be fatuous to pretend that this was a major contribution towards Union, and Morris' role was unquestionably slight compared with Archibald's part as a Confederation Father. But Confederation was made in Kingston no less than in Quebec and London, and in the provincial debates Morris proved himself an ardent champion of Macdonald's and Cartier's cause. Of particular interest, perhaps, was his desire for a highly centralized union, evident from the Confederation debates of 1865:

"I now proceed to state my belief that we will find

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33. Vide Babion, op.cit.
34. Boyd, op.cit. p.186; Pope's Macdonald, pp.424, 681.

great advantages in the future, in the possession of a strong Central Government and local or municipal parliaments, such as are proposed for our adoption. . . . The great weakness of the American system has lain in the fact that the several states, on entering the union, claimed independent jurisdiction; that they demitted to the Central Government certain powers, and that they claimed equal and sovereign powers with regard to everything not so delegated and demitted. The weaknesses and difficulties of that system have been avoided in the project now before us, and we have the central power with defined and sovereign powers, and the local parliaments with their defined and sovereign powers, but subordinated to the central power."[35]

This declaration of provincial subordination makes an interesting comparison with a dispatch which Morris, as Lieutenant-Governor of Manitoba, was to write ten years later to the Secretary of State for the Provinces:

"Holding as my predecessor Governor Archibald and I did and do, the important office of Lt Governor of the North West Territories and of Manitoba and having to deal therein with difficult and delicate questions involving at times international and other grave questions, it would be unfortunate, if the authority of the Lieut: Governors in such remote and isolated Territories as these portions of the Queens Dominion, should be weakened by any misconception of their powers."[36]

The inconsistency is, of course, natural. The balance of powers - and prestige - in a federal system is the variable resultant of political pressures, rather than a once-for-all-time creation in law determined by a conference, a statute, or a state paper.[37] Morris, as Lieutenant-Governor of Manitoba in 1875, was subject to pressures differing profoundly from those he experienced as Member of the Legislative Assembly for South Lanark a decade earlier.

In terms of early interest in the North-West, Morris greatly surpassed his predecessor. In a lecture delivered to the

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35. Morris, Nova Britannia, pp.113-14, quoting from debates of the Legislative Assembly, Province of Canada, Feb.23,1865.
36. P.A.M., Lieutenant-Governors' Papers, letter book 'H,' Mar.15,1875.
37. Supra pp.38-40.

Mercantile Library Association of Montreal on March 18th, 1858, he sketched in glowing terms his dream of a "Nova Britannia" embracing all of British North America. At that time demands were being made already for the cession of Rupert's Land and the North Western Territory to Canada.[38]

"These demands," Morris suggested, "should be ripely considered, and so matured as to evince, not a mere grasping thirst of territorial aggandizement, but a large-spirited and comprehensive appreciation of the requirements of the country, and a proper sense of the responsibilities to be assumed in regard to the well-being of the native and other inhabitants and the due development of the resources of the territory. In such a spirit our statesmen will I trust be found acting...."[39] Cession, he thought, would be only the first of many great developments. "...I look further, and believe that a line of railway will yet pass up the Ottawa Valley, and present, through British Territory, a highway to the Pacific."[40] In 1858 this was a bold vision indeed, and a startling sidelight on a man so essentially conservative.

A year later, in another lecture to the same audience, on "The Hudson's Bay and Pacific Territories," Morris appears to have narrowed his signts, for he was particularly directing the attention of his hearers to Assiniboia.

"...The conclusion is, on the whole, irresistible, that public policy and the interests of the whole empire demand that all those portions of the territory which are adapted for settlement should at once be withdrawn from the power of the company, the odious restrictions on trade abolished, and free colonization allowed to take place therein without let or hindrance. The Red River settlement would then rapidly develop its resources, augment its population, and become the seat of a new and powerful colony."[41]

In the years to come, the speaker would discover the manifold

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38. Vide A. S. Morton, op.cit. chapter XI
39. Nova Britannia, p.32.
40. Ibid. p.44.
41. Ibid. p.87

obstacles which beset this dream - and if he failed to recognize them in 1859 he may be readily forgiven, for they became manifest only with the beginning of the dream's realization.

From 1869 to 1872 Morris served as Macdonald's Minister of Inland Revenue, but ill-health forced his resignation. When he cast about for some less demanding post, his interest in the West reasserted itself. "If I must retire," he wrote his leader, "I should like you to send me to Manitoba as a Judge. The work would be light, and though an exile, the country has a future, and I could be of use to Archibald."[42] The lieutenant-Governorship, however, was far from his thoughts at the time. He wanted a light task, and he had only to observe Archibald's course to know the labor it entailed. Not that he thought the post unattractive. His letter to Macdonald in July, 1869, commenting on William McDougall's appointment, had a note of envy: "It is a Governorship in which a man of energy and tact could make his mark and is from that point of view environed with no ordinary attractions, as the history of the territory has yet to be made."[43]

As he undertook the task in December, 1872, then, his feelings must have been mixed. Archibald had accomplished much, but the work ahead was formidable. Civil peace had been maintained, but faction was still rife. The forms of representative government had been established, but much of the paternalism of old Red River persisted. And the organization of the North-West Territories - Morris' principal concern, though largely beyond the field of this study - was still not begun. The wonder was that a man of Morris' physical frailty could endure the burden.

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42. P.A.C., Macdonald Papers, vol.252, Apr.26,1871; quoted in Babion, op.cit. p.71
43. Ibid. July 15,1869; quoted in Babion, op.cit. p.62.

CHAPTER 8

THE CONFLICT RESOLVED

Where Archibald had been a forceful protagonist in the drama of conflict and conciliation, Lieutenant-Governor Morris shunned the stage and contented himself with a vantage-point in the wings. But even there he found wires to pull and cues to signal.

Certainly the circumstances were such as to make anyone wary, and Morris was by nature a cautious man. Despite his predecessor's denial that his resignation was in any sense a recall, there was a universal feeling that the policy of open conciliation had been a contributing factor. On the one hand, the anti-French Free Press Weekly, while applauding Morris' brief record as Chief Justice and Administrator, cautioned that "the rocks, upon which Mr. Archibald wrecked his barque, will, we hope, be avoided: then all will be well."[1] Riel and Lépine, from the other side, placed a similar interpretation on Archibald's departure: "Has it not been charged as a crime against Mr. Archibald that he gave us his hand? nor did the Government come to his aid to defend his conduct against public opinion."[2]

It is not surprising, then, that Morris' first inclinations, insofar as he betrayed them, were a reaction against Archibald's policy.[3] The Free Press' approval of Morris' record as Administrator indicates a friendliness on his part to Archibald's enemies, and it is significant that this approval was

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1. Dec.7,1872. "Lieut-Governor Morris."
2. 1874 Report, p.205, Supplementary Return No.149; letter to Morris, Jan.3,1873.
3. Compare this with Guy Carleton's initial policy in Quebec in 1766, following General Murray's recall.

endorsed by Mr. Gilbert McMicken, who had consistently opposed Archibald's conciliatory attitude towards the métis.[4]

Governor Morris, writing to Macdonald in January, 1873, to criticize the personnel of the Council of the North-West Territories, appointed on Archibald's recommendation, gave further evidence of this reaction. "It is just like his tactics - to be a loyal Frenchman or to hail from Ontario was to be out in the cold. I get more of this every day. He had got into a groove, from which he could not extricate himself."[5]

These were merely first impressions, however, and Morris made no overt attempt to upset his predecessor's policy. On the other hand he cannot be said to have continued it. The change was, in a sense, something more radical than a reversal of sympathies: it was analogous to a change from paternalism to tutelage, from direction to tolerant supervision. It may be that this new policy was made possible by Archibald's success in keeping the Queen's peace, that the intensity of factional feeling had now subsided to a point which afforded the Governor, as a general rule, the luxury of detachment. But the conflict was not yet resolved, and there would be times when Morris would have to take a stand.

i. Initiation.

That the province had not yet risen above turbulence was demonstrated to Morris several months before he took office

4. Babion, op.cit. p.133, McMicken to Macdonald, Nov.22,1872
5. P.A.C., Macdonald Papers, vol.252, pp.307-08, Jan.9,1873. The appointments included Hon. M. A. Girard, Donald A. Smith H. J. H. Clarke, Pascal Breland, Alfred Boyd, Joseph Dubuc, and A. G. B. Bannatyne.

as Governor. During the election riots of September, 1872, the Winnipeg 'mob' led by Frank Cornish and Stewart Mulvey wrecked the offices of the moderate newspapers. Morris, a spectator, seems to have felt the same sense of isolation and weakness which had done so much to shape Archibald's acts. Such vandalism was outrageous, and the offenders must be taught to respect the law; but not immediately - "by and by, when the air is clear..."[6]

This incident was, perhaps, chiefly political in its origins, but it served also to fan the flames of race. "Nous comprenons aujourd'hui," wrote the editors of Le Métis, "l'absolute necessité d'un journal qui soit l'organe et le défenseur de la population française de Manitoba et du Nord Ouest, comme nous l'avons compris il y a deux ans. Ceux qui ont saccagé notre imprimerie le comprenaient aussi."[7]

An incident late in the following month was interpreted by Morris to mean that peace again reigned, as his telegraphic account shows:

"Had awkward complication today. Bench warrant by renewal of that of Quarterly Court issued last term against Buchanan for Riel's family without my knowledge or Clarkes. Sheriff arrested him at instance of Royal. He tendered bail, but Cornish attempted to prevent it being put in to cause disturbance and nearly succeeded. Meeting was held of opposition, but bail was eventually put in. Such arrest could not have been made a month ago but it brings up sharply Riel's position."[8]

During his early months in the province, as Chief Justice, Morris had been in the happy position of spectator to the

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6. Ibid. vol.252, Morris to Macdonald, Sep.2,1872; quoted in Babion, op.cit. p.81. In February, 1875, he did eventually recommend to the Secretary of State that statutory regulations be established to govern public meetings. - P.A.M., Lieutenant-Governors' Papers; dated only "Feb.1875."
7. Oct.12,1872.
8. P.A.M., Lieutenant-Governors' Papers, telegram, Morris to Macdonald, Oct.31,1872.

factional strife, but it was not long after his succession to the governorship became known before he found himself in a central position, hard put to maintain his neutrality. On December 9th, 1872, he received a deputation of the French and métis who, after questioning him about the half-breed lands, demanded amnesty.[9] His reply, fully reported in the press through the Dominion, gave the keynote of his policy through the following years:

"As to the second question, he (Morris) said he had no authority from Ottawa on the subject of an amnesty. He could only explain the law as it stood. He cited the Queen's Proclamation, by Sir John Young, urging all her subjects to return to their peaceful occupations and submit to her authority, when the past would be overlooked --- but said, as this was issued before the death of Scott, the law still ruled as to that event. By the law then in force, no one had a right to order to be put to death, or to put to death, another, as in that case. The parties concerned in the affair were liable to be tried before a judge and jury and if found guilty, the matter would rest with the Governor-General at Ottawa, as to the carrying out of the sentence. Until a trial took place, the Queen alone had power to grant an amnesty, as the country was under Imperial Rule at the time in question. He had spoken as a judge and administrator, and thought it his duty to explain exactly how the law stood."[10]

In short, insofar as he himself was concerned, Morris intended to treat the central issue, the amnesty, as a legal question; if the métis wished to regard the question as political, they could carry their fight to other fields. As the métis, if their newspaper is an accurate reflection, were content with the reply: "...un juge ne saurait prendre connaissance de promesses politiques faites à certains hommes dans le but de les mettre à l'abri de la loi, tant que ces promesses ne sont pas devenues des faits accomplis."[11]

9. Ibid, telegram to Macdonald, Dec.9,1872.
10. Ibid. letter book 'M' pp.80-88; Morris to Secty. of State, June 29,1876, quoting newspaper account.
11. Le Métis, Dec.14,1872, "Le Juge-en-Chef et l'Amnistie."

But what of the Loyalists? Morris' assertion that he knew of no amnesty embracing those responsible for Scott's death was bound to please them. But might they not hold him responsible for failure to bring the métis leaders to trial, as they had in the case of Archibald? Herein, it may be, lies at least part of the explanation for Morris' often declared and clearly demonstrated determination to institute fully responsible government in Manitoba and to shun the role of paternal despot which he, like Archibald, had been advised to assume. Archibald, it is true, had apparently sought to govern his actions according to his interpretation of the wishes of the majority, and to that extent had followed the spirit although not the form of responsible government, but he was nonetheless answerable for that interpretation. Security lay only in a surrender to the judgment of the ministry.

Even before the interview of December 9th, while acting as administrator, Morris had had his first encounter with the problem of the métis leaders: the attempt to obtrude Riel into the local legislature in place of Beauchemin, the representative for St. Vital. Riel seems to have been the moving spirit in the incident, which had its origin at the time of his withdrawal of candidature in Cartier's favor in the September general election. Among the Lieutenant-Governors' papers of that period is a message dated September 14th (nomination day), from Gilbert McMicken, who was keeping an eye on the proceedings on Archibald's behalf: "...late Prest Northwest & friend secured pledge of Beauchemin to retire from local today and let him be elected instead."

For several months nothing more was done, but on November 15th Morris reported by telegraph to Macdonald: "Resignation put in to secure Riel's election to Local. It comes before council today. Will telegraph you later as to my action."[12] Later in the day he sent a long telegraphic report:

"Question of issue of writ adjourned till Thursday. Authorize me at once to announce that plan of allotment of half-breed lands has been adopted & allotments will be made forthwith & that hay privilege will be settled this winter under Statute & on completion of surveys, the thirty second section of Act will be carried out.

"Need this to check attempt of Riel agreed on at secret meeting to combine both races of half-breeds. Have warned Royal that if Riel persists warrant will inevitably be issued, by some Magistrate & that the whole civil force must be employed to affect (sic) arrest. Reply at once. If Riel persists in being candidate what do you advise?"[13]

Sir John seems to have left the decision to Morris, who was able to report on November 23rd: "Have refused to issue writ for Local as I did not think the resignation in favour of Riel such unconditional resignation as Act requires. Clarke and Royal approve my action."[14]

This decision did not pass unchallenged, but was protested by the delegation of métis on December 9th. The newspaper account of the interview records that "being asked why he refused to accept Mr. Beauchemin's resignation of his seat in the Local Legislature, Governor Morris answered that knowing it was given for the purpose of making way for the leader of the rebellion of '69-'70 to enter, his ideas of duty would not permit him to act otherwise than he did."[15] The Free Press was jubilant: "We admire Lieut.-Governor Morris' first semi-official action, and we hope

12. P.A.M., Lieutenant-Governors' Papers.
13. Ibid.
14. Ibid
15. Free Press Weekly, Dec.14,1872, "A New Leaf."

it may be an earnest of his whole gubernatorial career, which will secure him the enduring respect of all right-minded people."

Macdonald, it appears, heartily endorsed Morris' course; the strain of constant pressures from Ontario and Quebec was beginning to tell.

"You are strong enough now to hold rather a stiff upper lip to Bishop Tache, and to frown on Riel. You have got the law abiding and orderly people all in your favor, both French and English, and you have 300 good men at your back. You are therefore quite at liberty to steer an independent course, though of course you will have to use more than your usual amount of suavity in keeping the discordant elements from quarrelling."[16]

But Riel was not content to let the matter rest, and on the last day of 1872 Beauchemin, at Riel's prodding, called on the Lieutenant-Governor. Morris made notes of the interview:

"Mr. Beauchemin said he wished to see me about his resignation. I explained how it was informal. He said he was urged to resign again and that he wished advice. I told him it would not be in the interest of the country that a vacancy should be made to elect Riel - that if elected a warrant would probably issue, and that trouble might issue, in the shape of a riot - that the responsibility was upon him that he had been elected for four years and he ought to reflect well before taking the step. He said he had made a public resignation and was bound in good faith to carry it out, unless for very good reason.

"If he did not resign something out to be given. I asked what he meant. He said there had been promises which ought to be kept - viz an amnesty. I said I knew of no such promises. . . . He said if promises had not been made, the country would not have been in confederation, that they would not have allowed it. I replied that in that event there would have been more trouble, but that the powers of England are very great."[17]

Apparently, Morris was successful in overcoming Riel's pressure on Beauchemin, for the resignation was not accepted,

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16. P.A.C., Macdonald Papers, vol.522, pp.566-67, Macdonald to Morris, Dec.16,1872.
17. P.A.M., Lieutenant-Governors' Papers, dispatch book No.3, notes made after the interview, in the presence of Judge McKeagney; included in dispatch to the Secty. of State for the Provinces, Jan.4,1873. See also letter from Joseph Royal to Morris, dated March, 1873, which, despite the pencilled date, appears to refer to this same interview.

and Riel's plan was frustrated. And after this unsuccessful trial of strength, Riel did not again seek to break into provincial politics openly, whatever his hidden influence may have been. It is of interest to notice that whereas Archibald had had to exercise firmness against the Canadian newcomers to maintain order, throughout the following years, as on this occasion, Morris found it necessary to be firm with the métis. The tide had turned, and the Canadians recognized that time and immigration were on their side.

ii. 1873.

During the first half of 1873 the running sore of factionalism manifested itself only in petty troubles. As the intensity of feeling subsided, the métis leaders and their supporters began pressing their claims for amnesty more insistently. Riel and Lépine, recalling the 1871 Fenian raid in a letter to Governor Morris in January, complained: "Has the Government remembered our services? -- on the contrary, we would suppose the Government was angry with us."[18]

In one way or another the half-breed chiefs kept themselves under the notice of the authorities. On February 4th Ambroise Lépine showed up on the Grand Jury for the Selkirk Court of Sessions, but was not recognized before the adjournment of the Court. Two days later, when the jury was reconvened, Lépine chose not to appear;[19] "thereby," the report to Ottawa stated, "avoiding probable assassination."[20] But the matter did

18. 1874 Report, p.205, Supplementary return No.149, Jan.3,1873.
19. Free Press Weekly, Feb.8,1873, "Selkirk Court of Sessions."
20. P.A.M., Lieutenant-Governors' Papers, undated, unaddressed, unsigned cypher telegram.

not end there. The same telegram to Ottawa reported that Riel's name also had been drawn for jury duty, and that it was expected he would attend court to embarrass the authorities and create difficulty. A subsequent telegram, undated like the first, went on to report that "Real (sic) took seat on County Grand Jury today. Had been apparently summoned in ordinary course."[21] This latter incident, which occurred probably on February 18th, seems unlike Lépine's attendance to have gone unnoticed in the press.

Further evidence of Riel's standing with the English-speaking community was given when four French-Canadian militia officers, Taillefer, Gagnier, Taschereau, and Martineau, met and shook hands with Riel and Lépine at the Archbishop's palace. Lt.Col. Osborne Smith reprimanded the officers and ordered that in future visits to the Archbishop, they should leave if they met the métis leaders there. The reaction of Archbishop Taché typifies the bitterness of the French community: "Nous n'avons que quatre officiers canadiens-français, et on n'aura de paix que quand ils auront été sacrifiés. O mon cher monsieur, faut-il que notre nationalité soit sacrifié en tout et partout?"[22]

Manifestations of this sense of persecution mounted, and there became increasingly evident a threatening, even bullying attitude. Father Ritchot, in March, was letting it be known that he had documents proving the promise of amnesty, which he would publish, to the embarrassment of the federal authorities, unless the government kept faith.[23] And on the occasion of a

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21. Ibid.
22. Benoit, op.cit. II, 190, Taché to Hon. Hector Langevin, Mar.13,1873.
23. P.A.M., Lieutenant-Governors' Papers, cypher telegram, Morris to Macdonald, Mar.3,1873.

métis attack on Mennonite settlers at White Horse Plains, in July, although Morris felt that little political significance should be attached to the incident, nonetheless, he added, "...some Half Breeds no doubt view with displeasure the large immigration which is coming into Province."[24]

Riel, too, shared in the mounting defiance, and shortly after the death of Sir George Cartier, which left the federal seat for Provencher vacant, Morris reported to Ottawa that Riel was canvassing for the seat.[25] Macdonald cautioned the Governor to ignore it for the time being, while from his end he issued instructions to Clarke and Royal.[26] On August 19th Morris wired: "Royal says Riel will be elected. What do you advise?"[27] But Ottawa could suggest nothing, and reported that even the Archbishop had been unsuccessful in solving the problem.[28]

Meanwhile Le Métis was urging the electors of Provencher to return Riel by acclamation, and hailing him as "Chef de la Population Française de Manitoba." On October 13th, nomination day, Riel was declared elected by acclamation. At that time a warrant for his arrest had been issued, and armed bands attended the nominations to try to arrest him. "No greater proof," wrote The Manitoban's editors, "can be produced of a house divided within itself, and we question if this state of affairs will tend to the advancement of Manitoba or to exalt the character of our

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24. Ibid. Morris to Macdonald, July 3,1873.
25. Ibid. cypher telegram, apparently to Macdonald, early June, 1873.
26. Ibid, cypher, Macdonald to Morris, June 4,1873.
27. Ibid, cypher to Hon. Alexander Campbell, Minister of the Interior.
28. Ibid. Campbell to Morris, Aug.21,1873.
29. Oct.11,1873, "Aux Electeurs du Comte de Provencher."

Province generally."[30] Even the conciliatory element among the English-speaking population endorsed this statement and regretted equally the defiant step and the armed bands. The views of the newcomers, now the majority of the English, were stronger, as reflected in the Free Press Weekly:

> "It may in itself be accepted as a demonstration that the people of Provencher, at least, almost unanimously admire Riel, for what the rest of the world despise him; and without a doubt his election may be regarded as a tribute of their approbation of this same, with all its cruel and bloody associations; and though the vast majority of the inhabitants of this Province, of today, by no means share in such a feeling, after what they have seen of Governmental preference of men of whom the law of all civilised nations would adjudge simply meet for the gallows, and subject for lifetime penal servitude, they are not in the leastwise startled to see these men bestow upon their champion the best position within their power."[31]

The "Governmental preference," if it had ever existed, was ended. Macdonald's patience was exhausted. "The quarrel with Riel," he wrote to Morris, "must have come sooner or later, and we may as well have it now. Precautions should be taken to keep the Military well in hand, when he takes his seat. The law must be vindicated. At the same time it occurs to me that if there are any warrants out they should be executed against Riel. He should be arrested for the murder of Scott & put upon his trial."[32] Should Riel try to take his seat, Macdonald predicted, "the mob will soon dispose of him."[33]

The Pacific Scandal upset Macdonald's government soon after, and left to Alexander Mackenzie the final settlement. Riel was to face a second election before he could further embarrass Ottawa by attempting to take his seat. In Manitoba, the warrant

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30. Oct.18,1873, "Riel's Election."
31. Oct.18,1873, "Louis Riel an M.P."
32. P.A.C., Macdonald Papers, vol.521, pp.680-81, Oct.11,1873.
33. Ibid. vol.521, p.703, Macdonald to Morris, Oct.14,1873.

against him was not executed, but Riel's escape was narrow. Ambroise Lépine was not so fortunate.

Events seem to have conspired to force a reckoning with the métis leaders in the fall of 1873. The feud between Riel and Attorney General Clarke, over a year old, had apparently led Clarke to determine on Riel's arrest. To this end he decided in August to reopen the proceedings against Buchanan for the abortive raid on Riel's house two years earlier, and served a subpoena on Riel as witness. At the same time he undertook to appoint a magistrate willing to issue a warrant against Riel, so that when the latter appeared at court in Winnipeg he might be arrested.[34]

Meanwhile, on the evening of September 15th, a meeting was held of meninterested in securing the arrest of the métis leaders: Francis E. Cornish, C. B. Tribaudeau, Thomas Hughes, H. W. Smith, Stewart Mulvey, and William A. Farmer. As a result of this meeting a warrant for the arrest of Riel and Lépine was obtained from Dr. John H. O'Donnell. Even so, the attempt was almost blocked, according to the subsequent report of the Chief Justice: "The Sheriff (Edward Armstrong)...knew before he had taken genuinely sincere steps to arrest any of the murderers of Scott that the Attorney General secretly approved of the movement, and he took no such steps till twenty-four hours after he had received the warrants."[35] Riel fled, but Lépine was found at home on the evening of the 16th, and taken into custody.

Up to this point Lieutenant-Governor Morris had played

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34. Free Press Weekly, Apr.29,1876, "The Scott Murder Reward" - an account of C.J.Wood's Report.
35. Ibid.

no part in the proceedings, and in the subsequent mutual recriminations between the opposing parties he spared no effort to maintain his neutrality. On September 22nd he was visited by a delegation including Father Ritchot, Hon. M. A. Girard, A. G. B. Bannatyne, and Robert Cunningham, M.P., protesting the arrest. Morris, by maintaining his refusal to regard the matter in any but a legal light, avoided the issue. The Manitoban reported:

"In reply the Governor stated that the matter was not one in which he had power to interfere. He pointed out that Courts of Law had been established here, that the two judges were charged with the administration of the law, that Magistrates had been appointed with the power to issue warrants, that when a warrant was issued a preliminary examination must take place, and that if there was a sufficient amount of evidence adduced to justify a reasonable belief that a crime had been committed, the case must go before the Grand Jury, if a bill were found before the Petit Jury. He added that the Statutes of Canada expressly gave jurisdiction to the Courts over offences committed before the transfer of the country, and that such offences were triable by the laws which were at that time in force. With regard to the alleged promise of an amnesty he had nothing whatever to do with that, which was a matter to be adjusted between those who claimed the amnesty and the Dominion Government.

"He added that no power but that of the Queen herself could declare an amnesty; and he could take no cognizance of their allegation, but would communicate their statement to the authorities at Ottawa.— In conclusion the Governor impressed upon those present the necessity which exists for every one doing all that is in their power to allay public excitement, and to make use only of constitutional means. There was no fear of any injustice or act of violence being done to Lépine, as so soon as he (the Governor) had heard of his arrest, he had taken the necessary steps to ensure his protection."[36]

Needless to say, all the old arguments on both sides were renewed. But now the opponents of the métis could afford to maintain a dignified silence; the Free Press contented itself with insisting on greater speed in the trial of Lépine and criticizing Judge Betourney for having granted bail.[36] Le Métis, on

36. P.A.M., Lieutenant-Governors' Papers, letter book 'M' pp.80-99; dispatch to Secty. of State, 29 June 1876, quoted.
37. Oct.4,1873, "The Scott Murder Investigation."

the other hand, revived the issues of the Insurrection: this was not merely the trial of Lépine. "C'est aussi le procès de tout un peuple, anglais et français, qu'on avait voulu vendre et acheter, et qui, en un jour de lumière et de vie, s'est levé et a protesté qu'il ne voulait ni être vendu, ni être acheté. C'est une époque héroique entre toutes, que celle qui a vu éclore le germe des libertés politiques de ce vaste Norde-Ouest!"[38]

Both sides were content with words. Whether because the cause was now too remote, or because the sides were too unevenly matched, the trouble anticipated by many, including the Lieutenant-Governor, did not occur. Lépine was remanded for trial, and during the interval of the next six months it was as if he had ceased to exist.

iii. 1874.

The distinction between the legal question of Lepine's guilt or innocence, and the political question of his right - if guilty at law - to amnesty, was now generally recognized by the public of Manitoba. With this, too, went recognition that the Lieutenant-Governor would have no voice in either decision. There was no doubt of Morris' success in shifting all responsibility to Ottawa. The initiative in the métis cause was now taken by Archbishop Taché, to whom amnesty had become an obsession. That he found the Lieutenant-Governor unreceptive to his appeals is seen in his complaint to Antoine Dorion that Morris "...affects not to hold any communication with me...."[39]

Instead, Taché spent the winter badgering the government

38. Sep.29,1873, "La Situation."
39. Benoit, op.cit. II, 64.

in Ottawa. Soon he found himself at odds with the federal authorities, among them his brother Charles. The latter telegraphed the Archbishop on January 2nd, 1874, directing him to heed instructions which were to be sent through Morris.[40] And, on the following day, Morris delivered the instructions, which he had received by telegraph from Dorion: Riel was to be persuaded not to run in the forthcoming federal election. The Archbishop refused bitterly to intervene: "Quoi! Au lieu de donner l'amnistie tant de fois promise, on vient me demander de frapper moi-même le chef des métis! Et c'est un ministre canadien, c'est mon frère méme que l'on emploie à cette besogne!"[41] In interviews with Morris he demanded written guarantees of amnesty as the price of his intervention.[42]

But Taché's was a lost cause. The Mackenzie government which had succeeded Macdonald's in November, 1873, would concede nothing. On February 24th, 1874, Taché set to work at his last major effort, a pamphlet entitled l'Amnistie, in which he sought to prove that a promise of amnesty had been given.

Meanwhile, in the general election of February, 1874, Riel had again been returned for Provencher, this time over a rival métis candidate. The event attracted little attention. The Free Press merely remarked that the Provencher electors"... have acted very unwisely...,"[43] pointing out that Riel would be able to perform no useful service for their country and that their votes were wasted.

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40. Ibid. II, 227.
41. Ibid.
42. Ibid. II, 228
43. Feb.14,1874.

It was one thing to be elected, in a campaign fought by friends and in which Riel kept discreetly out of sight. To sit in Parliament was another. Few people thought Riel - who, though often bold, was never rash- would even attempt to enter Parliament. But Riel had a love of grand gestures. On March 30th, in Ottawa, he took the oath as Member of Parliament, and signed the members' register,[44] although he did not take his seat. The news was immediately telegraphed to Winnipeg, where, on the following day, the City Council in a special meeting unanimously demanded his immediate arrest.[45]

Riel's parliamentary career was cut short by the passage on April 14th of Mackenzie Bowell's motion of expulsion.[46] The Free Press, reverting to the vivid idiom which had characterized it at first, welcomed "...the expulsion from the House of Commons of the petty usurper, and bloody tyrant of '69-70 notoriety."[47]

The electors of Provencher were undaunted, and in its issue of May 9th, Le Métis announced that Riel was to be re-elected. The people of Provencher, the editor wrote, "...sont assez independants pour élire un homme de leur choix, comme ils ne se croient pas obligés de suivre les dictées d'une société secrète ennemie de leur race, et comme ils no voient aucune raison de retirer leur sympathies à M. Riel, ils vont lui confier de leur mandat."[48]

On nomination day, September 3rd, Riel was again

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44. Le Métis, Apr.4, 1874
45. Free Press Weekly, Apr.4,1874, "Indignation."
46. Le Métis, Apr.18,1874
47. Apr.18,1874
48. "L'Election de Provencher."

declared returned by acclamation. The Free Press, which had been growing increasingly anti-French, declared it an insult to Parliament and launched an angry attack on the electors of Provencher.[49] But one gesture was enough. Riel did not again approach Parliament Hill. There was no need. He had succeeded admirably in keeping himself in the public eye - and under the government's hide! He had also succeeded in prolonging in Manitoba a remnant of the antagonisms kindled in 1869-'70.

While Riel was flirting with Parliament the lesser métis leaders were facing prosecution in Manitoba. The social non-intercourse between Winnipeg and St. Boniface was only slightly, if at all, abated, and the arrests which were made took the form of armed excursions across the river, intensifying the métis' conception of 'les Anglais' as intruders. The French half-breeds must have felt, at times, that they were living in a state of siege.

Attempts continued to be made by the Winnipeg police to surprise Riel in the French settlements, but without success.[50] However, smaller fry could always be found. On May 27th, André Nault, one of the members of the Scott court martial, was arrested,[51] giving rise to renewed demands for manesty.[52] Three days later Elzéar Lagimodière, another of the court, was arrested at his home at Petite Pointe de Chênes.[53] Lagimodière, however, had been the lone dissenting voice on the 1870 court,[54] and in

49. Sep.12,1874, "The Irrepressible Again."
50. Le Métis, Mar.7,1874, "Encore un Outrage au Nom de la Justice."
51. The Manitoban, May 30,1874, "The Scott Murder."
52. Le Métis, May 30,1874, "Arrestation d'André Naud."
53. Ibid. June 6,1874, "Arrestation de M. DeLagimodière."
54. Stanley, op.cit. p.105

November, 1874, the case was dropped at the instance of Attorney General Dubuc, with the consent of the cabinet.[55]

Meanwhile protests continued against the courts' jurisdiction in the trial of Lépine, until settled in unequivocable terms by the new Chief Justice, E. B. Wood, who took his oath of office on June 12th and three days later upheld the jurisdiction of the court. At the same time he rushed in where all other authorities before him had feared to tread - on the amnesty question - to the consternation of Le Métis. "En commentant son jugement sur la question de jurisdiction, Son Honneur le Juge-en-Chef a fait une remarque que nous tenons à signaller. Ainsi, il a avoué ne pas croire a la concession de l'amnistie, et exprimé l'opinion que tous ceux qui étaient impliqués dans l'affaire Scott, devaient répondre de leurs actes devant le tribunal."[56] That this statement by the Chief Justice immediately upon his arrival should provoke no reaction stronger than a restrained newspaper editorial illustrates clearly the extent of the métis' resignation to the inevitable and the consequent disappearance of all danger of open strife. It also indicates the foremost characteristic of the Chief Justice - unlimited confidence in his own judgment on all matters, political no less than legal, coupled with extreme outspokenness. This dogmatism - for it was nothing less - appeared frequently in his utterances, and did little to improve relations between the estranged factions within the province. Before long, Lieutenant-Governor Morris was to feel its sting.

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55. Le Métis, Nov.28,1874, "Le Nolle-Prosequi."
56. Ibid. June 20,1874, "L'affaire Lépine."

The trial dragged on. An added complication occurred in July, when the first major cabinet shuffle placed Lépine's defence consel, Joseph Dubuc, in the office of Attorney General, charged with the prosecution. Dubuc immediately withdrew from the defence, and sought to forestall censure by naming a substitute for the prosecution.[57] But the change could not fail to aggravate bad relations, and it was inevitable that as the case was prolonged Dubuc should be charged with dereliction of duty.[58]

Eventually, in late October, the jury composed of two "whites" (English-speaking, by implication), four English half-breeds, and six French métis,[59] brought in a verdict of guilty, with a recommendation of mercy. From the newspapers it appears that the verdict excited little interest. It had doubtless been expected from the start of the trial, and it is likely that attention by this time was centred on Ottawa, where the political battle of amnesty was still being fought. The Minister of the Interior, Hon. David Laird, put another interpretation on the calm with which the verdict was received: "It did not astonish me much. The people of Quebec are, I think, beginning to see that Manitoba half-breeds are not so sensible of their own wrongs, as are the people of Lower Canada in their behalf. Here last winter we were led to believe if Riel was touched

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57. Ibid. July 11,1874, "Le Nouveau Cabinet."
58. Free Press Weekly, Oct.17,1874, "Unseemly."
59. In a petition to the House of Commons, Ottawa, dated January 3rd, 1881, from H.J.Clarke et al., Chief Justice Wood was accused of having "deliberately, corruptly, illegally and personally" chosen as French half-breed jurors for Lépine's trial only men who were known to be hostile to Lépine. Canada, Sessional Papers, 1882, No.106, p.2. Wood denied the charge - Ibid. pp.13-15

blood would flow freely in Manitoba. I could see or hear nothing when I was among you to confirm that belief."[60]

The factional conflict continued to be reflected during the autumn of 1874 in the editorials of the Free Press and Le Métis, but a subtle change seems to have been taking place. No longer was it "...the revolt of a semi-primitive society against the imposition of a more progressive, alien culture...."[61] Instead, the dispute now assumed the lines already familiar in eastern Canada, English versus French, Protestant versus Catholic. Le Métis became, in fact though not in name, Le Français, and trumpeted its demand for solidarity in defence of the race: "Soyons unis!"

"L'époque que nous traversons est dangereuse et critique: l'ennemi qui nous menace, qui jalouse nos droits et nos privileges, qui voudrait nous ravir la juste part des avantages que nous confere la constitution, est prêt à engager la lutte, à profiter de toutes les faiblesses, de toutes les dissensions qui pourraient surgir au milieu de nous. Si donc nous voulons vivre d'une vie qui nous soit propre, si nous ne sommes pas prêts à signer notre décheance, notre effacement, n'allons pas fournir à nos adversaires une arme murtrière. N'éparpillons pas, ne disséminons pas les éléments de notre force."[62]

On the other side the Free Press was becoming increasingly bitter in its attacks on all things French. It was no longer a question of the "murderers" of 1870, or even of the uncivilized métis. Now the enemy was "Normanism." "It has traveled (sic) far and wide, and it is known as a fact everywhere that a handful of people numbering less than three thousand - a people un-Canadian and un-English in their language, habits and customs are dictating to a people superior to them in ability and numbers, but who

60. P.A.M., F. G. Ketcheson Collection, Laird to Morris, Nov.2,1874.
61. Stanley, op.cit. p.61
62. Nov.28,1874, "Soyons Unis!"

are unfortunately the victims of duplicity and treachery."[63] That is, the "duplicity and treachery" whereby the French element were alleged to retain control of the government, although a minority within the province.[64]

The dispute over Lépine's fate, then, formed a link between the old conflict and the new. In one sense it was the last event in the heritage of 1869-'70, and its settlement brought that chapter to its close. But in its other aspect it was the initial bone of contention in the new imported racial antagonism, that "primary antithesis" in Canadian history which continued to color Manitoba politics for the rest of the decade and which was never to be wholly eliminated.

iv. Settlement

In January, 1875, the Earl of Dufferin, on his own initiative, commuted Lépine's death sentence to imprisonment for two years. Mention has already been made of the degree to which the Governor General's decision was influenced by events in Manitoba.[65] The constitutional problem created by the act of commutation lies beyond the scope of this thesis.

Within the province the commutation caused relatively little stir. Le Métis alone protested: "C'est l'amnistie pleine, entière, sans condition, ni restrictions, qui a été promise, qui a été demandée depuis cinq ans, et que nous demandons encore aujourd'hui."[66] Among the other papers the event was scarcely noticed. However, that there was still an unreconciled element

63. Sep.12,1874, "Normanism Again."
64. Ibid. "The Cat Out."
65. Supra pp.79-80
66. Feb.13,1875, "L'amnistie."

among the English-speaking population was demonstrated on the night of January 29th by a weak lynching attempt made by a Winnipeg mob, which was easily frustrated by Lépine's military guard.[67] The Lieutenant-Governor's correspondence of that period shows clearly that he feared further attempts, which might lead to renewed open strife between the extremists on either side. On the day of the lynching attempt, Morris and his Executive Council drafted a motion urging upon the federal authorities the necessity for transferring Lépine away from the Common Gaol at Winnipeg, to the Penitentiary.[68]

Despite these fears, feeling quickly subsided. And the reaction, when Parliament granted amnesty to Riel and Lépine (and all others but O'Donoghue implicated in the 1869-'70 troubles) was completely anti-climactic. The Standard did not bother even to editorialize; the other journals had little comment to make. For all practical purposes the Insurrection books were closed, and the winding-up of outstanding accounts went unnoticed. Lépine, faced with the choice between eighteen month's imprisonment still to be served and five year's exile, chose the former, and quietly rejoined provincial society on October 25th, 1876.[69] Scarcely a ripple was produced in the province when in the 1877 session of Parliament, the amnesty was extended to O'Donoghue as a concession to the Irish in Canada.

Final evidence of the new state of political society was

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67. P.A.M., Lieutenant-Governors' Papers, report of Lt.Col. Osborne Smith to Morris, Jan.30,1875.
68. Ibid. Minutes of Executive Council, No.192, Jan. 29,1875. apparently prepared by Morris.
69. Le Métis, Oct.26,1876.

given on August 6th, 1877, when the last of the regular militia in Manitoba was disbanded - as the Free Press remarked editorially, "...the Dominion Government evidently being of the opinion that Manitoba can now walk without leading strings and that the entente cordiale existing between the various and diverse elements of the population ensures a continuity of tranquillity in the Province."[70]

The grant of amnesty marked the end of the Red River Insurrection. It is curious to reflect that, in fact, the métis could congratulate themselves on having achieved an unqualified tactical victory in the years 1869 to 1875. But, because of the inexorability of the social transformation against which, in essence, they fought, theirs was a hollow victory. Recognition of this fact by those least able to adapt themselves to the new society was reflected in the north-west trek which left the province to the invaders. It is noteworthy that Le Métis, which, concerning provincial matters, had already accommodated itself to a public which was French-Canadian rather than métis, in October, 1875, embarked on a policy of devoting an increasing portion of its space to news of the North-West Territories, whither much of its early reading public had gone.[71]

The last remaining detail to be settled was the question of half-breed lands, promised under the Manitoba Act. In 1873 the settlement had seemed virtually completed: reserves had been set aside and the drawing of lots partially made on the basis of 140 acres for each half-breed. But Robert Cunningham M.P. (Mar-

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70. Aug.4,1877, "A Canadian Veteran."
71. Oct.28,1875, "Au Public."

quette) pointed out in P arliament that the Act called for distribution of the reserves among the children of half-breed families, and a fresh start had to be made. On the new basis the children were to receive 190 acres each, and the heads of families were to be compensated with scrip entitling each one to 160 acres of the Crown lands open for sale outside the reserves.[72]

The adjustment had meant further delay. By mid-1876 no titles had as yet been issued.[73] and scrip had been distributed for only one of the parishes existing in 1870.[74] Finally, at the end of October a further readjustment was made in the distribution of the reserves, the allotment to half-breed children being raised to 240 acres.[75] The final drawing was begun on October 30th, 1876, six and one half years after the passage of the Manitoba Act.[76]

V. Aftermath of Criticism.

Although the insurrection troubles disappeared in these years, Lieutenant-Governor Morris continued to find them a source of annoyance. That this was so was attributable chiefly to Chief Justice Wood, who took it upon himself to apportion blame for the failure of the authorities to bring the métis leaders to book during the early years.

The Chief Justice delighted in long charges to Grand Juries, filled with stern denunciations of all political

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72. Free Press Weekly, July 29,1876, "Half-Breed Reserves," a letter to the editor, and reply, reviewing the developments.
73. Ibid. July 8,1876, "Half-Breed Scrip and Reserves."
74. Ibid. Sep.9,1876, "Scrips," a letter to the editor.
75. Ibid. Oct.28,1876, "Allotment of Half-Breed Lands."
76. Ibid. Gazette notice by Donald Codd, Agent of Dominion Lands.

misdemeanors real or imagined. In these jeremiads he almost invariably commented on the effects, as he saw them, of federal and provincial policies - "...the excusable irritation growing out of the troubles of 1869-70, aggravated by the manner in which they were dealt with both by the Government of Canada at Ottawa and by the Government of Manitoba at Winnipeg...."[77]

As a rule, the Lieutenant-Governor ignored these criticisms, whether veiled or direct. But in the spring of 1876 he was moved to reply to Chief Justice Wood's Report to the Government of Ontario "...respecting claims to the reward offered for the apprehension of the murderers of Thomas Scott."[78] For two months the Governor appears to have considered the implications of the charges contained in the report, for it was not until June 29th that he sent his dispatch of protest to the Secretary of State.

The reply was unquestionably thorough, occupying twenty pages of the dispatch book.[79] "Mr. Chief Justice Wood," he wrote, "has not confined himself to the duty entrusted to him, but has taken occasion to make his report the vehicle for statements, which as regards myself are so utterly unfounded and unjust, that I cannot allow them to pass unchallenged."[80]

Chief Justice Wood's charges can best be given in his own words:

"There seems to be no question from the origin of the Government of Manitoba, in the latter part of the summer of 1870,

77. Ibid. Feb.13,1875, "Court of Queen's Bench," charge to the Grand Jury of Feb.10,1875.
78. Text in the Free Press Weekly, Apr.29,1876.
79. P.A.M., Lieutenant-Governors' Papers, letter book 'M', pp.80-99.
80. Ibid.

down to the autumn of 1873, the Executive head and the officials not only systematically opposed any proceedings being taken against the murderers of Scott, and directly or indirectly warned all peace officers to entertain no application to proceed against them, but also threw around them the shield and the defence of the whole executive authority -- declaring publicly and privately that the law could not take cognizance, and the courts had not jurisdiction over the offence: but that it was a matter, if cognizable at all by any tribunal, belonging exclusively to the Imperial authorities.--

"This will account for the fact that during this time, the murderers of Scott made no effort to conceal themselves, but went about as though no charge were hanging over them, and no effectual steps were taken for their arrest: and that the efforts that were made in this direction proved abortive, and that the marked displeasure of the Executive was manifested to all those who had or should presume to have anything to do with any movement having for its object the arrest of the murderers of Scott.--

"It was a favourite doctrine that neither the Manitoba nor the Canadian courts had jurisdiction of the offence, and therefore no one had any legal right to set the law in motion: and this proposition received all the weight & force that could be given to it by the governor, and by the written and published opinions of gentlemen standing high in the profession in the older Provinces.--

"All these facts and circumstances had a depressing influence on individual efforts to bring to trial the murderers of Scott."[81]

Morris, in reply, pointed out that the Chief Justice "disingenuously" ignored the fact that there had been two Lieutenant-Governors in Manitoba during the period concerned. He would, he stated, speak for himself only.

In the first place, he denied that he had ever, privately or publicly, declared that the courts had no jurisdiction. In support of this he quoted his replies to the delegations of December 9, 1872 and September 22nd, 1873.[82] Both of these, he asserted, were known to Wood.

"I have only one comment to add...in reply to Mr. Woods assertion namely that he was aware of the attitude I had taken in this respect before he came to Manitoba as he himself informed me, and further that in my presence he read the Report of my interview with the Metis as above quoted in my office, when he

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81. Free Press Weekly, Apr.29,1876.
82. Supra, pp.141, 150.

was my guest on his arrival in this Province, & informed me that he approved thereof. I am therefore under the necessity of informing you that Mr Chief Justice Wood has written deliberately a statement, which he knew to be untrue."

Loyally, the Free Press sprang to the defence of Governor Morris: "Whatever was the culpability of Lieut.-Governor Archibald and his Government in this connection - and it was, without doubt, a great deal - the opinion of the Commissioner regarding Lieut.-Governor Morris is not warranted by the facts."[83]

Finally, the report of the Chief Justice brought an ambiguous charge, apparently intended to suggest that the inactivity of the Governor was part of a Conservative party conspiracy to save the Macdonald government embarrassment. In some vague way the change of heart towards the Metis leaders on the part of Attorney General Clarke, the fall of the Macdonald government, and the policy of Morris were all of one piece.

Morris' reply to this accusation warrants quoting in full:

"The animus contained in this remark is a clue to the motives which have actuated the Chief Justice in so irregularly going beyond the bounds of the Commission with which he was entrusted and making a series of statements which had no foundation, but I will dispose of the opinion which he ventured that the fall of the John A. Macdonald Government influenced my course in the matter of Riel & Lepine by calling attention to the fact, that Lepine was arrested in September 1873 that the Macdonald Government did not fall until November 1873 and that in December 1872 and again in September 1873, long before the advent to the Province of Mr Chief Justice Wood I had defined the law which in after days he was called upon to carry out and give effect to.—

"When I first entered the Province which was then in a disturbed state, I took the earliest opportunity of declaring to the people that in my then capacity of Chief Justice, I would in discharging the functions I was called to exercise 'know neither race creed nor party' and in the exercise of my more important duties of the Lieutenant Governor of Manitoba I have in the past continued to Act on the principles I then laid down, and I will

83. Apr.29,1876, "The Scott Murder Report."

continue so to act as long as I hold the high position with which I have been entrusted, assured that I will thereby deserve the confidence of the people of this Province and of the Dominion.--

"I have moreover the satisfaction of knowing that while I found this Province in a disturbed state, harmony and good feeling now prevail and difficulties of no ordinary character have been peacefully overcome."

Curiously enough, the best reply - the unanswerable reply - to these charges was given by the editors of the Free Press. The Toronto Globe conceded that not Morris but his ministers, and particularly Clarke, had sheltered the métis leaders; but it went on to criticize Morris for permitting Clarke "...to run riot with the Government of Manitoba rather than in any way exercise his prerogative."[84] This, in the eyes of the Free Press, went to the heart of the question: "If indeed Mr. Morris erred in that direction, in the opinion of the Globe, at worst it evidences but a superlative determination on the part of Mr. Morris to give the people the full benefit of the system of Government under which they live; and in Manitoba that is exactly what is wanted. We had enough of the other sort of thing under the rule of Mr. Morris predecessor, to last us for a century."[85]

Self-government, it has been said, is better than good government!

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84. Ibid. May 20,1876, "The Scott Murder Reward."
85. Ibid.

CHAPTER 9

DEVOLUTION OF CONTROL

For the first few months after Alexander Morris' accession to office, relations between Governor and Executive Council continued as before, and it appeared that the new Governor would carry on the paternalism of the old. Sir John A. Macdonald, in Ottawa, was in fact urging such a course on Morris. "Now that you are Lieut.-Governor and not Administrator," he wrote, "you can lay down a line of policy and pursue it steadily for the next five years. Although you have got Responsible Government nominally, nevertheless you must be, for the want of men, a paternal despot for some time to come."[1] Moreover, possibly to ensure Morris' independence of ministerial advice, Sir John wrote a detailed and explicit account of various Manitoba matters which Morris might find troublesome: the opposition of Stewart Mulvey and Frank Cornish, the half-breed land allotment, the hay privilege, and the North-West Council.[2]

Morris proved willing to continue the established practice, at least for the time being. In November, while still only Administrator, he telegraphed: "Council just risen. I have reconciled their differences and they will meet House with definite policy."[3]

Rival ambitions in the Council, however, were making the task increasingly difficult, as his report to Macdonald following

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1. P.A.C., Macdonald Papers, vol.522, p.263, Dec.9,1872. To what extent did Macdonald owe this opinion to Archibald, who had reported in Ottawa on his return from Fort Garry?
2. Ibid. vol.522, pp.778-79, Feb.4,1873.
3. P.A.M., Lieutenant-Governors' Papers, Nov.23,1872.

the opening of the third session indicates:

"The speech has demoralised the opposition in & out of the house & pleased the people. It taxed all my skill to keep my team together. The split in the French is now so decided & Clarke is leader in the house of the (loyal) national party & Royal of the other party.

"Clarke wanted to be premier & was backed by the other three - Royal saw in it an opportunity to go out & break up the govt. There is now no premier - Royal consulted the Bishop...& notified me of his intention.

"I did not choose to have a break up & sent for Clarke & told him I could not change the understanding on which the govt was formed, but would do so, if a change of govt took place, & he must be content with being the recognised leader of the govt in the house. He yielded & behaved very well as he has done ever since I came here. So I told the Council how I had arranged it, & all went on as before. I dislike Royal's position ver much - He is in constant communication with the Rielites & I cannot trust him."[4]

It was only a question of time, then, until Morris would relinquish the control of policy.

i. Breakdown of Paternalism.

The Lieutenant-Governor's authority seemed to be wearing thin, and paternalism became increasingly difficult as general political self-confidence grew. In addition to the problem of maintaining an adequate degree of cabinet unity, he had to contend in the Legislature with growing obstinacy, especially from the Grit faction led by Mulvey and Cornish. These difficulties form a recurring theme in Morris' correspondence with Ottawa.

"...Was able to have a three hour council today," he wrote on February 28th, 1873, "& did important work. We were to have (undecipherable) 4 new county Judges! but I stopped it. Cornish had prepared a Bar Bill, providing that no Barrister of Ontario or Quebec could be admitted here, till he had served 2 years in (undecipherable) Cornish's office! but I spoilt that little game. In the Bill for 'Winnipeg City' he had (undecipherable) universal suff#rage, but I prepared clauses, which have spoiled that little game also. I have to read every Bill & play law clerk, when I can get the opportunity of seeing them, but they make a sad mess with amendments in the Houses."[5]

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4. P.A.C., Macdonald Papers, vol.252, pp.349-54, Feb.7,1873.
5. Ibid. vol.252, pp.401-02; Morris' handwriting was at best a scribble, and sometimes almost unintelligible.

As the demands and counter-demands by the various elements mounted, Morris found it increasingly necessary to seek refuge in the plea that responsibility lay with his ministers. One such occasion arose when Cornish and R. A.Davis, after the introduction of a Bill to incorporate the City of Winnipeg, protested to Morris the clause exempting provincial Government buildings from taxation. "I was glad of the opportunity to show them my teeth," he reported to Macdonald, "and teach them a little constitutional usage."[6]

Extremists, however, continued to strengthen the Governor's hand through their sporadic violence which tended to close up the ranks of the moderates in support of executive authority. The destruction of the newspaper offices in September, 1872, had given Morris his first taste of this lawlessness. The legislative battle over the incorporation of Winnipeg touched off another incident. The Cornish faction, having failed to change the tax-exemption clause in the Assembly, were successful in the Legislative Council;but the Speaker of the Assembly, Dr. C. J. Bird, ruled the Bill out of order on the ground that the upper house had, in effect, created a charge on the public revenue, an action beyond their constitutional powers. For his decision, Dr. Bird was that night - March 7th - beaten and tarred by the Winnipeg mob.[7] Even the Toronto Globe, so often the champion of the Winnipeg Grits, was driven to conclude that "...the Winnipeg community had not yet realized what is the true nature of government by representation, and an Executive acting within and

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6. Ibid. vol.252, Mar.6,1873; quoted in Babion, op.cit. p.124.
7. The Manitoban, Mar.8,1873, "Dastardly Assault."

according to the law."[8]

Having maintained a precarious and limited control during the first session of 1873, Morris was well satisfied, on the whole, with its legislative record. "I took the opposition in & out of the house by storm with the character of the legislation - removed the only real grievances they had to complain of, & had the Ministry get their measures ready in advance, so that the business has been got through in just a month."[9] He considered it necessary to reserve six of the bills passed, but of these there were only two to which he took serious exception.[10]

In March, Morris was granted three months' leave of absence for business in the east,[11] and on the 24th he left Fort Garry.[12] Judge James McKeagney, who had been appointed by Order in Council on January 10th to be Administrator in the absence or illness of the Lieutenant-Governor, and provisional Lieutenant-Governor in the event of his death,[13] was sworn in as Administrator on March 26th.[14] But in April, unrest among the Sioux Indians in the western part of the province created high fears

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8. Quoted in The Manitoban, Mar.29,1873, "Tarring a Speaker." The Hamilton Spectator ironically remarked: "We have not heard of any addition to that reward ($1000 offered by the Manitoba Government for the apprehension of the culprits) being offered by the Ontario Government, though it is manifestly the duty of that Government to have a general supervision of criminal affairs in Manitoba." Ibid.
9. P.A.C., Macdonald Papers, vol.252, p.411, Morris to Macdonald, Mar.5,1873.
10. Supra, pp.34-35.
11. P.A.M., Lieutenant-Governors' Papers, dispatch 406, Secty. of State to Morris, Feb.28,1876.
12. The Manitoban, Mar.29,1873.
13. P.A.M., Lieutenant-Governors' Papers, dispatch 50 (Manitoba 10) Secty. of State to Morris, Jan.25,1873.
14. Ibid. dispatch No.30, McKeagney to Secty. of State, Mar.26, 1873.

among the settlers.[15] On April 14th McKeagney telegraphed to Macdonald that the people on the frontier were greatly excited, and on the following day the Governor's secretary, W. T. Urquhart, telegraphed to Morris that McKeagney was ill and prompt action to settle the Indian threat was needed.[16] The Lieutenant-Governor's eastern visit was cut short, and he left Ottawa at the end of the month, arriving at Fort Garry on May 22nd.[17]

The Indian threat passed without serious incident,[18] but Morris had scarcely become settled before a fresh distraction appeared in the shape of the 'Gordon Case.' The first mention of this appeared as an afterthought in a letter from Morris to Macdonald on July 3rd: "Man known as 'Lord Gordon' was last night kidnapped by some Americans near here, a reward of $10,000 being offered for his apprehension in States. They were, however, arrested this morning by Bradley, Customs House Officer Pembina, who I am informed has taken them into custody."[19]

The Lieutenant-Governor immediately found himself embroiled in disputes at all levels - local, national and international. An attempt by the Sheriff to impose censorship on the telegraph to the United States had to be blocked.[20] The American Consul, Mr. Taylor, tried to draw him into a legal dispute over the right of American bailors to pursue and apprehend a 'bail-jumper' on Canadian territory.[21] And Horace Austin, Governor of Minnesota,

15. Ibid. Address of the people of High Bluff to Lieutenant-Governor, Apr.17,1873.
16. Ibid.
17. The Manitoban, May 24,1873.
18. Vide Morris, Treaties, p.279.
19. P.A.M., Lieutenant-Governors' Papers.
20. Ibid. Telegram, Sup't of Northwestern Telegraph Co. to Morris, July 10, 1873, and Morris' memorandum on it.
21. Ibid. telegram, Morris to Macdonald, July 10,1873.

accused the Manitoba authorities of maltreating the prisoners.[22]

Macdonald promptly advised Morris to leave all international wrangles to the proper authorities.[23] but Morris needed no bidding: "Had no communication with Governor except one reported to you. Consul has made two efforts to commit me to action in case but before receipt of yours I had declined responsibility."[24]

The opera-bouffe details of the Gordon Case cannot be pursued here. Before it was over Morris found himself involved in an argument with Macdonald, who, to ease international relations, wanted the Manitoba courts to release the kidnappers on a heavy bail; this course, he pointed out, would serve the double purpose of letting the prisoners escape with no loss of face for the Canadian authorities, and would enrich the hard-pressed provincial treasury. Morris, more scrupulous about the independence of the judiciary, would not interfere with the rulings of the Manitoba judges, who had refused bail.[25] For a time relations became extremely strained between the Lieutenant-Governor and the Dominion Prime Minister. But the final outcome satisfied all - except Gordon - and brought Morris the praise of the Governor General: "Of course it is a matter of great importance with us not to come into collision with our neighbours along that unprotected frontier. On the other hand it would not do to let them bully us. Your prudence has obviated both these disastrous alternatives and in writing to Lord Kimberley I shall take care to call his attention to the fact."[26]

22. Ibid. Telegram to Morris, July 12,1873.
23. Ibid. Telegram of July 17,1873.
24. Ibid. July 18,1873.
25. Telegrams in the Macdonald Papers, vol.252, and Lieutenant-Governors' Papers.
26. P.A.M. , F.G.Ketcheson Collection, Dufferin to Morris, Sep.30,73.

During the summer months of 1873 the Gordon Case occupied the attention of the Lieutenant-Governor - and, indeed, of the whole population of Manitoba. And no sooner had the affair blown over than Morris had again to leave the province, this time to conclude a treaty with the Indians at the North-West Angle of Lake of the Woods - a trip which kept him away until the middle of October. This sequence of events - the leave of absence, the Gordon Case, and the North-West Angle Treaty - had the effect of leaving Governor Morris little time for the direction of ordinary provincial affairs during a seven-month period, and his ministers were left increasingly to their own devices, subject to no premier.

On November 4th the Legislature reassembled,[27] primarily to hear reports from delegates sent during the previous spring to Ottawa to solicit extension of the provincial boundaries and better financial terms. On these matters Morris was undoubtedly well-informed, for he had visited Ottawa while the discussions were progressing, and the Minutes of the Executive Council reveal that his interest in the question of 'better terms' never slackened. But that he was ignorant of other cabinet decisions is indicated by a note made in Council on November 8th:

"A meeting of Council was held this 8 Nov. 73 at 5 o'clock P.M. with regard to the Bill for the redistribution of the Electoral Districts which had passed both Houses. The lieutenant Governor, asked for information as to the object and effect of the Measure, as it had not been submitted to him for consideration, with the view to his deciding, whether it should be assented to or not, and as he had not known that there was a bill of the special character of this one before the House, till a few minutes before, when it reached him from the Clerk of the Legislative Assembly. The Council explained the character and effect of the measure, & as the Houses were about to adjourn for

27. The Manitoban, Nov. 8,1873.

some weeks, unanimously recommended, that the Bill should be assented to and in that event the Council would naturally consider the act, & if it was found to work unequally or imperfectly to any portion of the population would submit an amendment thereto at the adjourned Session of such a nature, as to remedy any defects therein, and secure substantial justice to all the Electors of the Province."[28]

Thus by the fall of 1873 the active direction of provincial affairs was slipping from the Lieutenant-Governor's grasp whether he willed it or not. Probably he was not sorry to see paternalism go, although it appears that he would have preferred to see it abolished in a single deliberate act which could simultaneously replace it with effective responsible government. This gradual disintegration of his dominant power was leaving the province without a leader and was creating conditions of extreme political instability. The situation that emerged was ably described in 1874 by Joseph Royal:

"N'ayant plus personne à sa tête, pour le diriger et le contrôler, le Cabinet devait, en peu de temps, prendre le caractère d'un simple Comité de la Chambre où les ambitions personnelles, les dissidences et la guerre même ne tardèrent pas à se declarer, si on en juge par les échos du dehors. Sous M.Archibald, pareille chose était impossible, car cet homme énergique acceptait franchement la responsabilité épineuse de premier ministre de son propre Cabinet, et il agissait comme tel. Sous M. Morris, le premier ministre disparut, et il ne reste plus que l'image froide et impassible de l'autorité royale, le Lieutenant Gouverneur."[29]

There was bound to be a struggle for the sceptre Morris was relinquishing. Indeed, the main contestants were already evident.

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28. P.A.M., Lieutenant-Governors' Papers, Minutes of Executive Council, No.124, Nov.8,1873; also, Canada, Sessional Papers, 1877, No.89, pp.60-61, Morris to the Secretary of State, Dec.29,1873.
29. Le Métis, Aug.1,1874, "Responsabilité Ministérielle," an abstract of Royal's speech to Assembly, July 14,1874.

ii. Ministerial Dissensions.

The long-standing animosity between Henry J. H. Clarke and Joseph Royal[30] became the principal feature of Manitoba politics between November 1873 and July 1874. Royal had secured, by the beginning of 1873, the support of at least part of the French-speaking population and was gradually undermining Clarke's control over the remainder. In the fall of that year, it appears, Clarke's support was so far dissipated that he was courting the English-speaking opposition element in the Assembly, led by E. G. G. H. Hay.[31] The Redistribution Bill of the November session, which had come as such a surprise to the Governor, was the product of this combination, and marked Clarke's abandonment of all the French and métis support to Royal.

For the time being Clarke seemed to have been successful in safeguarding his dominant position. Royal's efforts to defeat the Redistribution Bill were of no avail against the Attorney General's alliance with the opposition.[32] Royal, however, was playing a waiting game. In October, presumably when he learned of Clarke's dealings with Hay, he contemplated resignation, "...afin de ne pas paraître accepter une responsabilité de plus odieuse."[33] But he apparently decided that while political lines were so fluid he would be better advised to remain in the ministry and consolidate his control over the French. His explanation of the decision, which appeared as an editorial in Le Métis, revealed again his uncommon political insight:

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30. Supra, pp.109-11
31. Holmes, op.cit. p.12; no authorities cited.
32. Begg, op.cit. II, 111.
33. Le Métis, Aug.1,1874, "Responsabilité Ministérielle;" also Free Press Weekly, Oct.18,1873.

"La résignation d'un ministre, dans le cours régulier des choses, est un protestation ou une scission qui amène nécessairement une crise; ici, rien de tel. Avec le système actuel, c'est purement et simplement un homme qui entre ou un homme qui sort; rien de plus. Ses collègues ou même le gouverneur le remplace par un autre plus influent, ou plus capable ou plus pliant ou plus facile, et tout est dit. Et il en sera ainsi tant que les parties politiques ne se seront pas organisés, discutés, comptés et coalisés dans notre jeune et étrange pays."[34]

Royal continued to attack Clarke in Le Métis,[35] but the Attorney General's star had passed zenith and was declining rapidly. The Redistribution Bill was only one factor in alienating the last of his French support. The arrest of Lépine was also charged to his account. And by his personal life - for he had deserted his wife and taken her property, to run off with the wife of his Winnipeg host[36] - he incurred the strong displeasure of the Catholic clergy, from the Archbishop down.

Clarke's conduct in public office was no less questionable. During the Gordon Case he was alleged to have been attempting to extort bribes from both Gordon and the American bail-bondsmen,[37] and his actions led Macdonald to telegraph to Morris: "Hint to Attorney General that American govt will bring charge of blackmail against him."[38] His absence in the spring of 1874, when he accompanied Royal and the Provincial Treasurer, Thomas Howard, to Ottawa, gave an opportunity for some investigating by the other ministers. Their discoveries were rather startling:

"Attention of Council has been drawn by the acting Treasurer to the fact, that the large sum of $4908.65 has been

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34. Le Métis, Oct.25,1873, "Une Résignation Ministèrielle."
35. Ibid. Dec.13,1873, "Affaire Lépine."
36. Free Press Weekly, Nov.23,1878, "H. J. Clarke."
37. P.A.M., Lieutenant-Governors' Papers, Gordon's letter to Morris, Sep.29,1873, and affidavit of Dec.1,1873.
38. Ibid. Aug.30,1873.

expended during the year 1873, for secret service. They express surprise that such an expenditure should have been incurred without a vote of parliament & particularly without the sanction of Council & are of opinion that further outlay should be stopped, & that a copy of this resolution should be transmitted to the Treasurer & attorney General now in Ottawa for their information and guidance."[39]

The manoeuvres of the ministers against each other were openly reflected in the local newspapers, which The Manitoban described as "...five organs hebdomadally played by fingers more or less expert in groaning each other down."[40] Royal depicted the situation clearly: "Tel ou tel membre du cabinet dût sauvegarder à plus d'une reprise sa propre réputation contre certaines enterprises du gouvernement dont il fesait partie. L'écho des profondes dissensions intestines du ministère se fit ainsi jour à l'extérieure, et ce qui étonne aujourd'hui, c'est qu'avec un régime aussi personnel, aussi irresponsable, aussi anti-constitutioner, le mal, quoique grand, n'ait pas été plus radical, plus universal."[41]

Le Métis, as has been seen, provided Royal with the means

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39. Ibid. Minutes of Executive Council, No.146, Apr.13,1874. Some years later it was asserted by the Free Press Weekly that $27,662.79 out of public revenues had found its way into Clarke's pockets between 1871 and 1874. - Nov.30,1878. "Provincial Expenditure." The most outspoken condemnation of Clarke was made in 1881 by Chief Justice Wood, in one of his remarkable addresses to the Grand Jury. Clarke's record, he said, was one"...of private peculation, under the pretence of public service, of private robbery under the guise of criminal justice, of apostasy from religion and faith at the bidding of lust and infidelity, of betrayal of friends, the abandonment of wife, the seduction of a woman, the mother of many children; the breaking up of a once happy family and home; in short, the exposition of a life which is one unbroken plane, replete with every vice, stained with every wickedness, and black with every infamy, unlighted by a single ray of virtue...." - "Free Press Weekly, Oct.21,1881, "Local and Provincial, Assize Court." Allowance must be made for the partisanship that underlay both these attacks.
40. Apr.4,1874, "The Elections." The five were: The Manitoban, Free Press, Manitoba Gazette, Nor'-Wester, and Le Métis
41. Le Métis, Aug.1,1874, "Responsabilité Ministèrielle."

of disassociating himself from ministerial acts of which he disapproved. The Manitoba Gazette and the Nor'-Wester reflected Attorney General Clarke's viewpoint. The Manitoban, which had switched its support from Macdonald to Alexamder Mackenzie during the 'Pacific Scandal' of 1873,[42] was no longer "the organ of the Government in Manitoba," but at times was its severest critic.[43] Clarke, especially, came in for its censure. The Free Press, the leading Reform paper, said 'a plague on both your houses,' and pinned its hopes on the new immigrants who would submerge all the old lines.

By the summer of 1874 conditions both within the ministry and outside demanded a change. Royal knew the time was ripe; the French and métis were solidly behind him, and Clarke was now completely discredited. In a letter to Riel, in June, he forecast an early change:

"Clarke, comme vous le savez, est de retour, & plus ensanté que jamais. Il dit à qui veut l'entendre qu'il se retire de la vie publique à la fin de juin. Si la chose ne dépendait que de lui, j'ajouterais peu de créance à ses paroles: mais, il y a des raisons d'ailleurs qui devront lui faire prendre ce parti. En tout cas, la Législature se réunit le 2 juillet, et il est très probable que le ministère sera defait. Tout le monde est aujourd'hui d'accord que le manque de responsabilité ministérielle est une des causes de nos maux depuis 14 à 15 mois. Le Système inaugure par M. Archibald était sage, je crois, et a produit sous lui d'assez bons résultats: malheureusement, M. Norris n'a pas voulu ou n'a pas pu le comprendre; de là bien des choses regrettables que vous connaissiez aussi bien que moi."[44]

Royal needed only the support of one part of the English for a

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42. In the federal elections of February, 1874, the editor, Robert Cunningham, was elected for Marquette constituency as a Mackenzie supporter; at the time it was hinted by The Manitoban that the Governor had tried to secure his defeat - issue of Apr.4,1874.
43. The Manitoban, Apr.4,1874, "The Elections."
44. P.A.M., Riel Collection, Folio 3-L, June 18,1874.

successful coup, and this he obtained through a promise of redistribution.[45]

iii. Responsible Government.

The move was made when the Legislature assembled on July 3rd, 1874, to hear reports from the delegates to Ottawa. It was moved by Hay and seconded by Joseph Dubuc "...that the members of this House have no confidence in the present ministry."[46] The motion carried by a vote of 15 to 7, and although the four ministers in the Assembly were supported on the negative side by Boyd, Thomas Bunn, and Robert Cunningham, all the French-speaking members except Royal voted against the Government.[47] Despite Royal's stand on the motion, there is little doubt that he was chiefly responsible for the defeat, and in subsequent statements he made it clear that he approved.

Clarke at first refused to accept the decision, and asserted that the Government would proceed with its legislation despite it,[48] but on the refusal of the Lieutenant-Governor to condone such a course he resigned with the other members.[49]

The fact that the defeat had not been precipitated by any specific act or policy of the ministry, but only by the rivalries of political leaders, presented a problem to Morris. His predicament was summed up by the Free Press Weekly:

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45. Free Press Weekly, July 11,1874, "The Crisis."
46. Manitoba, Journals of the Legislative Assembly, 1874, p.30.
47. The actual vote was : Yeas: McTavish, Girard, Dubuc, Bird, Spence, Bourke, Schmidt, Beauchemin, Lemay, Delorme, Klyne, Davis, Sutherland, Hay, McKay; Nays: Norquay, Royal, Clarke Howard, Boyd, Bunn, Cunningham. Ibid. 1874, p.30.
48. Free Press Weekly, July 4, 1874, "Parliament."
49. P.A.M., Lieutenant-Governors' Papers, letter of resignation to Morris, July 4,1874.

"The difficult task thrown upon the Lieut.-Governor, by the crisis, everyone can easily appreciate who understands the situation, and who gives the question a thought. The circumstances were such that it placed on him a responsibility rarely falling to the lot of men occupying his position. Public sentiment he must have been aware demanded just such legislation as that promised by the defeated Government, and it therefore became necessary to construct from the Opposition a Government that would adopt and carry out the avowed policy of those they were supplanting."[50]

On the other hand, of course, he had little difficulty finding men among the opposition who would take on the policies of the defeated ministry. On July 8th Governor Morris met his new Council and reported to them the circumstances of their appointment. Mr. M. A. Girard, having accepted an invitation to the office of Premier, had chosen for his cabinet E. G. G. H. Hay as Minister of Agriculture and Public Works, Robert A. Davis as Provincial Treasurer, Joseph Dubuc as Attorney General, and Francis Ogletree as Minister without portfolio, Girard himself taking the post of Provincial Secretary, and James McKay being brought back as President of Council.[51]

In his dispatch to the Secretary of State reporting the change, Morris stressed the new principle he had introduced into Manitoba politics: "I would call your attention to the fact that in forming the Government I did so through the intervention of a premier thus introducing responsible Government in its modern type into the Province. The previous ministry was selected personally by my predecessor and none of its members were recognized as first ministers."[52]

Royal had been left out, but that could be remedied in

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50. Free Press Weekly, July 11, 1874, "New Government Formed."
51. P.A.M., Lieutenant-Governors' Papers, Minutes of Executive Council, No.158, July 8, 1874.
52. Ibid. July 18, 1874, letter book 'H.'

the near future. Meanwhile, he was the most vocal enthusiast of the new régime:

"Nous avons donc raison d'écrire que le plus grand résultat amené par le vote de la Chambre fut de donner les moyens à Son Excellence d'inaugurer le gouvernement responsable, avec premier ministre en tête et hiérarchie complète dans l'administration. Nous ne verrons plus les ministres avoir chacun son organe, ni les journaux ministèrielles se faire la guerre entr' eux ou la faire à tel ou tel collègue de leur patron. Nous ne verrons plus le patronage dispensé par un ministre parmi les ennemis politiques de cet autre ministre son collègue, nous ne verrons plus ces dépenses inqualifiables, folles, faites au hasard sans necessité ni profit. Tous les ministres seront ou devront être unis dans un même programme de mesures, et un Cabinet pourra dorénavant jeter les bases d'une politique d'avenir et d'ensemble."[53]

The Free Press challenged Royal's assertion that the vote was directed less against the Government than against the principle on which it was formed. "If this be so," they stated, "it is wonderful that this was not advanced by those who put it forth, or those who openly supported it; they based it solely upon the grounds of general incompetence and infidelity; and it is passing wonderful that it takes a member of the defeated Administration to properly discover the reasons of that defeat."[54] But it is not so "passing wonderful" when it is considered - as perhaps the Free Press knew - that that same member of the defeated Administration had been so largely instrumental in its defeat.

Royal's enthusiastic speech, of course, ignored the fact - well known to Royal himself - that the unity of the Cabinet would not necessarily be any greater than it had been under Archibald. The Premier would still face the problem that Archibald

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53. Le Métis, Aug.1,1874, "Responsabilité Ministèrielle," an abstract of Royal's speech to the Assembly, July 14,1874.
54. Free Press Weekly, July 18,1874, "Suggestive."

had faced: that of embracing within his ministry and under his control, the leaders of as many groups as were needed to maintain a majority in the Assembly. Royal, indeed, was undoubtedly pinning all his political hopes on this fact, for he had the undisputed leadership of the largest, most close-knit, and best disciplined of those groups. For Premier he might have anyone he chose; he held the balance of power.

The new Government lasted scarcely six months, for it represented an illogical combination of French and new settlers, with John Norquay's group of old settlers and English-speaking half-breeds in opposition. The collapse came on December 1st, after a three-day crisis in which, according to Le Métis, Hay and Ogletree decided to resign because both the Premiership and office of Attorney General were held by the French.[55] Girard, faced with this loss of strength, tendered the resignation of the entire cabinet.[56]

It was reported that Girard, on his resignation, advised the Lieutenant-Governor to call Robert A. Davis, a Winnipeg hotel-keeper who had been Girard's Provincial Treasurer, as his successor.[57] If such was the case - and Davis' selection is incomprehensible otherwise - it was a strange recommendation, for Davis had actually no personal following in the Assembly, having been only one of the Hay group. The only reasonable explanation is that Davis had decided to throw in his lot with Royal, and break with his Winnipeg confreres. This is borne out

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55. Le Métis, Dec.5,1874, "Une Situation Nouvelle."
56. P.A.M., Lieutenant-Governors' Papers, Minutes of Executive Council, No.175, Dec.1,1874.
57. Le Métis, Dec.12,1874, "Le Dernier Cabinet."

by the composition of the new cabinet, announced on December 3rd:[58] Davis took office as Premier and Provincial Treasurer, with Royal as Provincial Secretary and Minister of Agriculture and Public Works. The inclusion of Colin Inkster as President of Council (and Speaker of the Legislative Council, replacing McKay) appeared as an invitation to the Norquay group for their support. Royal could well afford to leave the Premiership to Davis, for by so doing he might hope for the support of some English-speaking factions.

This explanation seems borne out by the lines that appeared during the elections that followed. The term of the first Legislature was about to expire, and by Order in Council on December 16th[59] an election was proclaimed for December 30th. Davis and Royal appealed on a program of economy (of which the reduction of the Executive Council from six to three was a token) which included the abolition of the Legislative Council.[60] The results were significant: of the ten members returned as Government supporters, all were French-speaking except Davis; the eight successful opposition candidates were chiefly newcomers; and in the middle were five independents, predominantly old settlers, led by Norquay.[61]

Several months of manoeuvering followed. Success seemed at first to go to the opposition, when they elected Norquay as their leader at a meeting on January 21st, 1875.[62] But before

58. P.A.M., Lieutenant-Governors' Papers, Minutes of Executive Council, No.176, Dec.6,1874.
59. Ibid. No.178, Dec.16,1874.
60. Free Press Weekly, Dec.12,1874, "Local and Provincial, The 'Policy.'"
61. Ibid. Jan.2,1875; one contest, Kildonan, resulted in a tie.
62. Ibid. Feb.13,1875, "The Leader of the Opposition."

they could exploit their success, the Government turned the tables, and took Norquay into the ministry on March 2nd.[63] The Free Press, which through the previous December and January had been attacking the Government,[64] promptly swung around to its support, asserting that Norquay's inclusion had broken the French control.[65] The Standard, a weekly which had succeeded The Manitoban, on November 28th, 1874, and the Nor'-Wester, also declared their satisfaction.[66]

One further adjustment followed. Presumably because Norquay was an English half-breed, Royal insisted[67] that room in the ministry must be found for a métis, and on March 5th Charles Nolin entered,[68] the first métis to become a minister.

This completed the adjustment of the political forces in Manitoba to meet the new conditions of responsible government. The coalition that emerged - French, old settlers, and half-breeds of both paternal races - was to endure, through various changes in actual membership, for four and a half years, In it the key figure was Joseph Royal, who seemed to have taken over from the lieutenant-governor the role of 'cabinet-maker.' His power rested on his control of the close-knit French-speaking population, and 'Soyons-Unis!' became the watchword of his

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63. P.A.M., Lieutenant-Governors' Papers, Minutes of Executive Council, No.187, Mar.2,1875.
64. Free Press Weekly, Dec.19,1874, "The New Cabinet," and "The Hermaphrodite Government;" and Jan.9,1875, "Immediate Legislation."
65. Ibid. Mar.6,1875, "The Reconstruction."
66. Le Métis, Mar.13,1875, reported editorial reactions.
67. Ibid. Dec.10,1875.
68. P.A.M., Lieutenant-Governors' Papers, Minutes of Executive Council, No.189, Mar.5,1875. The Cabinet was reorganized: Davis as Premier & Treasurer; Royal as Minister of Public Works; Norquay, Provincial Secretary; Nolin, Minister of Agriculture; Inkster, President of Council.

newspaper.[69] On the day when the tide of English-speaking immigration should destroy the dominance of that racial group, Royal's power would end.

Throughout the rest of his term Governor Morris continued his role of le roi fainéant, and interesting as the events of that period may be, they form no part of the history of the lieutenant-governorship. The salient matter was the stringency of the government's revenues, which gave rise to an interminable struggle for 'better terms,' and a policy of economy which culminated in the abolition of the Legislative Council in 1876. But through all these, no important political developments occurred, and the alignment of forces which had emerged in March, 1875, endured.

iv. Remnants of Power.

Although Morris had relinquished leadership in provincial politics he retained an influence which, in some fields, had a lasting effect on Manitoba's development. The same may perhaps be claimed for any Lieutenant-Governor of ability who is fortunate enough to possess the confidence of his ministry, but Morris had one advantage over all his successors: his seat at cabinet meetings.[70] Sharing as he did in their deliberations,

69. Supra, p.157.
70. Just how regular was Morris' attendance is hard to establish, but he seems to have missed few meetings. In 1874 his presence was not recorded on July 16th, 18th and 24th, but the minutes for the 24th (No.162) mention that "the Lieut. Governor presented the following letter, under his hand, constituting a Board of Audit." During 1875 the recorded attendance was spasmodic, but this is probably misleading: for example, on July 3rd (No.201) when Royal and Blanchard, the Clerk, kept separate minutes, the latter recorded the Governor as being present but the former omitted any mention of him. Royal seems to have taken the Governor's presence for granted, and none of the minutes he kept mentions him.

he was able to exercise a constant influence, and the Minutes which he preserved reveal that he was by no means a silent spectator.

It does not appear that he participated actively in the discussion of matters over which the province was divided, or that he opposed the ministry in any of its major policies.[71] The general impression from the Minutes is that, far from trying to dominate, he was content to be a benevolent neutral, assisting without interfering. Nevertheless it is evident that on questions of education, in which Morris' interest far surpassed that of the ministers, the Council tended to accept his leadership. And there is also reason for concluding that he provided much of the plan of action in the financial negotiations with Ottawa.[72]

Governor Morris' interest in educational matters in Manitoba became evident soon after his arrival in the Province, and the ministry seems to have given him a relatively free hand. For only one brief period during his term was there a Minister of Education, and even then the title appears to have been a hollow one. On March 12th, 1873, Alfred Boyd was taken into the Government to ensure that the Council would be of adequate size during the visit of three ministers and the Lieutenant-Governor to

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71. Morris strongly disapproved of the abolition of the Legislative Council, but there is no evidence that he opposed it with any vigor in Council; and despite his misgivings he refrained from reserving the Bill, although this may perhaps be attributed to his knowledge that the measure was favored, and indeed had been suggested by the Dominion authorities. Supra, pp.35-36.

72. What would have happened had the ministry tried to exclude Morris from their meetings? Amor DeCosmos, Premier of British Columbia, tried to oust Lieutenant-Governor Trutch, who was following the same practice as Morris at this time; but Trutch won, and stayed. Sage, op.cit. p.198 and notes 30.

eastern Canada.[73] But the fact that Boyd was made Minister of Education - without salary - was incidental: all other portfolios had ministers. Thus, although Boyd was still Minister of Education at the time, the Minutes of Council of May 30th contained the following note: "The Lt Gov brings to notice of Council a communication from the Supt of Education asking for the Sanction of the Lt Gov in Council to the erection of a new School District in the township of Springfield."[74] Archibald had been his own Premier; Morris, it appears, was content with the role of Minister of Education.

Other instances during the following years indicate the same conclusion. In a Minute of April 17th, 1875, adopting "... the principles of the amendments to be introduced at this session in the School law," the actual principles are not recorded; instead, there appears only the parenthetical phrase - "vide notes Lt Gov[r]."[75] And a Minute of June 9th, in the same year, regarding an offer of endowment for a Training School for Teachers, was prepared and introduced by Morris.[76] Moreover, some years later Archbishop Taché related in a letter to Edmund Morris, the Governor's youngest son, that Alexander Morris had been instrumental in frustrating the Protestant agitation of 1876 for a secular school system: "The Honourable Alexander Morris, having been in the administration at Ottawa when Manitoba was received into Confederation was well cognizant with the

73. P.A.M. Lieutenant-Governors' Papers, Minutes of Executive Council, Nos.103 & 104, Mar.11 & 12, 1875.
74. Ibid. No.109, May 30,1875. A number of entries of this sort are scattered through the Minutes of the next few years.
75. Ibid. No.196, Apr.17,1875.
76. Ibid. No.199, June 9,1875.

views of both the Imperial and Federal Authorities with regard to the School Question, and your good father, through his exertion in the matter, prevented in the Province the trouble and injustice that the question of our schools has since created in our midst."[77]

In the same letter, the Archbishop referred to another of Morris' achievements in the field of education in Manitoba - the formation of the University of Manitoba in 1877:

"Another great service rendered by the Honourable Mr. Morris is his exertion and success with regard to the establishment of the Manitoba University. Under his direction we succeeded in establishing in a new country a university which was worthy of and received the approval of the highest authorities, and which has been nothing but a source of satisfaction to all those connected with it as long as it kept within the bounds so highly recommended and approved by your beloved father."[78]

Rev. George Bryce asserted that the Bill establishing the University was accepted reluctantly by the Ministry, only after persistent argument by Morris, and he related a statement made by Joseph Royal, when introducing the University Bill on February 5th, 1877: "The government think this bill premature but have been so repeatedly urged that it has brought it down."[79] It is perhaps significant that in Morris' speech proroguing the session of that year, this was the Act which received the greatest attention.[80]

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77. U. of Toronto, Alexander Morris Papers, Taché to Edmund Morris, June 14,1911; quoted in Babion, op.cit. p.126.
78. Ibid. quoted in Babion, op.cit. p.128
79. Queen's University, Alexander Morris Papers, Obituary Clippings & Sundries; quoted in Babion, op.cit. pp.128-29.
80. Le Métis, Mar.1,1877. Morris subsequently attempted to affiliate all denominational colleges in Ontario into one degree-granting University - unsuccessfully. Free Press Weekly, Feb. 18,1881, "Ontario Learning from Manitoba."

Governor Morris' interest in the 'better terms' agitation was also evident throughout his regime. Scarcely three months after his assumption of office he was exhorted by the Executive Council to go to Ottawa with the Council's delegates to aid them in their negotiations - a request which indicates that the ministers regarded him as an ardent champion.[81]

The Governor's attitude, moreover, was noticed with displeasure by the Dominion authorities. Macdonald privately sent a gentle reprimand: "And now my dear Morris let me give you a hint. When you were here you were considered as one of the most economical members of Council; but your old colleagues here think that you do not sufficiently, in your new position, protect the public chest here."[82]

The exact extent of Morris' participation in the campaign waged by the Provincial government is uncertain. Unlike the administration of the educational program, it was not a matter in which relative indifference on the part of his ministers enabled him to dominate. It is more likely that he was regarded as a providential ally - a Dominion Government representative in the province who shared the aims (and the zeal) of the local ministry. The Minutes of the Executive Council do not reveal the contribution of each individual councillor. But they do contain at least two examples of memoranda urging the provincial claims, which were unmistakably Morris' handiwork.[83]

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81. P.A.M., Lieutenant-Governors' Papers, Minutes of Executive Council, No.104, Mar.12,1873.
82. P.A.C., Macdonald Papers, vol.523, p.621ff, Sep.10,1873. The immediate cause of the reprimand was the military guard of honor taken by Morris to the North-West Angle for the Indian treaty, which Macdonald considered to have been too large.
83. P.A.M., Lieutenant-Governors' Papers, Minutes of Executive Council, No.180, Jan.12,1875, and No.237, May 11,1876.

The same is true of the provincial government's demands regarding railways, for again memoranda of Morris' composition are to be found among the minutes.[84] Again there is indicated a tendency by Council to welcome the Lieutenant-Governor's active participation in matters involving the Dominion Government.

There were other isolated instances in which Minutes were prepared by Morris, such as one in 1875 taking issue with the Minister of Justice over his criticism of certain Manitoba statutes.[85] In this case the resolution, which ran to eight pages of nice legal argument in Morris' atrocious scribble, had been drafted originally as a dispatch from the Governor to the Ottawa authorities and was introduced into the Council only as an afterthought.

These remnants of power - or, strictly speaking, of influence - do not in the least qualify Morris' abandonment of paternalism. His leadership in educational affairs was exercised on the suffrance, as it were, of his ministry: it was convenient to have the Governor performing the role of Education Minister. His participation in matters which brought the province in contact with the Dominion was similarly a matter of convenience: a Lieutenant-Governor on intimate terms with the Dominion authorities might well be a useful advocate. The general devolution of power was unaffected.

Even this influence at the Council table did not persist to the end of Morris' term. The last occasion on which his presence was recorded was on May 31st, 1876. The minutes for June 13th

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84. Ibid. No.137, Jan.29,1874, and No.181, Jan.22,1875.
85. Ibid. No.190, Mar.9,1875. Further examples in No.170, Oct.1, 1874, No.183, Feb.3,1875, and No.224, Jan.15,1876.

make no mention of him, and thereafter no further records are to be found among the lieutenant-governors' papers, except for three meetings in November, 1877. A notation by Morris on one of these,[86] requesting more information concerning an item in the Minute, establishes unquestionably that the Governor had relinquished his Council seat. And on the day of his successor's arrival, Morris wrote to Macdonald about the local ministry's plans and added: "I think that Cauchon will leave them alone. I broke up some time ago, the paternal system of Gov't & the Council now meet by themselves."[87]

v. Federal Functions and the N.-W. T.

While Governor Morris was relinquishing control over the direction of provincial affairs he was devoting more of his energies to those matters which were peripheral to Manitoba's lieutenant-governorship: his functions in the North-West Territories and as agent of the federal departments.[88] His duties in this regard, however, were not as varied as had been Archibald's, and by the summer of 1874 they had been reduced to three: lands, Indian affairs, and, of course, the Lieutenant-governorship of the Territories.

Most of the tasks initially entrusted to Governor Archibald had been transferred to other agents before Morris came.

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86. Ibid. Nov.2,1877.
87. P.A.C., Macdonald Papers, vol.252, p.552, Nov.22,1877.
88. On July 1st, 1873, the Act establishing the Department of the Interior, 36 Vic. cap.4, came into effect. Thereafter the Lieutenant-Governor was answerable to this Department in all matters relating to the North-West Territories, Indian affairs, and Crown lands - the bulk of his peripheral funcations. - P.A.M., Lieutenant-Governors' Papers, dispatch No.337, Secty. of State to Morris, July 2,1873.

The only remaining one of any importance seems to have been the management of federal elections in the Province - in which Morris had gained some experience while still Chief Justice, having done much of the work for Archibald during the elections of September, 1872.[89] However, he did not relish the task, and although he directed the Provencher election of October, 1873, he protested that in fact he had no authority to do so.[90] Following the defeat of the Macdonald Government, the Lieutenant-Governor urged the new ministers to change the procedure:

"I beg however, respectfully to submit, that the law should be changed, and the Lt Governor relieved from taking any part hereafter in the carrying out of Elections for the Commons, as the participation in such duties as the selection of Returning Officers, Poll Clerks, and the fixing of time for polling &c &c may have a tendency to expose during the heat of an Election contest, an Officer who should be entirely withdrawn from the arena of active politics, to suspicion and complaint as to his discharge of the duties imposed on him, with regard to the Elections."[91]

Although he was called upon to act during the general election of February, 1874, Morris was assured that in future he would be absolved from all electoral duties.[92]

Morris' land matters were as numerous and varied as were Archibald's, but for the most part they imposed less actual work on him. The half-breed land question dragged on throughout his term,[93] but the lieutenant-governor's duties in that connection were reduced to the formalities of drawing and initialling tickets during the actual allotment.[94] The selection of the lands,

89. Ibid. telegram, Morris to Macdonald, Sep.12,1873.
90. Ibid. telegram to Macdonald, Sep.11,1873.
91. Ibid. letter book 'H', Morris to the Secretary of State, Jan.28,1874.
92. Ibid. dispatch, Secretary of State to Morris, Feb.24,1874.
93. Supra, pp.160-61.
94. P.A.M., Lieutenant-Governors' Papers, telegram, Campbell to Morris, Aug.29,1873.

although subject to Morris' approval, was left to Colonel J. S. Dennis, the Surveyor-General.[95] This was true also of the grant made by Parliament in 1873 to original settlers other than half-breeds.[96] Morris, however, continued to be actively interested, to the extent on at least one occasion of becoming embroiled in a dispute with the Surveyor-General.[97] When delays occurred during the eventual final allotment, Morris expressed concern to Donald Codd, the Dominion Lands Agent, and insisted that a greater effort be made.[98]

The question of the hay privilege - the claims of settlers on the river lots to haying rights behind their lots - was especially troublesome during Morris' first year in the province.[99] The commissioning of the Lieutenant-Governor to assess the value of the privileges claimed,[100] plunged him into the thick of bitter controversy. In the face of the fierce antagonism between incoming homesteaders and the original settlers, it became impossible for Morris to maintain a neutral silence.

"As to the dispute between homesteaders & hay claimants," he reported to the Minister of the Interior, "I was pestered with deputations. My Council wished to issue a Proclamation which I refused to assent to on the ground that the lands belonged to the Dominion. They warned me as did some of the deputations, that there might be serious trouble. I however took the thing firmly, & told a deputation from Kildonan, that they would be trespassers if they cut on the homesteads & would be liable to be prosecuted. This seems to have settled the matter but the case of the Kildonan men is one of peculiar hardship & has led to the

95. The Manitoban, Jan.11,1873, "The Half-Breed Grant."
96. Statutes of Canada, 36 Vic. cap.37.
97. P.A.M., Lieutenant-Governors' Papers, dispatch No.3, Minister of Interior to Morris, Jan. 9,1874, enclosing Memo. by Surveyor-General, Dec.17,1873; Morris' reply, undated, is attached.
98. Ibid. Codd to Morris, Jan.20,1877.
99. The correspondence in the Governors' papers is voluminous.
100. The Manitoban, May 17,1873, "By Telegraph - Hay Privilege."

commencement of a movement among some of them to the Saskatchewan."[101]

The Governor was again assigned the role of referee in the settlement of conflicting claims to lands, being appointed in 1875 as the sole Commissioner for this purpose.[102] Morris feared that this would again prejudice his position as Lieutenant-Governor, respected by all and enemy to none; but his fears proved unfounded. "...I was able to discharge my duties with comfort," he reported later, "and have been treated with the utmost courtesy and respect by all parties interested, as also by those members of the Bar, who appeared before me, and who did all in their power to cooperate with and assist me in the execution of the Commission."[103]

It may perhaps be concluded that the lieutenant-governorship was coming to be regarded as an institution transcending political - and personal - animosities. Such was clearly Morris' wish: it was the corollary of his abandonment of paternalism.

Although Morris withdrew from provincial politics, and to a more limited extent from the federal duties which Archibald had performed, he was by no means inactive, even by comparison with his predecessor. In the field of Indian affairs - a field in which Archibald had confined himself to immediate problems - the second Governor undertook an ambitious program of negotiation and settlement. If his contribution to the political development of Manitoba was essentially negative, his contribution to the

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101. P.A.M., Lieutenant-Governors' Papers, Morris to Campbell Aug.18,1873.
102. Ibid. dispatch No.4666, Surveyor-General to Morris, Dec.5, 1875.
103. Ibid. letter book 'M' pp.470-71, Morris to Minister of Interior, Nov.26,1877.

peaceful adjustment of Indian claims in the North-West was supremely positive.

Thirteen years before coming to the West - eleven years before its accession to Canada - Morris had found a place in his scheme of Nova Britannia for consideration of the Indians' claims to justice. "He trusted that a wise and kind policy will be pursued towards the Indian population of the North West. We in Canada can place in proud contrast to the conduct of the American people our dealings with the Indian race during the last fifty years."[104]

Not that Morris came to the Province with a strong desire to make the Indians his special concern. On the contrary, when Macdonald informed him in January, 1873, of the plan to include him in a Board of Commissioners to direct the general policy on Indian matters,[105] Morris begged to be excused from the task, pleading that he had already enough work and responsibility.[106] His objections appear to have been overcome only by the assurance of the Dominion Prime Minister that his duties would be merely formal.

"The Governor is not expected to work in the Indian Office or Department. He is simply to preside over a Commission which will regulate the general policy with respect to the Indians under instructions from Head Quarters here. The working part of it will be done by the Indian Commissioner who will succeed Simpson. . . .

"Unless this arrangement is made the Indian Dept must be managed directly from here, and the Lt Governor of Manitoba will cut a sorry figure, having no control or voice in one of the main features connected with the administration of the affairs of the

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104. Morris, Nova Britannia, p.145; from speech to the electors of South Lanark, Nov.1869.
105. P.A.C., Macdonald Papers, vol.522, pp.635-36, Macdonald to Morris, Jan.22,1873.
106. Ibid. vol.252, pp.351-52, Morris to Macdonald, Feb.7,1873.

great NorWest."[107]

An Order in Council of June, 1873, established the Commission, consisting of Morris, Lindsay Russell, the chief officer of the Dominion Land Granting Office at Winnipeg, and J. A. N. Provencher, Indian agent and executive officer for the Commission.[108] But the Lieutenant-Governor had scarcely received notice of the Order before he discovered that his new office would be more than a formality. A complaint reached him at the end of June regarding the actions of Provencher, the agent,[109] and Morris apparently felt obliged to draw the matter to the attention of the Department of the Interior, for an explanation was subsequently demanded from Provencher by the Ottawa authorities.[110] Moreover, the agent was explicitly bound to accept active direction from the Governor:

"I am directed by the Hon^ble^ the Superintendent General of Indian affairs to convey to you the instruction that you are to report to His Honor the Lieut Governor as Chief Executive Officer of the Dominion in the North West Territories, constantly, all matters relative to Indian Affairs not merely routine, and that you are to take no step which may effect (sic) the public policy relating to Indian Affairs or Indians without having first obtained the approval of the Lieutenant Governor."[111]

Morris must have realized immediately the magnitude of the task which had been assigned to him, for he promptly demanded the power of veto over the decisions of the other two

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107. Ibid. vol.522, p.841, Macdonald to Morris, March, 1873; and Ibid, vol.523, pp.394-96, another letter to the same effect from Macdonald, July 8,1873.
108. P.A.M., Lieutenant-Governors' Papers, Order in Council of June 16, 1873, and dispatch No.2011, Minister of Interior to Morris, Aug.5,1873.
109. Ibid. letters from Archdeacon Cowley and Chief Henry Prince to Morris, June 25,1873.
110. Ibid. telegram from Deputy Superintendent of Indian Affairs to Provencher, July 7,1873.
111. Ibid. dispatch from Deputy Superintendent to Provencher, July 9,1873.

Commissioners.[112] Even when this was granted he was dubious about the likelihood of his being able to participate in the actual treaty-making in the territories.[113]

Thereafter, however, he found leadership thrust upon him, and responsible government in Manitoba came just in time to permit the devotion of virtually all his time and energies to the Indians in the North-West. A marked improvement in his health[114] during the same period removed the last bar to his participation in the western treaty-making trips.

A full account of Morris' colorful experience in the conduct of Indian affairs would be out of place in this study, but some idea of the scope of his work can be gained from a mere recital of the treaties he concluded. On October 3rd, 1873, Treaty No.3 with the Saulteaux tribe at the North-West Angle; on September 15th, 1874, Treaty No.4 with Cree and Saulteaux tribes at Qu'Appelle; in August, 1875, revision of Treaties Nos. 1 and 2 (Archibald's Stone Fort and Manitoba Post Treaties); in September of the same year, Treaty No. 5 with the Saulteaux and Swampy Crees at Lake Winnipeg; and in August and September, 1876, Treaty No.6 with the Plain and Wood Crees at Forts Carlton and Pitt.[115] Each treaty, it must be remembered, entailed weeks of preparation and travelling, and often tedious pow-wows lasting many days.

In addition to the treaty-making, until 1876 Morris was

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112. Ibid. telegram to Campbell, Aug.8,1872.
113. Ibid. dispatch to Minister of Interior, Aug.18,1873.
114. P.A.C., Macdonald Papers, vol.252, p.536, Morris to Macdonald, Nov.4,1875.
115. Accounts of the negotiations and terms of the treaties are to be found in Morris' Treaties.

expected - and he undertook - to supervise closely the day-to-day administration of Indian affairs throughout the West. On February 1st, 1876, the Board of Commissioners was abolished and its functions were assumed by two Superintendents, one each for the Indian Superintendencies of Manitoba and the North-West Territories, who were accountable directly to Ottawa.[116] Even then, however, the Indian Branch was loth to lose the benefit of Morris' experience, and he was subsequently granted the 'honorary' title of Chief Superintendent of Indian Affairs in the Manitoba Superintendency - empowered to concern himself as much as he wished in Indian affairs within the province.[117] But it is to be noted that his trip to Forts Carlton and Pitt in the Territories, to conclude Treaty No.6, occurred after he had been 'relieved' of all responsibility.[118]

Governor Morris' interest persisted into his last year in office. Early in 1877 his concern over the policy of the Minister of the Interior in regard to certain Indian Reserves, was so great that he resorted to the unprecedented step of appealing over the head of the Minister to the Canadian Privy Council - surely an action far exceeding the normal bounds of interest of an 'honorary' officer.[119] The Indians of Canada have had all too few servants of such zeal.

Morris' efforts had been by no means unappreciated, and

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116. P.A.M., Lieutenant-Governors' Papers, dispatch No.5506, Dept. of the Interior (Indian Branch) to Morris, Jan.11,1876.
117. Ibid. dispatch No.6464, I.B., Indian Branch to Morris, May 18, 1876.
118. Moreover, in June, 1876, he visited Portage la Prairie to select a reserve for the Indians there. Free Press Weekly, June 17,1876, "Local and Provincial".
119. P.A.M., Lieutenant-Governors' Papers, letter book 'M' pp.242-43, Morris to Secretary of State, Feb.19,1877.

brought him the congratulations of Lord Dufferin:

"I have been watching with the very greatest interest and satisfaction the whole of your proceedings during the recent summer and autumn, and I consider that my government and the Dominion at large have every reason to congratulate themselves upon the manner in which you have conducted the most important and anxious matters entrusted to your management. I am sure it will give you very great satisfaction to know that Mr. Mackenzie shares this opinion, and that in a recent conversation I had with him he spoke of you in a very kind and agreeable manner."[120]

The Lieutenant-Governor's attention to Indian affairs naturally brought him into intimate touch with the North-West. Governor Archibald, it was seen, had had little time to devote to the organization of the Territories, but towards the end of his term had shown a growing concern about the need for a more active policy.[121] In a sense, it was Archibald's success in the organization of Manitoba which enabled Morris to direct his energies towards the great western domain.

Extinguishing the Indian title was a necessary prelude to any program of organization. And soon after assuming his duties Morris recognized another: the establishment of a quasi-military police force to maintain order. As early as January, 1873, he expressed this conviction to Macdonald:

"The most important matter of the future is the preservation of order in the North-West, and little as Canada may like it she has to stable her elephant. In short, the Dominion will have to maintain both a militia and police force for years to come. I do not think you should diminish the militia force below its present strength and your police force should also be under military discipline and if possible be red-coated - as 50 men in red coats are better than 100 in other colours."[122]

The immigration of that summer, and the Indian unrest

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120. P.A.M., F.G.Ketcheson Collection, Dufferin to Morris, Nov.22,1875.
121. Supra, p124.
122. P.A.C., Macdonald Papers, vol.252, Morris to Macdonald, Jan.17,1873;quoted in Babion, op.cit. pp.93-94.

caused by the dwindling of the buffalo herd, led Morris to increase his estimate of the force necessary.[123] The incursion of whiskey traders from the United States into the western areas gave rise to a heightened sense of urgency,[124] and Morris insisted that advance units of the proposed police force should be available for use in Manitoba during the winter, with the rest on hand to enter the Territories in the following spring.[125] Macdonald's telegraphic reply was short and to the point: "Have stabling for fifty (50) horses got ready forthwith."[126]

The main body arrived in the spring of 1874, commanded by Colonel French but under Morris' direction.[127] The police proved their mettle immediately in the destruction of the whiskay forts and expulsion of the illicit traders - despite Lt.Col. Osborne Smith's assertion that the police expedition would be futile, and that the military forces should be used instead.[128]

Although Morris was thus instrumental in the establishment of conditions permitting the organization of the Territories, that ultimate task was again left to others. In 1874 Alexander Mackenzie's Government decided to end the dual jurisdiction of the Lieutenant-Governor, and appoint a separate officer for the Territories, perhaps as a Deputy Governor under the provincial Governor.[129] It was felt that the growing importance

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123. Ibid. Vol.252, Morris to Macdonald, June 2,1873; quoted in Babion, op.cit. p.94.
124. P.A.M., Lieutenant-Governors' Papers, correspondence regarding the N.-W. T., 1873, passim.
125. Ibid. telegram, Morris to Macdonald, Sep.10,1873.
126. Ibid. Sep.24,1873
127. Ibid. telegram, French to Morris, Apr.23,1874
128. Ibid. Osborne Smith to Morris, Mar.5,1874
129. P.A.C., Alexander Mackenzie Papers, vol.2,pp.249-50, Mackenzie to Morris, Dec,1874.

of Manitoba would restrict the Governor's ability to administer the Territories, and that the anticipated immigration into the Territories would necessitate a centre of authority west of Winnipeg.[130]

The essence of Morris' views on the North-West was contained in a dispatch to the Minister of the Interior on July 24th, 1875:

"It will be for Council to consider how law and order are to be maintained in such distant portions of the Dominion, but without personal knowledge and observation of the state of affairs in the North West, it is difficult for any one to comprehend the wants and requirements of the position.

"It is clear, however, that it is absolutely necessary to take measures to enforce the laws, and to cause the people to understand that the power of the Queen as exercised by the Dominion is real and not mythical. To ensure this I have already suggested the presence of Stipendiary Magistrate, a resident Judge. The enforcement of the liquor and customs law and in order thereto the maintenance in Manitoba and the North West of an adequate Militia and Police Force, and my views have been to some extent, but not fully adopted. I have been studying these questions for nearly three years and I see no reason to modify any of the views I have heretofore urged on the Council. The Dominion has assumed the responsibility of taking over the Government of a vast Territory sparsely peopled, exposed to many elements of difficulty and disturbance, and it must be prepared to grapple with these and that it can be done satisfactorily I have no doubt. My own connection, however, with the solution of these questions is likely soon to come to an end and I have only to remark, that the person to be appointed to the position of Lieut. Governor of the North West should be a man of large practical exerience, vigour of body and determination of character and that he should be assisted by efficient Councillors including a sufficient representation of the people of the Territories and supported in the exercise of his authority by an adequate force. I would also suggest that an extension of the boundaries of Manitoba is a necessity and that if the Province should be unwilling to assume the government of the large region lying to the East of Manitoba & to the North of it, which the Province intercepts from the rest of the Territories, some machinery would have to be established here for the Government of these portions of the North West as it will be impossible to do so satisfactorily from Fort Pelly or any other seat of government in the North West."[131]

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130. Ibid.
131. P.A.M., Lieutenant-Governors' Papers, letter book 'J' pp.155-57.

Subsequently he reiterated his conviction that the areas to the east and north of Manitoba should be constituted a separate Territory. "...to be known as the Territory of 'Kee-wa-tin,' which means in the Cree and Chippewa dialects the 'Northland,' and should be governed by a Lieut. Governor and Council of three, to be nominated by the Crown, the seat of Government being at Winnipeg and the Lieut. Governor being the Lieut Governor of Manitoba."[132]

In the following year the scheme suggested by Governor Morris was embodied in 'An Act respecting the North-West Territories and to create a separate territory out of part thereof.'[133] Morris gave up his greater territorial domain for the lesser District of Keewatin - by no means inconsiderable in itself, comprising, by Morris' estimate, 800,000 square miles.[134] The new arrangement was brought into effect by Proclamation on October 7th, 1876,[135] and Honorable David Laird became Lieutenant-Governor of the North-West Territories, well fitted for his task by his three years as Mackenzie's Minister of the Interior. Governor Laird assumed his duties on November 27th, and Morris' association with the western lands ended.

In all his duties in the Territories Morris had been by no means as unassisted as this brief account might suggest. At all times there had been the Council of the North-West Territories, which he convened for the first time on March 8th, 1873.

132. Ibid. pp.204-05, dispatch NW No.309 to the Secretary of State, Oct. 13,1875.
133. Statutes of Canada, 39 Vic. Cap.21.
134. P.A.M., Lieutenant-Governors' Papers, letter book 'J,' p.205.
135. Free Press Weekly, Mar.9,1878, "Report of the Minister of the Interior."

And in a letter to Judge McKeagney on the occasion of the latter's assumption of the duties of Administrator for a brief period in 1876, Morris listed James McKay, Gilbert McMicken, and Mr. Sinclair of the Land Office, as useful advisers and assistants.[136] McKay was especially valuable, and it is difficult to determine where his influence in Territorial matters and particularly Indian affairs ended, and Morris' began. The Free Press, in August, 1876, reported that: "After a little enquiry we learn that the idea of separating what is known as Keewatin from the remaining portion of the North-West Territory, and placing it for the present under the Lieut-Governor of Manitoba, was conceived by the Hon. James McKay...."[137]

Notwithstanding this assistance, however, there can be no doubt that Morris regarded the Territories as the more important of his two realms. His correspondence with Macdonald reveals this conclusively. "My sphere has lost its attraction," he wrote on November 4th, 1875, "by the proposed cutting off of the North West. I wish I had been left to complete my work there, during the remainder of my term of two years."[138]

vi. Evaluation.

Although the affairs in the North-West Territories which have occupied so many of the foregoing pages were not a

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136. P.A.M., Lieutenant-Governors' Papers, letter book 'M', pp.50-51, Feb.28,1876.
137. Free Press Weekly, Aug.19,1876, "Who Named the North-Land?" It might be noted also that McKay is credited with having chosen the names 'Manitoba,' 'Winnipeg,' and 'Keewatin.' - Ibid. June 1,1878, "Kee-way-tin vs Kee-way-din," letter from McKay to the editor.
138. P.A.C., Macdonald Papers, vol.252, p.536.

part of the lieutenant-governorship of Manitoba, no proper estimate of Morris' record as provincial Governor can be formed without taking them into account. An evaluation of his term in Manitoba must carry with it an awareness that the role being weighed was actually, in Morris' view and according to historical evidence, secondary to his other concerns.

Generally speaking, the Lieutenant-Governor's detachment from provincial politics was recognized - and respected - throughout the last three years of his term of office. Several minor exceptions might be noticed: for example, a letter to The Standard in 1875 from "One who Knows" accused the Governor of preferring "...to get along smoothly even to the sacrifice of becoming a mere figurehead rather than have a fuss which might jeopardize his sinecure."[139] This, of course, reveals nothing more than a profound ignorance of constitutional government on the part of the author. More unaccountable, however, was a stream of abuse directed at Morris in the same year by the editors of Nor'-Wester, who denied that he had relinquished any of his despotic control; but again the general impression is that he was being censured for sins of omission primarily, for failure to lead his ministers into ways of positive policy.[140]

More noteworthy, but scarcely more comprehensible, was the vigorous criticism of Chief Justice Wood, aspects of which were considered above.[141] In a charge to the Grand Jury in March,

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139. The Standard, Aug.28,1875
140. Nor'-Wester, Nov.15,1875, "Party;" Nov.22, "A Bankrupt Treasury;" Dec.6, "Still Waiting," and "Absit Extravagantia."
141. Supra, pp.161-65. Wood's hostility may have been rooted in a personal grudge. In the fall of 1875 he became involved in a controversy with Morris over whether Wood's son, a minor and a student-at-law, should be appointed a notary public. The

1879, the Chief Justice found occasion to disparage Morris' legal competence as a co-author of Manitoba legislation.[142] But Wood's most sweeping charge was contained in the 1876 Report on claims to the Ontario reward money.

"...It must not be forgotten," he wrote, "that under the Manitoba Act of 1870, the governor was his own Prime or First Minister, and that his advisers were simply his agents and instruments, whom he could retain or dismiss at pleasure, and who were not obliged even to have seats in either House of the Legislature. The governor was, during the first four years of the Government of Manitoba, legally theoretically and practically supreme, and since then practically, if not legally and theoretically, supreme."[143]

Morris' reply to this in his dispatch of June 29th, 1876, to the Secretary of State, took the form of a detailed argument which sought to establish first that the Manitoba Act had, in fact, created a constitutional order which differed not in the least from that existing in the older provinces; and he went on

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Chief Justice was so insistent that the Lieutenant-Governor was driven to seek support for his refusal to countenance the appointment from the Department of Justice, who referred the matter to C. Robinson of the Ontario Bench. Wood's animus towards Morris seems to have become evident shortly after this incident. See documents involving Morris, Wood, the local Executive Council, the Department of Justice, and Robinson, Sep.5 to Nov.12, 1875; P.A.M., Lieutenant-Governors' Papers.

142. Free Press Weekly, Mar.8,1879, "Local and Provincial - Court of Queen's Bench." But Morris had twice had occasion to question the legal competence of the Chief Justice, in 1875. One provincial Act of that year, "to regulate proceedings against and by the Crown," which had received Morris' assent, was subsequently interpreted by Wood in a manner which Morris considered both unwarranted and unconstitutional, and on the Governor's recommendation the Act was disallowed by the Dominion Government. - Canada, Sessional Papers, 1877, No.89, pp.235-37. A second Act, "respecting the administration of Justice," had similarly been assented to but was recommended for disallowance. Morris objected to certain clauses which he considered ultra vires the province, which had been included by Wood as draftsman, over the Governor's protest. Again the Minister of Justice upheld Morris, and the Act was disallowed. - Ibid. pp.231, 233-35.

143. Free Press Weekly, Apr.29,1876.

to review the history of his relations with the provincial ministries, to refute the assertion that he had been "practically" supreme.

"The assertion of the Chief Justice, that the Governor was during the first four years of the Government of Manitoba legally theoretically and practically supreme & since then practically if not legally and theoretically supreme is, as will be seen from what I have stated utterly without foundation; I on the contrary assert, what is the simple truth that I have been & am a constitutional Governor acting in my limited sphere in Manitoba on the well understood principles which are the palladium of our British liberties and which guide the Queen and the Governor General in the discharge of their important and delicate duties."[144]

Here again, as in the case of Wood's charges that Morris had protected Riel and his associates, the strange diatribe appears totally unwarranted. It is remarkable that in both instances the alleged fault was precisely the one which was most conspicuously absent from the Lieutenant-Governor's record.

"I determined from the hour I entered the province," Morris had written to Macdonald in 1873, "to know no parties, and have steadily maintained that position."[145] Through all the marching and counter-marching of political factions which characterize the years 1873 to 1875, there is no evidence of interference by the Lieutenant-Governor. From July 3rd, 1874, he lent the powers of the Crown to whoever could form and maintain a ministry,for better or worse. It may be argued that he had no alternative, but reflection should show that such was not the case. Unwise as it would have been, he could, had he so wished, have attempted to recpature the control which had slipped from

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144. P.A.M., Lieutenant-Governors' Papers, letter book 'M.' pp.80-99, dispatch to Secretary of State, June 29,1876.
145. P.A.C., Macdonald Papers, vol.252, Sep.10,1873; quoted in Babion, op.cit. p.133.

his grasp during 1873. That he refrained from such a course was unquestionably a major contribution towards the establishment of mature self-government within the Province, not in the least detracted from by the fact that it was a negative contribution.[146] And while to yield to the inevitable is perhaps only prudence, to yield gracefully is a rare accomplishment.

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146. Morris might be compared with Sir Joseph W. Trutch, the first post-Confederation Lieutenant-Governor of British Columbia, who is described by Professor W. N. Sage as "bridging the gap between colonial and provincial status, and especially of introducing responsible government." - op.cit. p.178.

CHAPTER 10

AN EVOLVING SOCIETY

It is evident from the foregoing that much of Manitoba's political development in these early years can be attributed to the attitudes of the lieutenant-governors towards their office. But these attitudes were profoundly influenced by events in the economic and social evolution of the Province. To understand this relationship it is necessary to review the transformation that was being wrought during the first decade of provincial existence - a transformation expressed in terms both of Manitoba's relations with the outside world and with eastern Canada especially, and of the radical change in its society and its economic life.

1. Communications.

The primitive condition of communications in 1870 has been sketched above in Chapter 2, and Governor Archibald's sense of isolation needs little further elaboration. At the start there was only an erratic mail service by Red River cart, increased on February 1st, 1871, from twice- to thrice-weekly.[1] Archibald, as postmaster for the Province - and, in fact, postal clerk as well - strove valiently to establish a regular and systematic service,[2] but he could do nothing to eliminate the mischief wrought by rude prairie trails and unco-operative weather.

The official dispatches and local newspapers record a troublesome history of mails delayed and strayed: the writs for

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1. The Manitoban, Jan.24,1871, "New Postal Arrangements."
2. Canada, Sessional Papers, 1871, No.20,pp.29-40.

Manitoba's first federal elections in February, 1871, cached in Minnesota during a snowstorm and left behind;[3] a dispatch to the Secretary of State for the Provinces sent from Fort Garry on May 26th, 1871, but not received in Ottawa until July 17th;[4] Manitoba newspapers on at least two occasions mailed to the east but turning up a month later at Fort Garry.[5] A governor faced with this situation could look for little guidance from the Dominion Government.

One of the most urgent needs in 1870 was a telegraph, and in recognition of this the federal authorities, as early as August of that year, set about obtaining one. An agreement was reached with an American company, the North Western Telegraph Company, to complete a line to Fort Garry from Minnesota by September 1st, 1871 - on most generous terms to the company.[6] The line was not, in fact, completed on time. By one account the raiders of October, 1871, were believed to have tampered with it.[7] Finally, on November 20th, 1871, Governor Archibald was able to telegraph to Lord Lisgar: "The first telegraphic message from the heart of the continent may appropriately convey on the part of our people an expression of devout thankfulness to

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3. The Manitoban, Feb.25,1871, "Varieties."
4. P.A.M., Lieutenant-Governors' Papers, dispatch No.441, Secty. of State for the Provinces to Archibald, July 17,1871.
5. The Manitoban, June 17,1871, "Eccentricities of the Mail Service."
6. P.A.M., Lieutenant-Governors' Papers, dispatch No.337, Secty. of State for the Provinces to Archibald, Sep.13,1870, enclosing Order in Council of Aug.17,1870. It is of interest that in the original draft of the agreement the Company was guaranteed "...the right of doing business...free and without taxation," but that in the final contract the Dominion Government undertook merely "...to use its best offices with said Local Government to insure to the Company the additional privilege of doing business...free and without taxation."
7. Ibid. F.J.Bradley to Archibald, Nov.6,1871.

Almighty God for the close of our isolation from the rest of the world. . . . We may now count in hours the work that used to occupy weeks."[8]

Actually, it was at least another year before complete reliance could be placed on the new telegraph, and at one point Archibald's exasperation was such that he dispatched a bitter complaint to the President of the Company, and told the local operator "...that the Govt of Canada would hold his Company responsible for any damage or expenses occasioned by reason of their being unable to communicate over the line, in consequence of the repairs not having been done within a reasonable period after the storm."[9] But in general the completion of the telegraph service did relieve the Lieutenant-Governors of a heavy burden of responsibility.

It was several years before the irregularities in the mail service could be corrected. In the spring of 1873 floods along the mail route caused a total stoppage of service for several weeks[10] and gave rise to a thorough reconsideration of the mail route by the Dominion and American postal authorities and the contractors.[11] In the fall of the same year Governor Morris was unwilling to entrust the North-West Angle Indian Treaty to the post, and kept it in Fort Garry until he could deliver it personally to the Minister of the Interior a year later.[12]

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8. The Manitoban, Dec.9,1871, "The Telegraph."
9. P.A.M., Lieutenant-Governors' Papers, dispatch book No.3, dispatch 103, Archibald to Secty. of State for the Provinces, Oct.7,1872.
10. The Manitoban, May 3,1873, "Mail Stoppage."
11. P.A.M., Lieutenant-Governors' Papers, dispatch from Post Office Department to Morris, July 30,1873, and enclosures.
12. Ibid, letter book 'J,' p.22, dispatch NW No.209, Morris to the Secretary of State, Oct.14,1874.

In the fall of 1874 another step forward was taken when daily mail by stage was commenced,[13] and by 1875 communications in the United States had developed to the point where mail between Fort Garry and Ottawa required only nine or ten days. Finally, the service was again accelerated in 1878 with the completion of the rail link - the solvent of so many early difficulties.

But mail service was only one small part of the communications problem, although probably the part which most directly affected the lieutenant-governors. From the viewpoint of the population generally the matter of primary importance was the carriage of supplies and exports - and immigrants.

For the latter, of course, there was the Dawson Route from Lake Superior, which had been rushed to completion - in a rough manner - in 1870; by December a sled road was open from Fort Garry to Lake of the Woods, and the main road was cut through in the following month.[14] During the following two summers the portages were improved to provide a route which followed navigable waterways for most of its 451 miles, and although arrangements made in 1871 for steamboats on Rainy Lake and Lake of the Woods were subsequently cancelled, the route proved useful.[15] Attorney General Clarke, after traversing it in 1872, declared it as fine a road as he had ever travelled.[16] Another traveller of the same year paid a more restrained but probably more accurate tribute: "In speaking of this Dawson

13. Free Press Weekly, Jan.18,1879, "Mails in Manitoba."
14. The Manitoban, Dec.10,1870, "Lake of the Woods Road."
15. Ibid. Feb.4,1871, "Varieties - Local and Foreign;" and May 31,1873, "The Red River Route."
16. Manitoba, Journals of the Legislative Assembly, 1872, p.15.

road it is only fair to give full credit for all that has been accomplished. Difficulties have been overcome, insomuch that, whereas it took Colonel Wolseley's force nearly three months to reach Fort Garry from Thunder Bay, a similar expedition could now do the journey in two or three weeks."[17] "But,"he added, "as a route for trade, for ordinary travel or for immigrants to go west, the Dawson road is far from satisfactory."

The Red River from the south was, one might say, Manitoba's umbilical cord. By that avenue, during the early years, came not only the mail and telegraph but also the supplies and most of the immigrants. At first it too was a very imperfect route. A cargo shipped from Ottawa on September 1st, 1870, reached Fort Abercrombie, Minnesota, on October 3rd, and then faced the long rough journey by cart to Fort Garry.[18] In the spring of 1871, however, J. J. Hill's steamboat "Selkirk" provided much faster freight service from Fort Abercrombie. But the blessing was not unmixed, for at the same time American customs regulations were established which excluded the Red River carts from their accustomed international service.[19] Hill had a virtual monopoly, and charged monopoly rates: sixteen shillings sterling per hundredweight, payable in cash.[20] "It was computed," wrote Bryce, "that the steamer Selkirk, on her first trip in 1871 cleared the entire cost of her construction."[21] Hill soon had to face competition, however, and by 1878 there

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17. Rev. George M. Grant, Ocean to Ocean; quoted in Dillabough, op.cit. p.14.
18. The Manitoban, Nov.5,1870, "New Freight and Passenger Route."
19. Begg, op.cit. II, 64-65.
20. Ibid.
21. Brice, op.cit. p.4.

were seventeen steamboats on provincial lakes and rivers.[22]

Needless to say, river transport in Manitoba had serious limitations. The task of computing the needs of the people over the long winters when traffic was suspended proved extremely difficult and merchants found their supplies running short each spring before navigation opened. Above all, if Manitoba was to develop a staple export, some better and cheaper means of transportation was essential. Until the railroads came, the province could not move far from the stagnant self-sufficiency of old Red River. "Trade - population - sale of produce - the value and cultivation of land, and the growth of towns - depend entirely upon this one great necessity - a want almost as vital to the requirements of the day as clothing or shelter, or the means of life itself."[23]

Manitobans in the early 1870's watched eagerly the course of railway construction to the south. The Manitoban on December 10th, 1870, published "Important Railway News" predicting that both the Northern Pacific line to Red River and the St. Paul to Breckinridge road would be complete by July 1st, 1871, the Northern Pacific branch from St. Cloud to meet the Duluth line by the following October, and that the Manitoba boundary would be reached by October, 1872 - or, at the latest, 1874. Attention was soon focused on the St. Paul and Pacific Railroad, but it proved a bad disappointment. In the spring of 1873 it was expected to reach the border by September,[24] but the line went bankrupt despite frantic efforts of the controlling Dutch

22. Dillabough, op.cit. p.17.
23. The Manitoban, May 24,1873, "Manitoba Railways."
24. Ibid. Mar.22,1873, "Railroad to Pembina."

syndicate, and construction was abandoned.[25] Eventually it was taken over by J. J. Hill and Donald A. Smith, who were joined later by George Stephen and Richard B. Angus, and was reorganized in 1879 as the St. Paul, Minneapolis & Manitoba Railroad, the parent of Hill's Great Northern, and the school of the men who were later to build the C.P.R.

The task of bringing the steel to Manitoba thus fell to the Dominion government. And the latter gave early promise of prompt action. In February, 1873, Sir John A. Macdonald telegraphed to Morris: "The railway to Pembina to be finished by Thirty first December Seventy four, the section from Lake Superior to Red River by same day in Seventy Six."[26] But Macdonald's star soon fell, and the government of Alexander Mackenzie showed a disinclination to fulfil Macdonald's undertakings. Through the first half of 1874 the Manitoba government pressed their claims in Ottawa,[27] and on August 31st, 1874, the federal authorities gave the contract for the construction of a railway from Selkirk to the International boundary.[28]

The dispute that arose subsequently over the route to be followed through Manitoba need not be investigated here.[29] It is enough to remark that Governor Morris, in this as in other questions of railway policy, seems to have given the lead in the agitations of the Manitoba government.[30]

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25. Willson, op.cit. chapter 17.
26. P.A.M., Lieutenant-Governors' Papers, Feb.17,1873.
27. Ibid. Minutes of Executive Council, No.137, Jan-29,1874, and No.161, July 18,1874.
28. Dillabough, op.cit. p.21
29. P.A.M., Lieutenant-Governors' Papers, Minutes of Executive Council, No.181, Jan.22,1875.
30. Of the Minutes cited above, Nos.137 and 181 were apparently prepared and introduced by Morris. Cf. supra, p.189.

On June 1st, 1875, the first sod was turned on the main line of the C.P.R., on the left bank of the Kaministiquia River about four miles from its mouth,[31] but progress was slow. And it was not until July 12th, 1877, that ground was broken at St. Boniface for the Pembina branch line.[32] The Earl and Countess of Dufferin, during their visit to the province in September of that year, drove the first two spikes of the latter branch.[33] October 9th was another day of jubilation: the first locomotive in the West arrived down the Red River by barge.[34]

On December 5th, 1878, the last spike in the Pembina branch was driven home,[35] and one portion at least of the future Canadian Pacific Railway system was finished. At first the terminus was in St. Boniface, and there was no bridge to Winnipeg. During the first winter, tracks were laid across the ice, and on January 8th, 1879, the first train arrived in the capital city. But it was not until two and a half years later that the Louise Bridge was completed and Winnipeg had regular rail service.[36] However, Manitoba had its life-line; the promise from which it had drawn its strength since 1870 was fulfilled.

ii. Population Growth.

Despite the lack of a railroad during the 1870's, Manitoba grew - not prodigiously, certainly, but substantially. From the total of 11,963 found by Governor Archibald's enumerators in 1870 the population rose by the 1881 census to 65,954.[37]

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31. Dillabough, op.cit. p.20.
32. Ibid.
33. Free Press Weekly, Oct.6,1877, "The Viceregal Visit."
34. Ibid. Oct.13,1877, "The First Locomotive."
35. Ibid. Dec.7,1878, "At Last!!"
36. Dillabough, op.cit. p.24.
37. Census of Canada, 1881.

Archibald apparently felt at the start that he had troubles enough without the addition of new sources, and his early replies to enquiries regarding immigration possibilities were mildly discouraging. The first need, he said, was for the settlement of Indian titles and the completion of surveys.[38] Nor was much incentive offered by the Dominion authorities who had yet a long way to go to the 'high-pressure' policies of Clifford Sifton. In the spring of 1871 the government offered only the crude facilities of the Dawson trail, at a fare from Toronto of $30, with shelters and provisions along the route.[39]

But immigrants were coming anyway, and on April 26th, 1871, the "advanced guard of the great army" arrived - by rail to St. Cloud, Minnesota, by cart to the Red River, and down the river in flatboats.[40] The "great army," however, did not materialize, and the Grit papers in the east were quick to heap the blame on Macdonald's protegé in Manitoba:

> "By recent arrivals from Fort Garry we learn that every possible obstacle is being thrown in the way of the emigrants from Ontario. . . . The powers that be, from Governor Archibald downward, are taking their ease with marvelous (sic) assiduity - hunting, fishing, picnicing, and recreating in general, with the ready excuse for their remissness in laying out lands and providing for the settlement of new-comers that 'no instructions' had arrived from Ottawa, and of course it was understood that in their absence no action was possible."[41]

The Manitoban, on the other hand, (perhaps reflecting Archibald's views again) criticized the exaggerated accounts of Manitoba's virtues which "some papers in Ontario" gave. "The consequence is,

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38. P.A.M., Lieutenant-Governors' Papers, reply to J. W. Wright of Montreal, Nov.27,1870;
39. The Manitoban, Apr.8,1871. "Emigration Policy of the Dominion Govt."
40. Ibid. Apr.29,1871, "Opening of Navigation."
41. Ibid. July 1,1871, "The 'Globe' Again," quoting Toronto Globe of May 9,1871.

that they will induce many to come here who will be disappointed, and in their vexation will probably leave the country, and decry it more than it deserves."[42] Among the obstacles beyond the government's control, it was pointed out, were scarcity and high prices,[43] and the inconvenient bonding arrangements for immigrants made by the Dominion authorities with the United States Customs.[44]

The Governor, in his 1872 Throne Speech, spoke of preparations being made for "an Extensive Immigration in the ensuing summer."[45] The increase of that year, however, was only about 1400,[46] for which the Free Press was quick to criticize the government.[47] Even The Manitoban, in June, 1873, was critical of the immigration machinery as inadequate,[48] and Governor Morris, who from the start of his term was more concerned than his predecessor had been, strove for improvements.[49]

Morris found immigration questions taking an increasing amount of his time. On the back of an inquiry from a prospective American immigrant, the Governor's secretary noted that "one third of our correspondence is answering these enquiries. Would it not be well to have printed documents to enclose in such cases."[50] To the Secretary of State for the Provinces, Morris wrote:

"I may add, in this connection, that I have received

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42. Ibid. June 3,1871, "High Prices and Immigration."
43. Ibid.
44. Ibid. June 17,1871, "The Bonding System and Immigration."
45. Ibid. Jan.15,1872, "Opening of Parliament."
46. Ibid. Aug.16,1873, report of Gilbert McMicken, Land Agent.
47. Free Press Weekly, Jan.4,1873.
48. The Manitoban, June 7,1873, "Reception of Immigrants."
49. P.A.M., Lieutenant-Governors' Papers, telegram to J. H. Pope, May 29,1873.
50. Ibid. enclosure in letter from Mr. James Stewart to Morris, June 20, 1873.

information from a variety of sources, all tending to prove that a large number of Canadians, now resident in the U. S., are anxious to take up their abode here, and that they are induced to do so, not only on account of their preference for our political institutions, but also because they have good reason to believe that the climate & soil of Manitoba & the N. W. Territory are preferable to those of the Western States."[51]

The United States Consul, J. W. Taylor, secured improved bonding regulations for immigrants coming through the United States,[52] and in December of 1873 the Dominion Minister of the Interior assured Morris that "...a policy is shortly to be adopted to meet, in a general and systematic form, the various propositions made to settle the North West country."[53]

Subsequent arrivals, however, can still be considered to have been in spite of official policy, or the lack of it. On June 16th, 1874, the year's first immigrants by the Dawson route arrived with bitter complaints of the state of the road and the lack of provisions.[54] H. J. H. Clarke and John Norquay, deputed by the Executive Council to investigate, recommended immediate relief,[55] and a report by the Indian Agent gives a mournful picture of neglect:

"On the evening of 2nd Inst. I arrived at Oak Point, and at midnight three Emigrants came in from the Angle, they told me that they had walked, and their reasons for not waiting for teams, was that, there were no provisions at that place. On the evening of 3rd I camped at Broken Head River, and at that place there were 15 more who had also walked from the Angle, they also told the same story about provisions, from that place to N W Angle I met 60 men all walking with their packs, as there were no teams to take them in, on 3rd a small stock of Provisions were sent from Winnipeg - 5 Bags Flour and 1 Barl. Pork, for each Station. I have no doubt these are all expended, and there are

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51. Ibid. dispatch of June 20,1873.
52. Ibid. Taylor to Morris, June 18,1873.
53. Ibid. dispatch No.871, Department of the Interior to Morris, Dec.24,1873.
54. The Manitoban, June 29,1874.
55. P.A.M., Lieutenant-Governors' Papers, Minutes of Executive Council, No.155, July 1st,1874, and No.156, July 4th.

about 150 men, Women & children still here waiting for teams to take them in - and more daily expected. The road in places is now almost impassable for teams, as no repairs have been done this season."[56]

Morris, on behalf of the Dominion government, authorized the purchase of emergency supplies and their transportation to the North West Angle,[57] but he could do little about the policy which gave rise to these conditions.

An interesting development of these early years was the beginning of ethnic group settlements from Europe. Mennonites from Russia led this movement; a small group at White Horse Plains drew Morris' notice as early as June, 1873, when they were attacked by métis, in a brief flare-up of hysteria.[58] And in the same month, when agents from Russia visited the province to investigate settlement possibilities and arrange for the grant of suitable tracts of land, Morris was most anxious to impress them.[59]

The agents, it appears, were impressed, for four hundred Mennonites arrived in the following year.[60] By 1879, fourteen hundred families had settled in the province, to its benefit, for "...it was they who demonstrated to the world the value of the Red River Valley as a wheat producer."[61]

In 1875, the year in which 3,285 Mennonites arrived,[62]

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56. Ibid. R. T. Pither to Morris, July 5,1874.
57. Ibid. invoices of July 20 and 29, 1874.
58. Ibid. William Hespeler, Immigration Agent, to Morris, July 1,1873.
59. Ibid. Urquhart, Private Secretary, to Hargraves, acting Immigration Agent in Winnipeg, June 12,1873.
60. The Manitoban, Aug.15,1874.
61. C.B.Davidson et al., The Population of Manitoba, mimeographed study for the Economic Survey Board, Province of Manitoba, (Winnipeg, 1938) pp.31-32.
62. Free Press Weekly, Apr.8,1876, "Report of the Minister of Agriculture."

the forerunners of another large migration of European stock appeared - Icelanders to the number of 285.[63] The latter, however, settled just north of the provincial limits, in the North-West Territories - later the District of Keewatin. Mennonites and Icelanders constituted the bulk of the new settlers in the following year as well, numbering 1,357 and 1,156 respectively, out of a total immigration estimated at between three and four thousand.[64]

The figures for the next few years were more substantial, as eastern Canadians came in significant numbers. Out of 1877's total estimated at 7,000, over half came from Ontario - while the Mennonites numbered only 185.[65] And the influx during the following year was computed by the Immigration Agent at Duluth to total between eight and nine thousand, of whom about six thousand came from the eastern provinces.[66] Finally, a peak for the decade was reached in 1879, when the population increase attributable to immigration was reported by the Minister of the Interior to be eleven thousand.[67] This was, of course, the first year of Manitoba's rail connection.

The same story is reflected in the record of land entries. In 1877, it was reported, 2,283 such entries were made, totalling 400,423 acres and "amounting to one-fourth more than the quantity entered in any two previous years added together."[68] By 1879 the figure rose to 3,470. But in the following year a drop of forty

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63. The Standard, Oct.16,1875, "Immigration;" and Free Press Weekly, Mar.10,1877, "Report of the Minister of Agriculture & Immigration for 1876."
64. Free Press Weekly, Mar.10,1877.
65. Ibid. Mar.2,1878, "Immigration."
66. Ibid. Mar.15,1879, "Immigration."
67. Ibid. Apr.15,1881, "Governmental Self-Condemnation."
68. Ibid. Mar.9,1878, "Report of the Minister of the Interior."

percent was recorded, with the number of entries falling to 2,074. At the same time immigration fell to 7,000.[69]

The chief political effect of this population growth was, of course, to submerge the old factionalism of race. The French, through their Colonization Society of Manitoba, founded on January 25th, 1874,[70] strove to keep their relative strength undiminished, but with little success. In Quebec their efforts were offset by the local determination to make that province even more overwhelmingly French, and there were many to applaud statements such as the following from the Journal de Quebec: "N'avons nous pas le Saguenay? les terres du Saint Maurice, et celles qu'offre le nord de Montreal? Nous sommes sûr qu'on y trouverait tout aussi bien ce qu'on va chercher à Manitoba."[71] The opposing viewpoint in Manitoba was reflected in the columns of Lé Metis:

"Nous n'avons, nous hommes de Manitoba, qu'une seule politique, celle de fortifier notre élément religieux et national dans ce vaste Nord-Ouest, et parconséquent appeler ici une immigration saine, forte, laborieuse, disposée en tout temps et toujours à vivre en paix et en bonne amitié avec des populations différentes de foi et de langue.

"L'immigration mennonite a été une grande faute; l'immigration islandaise fut pire: ce qu'il nous faut, ce sont des colons d'Angleterre, ce sont des immigrants canadiens qui vivent aux Etats-Unis, ce sont les bonnes familles canadiennes des autres provinces à qui le terrain manque pour établir leur nombreux enfants."[72]

The figures show the reluctance of French-Canadians in the east to come to Manitoba. In 1877 only 369 arrivals from Quebec were recorded, not all of whom would be French-Canadian, compared with 3,641 from Ontario; on the other hand, two-thirds

69. Ibid. Apr.15,1881, "Governmental Self-Condemnation."
70. The Manitoban, Jan.31,1874.
71. Lé Metis, May 8,1879, "Une Idee Fausse" - quoted.
72. Ibid. Jan.9,1879.

of the 976 who came from the United States that year were reported to be French-Canadian in origin.[73] In the following year the movement of French-Canadians from the United States reached nearly one thousand,[74] but even that was relatively insignificant.

The relative decline of the French element in the province can be gauged from a comparison of the Census of 1881 with the Census returns obtained by Governor Archibald in 1870.[75] The number of French origin in 1870 was not specifically indicated, but the French half-breeds - and there were few of pure French parentage - numbered 5757 out of 11,963, or forty-eight percent. At the same time 6,247 were listed as Roman Catholic, or fifty-two percent. In 1881 those of French origin numbered 9,949 out of 65,954, only fifteen percent, while Roman Catholics showed a relative decline to eighteen and one half percent.[76] For better or for worse, Manitoba was going to be an English-speaking province.

A second feature of this immigration movement was the rapid growth of Winnipeg. Starting from the village of three hundred souls in 1870, it more than doubled its population in each of the first two years thereafter, reaching a total of 1,467 in the autumn of 1873 - a typical frontier town, with the males outnumbering the females two to one.[77] At the time of its incorporation in the following spring, it could boast at least two thousand.[78] Thereafter the rate of growth was steady, but

73. Free Press Weekly, Mar.2,1878, "Immigration."
74. Ibid. Mar.15, 1879, "Immigration."
75. Supra, p.116.
76. Census of Canada, 1881.
77. Free Press Weekly, Nov.9,1872, "Winnipeg."
78. Ibid. Nov. 6,1880, "City of Winnipeg."

unimpressive, for several years, until the heavy influx from Ontario began in 1877. During the rest of the decade the city forged ahead rapidly to its position of unchallenged dominance in the Province in 1881, with a population of 7,985, or twelve percent of the provincial total.[79] Even more striking is the disparity in percentage increase between the city and the province from 1870 to 1881: the total popul tion of the province increased by some 550 percent; but Winnipeg showed the impressive growth of 2,660 percent. Winnipeg had 'arrived' as the commercial centre of the Canadian West.

iii. Aspects of the Provincial Economy.

In describing Manitoba as it existed in 1870, it was pointed out that geographical isolation forced it to accept a static, self-sufficient economy. And it has been stressed that railways were a sine qua non of economic development. Yet in the first eight years of provincial existence, before the railroad came, the population almost quadrupled, and a flourishing commercial metropolis came into existence. The question immediately arises: how did this come about?

Unfortunately, the standard studies of the economic development of the West date that development from the coming of the railroads - with much justification. Manitoba's economic progress in its first decade is thus unaccounted for. But there is no great mystery involved: the answer lies largely in federal expenditures. Money and supplies for the Indians, the maintenance of armed forces, the local expenditures of federal depart-

79. Census of Canada, 1881

mental offices, communications, surveys, public works, and subsidies to the province - long before the construction of the railroad, Dominion expenditures on these matters exceeded by many times the few tens of thousands of dollars derived from import duties, the only significant initial source of federal revenue in Manitoba. This abundance of money - and the easy credit to which it gave rise - made possible the surge forward out of the economic stagnation of old Red River.

The figures necessary for a statistical analysis (which is not contemplated here) are, of course, buried in countless sources - and some would doubtless be unobtainable. But enough data are readily available to make the point clear; and for simplicity's sake - since only illustration is wanted - 1874 may be selected as a representative year.

The Dominion estimates of that year include expenditures to be made in or on behalf of Manitoba and the North-West Territories amounting to $2,358,850.55. Major items were: public works, $1,382,500.00; militia and mounted police, $360,000.00; immigration, $247,000.00; surveys, $219,198.80; and subsidies of $68,401.75.[80] Not all this money would find its way into the province, but at least a substantial part would do so.

By comparison, federal revenues were extremely meagre. Import duties actually collected in Manitoba during the twelve months ending June 30th,1875, amounted to only $171,430.86.[81] Other sources were insignificant; during the year ending June 30th, 1874, postal revenue within the province had been only

80. Free Press Weekly, May 9, 1874, "The Estimates."
81. Ibid. Oct. 16, 1875, "Trade of Manitoba."

$3,996.90,[82] and inland revenue $3,797.29.[83]

In the light of these figures, Manitoba's trade balance becomes understandable. During the year ending June 30th, 1875, foreign imports amounted to $1,243,309.00,[84] while imports from eastern Canada can be estimated at between $1,600,000.00 and $1,800,000.00 on the basis of earlier and later figures. Against this total of close to three million dollars, exports for the same period can be computed at three-quarters of a million, at most.[85] This sort of unbalance is reflected by trade figures throughout the decade. Dominion government spending provided the corrective factor throughout.

This dependence on federal 'pump-priming' is reflected by several items in the Lieutenant-Governors' papers of the 1870's. Thus, although in December, 1870, The Manitoban insisted on the need for immigration "...to supply the actual poverty of the labor market,"[86] it was not long before it became apparent that immigration was bringing skilled workmen for whom the provincial economy afforded no place. On June 5th, 1873, Governor Morris telegraphed to J. H. Pope in Ottawa: "Have if possible some of the Government works proceeded with here at once. Number of mechanics come in whom it is desirable to retain."[87] A year later the situation forced itself on the attention of the local Executive Council:

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82. Ibid. Dec.11,1875, "Postmaster General's Report."
83. Ibid. Nov.6,1880, "Local and Provincial - City of Winnipeg."
84. Ibid. Oct.16,1875, "Trade of Manitoba."
85. In 1876 the exports through Minnesota, which constituted practically all exports, were valued at only $794,868.00. Ibid. Jan.6,1877, "Minnesota and Manitoba."
86. The Manitoban, Dec.17,1870, "The Labor Market."
87. P.A.M., Lieutenant-Governors' Papers.

"Council respectfully submit that a large number of immigrants of the laboring classes are arriving weekly in the Province by way of the United States fully expecting to find work ready for them; that the absence of work leaves a great part of them in actual distress, that these immigrants in large numbers are daily applying to the Local Government to come to their aid, which unfortunately it is not in its power to do. It is therefore respectfully urged that the construction of Federal Works & buildings should be proceeded with at once in order to prevent the very serious consequences that will result from these men being left here in a state in many instances of actual destitution of all means of livelihood, and from the influence which the state of matters will have in determining immigration to Manitoba."[88]

The same factor lay behind the repeated attempts of the Manitoba government to delay the coming into force in the province of Dominion import duties. By Section 28 of the Manitoba Act the old customs duties of Assiniboia, which were only about one quarter of the Canadian scale, were continued for three years. In 1873 the Dominion Parliament, at Manitoba's urging, extended the Assiniboia duties, except on liquor, for another year, until May 12th, 1874.[89] But before that extension expired the provincial authorities were seeking further concessions: "Council advise that in view of the probable postponement of the completion of the Railway to Pembina, the delegates of this Govt to Ottawa be instructed to urge on the Dominion Government that until the completion of said Railway the duties on imports to Manitoba should continue as at present."[90] A further extension to July 1st, 1874, proved to be the last. And events demonstrated that the quadrupling of import duties was not in itself enough to curb seriously the artificially stimulated economic growth.

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88. Ibid. Minutes of Executive Council, No.153, June 9,1874.
89. The Manitoban, Mar.21,1874, "The Customs Duties."
90. P.A.M., Lieutenant-Governors' Papers, Minutes of Executive Council, No.136, Jan.26,1874.

Certainly it was only the influx of federal funds that saved the province from starvation when the grasshopper plague struck. After the attack of 1873 it was reported to the Executive Council "...that excepting in the County of Marquette and the portion of Selkirk in which Headingly parish is and Point de Chêne in the County of Provencher there has actually been no grain raised in the province this last summer...." Two years later conditions appeared hopeless, and the whole sorry tale of Manitoba's agricultural plight can be found in a Minute of the Executive Council of July 21st, 1875:

> "Generally speaking no signs of vegetation can be seen where six weeks ago there was a prospect of an abundant harvest. Some idea may be formed of the destitute position of the people when it is borne in mind that the Province has been visited by the same scourge during the years 1870-71-72-73-74 and the present year, and that seed grain had to be advanced in the years 1873 and 1874 to the value of nearly fifteen thousand dollars in those localities where it was expected that the Grasshoppers had left without depositing their eggs. . . .
>
> "It is with the most painful feelings that the Committee are constrained to report, that famine is staring the People of Manitoba in the face, and that unless immediate and effectual measures are taken, starvation will be witnessed, during the approaching winter among people who, before emigrating into this Country, had, from personal experience, no conception of want. . .
>
> "The Committee respectfully represent that the Financial Crisis which is now prevailing in the large and flourishing commercial Cities of Canada, has added a new and not unimportant feature to the dire calamity of the Grasshoppers in Manitoba, and immigration, although to a certain extent checked, is, by adding, this year, about 2,500 souls to the population, far from rendering prospects any brighter."

However, the Committee reporting to Council had one ray of hope to offer: "The general depression caused by such wholesale destruction has lately been to some extent relieved by the departure of the grasshoppers without depositing their eggs and the opinion is universal that the Province may look forward with the

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91. Ibid. No.144, Mar.26,1874.

greatest confidence to a plentiful harvest next year."[92]

The plague was, in fact, spent, and although the winter of 1875-76 was a bitter one (and disastrous for some), the harvests of 1876 were plentiful. With the population increasing as it was, it is doubtful that even the substantial federal spending would have sufficed to finance many more destroyed crops. But good crops alone were not a cure for Manitoba's most pressing economic problem. Until the railway came, large crops would mean only an abundance of food; grain exports were seriously limited by the inadequacy of the transportation.

In the fall of 1876 the first trickle of Manitoba grain went up the Red River and east to Ontario.[93] Mr. J. J. Hill, in the following spring, stated before the Parliamentary Select Committee on Immigration and Colonization, that Manitoba wheat could be sent to Toronto at a cost of thirty-five cents a bushel; at that rate, the Free Press asserted, wheat-growing in Ontario would be unprofitable.[94] And on October 17th, 1877, a carload of Manitoba wheat was consigned to Scotland, the first to cross the Atlantic.[95] But the total 1877 yield of wheat alone within the province was 600,000 to 700,000 bushels, providing an exportable surplus of 300,000 bushels,[96] and only the completion of the Pembina Branch in 1878 delivered Manitoba from the peril of over-production.

Finally, in the fall of 1879, Manitoba wheat reached

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92. Ibid. No.203, July 21,1875.
93. Free Press Weekly, Sep.23,1876, "Local and Provincial;" and Oct.28,1876, "The First Shipment of Grain from Manitoba."
94. Ibid. May 5,1877, "Immigration & Colonization."
95. Ibid. Oct.20,1877, "First Export of Manitoba Wheat to Europe."
96. Ibid. Sep.29,1877, "Harvest Home.".

the eastern markets in large quantities, "...and at once throughout the United States the new 'Northwest' was hailed as the eldorado from which the supply of wheat, for the manufacture of fine flour was to come."[97]

Thus did Manitoba attain a firm economic footing, enabled by the export of its staple crop to support the ever-increasing population and the commercial centre of Winnipeg. The forging of themetropolitan link to the east was, strictly speaking, incomplete until the arrival in 1882 of the C.P.R. main line, which, coupled with Sir John A. Macdonald's 'Nationa policy,' drew the province into the national economy and completed the union begun in 1870. The economic support provided by the Dominion government throughout the 1870's represented a heavy investment by eastern Canada in the young province, an investment which dwarfs the 'purchase money' for Rupert's Land - a fact conveniently forgotten by Manitoba. The economic development and population growth sustained by that support profoundly altered the social composition of Manitoba, and in turn its political order.

That the role of the lieutenant-governors shared in this transformation is already evident. The policies of Archibaldand Morris were unquestionably influenced by the social development of the province. Each was, in essence, a constitutionalist, but each had to adapt his ingrained attitudes to the society which he encountered. By 1877 Governor Morris had severed virtually all the leading-strings, leaving Manitoba to find its own course. The province had reached that point in its growth at which a

97. Dillabough, op.cit. p.22.

refusal by the governor to relinquish control would have precipitated a political crisis. Tutelage had served its purpose: only trial-and-error experience could complete the process.

This brief survey of Manitoba's social and economic evolution demonstrates that in 1877 maturity still lay in the future. The same is true of the political life of the province: self-government had been achieved, but provincial politics had not yet assumed the character which could make that self-government effective - political parties were lacking. The rounding out of this period in Manitoba's history required more time: the five years which coincided with the term of office of Joseph Cauchon. For this reason, a study of the early lieutenant-governorship must embrace Cauchon's term, to see the completion of that process of which the changing role of the governor was but one aspect.

CHAPTER 11

"LE ROI FAINEANT"

By the end of Governor Morris' term the lieutenant-governorship in Manitoba had virtually completed its evolution from an "efficient" to a "dignified" element in the provincial constitution. The third governor, Joseph Edouard Cauchon, carried the process to its completion. It might even be said that he carried it to an extreme, for it is doubtful that any lieutenant-governor since 1882 has been a "roi faineant" in quite such a literal sense of the phrase - faire neant. Several exceptions to this policy of inactivity will have to be noted, but these are strikingly out of keeping with the character of his term viewed as a whole.

i. Appointment of Cauchon.

It is difficult to determine precisely what considerations led to the selection of Cauchon as the third lieutenant-governor of Manitoba. On the positive side, it is possible that the Mackenzie government felt that the appointment should go this time to a French-Canadian. On the negative view, it may have been regarded as an opportunity for the ministry to disembarrass itself of Cauchon's presence there. There is little in the political record of the man to explain the choice; the record is, to say the least, 'spotty'. J. C. Dent, in his Canadian Portrait Gallery - written while Cauchon was in his Manitoba appointment - resorted to masterly understatement: "The Honourable Mr. Cauchon occupies a position among the public men of the Dominion which, for want of a better word, we shall

designate as peculiar."[1]

Born in 1816, at St. Roch in Lower Canada, and educated at the seminary of Quebec, Cauchon trained as a barrister but never entered the practice. Instead, in 1841, he began a journalistic career, as editor first of Le Canadien until his virulence caused its suppression by the government in 1842, and then of the Journal de Quebec, which he himself founded.

His parliamentary career began in 1844 and continued unbroken until his appointment as Manitoba's governor in 1877; in this respect his experience far exceeded that of both Archibald and Morris. During this career, however, there seems to have been little pattern or consistence, and his party loyalties fluctuated. Until 1851 he supported LaFontaine. After thelatter's retirement he shifted his allegiance to Cartier, and in 1861 received the post of Commissioner of Public Works in the Cartier-Macdonald ministry. A supporter of Confederation, he published a pamphlet aimed at Quebec opposition, L'Union des provinces de l'amerique britanique du nord. In 1867 Cartier secured Cauchon's appointment to the Canadian Senate as its Speaker,[2] which position he held until 1872, when he was successful as an independent candidate for the House of Commons.

During the five years of his Speakership he continued to sit in the Quebec Legislature, where his career culminated in the Beauport Scandal of 1872. In that year it was revealed that he was the anonymous owner of the lunatic asylum which was under contract to the provincial government, and Cauchon faced a fine

1. IV, 138. The bulk of this biographical sketch comes from Dent.
2. Pope's Macdonald, p.358.

of $1,000 for every day he had sat in the Legislature while holding a government contract. However, he found a legal loophole, although the charges were not disproved, and after resigning his seat, was re-elected.

In the Dominion parliament he deserted the Macdonald ministry at the time of the Pacific Scandal, and became a supporter of Alexander Mackenzie. But there seems to have been general astonishment at his appointment to the cabinet as President of Council in 1875, in view of his past record.[3] Later, in 1877 he was transferred to the department of Inland Revenue. According to Dent, he gave Mackenzie loyal and useful support in the Riel and Lepine affair and the New Brunswick school question of the early 1870's,[4] but the Hamilton Times, in 1876, reported that Cauchon was becoming, in fact, a source of embarrassment to the government and was alienating its support in Quebec.[5]

Not the least of Cauchon's liabilities, it appears, was his personal manner, which was admirably portrayed by Dent. After sketching the political career, the author went on to say:

"But there are other reasons for the celebrity - we had nearly said notoriety - which attaches to his name. . . . Mr. Cauchon - well, Mr. Cauchon is not, and never has been, diffident. His great force impresses you at once. . . . But there was a querulousness and pugnacity about him which constantly provoked bitter enmities, and these enmities he seldom or never attempted to allay. He seemed to take delight in ridiculing and exasperating his opponents. . . . He came to be regarded as a dangerous antagonist and an undesirable ally. Then there were certain pecuniary transactions which, whether rightly or wrongly, enveloped him in an atmosphere of disrepute. . . . That many offences were laid to his charge of which he was entirely innocent there can be no reasonable doubt. Still, it is to be feared that certain

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3. W. S. Wallace, The Dictionary of Canadian Biography, (Toronto, 1926) p.74.
4. Op.cit. IV, 144
5. Free Press Weekly, June 10, 1876, "Mr. Cauchon Again" - quoted from the Hamilton Times.

transactions wherewith he was connected were of such a nature as to lend colour to stultifying accusations, even where, as was sometimes the case, the latter were wholly groundless. He became a political Ishmaelite, and his intellectual fibre was such that he scarcely seemed even to regret his isolation. His unpopularity, however, became so widespread that his usefulness as a public man was seriously interfered with, and there can be no doubt that he acted wisely in accepting a high and dignified position which removed him from the scene of his many antagonisms."[6]

Cauchon's appointment provoked a storm of controversy which surpassed in its bitterness even that which had followed Governor Archibald's actions. The Free Press led the chorus of criticism, having struck the chord of opposition at the first suggestion that Cauchon would succeed Morris. The earliest mention occurred in March, 1877, when Sir John A.Macdonald, in Parliament, openly referred to the rumor that Cauchon would receive the appointment "...and in ironical terms dwelt on the regret which Lower Canadians would feel on his departure."[7] In June the Free Press discovered in the Ottawa Free Press an assertion that residents of Manitoba had invited Cauchon's appointment, and challenged the Ottawa newspaper to publish these invitations. "Let us know by all means who it is that wish to have for the head of the State and of society in this Province a politician whose corruption the Ministerial leading journal has declared 'smells to heaven.'"[8]

The actual appointment was made in a cabinet meeting of October 4th, 1877,[9] and the editors of the Free Press were furious. The Beauport Scandal was revived, and the appointment was denounced as "an outrage on this province;" moreover, what

6. Op.Cit. IV, 138-39.
7. Free Press Weekly, Mar.3,1877, "Doings in the Dominion Parliament."
8. Ibid, June 9,1877, "Cauchon Once More."
9. Le Métis, Oct.18,1877.

appears indefensible, criticism was also levelled on racial grounds.[10] Grip, the satifical weekly, caricatured Cauchon as an unwanted child left by its desperate mother, Mackenzie, on Manitoba's doorstep.[11]

Le Métis, while refusing to be drawn into a controversy over Cauchon's fitness for the office - "se serait prolonger l'inconvenience de l'attaque" - singled out the racial argument of the Free Press:

> "Le Free Press craint-il d'injustes préférences nationales? Elles ne sont pas possibles avec la responsabilité ministérielle; les garanties constitutionelles y mettent un obstacle insurmontable: il le sait aussi bien que nous. . . . Où est donc le danger d'une telle nomination pour les intérêts de la population parlant l'anglais, puisque l'Hon M. Cauchon, pas plus que M. Morris, ne peut ne toucher aux lois, ni méconnaître les majorités, ni refuser protection aux minorités, ni changer un seul des aviseurs qui lui donne la Legislature?"[12]

But the Free Press continued its policy of hostility throughout Cauchon's term. Its editors, despite their sympathy towards the Mackenzie administration, were delighted when Cauchon's successor in the cabinet, Wilfrid Laurier, was defeated in the Drummond-Arthabaska by-election of November, 1877. "So closely was Mr Laurier pressed upon the Cauchon question," they reported, "that he actually sought refuge in the almost unprecedented act in the history of responsible government of even reprobating his immediate predecessor in the administration. In the course of one speech he is reported to have said of Cauchon, 'at all events we sent him away a little less dirty ("un peu moins sale") than when you gave him to us.'"[13]

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10. Free Press Weekly, Oct.20,1877, "The Lieut.-Governorship;" also, Sept.29,1877, "Mr.Cauchon."
11. Oct.13,1877.
12. Le Métis, Oct.25,1877 "L'Hon. Mr. Cauchon."
13. Free Press Weekly, Nov.3,1877, "Cauchon's Successor Defeated."

Support for the Free Press attack came from eastern Canadian newspapers of all shades of political opinion. The Hamilton Spectator, an opposition paper, regarded the appointment as a house-cleaning measure of the cabinet, preparatory to a general election, while the Toronto Mail offered "our sincere condolence to the people of Manitoba, who deserve a better fate."[14] The Montreal Witness, an independent, warned that, above all, Cauchon "...must not be trusted to conduct negotiations on behalf of the Dominion Government as Mr. Morris has been. He takes as naturally to intrigue, and to vicious intrigue, as a duck takes to water."[15] Even Le National, a supporter of the government, characterized the new Governor as "...a man who during fifteen years insulted and dragged in the mire all our political friends and the leading men of our party," and added: "If Mr. Mackenzie committed the blunder (sottise) of admitting Mr. Cauchon into his ministry he should have employed other means to make him go out of it."[16]

Morris, too, was critical. In the spring of 1877, shortly after the first rumors of Cauchon's appointment, he asserted to Macdonald that although the provincial was peaceful, the opposing elements had still to be handled with tact and skill, "...& a Cauchon will certainly set the fat on fire."[17] And in October, after the decision of the government was announced, he wrote again to Macdonald to express his disapp roval. "So the die is cast, & the Cauchon is to reign in my stead though I have no

14. Ibid. Oct.27,1877, "Cauchonism - Opinions of the Press."
15. Ibid.
16. Ibid.
17. P.A.C., Macdonald Papers, vol.252, p.547, Morris to Macdonald, May 25,1877.

official advices of the fact, or for that matter any information except what I see in the papers. . . . The Ministry have gone & done it. The french are pleased at having a French Governor, but the English are furious."[18]

The account in the Free Press of Cauchon's entry into the province on November 22nd, 1877, was curiously reminiscent of the events of McDougall's arrival eight years earlier.[19] The Governor-designate was reported to have been "in a state of nervous excitement" on reaching the border, owing to reportsmade current by the New York Herald that his entrance would be prevented. At Grand Forks, Minnesota, it was said, he had made anxious enquiries and had declared that "... he would not endeavour to foist himself upon the people of Manitoba against their will." And, to cap it all, when the Canadian Immigration Agent at the border, Mr. Tetu, tried to present an address of welcome, Cauchon apparently mistook him for a leader of the hostile party and refused to stop; instead he continued in a panicky rush to Winnipeg, arriving in the early morning, with no-one to meet him or direct him to his residence. How true the account may be is open to question; the Free Press would undoubtedly add any embellishments which might present Cauchon in a ridiculous light. But that he arrived in the midst of tensions there can be no doubt.

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18. Ibid. vol.252, pp.549-50, Morris to Macdonald, Oct.22,1877. It is to be noted that at this time Macdonald was leader of the Opposition. Morris' relations with Mackenzie at the end of his term were strained; it appears that Morris had requested an extension of his term, which Mackenzie had refused. - P.A.C., Mackenzie Papers, vol.6, pp.435-36, Mackenzie to Morris, Dec.28,1877.
19. Free Press Weekly, Nov.24,1877, "The New Lieutenant Governor."

Morris' departure on December 2nd attracted little attention; Le Métis did not even comment editorially. From the moment of Cauchon's arrival, attention had centred on him. Nor did he lose much time before taking issue with the Free Press for its hostility. In a statement published in the Standard, he expressed regret at the attitude the Free Press had chosen to adopt, with respect particularly to its anti-French policy. "Il est vrai," Le Métis reported him to have said, "que je suis canadien français et catholique: mais il y a plusieurs années déjà rédigeant un journal, je declarais en tête d'un article, que je ne me laisserais jamais guider par des considerations exclusives de nationalité ou de religion, à moins d'être attaqué sur ces deux points, ce qui devrait naturellement m'oblige à me defendre."[20] Seven months later, in an address to the municipal council of Rockwood, he stated his political creed even more distinctly. "It is the first occasion offered to me," he said, "to tell the people of this province that I have come here with the unflinching determination to govern for the whole people and not for a class; that as the political executive officer of Manitoba, I am not here as the exponent of a creed or a nationality whatsoever, and that my duty is to hold every citizen before the law: 'Favor to no one, but justice and good will to all."[21]

On December 3rd, 1877, the oaths of office were administered to Cauchon by Judge McKeagney,[22] and he assumed his duties. The unbridled hostility of that element of the population

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20. Le Métis, Nov.29,1877, "Le futur Lieutenant-Gouverneur."
21. Free Press Weekly, July 6,1878, "Lieut.-Governor Cauchon's Visit to Rockwood."
22. Ibid. Dec.8,1877, "Sworn In."

represented by the Free Press was dampened by the death, on December 6th, of Mme. Cauchon, who had been ill since her arrival in the province some time before her husband.[23] The sympathy evoked by this loss overbore personal and political animosities, at least temporarily, and enabled Governor Cauchon to begin his term of office without that outspoken opposition which had greeted his nomination.

ii. The 'Do-Nothing' Administration.

The furore caused by Cauchon's appointment was by far the most noteworthy - and most interesting - incident of his entire governorship. The record of his term proved utterly anti-climactic. The record, in fact, resembles nothing so much as mother Hubbard's cupboard, whether one thinks in terms of the documentary evidence or of the activities recorded in those papers. Unlike his predecessor, who scrupulously filed every document relative to his office, Cauchon kept little. Where Archibald and Morris had preserved all the dispatches and letters they received, Cauchon's records contained, in the early years, only the folders in which the dispatches were originally filed by the secretary, and in the last year or two even these were seldom kept. His letters contain few copies of his out-going dispatches; usually only the brief accompanying letter was recorded. From the viewpoint of an historical researcher the lieutenant-governors' papers between 1877 and 1883 are virtually barren of interest.

Moreover, it requires little investigation to establish

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23. Ibid. Dec.8,1877, "Death of Madame Cauchon."

the fact that there was, so far as the governor's office was concerned, little of value to be preserved. The newspapers of the years in question reveal the same barrenness. On only one occasion did the Lieutenant-Governor play any significant part in the political development of the province - the ministerial crisis of May, 1879. His action on that occasion may possibly be attributed to the fact that it involved the destruction of the control which the French-speaking group in the Assembly, under Royal, had exercised since 1874. The Premier, John Norquay, in a letter to Cauchon on June 3rd, 1879, advising the Governor to accept the resignation of Pierre Delorme from his post of Minister of Agriculture, added that "...I would recommend most respectfully that the filling of the vacant seats in the Cabinet be deferred until the close of the Session."[24] Governor Cauchon refused to countenance this proposal. "The Lieutenant-Governor," he replied through the Clerk of the Executive Council, "regrets very much that he could under no circumstances, accede to such position, so contrary to the spirit and meaning of the constitution, and more particularly when amongst the measures of Legislation mentioned in Mr. Norquay's paper, some of a very grave character have not been made known by the Government to the people at the last general election or even foreshadowed by them in the Speech from the Throne at the beginning of the Session."[25] The Premier was consequently obliged to fill the vacant portfolios.

This incident, however, was exceptional. As a general

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24. Manitoba, Journals of the Legislative Assembly, 1879, p.48.
25. Ibid.

rule the Lieutenant-Governor appears to have ignored the events of Manitoba's political life. Even his formal duties seem to have been ignored on occasion; there is evidence that Addresses from the Legislative Assembly to the Governor General in Council were forwarded directly to Ottawa by the Clerk of the Assembly, without passing through Cauchon's hands.[26]

The same appears to have been true of the Governor's functions as a federal agent and in relation to Keewatin. To a request for information concerning settlement and employment possibilities, his secretary replied, rather curtly, that the Lieutenant-Governor was not able to provide the information and that the Immigration Agent should be consulted.[27] As for the District of Keewatin, part of which was absorbed by the province in 1881, Cauchon in his letters to the federal authorities stressed that he had not "...of my own accord, spent one single farthing of the federal government money for any purpose whatever since my appointment as Lieut- Governor of Manitoba, thinking wiser and more equitable to reserve action for those who have the responsibility of the expenditure."[28] By the same token he refused to make any appointments without instructions from Ottawa.[29] The bulk of his Keewatin correspondence dealt with the balancing of his accounts - apparently an obsession with him, as is understandable in the light of his past record.

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26. P.A.M., Lieutenant-Governors' Papers, dispatch No.560, Under secretary of State to Cauchon, Mar.5,1880.
27. Ibid. Reply to letter from D. F. McLean of Cape Breton, April, 1878.
28. Ibid. letter book 'M' p.586, dispatch to Macdonald, Jan.27, 1879.
29. Ibid. pp.597-98, dispatch to Undersecretary of State, Feb.12, 1879, and pp.719-20, to Deputy Minister of the Interior, Dec.23,1879.

Nowhere is there any suggestion of a policy; he regarded himself purely as an administrator of whatever policy the Department of the Interior chose to adopt.

Two exceptions to this policy of indifference have already been mentioned: the reservation of bills in 1879 and 1882.[30] Here again, however, his actions appear to have been extremely off-hand, for there is no record of notice of the reservation having been sent to the proper authorities. In a letter to the Governor General, the Marquis of Lorne, Governor Cauchon related the circumstances of his reservation in 1879 of the bill to eliminate public printing in the French language.[31] His notice had been drawn to this particular measure and a redistribution bill of the same Session, by a petition from the French-speaking members protesting them. The redistribution bill he considered "...not of a nature to cause, or even to justify any interference on my part." But the other, he thought, was possibly ultra vires.

"Inadvertently," he wrote, "the Bill had been carried through the Assembly before it was shown to me or I had even seen it at all, otherwise the difficulty might probably have been averted; but as the case then stood there was no other alternative was left to me (sic), but to veto it, and run the risk of producing a possible graver result, or to reserve it for the signification of your Excellency's pleasure, believing it wiser under all the circumstances, to submit it to the better judgment and greater knowledge of your Excellency and your Excellency's government, and thus to obtain, for all time, a guiding precedent and permanent rule for all the Legislatures of the Dominion, similarly situated in relation to the same question."

More curious, however, was Cauchon's action in relation to the 1882 bill to incorporate the Loyal Orange Lodge of Manitoba.

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30. Vide supra, p.86.
31. P.A.M., Lieutenant-Governors' Papers, letter book 'M' pp.686-87.

Nowhere in either the Sessional Papers of the Dominion or the papers of the lieutenant-governors is there any mention of it. In the Journals of the Legislative Assembly for 1882 the action taken is definitely described as a reservation,[32] but Cauchon appears to have treated it as a veto. It is significant that Father Morice, in his biographical sketch of Cauchon, uses the latter term: "En ce qui est de la politique, la mesure par laquelle il affirma surtout son autorité fut probablement le véto qu'il opposa au projet de reconnaissance légale de l'ordre des Orangistes déjà votée par la chambre."[33] If veto it was, it was one of those rare instances of such action which has been overlooked by Canadian constitutional historians.

During these five years the Governor was not even the centre of provincial social life; instead, he seems to have taken no part in the general life of the province. Alexander Begg asserts that Cauchon "... never became popular with the English-speaking portion of the people, nor did he endeavor, during the greater part of his term of office, to win their good-will, but, on the contrary, Government House seldom opened its doors for the purposes of hospitality, and the Governor himself led the life of a recluse."[34] Nor did the French-speaking part of the community receive any greater attention.

Cauchon did find time, however, for personal business ventures - which, indeed, seem to have occupied the greater part of his attention at times. The first of these, his real

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32 . 1882, p.74.
33. A.-G. Morice, Dictionnaire historique des canadiens de l'ouest, (Quebec, 1912) pp.60-61
34. Op.cit. II, 204.

estate investments in St. Boniface which gave him the ownership of the approaches for the Louise Bridge, resulted in a protracted legal battle with the City of Winnipeg, leading eventually to an appeal to the Supreme Court of Canada.[35] The second recorded investment, on Main Street in Winnipeg,[36] involved the Governor in serious losses during the collapse in 1882 of the land boom.[37] In addition he invested heavily in other St. Boniface property.[38] Towards the end of his term even his official letter books were taken up increasingly with private correspondence.[39] In view of this preoccupation with personal affairs it is easily understood that he had little time or interest to devote to the duties of his office, and certainly none for any public activities beyond the bare official requirements.

Despite this indifference, Governor Cauchon clung to the reins of office to the last day of his statutory five-year term.[40] But his dissolution of the local Legislature on December 6th was his last official act, and two days later he was succeeded by the appointee of the Macdonald government, James Cox Aikins, an appointment which was welcomed by the Free Press, in a parting shot at Cauchon, as standing "...in happy contrast with

35. P.A.M., Lieutenant-Governors' Papers, letters to James McDonald, April 9,1880, and to Hon. C. P. Brown, May 6,1880; Free Press Weekly, May 8,1880, "Local and Provincial;" Manitoba Reports: Temp Wood 1875-85, pp.250-67; Le Métis, Mar. 17,1881, "Nouvelles Locales."
36. Le Métis, Dec.2,1880, "Nouvelles Locales."
37. P.A.M., "Manitoba Biography 1886-1902," p.125, clipping from the Tribune, Sep.7,1895, "Lieut.-Governors of Manitoba."
38. Le Métis, June 30,1881, "Nouvelles Locales."
39. P.A.M., Lieutenant-Governors' Papers, letter book 'N,' pp. 196-99, 202.
40. Ibid. p.207, Cauchon to the Secretary of State, Sep.28,1882.

the insulting appointment to the same office made by the Liberal Government."[41]

There is a degree of fairness in Dent's very mild tribute: "It would perhaps be going too far to say the Lieutenant-Governor Cauchon has made himself universally popular in Manitoba, but, so far as we are aware, he has administered theGovernment with justice and impartiality."[42] But, in actual fact, the tribute may be meaningless, for Cauchon can scarcely be said to have "administered the Government" at all. Under him, the prestige of the lieutenant-governorship reached its nadir, for reasons that are readily seen. In the first place, it is to be realized that he was almost, if not entirely, without influence in Ottawa. During the first year he was perhaps regarded by the federal authorities as a source of embarrassment who had been conveniently pensioned off; throughout the remaining four years he was nominally the representative of a Dominion ministry drawn from the opposing party - a party which had even less regard for him than had his own. This was in sharp contrast to the experience of his predecessors: Archibald had been given full discretionary power, and Morris' judgment seems to have been trusted implicitly, even by Alexander Mackenzie's Liberal government.[43] This support from the Dominion authorities which Cauchon so signally lacked, was in fact one of the main sources of strength for a governor.

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41. Sep.29,1882, "The Two Appointments."
42. Op.cit. IV, 144.
43. P.A.C., Macdonald Papers, vol.252, p.535, Morris to Macdonald, Nov.4,1875: "You will be glad to hear, that your successors have treated me very well. Mackenzie has treated me with entire confidence, & thus my duties have been made pleasant."

In any event, Lieutenant-Governor Cauchon's own attitude of indifference towards his office may have been enough. Some guidance, had he offered it, might have been accepted by his provincial administration as the price to be paid for his support, at least for as long as the ministry continued to rest on an alliance of groups in the Legislature. But certainly, his advice was not sought when he offered none. Instead, his ministers turned their full attention to the task of mobilizing their own forces as effectively as possible.

CHAPTER 12

POLITICS IN RETROSPECT

"In democratic countries the science of association is the mother of science; the progress of all the rest depends upon the progress it has made. Amongst the laws which rule human societies there is one which seems to be more precise and clear than all the others. If men are to remain civilized, or to become so, the art of associating together must grow and improve, in the same ratio in which the equality of conditions is increased."[1]

The aptness of De Tocqueville's assertion for this study may not appear at first glance. Yet in a sense the central theme which has emerged has been the development in Manitoba of responsible self-government - not viewed directly, but mirrored, as it were, in the accompanying decline in the importance of the lieutenant-governor. A study of the reality whose image has thus been glimpsed would entail investigation of the political attitudes and habits which emerged in Manitoban society, together with the sources, both native and foreign, from which those attitudes and habits sprang. It should be apparent from the foregoing chapters where attention would have to be focused; on the establishment of those habitual relationships which have been termed "responsible government;" and, above all, on the institutionalizing of the emerging political consciousness, from the early pattern of factions and alliances to the eventual appearance in local politics of political parties. In short, one would be viewing the progress of "the science of association."

Governor Archibald's term of office was too brief, and the provincial society in which he worked too primitive, to permit effective association on any but a rudimentary scale. Morris,

1. De Tocqueville, quoted by Herman Finer in The Theory and Practice of Modern Government, (London, 1932) I, 393.

faced with the same conditions of ministerial instability as Archibald had experienced, but with a rapidly evolving society, adopted a profoundly different policy. If one man were to be selected as premier and granted a wide freedom of action by the lieutenant-governor - the power to choose his subordinates, and the power to settle disputes over policy - might there not be every likelihood that the rest of the ministry would, in time, develop a habit of obedience, a habit of regarding him as premier?

Consciously or unconsciously, Morris acted upon this principle from 1874 to the end of his term, and consistently lent the prestige and power of the lieutenant-governor's office as a support for the premier, whose power otherwise would have been seriously limited under the unstable conditions that prevailed. By so doing, Morris demonstrated that the conditions necessary for responsible government could, to some extent at least, be stimulated from the top, for in time the men around the premier tended to be drawn together by their common determination to protect their regime, and something like cabinet solidarity and collective responsibility was born. The natural reaction to this by the opposition groups was to make common cause of their determination to overthrow the government, and especially the premier. At that point the outlines of a party system could be discerned - the division being based not on important differences in policy, but essentially on the fact that there were two sides to every office, the inside and the outside.

It would be a grave error, however, to explain the hardening of political lines solely in these terms. Two other factors at least must be borne in mind: one, of local origin, was

negative in its effect, a brake on the process; the other, external, provided a stimulus whose effects coincided only partially with the effects of the governors' policies.

The first of these was the strength and solidarity of Joseph Royal's French bloc, which, until 1879, was able by its possession of the effective balance of power, to inhibit the tendency towards parties corresponding to the "ministerialist" and "opposition" forces. Even so, at the end of the local session of 1877, Royal claimed to see such a division taking form:

> "Le gouvernement a eu affaire pour la première fois à une opposition systématique quoique sans organisation. MM. Sutherland, Cornish, Cowan, McKenzie, Martin et de temps en temps à autre MM. Howard et Brown ont combattu toutes les mesures ministérielles, et provoqué des discussions qui n'ont pas été entièrement sans de bons effets. . . . Si l'opposition s'est destinée plus vigoureusement que par le passé, d'un autre côté le parti ministériel s'est montré plus compacte, mieux discipliné et plus serré que par le passé. Il est d'autant plus important qu'il en soit ainsi parceque n'ayant plus de seconde chambre législative, le ministère doit pouvoir contrôler la chambre et surveiller avec un soin jaloux, et jusque dans ses moindres détails la législation qui se fait."[2]

It may reasonably be asserted, however, that Royal's own policy of "Soyons Unis!" prevented this development from maturing. "Nous sommes une très faible minorité," the French leader declared, "huit contre seize; cependant, notre force peut encore être très grande si tous nos représentants restent unis comme un seul homme."[3] The unity of the ministry was thus subordinated to the unity of the French members upon whose support any ministry was dependent.

The steady stream of immigration eventually proved the solvent of this obstacle, by its gradual erosion of the relative

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2. Le Métis, Mar.1,1877, "Fin de la Session."
3. Ibid. Nov.7,1878, "Les Elections Provinciale;" also on Oct.17, 1878, "Changements Ministériels."

strength of the French. At the same time the last vestiges of the issues on which the initial groups had been formed were submerged: the outstanding accounts lingering from the Insurrection were liquidated and the allotment of half-breed lands was completed. New settlers outnumbered not only the French but even the combined forces of the French and "old settlers." Gradually the old alliance became unworkable, and a change became inevitable.[4]

The crisis came in May, 1879, when Norquay, reading the signs of the times, threw in his lot with the opposition in support of political reforms designed to adjust Manitoba's government to the new balance of forces. Royal led his group across the floor of the Assembly in protest, but recognizing the futility of any attempt to perpetuate the old system, immediately began to urge the formation of political parties. If the French could no longer hold the balance of power in the Legislature itself, they might at least hope to secure the same dominant position in one of the parties. Royal's own choice was for a party affiliated with Macdonald's national organization:

> "The Province being young and the population small," he was reported to have declared in the Assembly, "the principle of Manitoba first had always been acted on. But since the leader of the Government recently stated that the requirements of the country demanded a new departure, he (Royal) believed that the first departure ought to be to make this Government a party Government. . . . The time had come when this Government and Legislature should be constructed on strict party principles; it was the only way in which it could be carried on. . . . Coming back to the question of party politics again the hon. gentleman said that the Reform ranks were united in the House, whereas the Conservatives were split up so that instead of party lines fairly drawn, they were divided on questions of nationality."[5]

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4. Holmes, op.cit. chapter 3; also R.O.MacFarlane, "Manitoba Politics and Parties After Confederation," Canadian Historical Association Annual Report, 1940, pp.45-55.
5. Free Press Weekly, June 14, 1879, "Manitoba Legislature."

Herein is indicated the other important factor in the emergence of provincial party lines: the well-established national party allegiances which existed already in Manitoba. The Free Press, which until 1882 opposed the introduction of parties in provincial politics, grounded its opposition partly on this very fact: such parties, it predicted, would serve only to provide a means whereby federal supremacy could be asserted and the subservience of the province established.[6]

National parties had, of course, been known in Manitoba from the very first election of 1871, but lines remained relatively indistinct for the first few years. Only in 1878 did local organizations with any permanence appear.[7] Throughout the newspaper files of the next few years are sprinkled announcements of organizational meetings, especially in Winnipeg and the western sections of the province, where the newcomers from Ontario were concentrated.[8]

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6. Ibid. June 21,1879, "Party Lines."
7. Escott Reid has pointed out that for a decade after Confederation federal politics rested to some extent on a basis of 'group government,' and that "it is only by 1878 that the Ontario-Quebec parties have conquered most of eastern Canada." - in "The Rise of National Parties in Canada," Canadian Political Science Association, Papers & Proceedings,1932, p.196. In the West, he adds, there were other special considerations: "The politics of Manitoba and British Columbia in the three general elections of that decade can be explained as the result of two forces: their desire for the Pacific Railway, and the holding of their elections some weeks after the results in the east had been declared. Until the railway was completed the west could not afford the luxury of party politics. It had to be ministerialist." - p.198. But in 1878 Manitoba gained its railway, and the Ballot Act of the same year introduced simultaneous voting.
8. Free Press Weekly, Mar.16,1878, "Organization of Conservatives;" Nov.30,1878, "Reorganization Wanted;" July 17,1880, "Liberal Association," and "The Conservative Banquet;" July 31,1880, "The Meeting Last Night." Also, Le Métis, Jan.15, 1880, account of Conservative meeting in Winnipeg on January 9th; and Nov.4,1880, "Les Conservateurs de Winnipeg."

Premier Norquay, from 1879 to 1882, opposed all suggestions that provincial party lines should be recognized; but, closely identified as he was with the national Conservatives, he found the pretence of provincial non-partisanship increasingly difficult to maintain.[9] On the other side the Free Press, expressing the Liberal viewpoint, shared the Premier's opposition to local party politics; but the editors found it increasingly difficult to distinguish between Norquay the non-partisan provincial leader whom they supported, and Norquay the supporter of Macdonald, whom they opposed. By February, 1882, while still disavowing any desire for local conflict, the editors declared that "if the gauntlet be thrown down, assuredly it will not be refused."[10] Eight months later the Free Press openly appealed for a strong provincial Liberal party;[11] with a generous disregard for their policy of the preceding years, they hailed partisan politics as the cornerstone of constitutionalism. "The utility of party in political affairs has for centures been recognized in every country possessing the least vestige of constitutional government."[12] The issue of railway disallowance, in 1882, provided the impetus necessary to overcome the reluctance of both sides,[13] and the elections of the following year were fought on clear party lines.

The event marked Manitoba's political coming of age, the completion of that process which might be said to have begun

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9. Holmes, op.cit. chapter 3.
10. Free Press Weekly, Feb.10,1882, "Provincial Politics."
11. Ibid. Oct.20,1882, "The Liberal Party and the Provincial Elections;" and on Nov.17,1882,"Liberals, Organize."
12. Ibid. Nov.24,1882, "Principle and Party
13. Holmes, loc.cit.

with the arrival of the first settlers from Ontario in the early 1860's. Throughout, Manitoba had followed a clearly-marked trail. "The truth is," Professor H. J. Laski has written, "that there is no alternative to party government in any State of the modern size. Government requires leaders; leaders require not an incoherent mob behind them, but an organized following able to canalize the issues for an electorate with a free choice. The case for party as the necessary condition of representative government was made as long ago as Burke; and there has since been no answer to his argument."[14]

Such is the other half of the picture of which this study of the lieutenant-governorship has been a partial representation - the political history of Manitoba in its first twelve years. In the final assessment, the roles of the governors, certainly of Adams G. Archibald and Alexander Morris, appear unsurpassed in importance by those of any among the other actors.

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14. H.J.Laski, Parliamentary Government in England, (London, 1938) p.99.

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