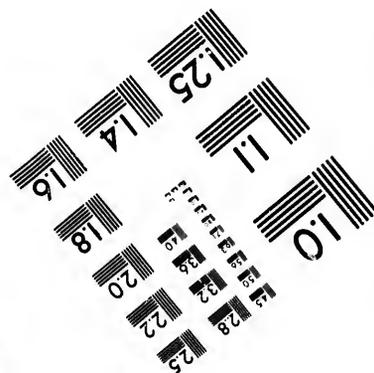
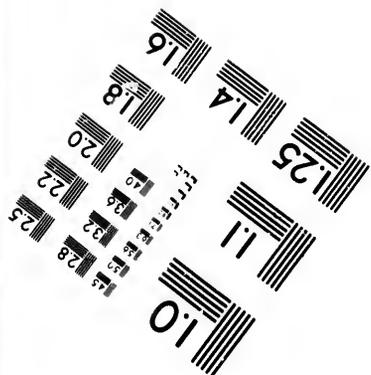
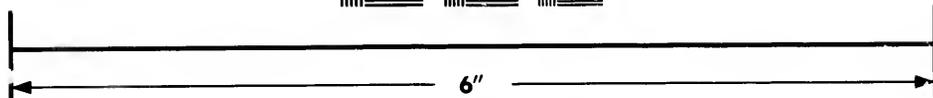
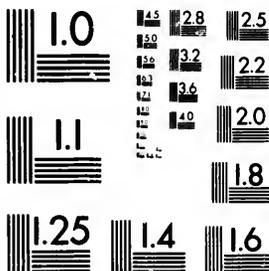


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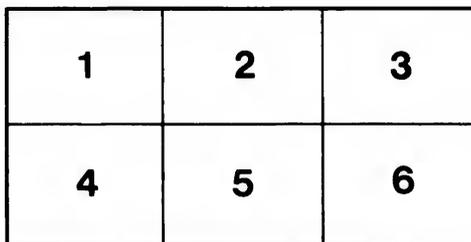
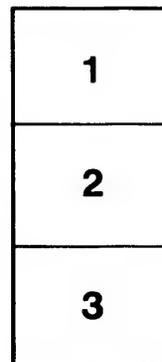
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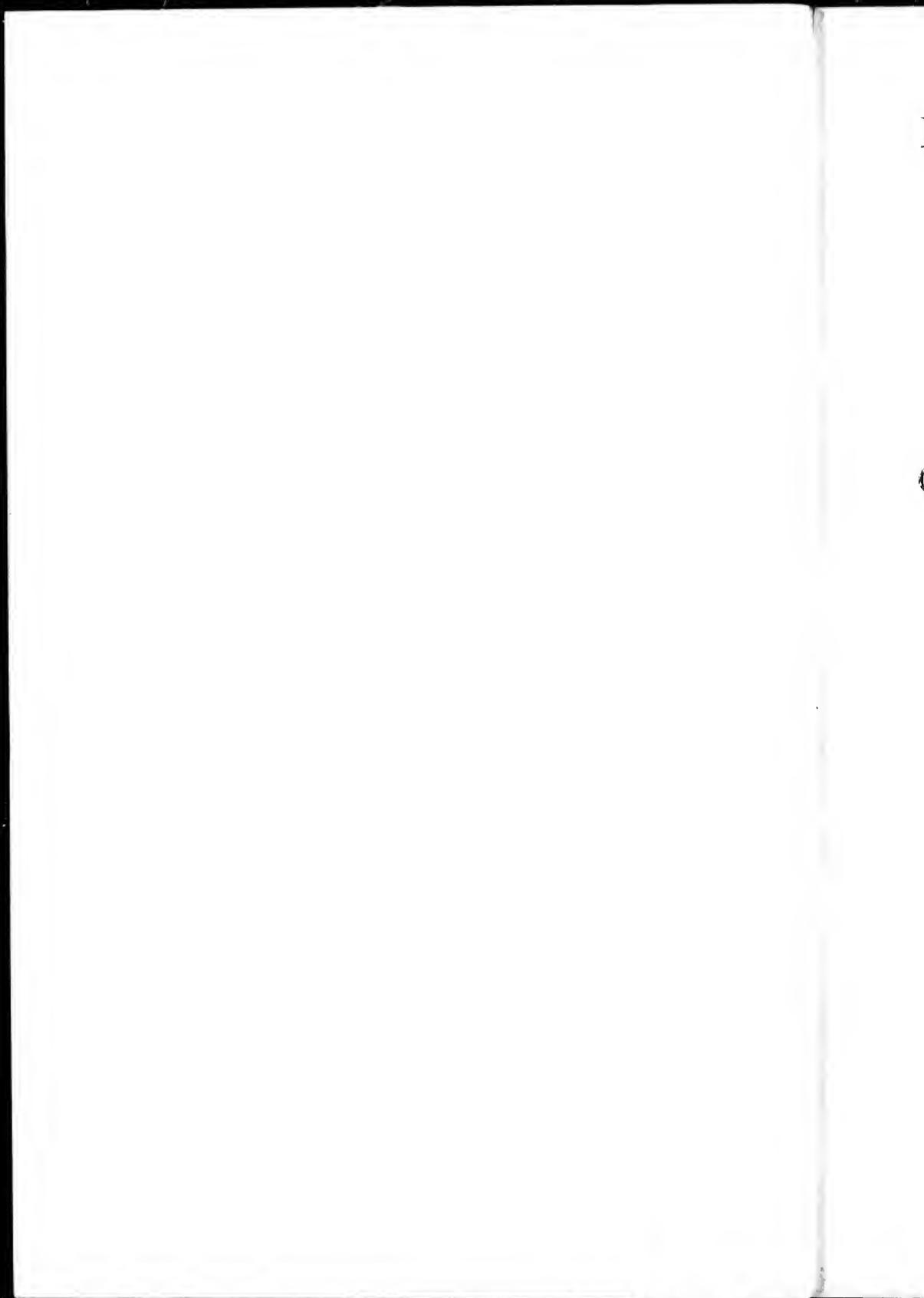
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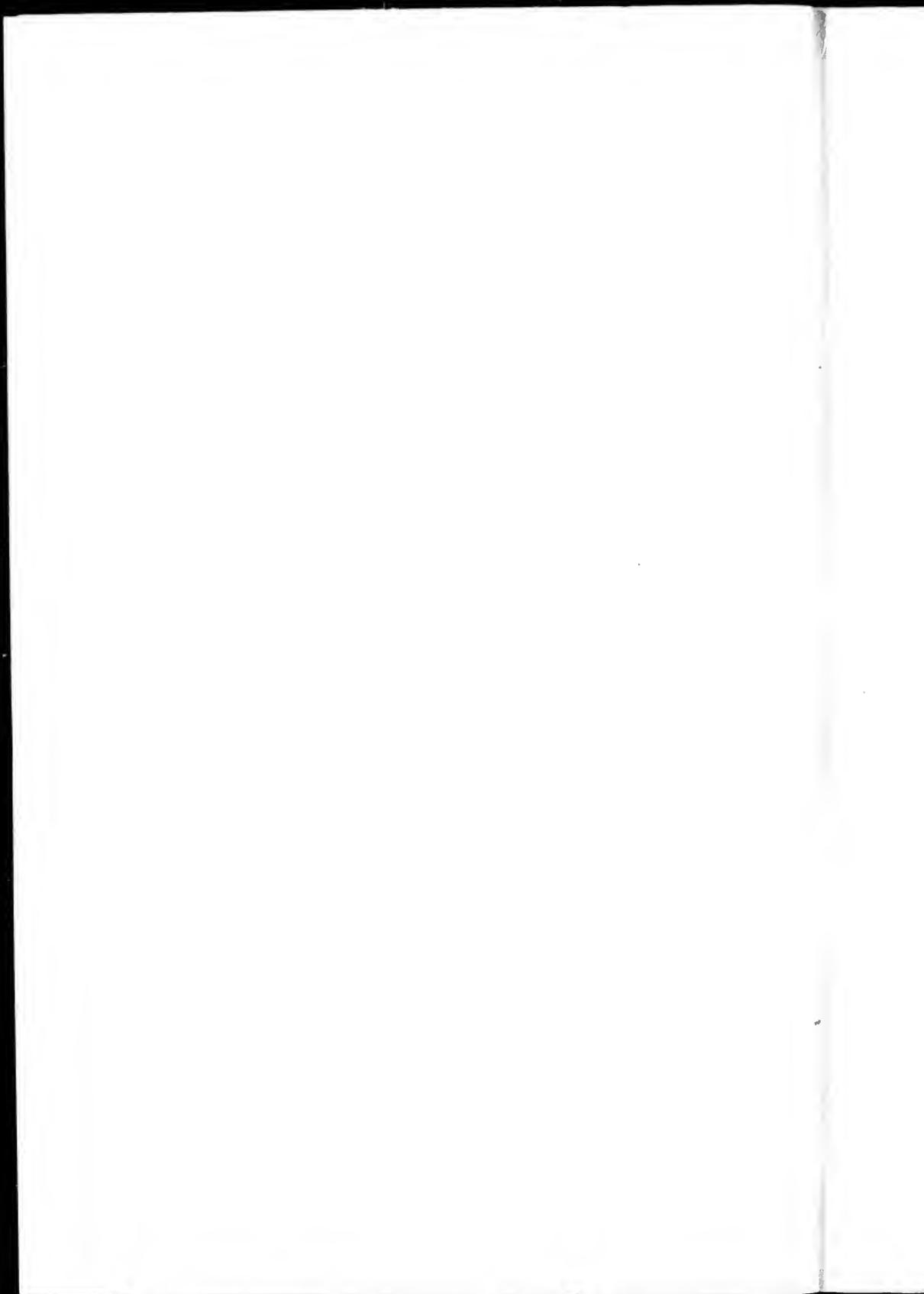


RED RIVER INSURRECTION.

HON. WM. McDOUGALL'S
CONDUCT REVIEWED.

Montreal:

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1870.



RED RIVER INSURRECTION.

THE period has at length arrived for disabusing the public mind of the false impressions which have been made on it, chiefly by the Hon. William McDougall, the intended Lieutenant Governor of the North-West territory, but likewise by many well-meaning persons in the Province of Ontario, who, in ignorance of facts, have allowed their natural feelings of irritation at several atrocious acts committed by the insurgents to bias their judgment with regard to the policy of the Dominion Government. It is our intention to lay before our readers a narrative of the circumstances which led to the insurrection, and of the difficulties with which the Government had to contend, and we shall quote largely from authentic public documents, the most important being the "Correspondence relative to the recent disturbances in the Red River settlement, presented to both Houses of Parliament, by command of Her Majesty, August, 1870." Although several of the documents from which we shall quote were laid before the Dominion Parliament, during its last session. others, and especially several confidential despatches and cable telegrams, have only lately reached this country. The opinion formed by Her Majesty's Imperial Government on

the conduct of the Canadian Government in circumstances of no ordinary difficulty, was communicated in the following despatch :

DOWNING STREET, 18th May, 1870.

SIR,—I have the honor to acknowledge the receipt of your despatches Nos. 86 and 87, of the 25th and 29th April last, enclosing documents connected with the recent disturbances in the Red River territory. I am glad to learn that the proceedings adopted against the Rev. Mr. Ritchot and Mr. Scott were promptly disposed of and had not been renewed ; and I take this opportunity of expressing the satisfaction with which I have learned from your telegram of the 3rd inst., that the Canadian Government and the delegates have come to an understanding as to the terms on which the settlements on the Red River should be admitted into the Dominion. In giving an account of what has passed to the House of Lords, I had much pleasure in acknowledging publicly the singular judgment, decision, and conciliation with which your Government has acted since this unfortunate outbreak.

I have, &c.,

GRANVILLE.

Right Hon. Sir John Young, Bart., G.C.B., G.C.M.G.

While such is the deliberate judgment of one who had peculiar opportunities of forming a correct opinion, and who was at first dissatisfied with the course taken by the Canadian Government in withholding the payment of the purchase money, Mr. McDougall and his partizans have persistently denounced the Government for not adopting a policy which would have deprived Canada of Imperial countenance and support, and which would most assuredly have brought about a war between Canada and the Red River settlers, in which the latter would have had the aid of any number of sympathisers from the United States of America. Whatever might have

been the final result of such a war, its immediate consequences would have been the expenditure of an enormous sum of money, the sacrifice of many lives, and the temporary ruin of the territory now known as the Province of Manitoba. It is not the least singular feature in this controversy, which, it may be observed, is still going on both in Ontario and in Manitoba, that the advocates of a coercive as opposed to a conciliatory policy desire to reap all the benefits obtained, owing to the success of that policy which they have never ceased to condemn. It will be recollected that the ministers were denounced in the most unmeasured terms for conferring with the delegates appointed by a council freely elected by the people of all classes in the Red River settlements. Their duty, it was contended, was to put down the rebels, to avenge the wrongs (and grievous wrongs the ministers have always admitted them to be) suffered by those of the settlers who were always loyal to Canada, and to hold no intercourse whatever either with the insurgents themselves or with those who were known to have influence over them. The request made to Bishop Taché, then at Rome, to return to his diocese and to afford his valuable aid in restoring peace was loudly condemned as a concession to traitors and murderers, and the Bishop himself was by many held responsible for acts of which he could have had no knowledge whatever, and the perpetration of which had caused him the deepest grief. No one who reads the Parliamentary papers carefully can arrive at any other conclusion than that, if Mr. McDougall's policy had been adopted, Her Majesty's Imperial Government would have given neither moral nor material support to Canada on

the occasion ; General Lindsay would not have been sent out, and Colonel Wolseley would not have been allowed to command the expedition. As Bishop Taché would not have been summoned from Rome, and as the people of the Red River settlements would not have been invited to send delegates to Ottawa, Riel would have maintained his ascendancy, until conquered by Canada, and would have sought aid from all quarters where he could obtain it. A different policy has been successfully pursued, the territory has been organized into a Province, an excellent governor has been sent to it, whose policy will be to restore harmony, and to administer equal justice to all. That Governor Archibald will have difficulties to contend with is already manifest. It is to be feared that one consequence of the sympathy extended throughout Canada to those who were compelled to immigrate from Red River during the ascendancy of Riel will be to stimulate the desire for vengeance on all who supported the Provisional Government. We do not specially refer here to the shooting of the unfortunate Scott. In that case reparation is impossible, and vengeance may be equally so. But there are many who have suffered grievous wrong and to whom, no doubt, reparation is due. It is much to be feared that if the restoration of a legally constituted government be attended by violent party strife between the supporters of Dr. Schultz and the French half-breeds, Governor Archibald's efforts to restore harmony may be frustrated, for a time at least, and he may find great difficulty in obtaining justice for men who will be looked on as disturbers of the peace of the settlement. The refusal of

Dr. Schultz to concur in a loyal address to the new Governor, which had obtained the sanction of the Bishop of Rupert's Land and of Archdeacon McLean, and his determination to adopt one of a party character, is calculated to excite alarm. We, however, rely with great confidence on the prudence and tact of Governor Archibald, and we earnestly hope that on calm reflection, and on attaining a better knowledge of facts, the Canadian public will acknowledge the correctness of Earl Granville's deliberate opinion of the conduct of their Government, in dealing with difficulties, the most serious of which were the consequences of Mr. McDougall's imprudence. Our chief object at present is to review the proceedings at Red River during the last year.

As early as the month of July Mr. McDougall gave instructions to Colonel Dennis to proceed without any delay to Fort Garry, for the purpose of selecting the most suitable localities for a survey of townships for immediate settlement. He was directed to confer and advise with Mr. Snow, "especially as to the character of the country about Oak Point and its adaptability for immediate settlement;" and it was added, "you will proceed with such surveying operations at Oak Point and the vicinity of Red River as may appear to you to be necessary in any event." On the 21st August, Colonel Dennis addressed a letter to Mr. McDougall, suggesting a general system of surveys, and furnishing the following important information:

I find that a considerable degree of irritation exists among the native population in view of surveys and settlements being made without the Indian title having been first extinguished.

You will, no doubt, have become aware that the half-breed,

lately, in a public meeting, called the Company here to account in the matter of the money paid for the transfer to Canada.

Whatever may have been the views of the Government as to the character of the title to be conveyed by the deed of transfer, whether the expense may or may not be fairly chargeable to the Company, I am satisfied that the Government will, in the first place, have to undertake and effect the extinction of the Indian title.

This question must be regarded as of the very greatest importance.

In connection therewith, I would reiterate to you my conviction, as expressed while at Ottawa, that no time should be lost. The necessity for prompt action is more apparent to me now than it seemed even then.

Supposing the transfer from the Company to have been complete, it is possible that the object may be carried out yet, this fall.

There can be no question as to the prejudicial effects in retarding the settlement of the country, should the half-breeds and Indians assume a position of hostility to any extent whatever, towards the incoming settlers, or towards the Government.

The difficulties of the position may be much enhanced by giving the discontented parties the winter to brood over, and to concert measures in opposition to the views of the Government.

In the meantime, the French half-breeds, who constitute about one-fourth or one-fifth (say 3,000 souls), of the settlement, are likely to prove a turbulent element. This class have gone so far as to threaten violence should surveys be attempted to be made.

I shall call to-day on the dignitaries of the Roman Catholic Church, and explaining the object which the Government wish at present to carry out, request that they will in turn explain the matter to their people.

Again, on the 28th August, Colonel Dennis wrote :—

I have again to remark the uneasy feeling which exists in the half-breeds and Indian element with regard to what they conceive to be premature action taken by the Government in proceeding to

effect a survey of the lands, without having first extinguished the Indian title, and I beg permission to reiterate the conviction expressed on a former occasion, that this must be the first question of importance dealt with by the Government.

I have, of course, taken every opportunity to assure this element as to the intention of the Government, to deal honorably and fairly in the matter in question, and shall go on quietly with my work.

Should, however, this feeling be likely to result in any opposition of a character likely to prejudice a settlement fraught with importance to the immediate future of this country, I shall at once cease operations, and await your further orders.

With this most important information in his possession, Mr. McDougall made the following report to the Privy Council, withholding altogether the very alarming information communicated to him by Colonel Dennis :

(No. 5,403.)

OTTAWA, September 22nd, 1869.

MEMORANDUM.—The undersigned has the honor to submit :

That, on the 10th July last, a letter of instructions was sent to Lieut-Col. Dennis, P.L.S., directing him to proceed to the Red River, for the purpose of selecting the most suitable localities for the survey of townships for immediate settlement.

That Mr. Dennis, after consulting with the Crown Lands Departments, both in Canada and in the United States, in accordance with the above instructions, has forwarded certain papers embracing a proposed system of surveys and subdivision of public lands in that part of the Dominion.

1. The system to be rectangular. All townships and sections to be east and west, or north and south.

2. The townships to number northerly from the 49th Parallel, and the ranges of townships to number east and west from a given Meridian. This Meridian to be drawn from the 49th Parallel at a point, say 10 miles west of Pembina, and to be called the Winnipeg Meridian.

3. The townships to consist of 64 squares of 800 acres each ;

and to contain, in addition, 40 acres, or five per cent. in area in each section as an allowance for public highways.

4. The Townships on the Red and Assiniboine Rivers, where the same have had ranges of farm lots laid out by the Company, to be surveyed; the broken sections butting against the rear limits of such ranges, so as to leave the same intact as independent grants. Accompanying which is a map on Mercator's projections, illustrating the proposed division, and a plan of a township, showing the proposed method of subdivision.

The undersigned now begs to recommend that the above system of surveys and subdivision by Col. Dennis, P.L.S., for the North-Western territories, may be adopted and approved.

Respectfully submitted,

(Signed,)

W. McDougall,
Minister of Public Works.

The council having approved of Mr. McDougall's recommendation, Colonel Dennis was instructed to proceed with his surveys, by the following letter, which contains no allusion whatever to his warnings:

(No. 5,470.)

OTTAWA, October 4th, 1869.

SIR,—I have the honor to inform you that the Government, upon the recommendation of the Minister of Public Works, has approved of the system proposed by you in your Report dated the 28th August last, for the survey and sub-division of townships in the North-West territories. You are, therefore, authorized to proceed with the surveys on the plan proposed.

I have the honor to be, Sir,

Your obedient servant,

F. BRAUN, Secretary.

J. Stoughton Dennis, P.L.S.,

Red River Settlement.

Colonel Dennis, in pursuance of his original instructions to proceed with surveying operations at Oak Point, commenced

by projecting a meridian line from a point in the boundary 10 miles west of Pembina to the Assiniboine River, and then instructed Mr. Webb, "to run the base line between townships 6 and 7, easterly from the meridian over, to locate a township at Oak Point." This base line was immediately in the settlement of the French half-breeds, who, as Colonel Dennis had reported, had threatened violence. Mr. Hart, who was engaged on another survey in the vicinity of Portage Prairie, encountered no obstruction whatever, and had any other place in the territory been selected for Mr. Webb's operations, he would have had no trouble. The course taken by Colonel Dennis, according to his instructions, was the most imprudent that could have been adopted. It can only be ascribed to infatuation. The consequences will soon appear.

The transfer of the territory by the Hudson's Bay Company had been fixed for the first December. Mr. McDougall's letter of instructions was dated 28th September, and he was informed that no time should be lost in making preliminary arrangements, and that he should proceed with all convenient speed to Fort Garry, with a view to make the necessary arrangements on the spot. Mr. McDougall arrived at Pembina on the 30th October. He had been preceded by the Hon. Mr. Howe, who arrived at Winnipeg on the 9th October, and after a short visit, during which he prudently avoided mixing himself up in any of the party disputes which he regretted to find prevailing, returned via St. Paul, meeting Mr. McDougall on the road half a day's journey south of Georgetown. The date of Mr. Howe's departure is not given, but it must have been about the 18th October. Great efforts have been made to com-

mise Mr. Howe, who has been represented by Mr. McDougall as having sympathised with the disaffected, and as having concealed from him information which it would have been important for him to have been possessed of. On a reference to despatches and dates, it will appear that Mr. Howe must be completely exonerated from all blame. That gentleman was wholly ignorant of the affairs at Red River until his visit about the middle of October, the object of which was to make himself acquainted with a settlement for the future administration of which he, as Secretary of State for the Provinces, was to be specially responsible. It appears from a despatch of Governor McTavish to the Hudson Bay Company, dated 2nd November, 1869, that "there has been, during the autumn, considerable agitation among the Canadian half-breed population regarding the Government to be established here. They seem to have been fully, if not correctly, informed of how the Government was to be composed, and they seemed to think their interests would be overlooked and their religion interfered with." It likewise appears from Colonel Dennis' "Memorandum of Facts and Circumstances," that on the 4th October, several days before Mr. Howe's arrival, a surveying party was despatched to the country on the south side of the Assiniboine, which was inhabited by the French. This surveying party were stopped in their operations by some 18 French half-breeds "headed by a man named Louis Riel." This was the commencement of the unfortunate events which occurred with fearful rapidity. One cannot but lament that the surveyor, before commencing operations, had not secured the consent of the people

of the settlement, who were well known to be alarmed as to the intentions of the Canadian Government. Colonel Dennis thus states what took place: "He (Mr. Webb), was ordered by the leader of the party at once to desist from further running the line, and, in fact, notified that he must leave the country on the south side of the Assiniboine, which country the party claimed as the property of the French half-breeds, and which they would not allow to be surveyed by the Canadian Government." The next step was an appeal by Colonel Dennis to Dr. Cowan, the chief magistrate in the settlement. Colonel Dennis expressed an opinion that it was questionable whether "it would be politic to take harsh measures with the offenders in this case." Unfortunately, the "offenders" were masters of the situation. The magistrates sent for Riel, "but failed either to extract from him any rational excuse for their proceeding (beyond the assertion that the Canadian Government had no right to make surveys in the territory without the express permission of the people in the settlement), or any promise that their opposition would be withdrawn." After failing with Riel, application was made to Father Superior Lestanc, the Vicar General of the diocese. This gentleman gave as a reason for declining to interfere that "an idea possessed the half-breeds, that the Company was in collusion with the Canadian Government, and that if they got the idea that the church was also in sympathy with that Government, the clergy would lose their influence over the people in a religious point of view." The priests have been fearfully abused by Mr. McDougall, but it seems evident from

Father Lestane's statement, that public opinion was too strong to be controlled by the priests, and that if they had opposed it, they would have lost their own influence. Some, no doubt, were active supporters of the movement, while others looked on without interfering. Up to the 20th October, the dispute seems to have turned entirely on the question whether the survey was to be proceeded with. Colonel Dennis had been compelled, in consequence of a note from Dr. Cowan, dated 15th October, announcing the entire failure of his endeavors to get the half-breeds to consent to the survey, to withdraw Mr. Webb from the south side of the river, where he never should have been sent. Flushed with their success, the half-breeds met on the 20th at Bruce's house, where Riel was conspicuous as a leader, and it was then decided to prevent at all hazards Mr. McDougall entering the settlement. By this time Mr. Howe had left the territory. Mr. McDougall, in his despatch of 31st October, thus describes his interview with Mr. Howe : " As the weather was stormy we had only a " very short interview. He stated that the people of Red " River settlement were well disposed towards the Canadian " Government, but from some circumstances, of which he " would advise me by letter from Fort Abercrombie, the " feelings of a certain section of the population had been " excited, and that delicate handling would be necessary " to allay them. He did not state, and apparently did not " anticipate, that there was any danger of an armed insur- " rection before my arrival at Fort Garry." It may be observed here that Colonel Dennis had much better means of information than Mr. Howe, but the latter gentleman wrote

his opinions very fully to Mr. McDougall in the following letter which he read in the House of Commons :

Private.

ST. PAUL, Oct. 31st, 1869.

MY DEAR McDUGALL,—I got here yesterday at noon, and go east to-morrow morning. I was sorry not to have had an hour's chat with you, but what I had to say lies so obviously on the surface that your own judgment will guide you correctly, even if it be unsaid. I found a great deal of misapprehension and prejudice afloat, and did my best to dissipate it. * * * * * It would be a great mistake to patronize a little clique of persons at war with the more influential elements of society. These are sufficiently mixed and heterogeneous to require delicate handling, but they must form the basis of any successful Government ; and if dealt with firmly, courteously and justly, I have no doubt can be organized and utilized, till the foundation is widened by immigration. I hope that McTavish, who is much esteemed, will take a seat in the Council, and give you cordial support. The half-breeds are a peculiar people, like our fishermen and lumbermen, but they do a large amount of the rough work of the country, which nobody else can do so well. I hope the priests will counsel them wisely, and that you may be able to draw in some of their leaders to co-operate in the business of Government. With the English population there will be no difficulty, if we except two or three American traders, who are annexationists. The Indian question was not presented to me in any form, as I saw none of their chiefs, but they repudiate the idea of being sold by the Company, and some form of treaty or arrangement may be necessary. Anything will be better than an Indian war at that distance from the centre. I have a keen insight into the difficulties before you, and will do my best to make your mission a success.

Believe me, yours truly,

JOSEPH HOWE.

It would appear that the Hudson's Bay Company had frequently had to contend with difficulties such as it was at first

imagined the Riel insurrection would be. Governor McTavish, writing to Colonel Dennis on the 25th October, says: "Matters, " from information that has reached me, look serious, but it " is very difficult, judging of affairs of this kind here, and some- " times when the case looks bad the whole thing subsides. I " have seen too many difficulties here got over quietly to despair " until the worst has taken place, but I must allow there are " incidents in the present case that have not been in former " troubles." Now, the foregoing letter was written several days after Mr. Howe's departure, and after the meeting at Bruce's on the 20th, of which Mr. Howe never heard, when it was first resolved to prevent Mr. McDougall at all hazards entering the settlement. It has never been even suggested that Mr. Howe could have had any motive for deceiving Mr. McDougall, and it is clear that no information that could then have been given, would have been of the slightest use to him. A day or two after meeting Mr. Howe, Mr. McDougall met Mr. Sanford, of Hamilton, who put into his hands despatches from Colonel Dennis and others, giving him full particulars of all that was going on, so that even upon the assumption that Mr. Howe had been reticent, he could not have suffered from it. Before dismissing the subject of the attacks on Mr. Howe, which have created prejudice in the minds of those unacquainted with facts, we shall give his own most satisfactory reply, and which is as follows :

OTTAWA, 11th December, 1869.

The Hon. W. McDougall, C.B., Pembina.

SIR,—I notice in the reports of several persons, made to you and forwarded to this office, references to expressions said to have been used by me in conversations with inhabitants of the Hudson's Bay

territory, and I think it proper that you should be authorized to contradict all such statements, so far as the inference can be drawn from them, that any thing said by me at Winnipeg, or anywhere else, gave countenance or sanction to breaches of the law and order or to resistance to the peaceable establishment of the authority of the Dominion in the territory, under the sanction of Imperial Legislation.

During my visit to the Red River I never saw Riel, Bruce, Father Ritchot, or any persons said to be leaders of the insurrectionary movement, but I conversed freely with all classes and orders of people, from Governor McTavish downwards, and to them all held the same language—That the same constitution as the other Provinces possessed would ultimately be conferred upon the country; that in the provisional arrangements to be made, the feeling and interests of the resident population would be considered—that leading men enjoying their confidence, would be at once taken into the Government, and that the young men, without distinction of blood, would be drawn into the public service as they were fitted by education to fill places of trust and emolument.

I have, &c.,

JOSEPH HOWE,

Secretary of State for the Provinces.

There cannot be a doubt that Mr. Howe's statement is correct, and it is significant that Colonel Dennis' first "Memorandum of Facts and Circumstances" contains no allusion to any report disparaging to Mr. Howe, or of his name having been used to excite disaffection. Further, Colonel Dennis himself remarks, "Under these circumstances, "not wishing to identify myself with any one of the three "parties into which the people of the village are evidently "divided, and who have no sympathy with each other, so- "cially or politically, I called in the counsel of two Canadian "gentlemen, Messrs. Sanford and Turner, of Hamilton, who "had accompanied Mr. Howe on his visit, and, remaining

“behind that gentleman, were still in the settlement.” It was for pursuing the very policy thus described as his own, by Colonel Dennis, that Mr. Howe was so much abused. He would not identify himself with those who claimed to be the Canadian party. We have now to consider what policy ought to have been adopted under the circumstances described, what policy the Canadian Government really did adopt, and what was Mr. McDougall’s conduct in, as all must admit, very trying circumstances. The original cause of the excitement was clearly an apprehension on the part of the French half-breeds that the Canadian Government contemplated interfering with their property and their religion. It is impossible to read Governor McTavish’s reports without being convinced that such apprehensions really existed, and that they led to the movement to resist the entrance of Mr. McDougall. The Hudson Bay authorities were considered to be in collusion with the Canadian Government, and the Vicar General declared that if the clergy were to try to remove the existing prejudice they likewise would lose the confidence of the people. Surely, under such circumstances, the obvious course was to employ persons furnished with authentic information of the intentions of the Government, and likely to be trusted by the insurgents, although the armed force was almost exclusively raised from the French half-breeds. There is an important statement by Major T. Wallace, of Whitby, Ontario, which forms an enclosure to Mr. McDougall’s despatch of 25th November, which shows that great discontent prevailed among others. Major Wallace’s sympathies were entirely with Mr. McDougall, and he had good opportunities of ascer-

taining the state of opinion at a very critical period of the insurrection. This paper was in Mr. McDougall's possession when he took the fatal step of issuing his proclamation and commission to Colonel Dennis. Mr. Tait said, "You may tall, "but in that Convention we sit opposite to those who have "been born and brought up among us, ate with us, slept with "us, hunted with us, traded with us, and are of our own "flesh and blood. Gentlemen, said he, I for one cannot fight "them. I will not imbrac my hands in their blood." Mr. Lorrman, another delegate, said, "We have met them, "treated them kindly, and by continuing to do so may "win them over, but it will take time." Dr. Schultz gave as his opinion that the Canadians should have warning if troops were sent, that they might leave the settlement; "he thinks on the first sign of troops coming in the Canadians will be murdered." Mr. Snow is said to coincide with Dr. Schultz in every particular. Major Wallace, like many others, was of opinion that the movement could have been easily put down by the Hudson's Bay Government, if vigorous measures had been adopted at first. Governor McTavish, was no doubt, in very bad health at the time, and perhaps incapable of vigorous effort, but he seems to have acted in concert with the Council of Assiniboine on all occasions. Meetings of Council were held on the 25th and 30th October, at both of which Superintendent Black presided, and at both of which the Bishop of Rupert's Land, Dr. Cowan, Dr. Bird, Mr. Frazer, and Mr. Sutherland were present. Mr. McTavish's letter of 30th October was submitted to and approved by the Council on that day. An extract from this

most important letter will convey to our readers the deliberate advice of the Governor and Council of Assiniboine.

From Colonel Dennis' despatches and this letter you will derive as full and accurate knowledge of the position of the affairs here as I believe can very well be given in writing; and having satisfied myself that you are acquainted with all the material circumstances of the case, I think that you are now in possession of the principal data for enabling you to determine the important question of your movements; and I need not say that I shall most anxiously await your decision.

But without, of course, in any way meaning to prescribe the line to be pursued, I may be permitted to add that to those who with myself have been deliberating upon the most advisable steps to be taken in circumstances of so embarrassing and so critical a nature, there have been suggested three courses for meeting the difficulty as it now stands.

The first is, that, there happily being among even the French half-breeds a considerable element of well-disposed persons, there should be carefully selected from that section a body of from twenty to thirty men, who mounted and armed, should proceed to Pembina and escort you to your residence in the settlement by a roundabout road, which would keep you entirely clear from the roads on which the malecontents are known to have taken up their positions.

The second is, that of making a public call upon the whole loyal portion of the settlement to turn out in the cause of order, and to the number of, say 300 unarmed able-bodied men, if such a force could be mustered, proceed to Pembina and escort you into the settlement by the usual route, whether the malecontents remain upon it or not.

And the third is, that you should remain at Pembina and await the issue of conciliatory negotiations, with the view of procuring a peaceable dispersion of the malecontents.

Now, with respect to the first of these courses, it is in my opinion, open to the grave objection, that even if it were to issue in your safe arrival amongst us, it would obviously involve a virtual

acknowledgment of the ascendancy of these lawless people, and would have a direct tendency to inspire them with fresh courage in the prosecution of their designs; and besides, I am strongly of opinion that, under present circumstances, your personal safety could not be sufficiently provided for by the attendance of so small a body of men as that proposed—a body large enough to provoke a collision, but probably far from strong enough to meet it.

The second is one which all along the local authorities have been pondering, but one which, as in somewhat similar emergencies on former occasions, they have hitherto shrunk from adopting, partly from a misgiving as to the extent and the spirit of the response to such a call as that proposed, and partly also, but principally, from an apprehension of precipitating a collision between different sections of the people, which might plunge not only the settlement, but the whole territory, into all the disasters of a war of races and religions—a war, in which the legitimate object for which it had been begun would probably soon be lost sight of, and passion and prejudice alone animate the minds of those engaged in it.

To the Council and myself it appears that, under present circumstances, the third proposal is the only one that can be regarded as prudent or practicable; and it is therefore our opinion that you should remain at Pembina and await the issue of conciliatory negotiations, in the hope of procuring a peaceable dispersion of the malcontents.

I have only to add that, although this letter proceeds ostensibly from myself, it embodies the views of the Council of Assiniboine, and that at a meeting of the Council to-day, held for the express purpose, it was unanimously adopted as the communication which I should immediately make you.

Earnestly hoping that ere long some peaceable solution of all these difficulties may be arrived at.

The letter from which the above extract is taken was read to Colonel Dennis, who was then at Fort Garry. Mr. McDougall had in the meantime written very urgent letters to Governor McTavish, complaining of the inaction of the

Governor, to which a long reply was made on the 9th November from which we shall make some extracts :

With regard to that part of your letter in which you make such express reference to my position as the present legal ruler of the country, and to my responsibility for the preservation of the public peace, permit me to say it is because I so deeply feel that responsibility, that I have hitherto been restrained from sanctioning a course so likely, I may almost say, so certain, to engender a strife which, for years to come, might prove fatal to the peace and prosperity of the whole country, and make all government impossible. It is unquestionable that the preservation of the public peace is the paramount duty of every government; but while in ordinary circumstances it might be reasonable enough to cast upon us the exclusive responsibility of preserving the public peace, it may, perhaps, at the same time, admit of doubt whether some degree of responsibility did not also rest upon others in a case of so exceptional a character as this, a case in which not merely a whole country is transferred, but also in a certain sense, a whole people, or, where at least the political condition of the people undergoes such a great change; and it may moreover be a question whether, on the part of the Dominion, the preliminary arrangements for introducing that change have proceeded upon such a just and accurate appreciation of the condition of the country, and the peculiar feelings and habits of its people, as, on such an occasion, was desirable, if not absolutely essential, and whether the complication by which we are now surrounded, may not, to a great extent, be owing to that circumstance. But, at a time like this, when it is felt that all our energies ought to be directed to the possible removal of the obstacles that oppose the peaceable inauguration of your government, it would be out of place here to go into the discussion of such points as relate to the responsibility of those concerned in the introduction of the new order of things, and I shall therefore proceed to deal with matters of a more practical as well as more pressing nature.

Towards the end of your last letter, you desire my opinion as to whether any useful purpose is likely to be served by your

remaining for any length of time at Pembina, and feeling the importance that may be attached to any expression from me on that point, I have taken care to test my own ideas very closely by the opinions of the Council.

In compliance with your wishes, let me say, as the substance of our opinion on this point, that we perceive there is as little chance as ever of these people receding from opposition to your coming into the settlement; that the attempt might be productive of the most disastrous consequences, and that while you remain at Pembina, the effect, so far as the settlement is concerned, is likely to be the perpetuation, and possibly even the aggravation of this state of disturbance and danger. You can, therefore, yourself judge whether any good purpose would be likely to be answered by your remaining at Pembina, and perhaps your own view of the matter will be such as to prepare you for my adding, as I assure you I do with a feeling of inexpressible regret, that to the Council and myself it appears that your early return to Canada is not only essential for the peace of the country, but also advisable in the interest of the establishment in the future of the Canadian Government.

It is no doubt possible that a little more time may change the minds of the men, and public meetings are notified which may somewhat alter the present state of affairs. Your immediate departure ought not therefore, perhaps, to be at once determined upon. It might be advisable, a few days longer to wait the course of events, or at any rate until I can again communicate with you; but at present, I confess, I see but little reason to expect the occurrence of anything that is likely materially to change the opinion I have expressed with regard to your movements.

The letter containing the foregoing extracts was transmitted by Mr. McDougall, on 20th November, to the Secretary of State for the Provinces. The tone of the accompanying despatch was most hostile to Governor McTavish and Judge Black. Mr. McDougall states, "The extraordinary policy adopted by the local authorities, and the difficulty and delay

“which I have experienced in my attempts to communicate
“with them, compel me to seek the aid of loyal men where-
“ever I can find them.” Now, when this despatch was
written Mr. McDougall had no authority whatever to seek
the aid of any persons in the territory governed by Mr.
McTavish. The policy so strongly recommended by Govern-
or McTavish and his Council was precisely in accordance
with that decided on by the Canadian Government long before
the receipt of Mr. McDougall’s despatches—it was a policy
of peace. It was determined to send Mr. Donald Smith, a
principal officer of the Hudson’s Bay Company, who was
deemed likely to have influence with the employees of that
Company, and with the English and Scotch half-breeds, and
Father Thibault and Colonel De Salaberry, who were charged
with the explanations of the views of the Government to the
French half-breeds. Had this policy had anything like fair play,
subsequent events must lead us to the conviction that it would
have been entirely successful. Unfortunately Mr. McDougall,
whose feelings were naturally very deeply irritated by the events
which were daily brought to his knowledge, and urged by the
rash counsels of Canadians in the territory, who were not
possessed of the necessary information to enable them to give
him sound advice, committed the fatal mistake of issuing a
proclamation declaring the transfer of Rupert’s Land to
Canada, and assuming the authority of Lieutenant Governor,
which did not legally belong to him, and purporting to extin-
guish the powers belonging to the legal Governor, Mr. McTav-
ish. An equally fatal error was his giving a commission, on the
same day, to Colonel Dennis, empowering him to attack, arrest,
disarm and disperse armed men disturbing the public peace,

and to assault, fire upon, break into houses in which these armed men were to be found. Mr. McDougall has not, to this day, offered any explanation of conduct which was manifestly calculated to produce, and which actually did produce, such calamitous results. But for the issue of the proclamation and commission not a drop of blood would have been shed, not an individual would have been imprisoned, and incalculable evils would have been averted from the Province of Manitoba. Although there was nothing in Mr. McDougall's first letter, dated 31st October, to lead to the supposition that there was any danger of his assuming the government prematurely, yet, in Mr. Howe's despatch of 19th November, acknowledging its receipt, he warned Mr. McDougall as follows :—

As matters stand, you can claim or assert no authority in the Hudson's Bay territory, until the Queen's Proclamation, annexing the country to Canada, reaches you through this office. It will probably be issued on 2nd December, and will be forwarded by a safe hand as soon as received. You had better inform Governor McTavish that you are only proceeding to Fort Garry on the assumed consent of the Company and its officers, and having stated the facts, await his answer. If he either declines to admit you, or is powerless to give you safe conduct, stay where you are till further advised.

In due time, no doubt, when all peaceful means have been exhausted, should it be necessary, the powers of the Crown will be exerted, and the authority of this Government maintained. In the meantime, let me hear from you by every mail, and inform me by what safe means we can communicate with the least possible delay.

Again, on the 29th November, after receiving a few days' later intelligence from Mr. McDougall, in despatches dated 5th and 7th November, Mr. Howe wrote as follows :—

OFFICE OF THE SECRETARY OF STATE FOR THE PROVINCES,

Ottawa, November 29th, 1869.

*The Hon. William McDougall, C.B.,**Pembina.*Received by Mr.
McDougall, 16th
December.

SIR,—I had the honor to receive on Friday your despatches of the 5th and 7th November, the former, dated from Pembina, and the latter from Larose's farm. Eight enclosures, including your correspondence with Governor McTavish, and the reports made to you by Colonel Dennis and Mr. Provencher, also came safe to hand.

These papers were at once laid before His Excellency the Governor General and Council, and were anxiously considered by the Privy Council. The crisis was grave as it was unexpected and might, if dealt with rashly and unwisely, lead to a civil if not a national war, the end of which no man could foresee.

It was the first duty of the Government to acquaint Her Majesty's Ministers with the facts reported, and a cable message was sent at once by the Governor General to the Secretary of State for the Colonies, and copies of all the papers have been forwarded by the mail for England, which left Ottawa this morning.

The insurrection you describe is not merely an expression of dislike to the Government of the Dominion, but an open violation of Imperial Legislation and defiance to the authority of the Crown. All the negotiations for the transfer of this country had proceeded with the sanction of Her Majesty's Government, and the purchase money had been raised under an Imperial Guarantee. It was assumed, on both sides, that the Queen's right of Sovereignty was indisputable, and that Her power to protect Her subjects, even in that distant part of Her Dominions, would be asserted with firmness and decision. It therefore appeared to the Privy Council unwise to complicate matters by any hasty action, until the policy of the Queen's Government was known.

The Governor General is still in telegraphic communication with the Secretary of State, and I may be able, before closing this despatch, to convey to you, with some degree of clearness and accuracy, the views of Her Majesty's Government.

In the meantime I have it in command to express to you the anxious desire of the Governor General in Council, that all collision with the insurgents may be avoided, and that no violation of the neutrality laws of the United States shall give a pretext for the interference of their Government.

This will be handed to you by a special messenger, who, as he speaks French fluently and is a gentleman of some experience, may be of some service.

You will for the present remain at Pembina, cheered by the conviction which animates us here, that Her Majesty's Government will duly estimate the gravity of the facts reported, and take such steps as will, while carefully providing for the good government of the North-West, maintain the authority and vindicate the honor of the Crown.

It is difficult to comprehend Mr. McDougall's motives in taking the step which he did. In his letter to Mr. McTavish, dated the 2nd November, a day or two after his arrival, he states:—
“As you are aware, the transfer of the territory and the
“powers of Government entrusted to you is to take effect on
“a day to be named in Her Majesty's Royal Proclamation.
“Until that day arrives (which I am informed will be about
“the 1st December next,) you are the legal ruler of the
“country and responsible for the preservation of the public
“peace. My commission authorizes and commands me to
“assume and exercise the powers of government from and
“after that day. I am instructed to proceed in the mean-
“time to the territory and report on certain subjects and
“make preparations for the new state of things.” In his despatch, dated 7th November, to Governor McTavish, he says:—“I shall remain here until I hear officially of the
“transfer of authority, and shall then be guided by circum-
“stances as to what I shall say and do.” Again, in a post-

script to his despatch of 13th November, to the Secretary of State, Mr. McDougall observes:—"The recommendation that I should issue a proclamation at once is not made for the first time; but I have uniformly replied that, until the transfer of the territory has taken place, and I am notified of the fact, I shall not assume any of the responsibilities of Government. Messrs. Richards and Provencher concur with me in this policy." Again:—"I expected to hear by this time that the transfer had been agreed to and the Imperial order in Council passed. If I do not receive notice of this order in a few days I shall be much embarrassed in my plans, and the leaders of the insurrection will be emboldened and strengthened. They understand perfectly that I have no legal authority to act or to command obedience until the Queen's proclamation is issued." It seems inconceivable that the individual who deliberately wrote the foregoing declarations, proving that he clearly comprehended the effect of his commission, should have, a few days afterwards, committed the fatal error of issuing an illegal proclamation. How could Mr. McDougall have expected to hear at Pembina on the 14th November, that the Imperial order in Council had been passed? The date fixed for the payment of the money to the Company and the concurrent transfer to the Crown was fixed for 1st December; but Mr. McDougall was well aware that after the transfer to the Crown a future day for the transference to Canada would have to be fixed by an order of the Queen in Council; and even if the Canadian Government had paid over the money on the 1st December, as contemplated when Mr. McDougall left Ottawa, the proclamation would have been illegal.

The truth is Mr. McDougall's conduct is wholly indefensible, and he seems to have felt that it was so, and that he had no other means of extricating himself than by a denunciation of the French Canadian priests, and an appeal to the religious prejudices of the people of Ontario at a time when they were justly exasperated by the violent proceedings of Riel.

We shall insert here the letters of the Bishop of Rupert's Land, whose loyalty is not open to doubt, and who had concurred in the advice given Mr. McDougall by the Governor and Council of Assiniboine. Archdeacon McLean was of the same opinion as the Bishop.

BISHOP'S COURT, December 6th, 1869.

Colonel Dennis.

DEAR COLONEL DENNIS,—I grieve to say that the state of things is assuming daily a graver aspect. I am greatly disappointed at the manifestations of loyalty, and a determination to support the Government of Mr. McDougall, on the part of the English population. Instead of a breaking down of the force of the insurgents, I feel certain, from my observations at Fort Garry to-day, and from information from Mr. McTavish and others, I can fully rely on, that over 600 men are now in arms, and they are well armed. I see no reason to depend on want of courage or determination on the part of these men. In addition to this strong exhibition of force, there is a belief, apparently on good authority, of a determination to avenge loss of life, if they are attacked, by house to house massacring, or at any rate by individual assassination.

I feel, therefore, that success in an attack with such forces as you can bring together, with nothing of the common action the insurgents have, is very problematical, and that the warfare is likely to be such, that a victory will only be less fatal to the settlement, and the interest of Canadian Government, than a defeat.

You must not suppose that this comes from one who is timorous ; though I never said it before, I went to the first meeting of the Council of Assiniboine, prepared to recommend a forcible putting down of the insurrection, and when you came in, I hoped that the exhibition of force would be sufficient ; but the force of the insurgents has only grown with opposition, and is now, I believe, quite a match for all that can be brought together against them. I would earnestly advise, therefore, the giving up of any idea of attacking the French position at Fort Garry at present, and also any idea of seizing by stealth on any rebel. Put away such counsel for a time, at least. I feel that the result to be anticipated would be very disastrous. I see everything to be gained by delay, at any rate there would be some opportunity, perhaps, of bringing about some direct communication between Governor McDougall and the disaffected people. I think you should, on every account, bring that about ; further, it would be well not to act, till you ascertain clearly the mind of the Canadian Ministry and people on the way of settling this affair ; and I think something is due to the people from Governor McDougall. I, for one, am at this moment perfectly ignorant of any detail of the character or policy of his Government. Personally, I do not care for this—I am not only fervently loyal to the Queen, but I have unquestioning confidence in the management of Canada. I know all will be right, still there is not less a great want—a very conciliatory attitude is what is wanted from Governor McDougall, and a plain setting forth of how the Government is to be conducted, meeting, as far as possible, any of the wishes expressed by the disaffected persons, and, perhaps, referring others to Canada, but promising a generous consideration of the whole grievances.

This may not be altogether palatable, but the crisis is a grave one for Canada, and much wisdom is needed. I would not so write, did I not feel certain that if the present numbers of insurgents keep up, an attack is not feasible, and did I not also feel that some attempt should be made by those having authority and knowledge to enter into explanations with them before making any attack.

The late Government of Assiniboine could not do this, for it had no information—all that could be done was to counsel loyal

obedience; but at this time something more is called for than that.

With kindest regards,

I am, &c.,

R. RUPERT'S LAND.

[“O.”]

BISHOP'S COURT, December 7th, 1869.

DEAR COLONEL DENNIS,—There is a report that you think of coming up at once with the force you have. I do not suppose that this is the case; but I am sure any effort at present is hopeless. They now hold about 60 prisoners, and they are more than 600 in number, and elated. You must be quiet; probably the lives of the prisoners may depend on this—the truth is, I am afraid nothing can be done by you—only evil is now to be apprehended from action.

I am very sincerely, &c.,

R. RUPERT'S LAND.

DEAR COLONEL DENNIS,—I most fully concur in all the Bishop says.

J. McLEAN, Archdeacon.

But Mr. McDougall is censurable not only for acting illegally, with the full knowledge that he was doing so, but for having acted in a matter of grave importance without waiting for instructions, which he must have well known he would have received within a very few days. Mr. McDougall's despatch of 31st October was received at Ottawa on the 19th November, and was answered the same day. That answer might have been expected at Pembina about the 8th of December; but Mr. Howe's despatch of 19th November actually reached Mr. McDougall on or before the 6th December, on which day its receipt was acknowledged. A single week's delay in adopting a policy of the gravest

character, nothing short of a declaration of war, would have been sufficient to have enabled Mr. McDougall to learn the views of the Canadian Government, and to avoid the commission of an illegal act. If the consequence of Mr. McDougall's error had not been so disastrous it would be amusing to read the following extract from his despatch, of 6th December, to Mr. Howe :

I notice the remark in your despatch that I can "claim or assert no authority in the Hudson's Bay territory, until the Queen's Proclamation reaches me through this (your) office." If I had so read my Commission and the Acts of Parliament, the Rebel Government would have been formally inaugurated during the interregnum which must have occurred between the 1st December (which the Rebels as well as the Hudson's Bay Company's agents knew and believed to be the date of the transfer), and the time when your messenger could reach me. He, probably, would have met me at St. Cloud or St. Paul, if I had lived to get so far, with no disposition or power to return without an army at my back. You can judge from the tone of the American newspapers, and the action of the Legislature of Minnesota at its last Session, (extract "2 D") to say nothing of the Fenians, who have their emissaries here and at Fort Garry, what facilities would be given for the transportation of a Canadian force in such an event as that stated. My conviction is, that we would have had to fight at a much later date, and at a great disadvantage, a very different enemy from that which now melts away before a Proclamation, and a "Conservator of the Peace."

I shall await the arrival of your messenger, before taking the oaths of office, or performing any but necessary acts for the protection of life and property. I must trust that the same necessity will be my justification, if I have committed an error, in assuming that the transfer of the territory to the Dominion, did actually take place on the 1st December, and that my commission came into force at the same time.

When Mr. McDougall wrote the above, he was under the delusion that his proclamation had been a complete success. It is, perhaps, fortunate for him under the circumstances that this was a mere delusion. Colonel Dennis, at a much later period, on learning that the proclamation and his own commission were mere waste paper, declared, no doubt most truly and conscientiously, that his feeling "changed at once to one of heartfelt thankfulness that my proceedings had not been the cause (even to the extent of a drop) of bloodshed among the people." Disastrous as were the consequences of Mr. McDougall's fatal errors of judgment, it is, on the whole, a subject of congratulation that they were no worse. It is however lamentable to reflect that Mr. McDougall, who has incurred so weighty an amount of responsibility himself, should make not the slightest allowance for the grave errors of others. We are no apologists for the crimes of Riel, which we are persuaded were looked on with as much abhorrence by the Canadian Ministers and by their supporters as by Mr. McDougall himself, but we are bound to maintain that he who authorized a resort to warlike proceedings in the Red River settlement in defiance of the solemn warnings of the legal Governor and his Council is the last who ought to complain of the illegal proceedings of others. It is time to submit to our readers the deliberate opinion of Earl Granville on Mr. McDougall's conduct. Previous, however, to doing so, we shall copy the despatch of Mr. Howe, dated 24th December, 1869 in answer to Mr. McDougall's despatch of 2nd December, transmitting copies of his illegal proclamation and equally illegal commission to Colonel Dennis:

DEPARTMENT OF SECRETARY OF STATE FOR THE PROVINCES,

OTTAWA, 24th December, 1869.

*To the Hon. Wm. McDougall, C.B.,**Pembina.*

SIR,—Your despatch, dated Pembina, 2nd December, and its enclosures A and B, reached this office on the 18th instant, and were promptly laid before the Governor General in Council.

As it would appear from these documents that you have used the Queen's name without her authority—attributed to Her Majesty acts which she has not yet performed—and organized an armed force within the territory of the Hudson's Bay Company, without warrant or instructions, I am commanded to assure you that the grave occurrences which you report have occasioned here great anxiety.

The exertion of military force against the misguided people now in arms, even if under the sanction of law, was not to be hastily risked, considering the fearful consequences which might ensue, were the Indians, many of them but recently in contact with the white inhabitants of the neighboring States, drawn into the conflict. But as the organization and use of such a force by you was, under the circumstances, entirely illegal, the Governor General and Council cannot disguise from you the weight of responsibility you have incurred.

Acting on the belief that the country would be quietly transferred, with the general assent of the inhabitants, all the preparatory arrangements were made, as you were aware, in anticipation that, on or about the 1st December, the territory would be surrendered by the Company to the Queen, and that thereupon, Her Majesty would issue Her Proclamation, *fixing a day for the Union* of the country with Canada.

The Proclamation, when officially communicated to you, would enable you, under the Commission and authority given in anticipation of that event, to enter legally, *upon the appointed day*, on the discharge of your official duties as Governor of the North West.

In the Commission issued on the 28th September, you were

empowered to enter upon the duties of Government, only "on, from, and after the day to be named" in the Queen's Proclamation; and in the instructions handed to you with the Commission, you are directed to proceed to Fort Garry, and "be ready to assume the Government of the territories on their actual transfer to Canada."

That you clearly understood this limitation of authority was hoped from your letter from Pembina, of the 7th November, addressed to Governor McTavish, and communicated to this Department, in which you say "I shall remain here until I hear officially of the transfer of authority, and shall then be guided by circumstances as to what I shall say and do," and because, in your letter of the 14th November, addressed to this Department, you thus refer to some injudicious proposal made by your friends: "the recommendation that I should issue a Proclamation, is not made for the first time, but I have uniformly replied that until the transfer of the territory has taken place, and I am notified of the fact, I shall not assume any of the responsibilities of Government."

The peaceful surrender of the country was assumed throughout the negotiations, and this Government never claimed or pretended to exercise any authority within the North-West, until invested with the Sovereignty by the terms of the Queen's Proclamation.

The transfer of the Territories would, no doubt, have been proclaimed on or about the 1st December, had not your report of the 31st October, and the documents which accompanied it, changed the whole position of affairs, and thrown upon this Government grave responsibilities of a very novel character. In those papers you represented that serious obstruction had been opposed to your entrance into the country, that a large number of persons were opposed to the establishment of the authority of the Dominion, that a Provisional Government had been formed, and the roads barricaded and guarded. That some of the Catholic clergy were openly abetting these movements, and that the officers of the Hudson's Bay Company, if not aiding the revolutionists, were unable to control them.

Your despatch was received here on the 19th November, and on the 26th those of the 5th and 17th came to hand, from which

it appeared that the insurrectionary movement had still continued without check, and that the Hudson's Bay officers were powerless, and that you had been driven out of the country.

The facts disclosed in these despatches entirely changed the basis upon which the negotiations, in perfect good faith on the part of the Dominion, had, up to that time, been conducted with the Hudson's Bay Company, and with the Imperial Government.

If, with the facts before them, the Canadian Government accepted the responsibility of governing, or rather, assuming the Government of a country that could only be recovered by conquest, at a vast distance from the base of operations, and which, for many months, could only be approached through the United States, they could hardly justify an act of such precipitancy to Parliament and the country; while it is equally clear that if you were invested with the legal title to govern without being able to get into Rupert's Land, or exercised any authority, the revolutionary Government would be strengthened by your weakness, and would in fact, (the Proclamation having superseded Governor McTavish) be the only Government in the territory until put down by force of arms.

It was a matter of necessity then, rather than choice, to delay the issue of the Queen's Proclamation, and it was assumed here that the necessity would be as apparent to you as it was to the Privy Council.

To postpone the surrender by the Company until it was able to transfer, not only its own rights, but the territory itself, to Her Majesty; to stay the issue of the Queen's Proclamation, and to leave with the Hudson's Bay Company and the Imperial Government the obligation of enforcing order, and asserting the rights of the Sovereign, was the first duty of this Government; and the Governor General and Council had hoped that this would be as obvious to you as to them.

They had another duty, and to that they addressed themselves without delay. It was to disabuse the minds of the people of Rupert's Land of the erroneous impressions under which, there was too much reason to fear, that they had acted, and to restore tranquillity by peaceful means. The measures taken with this view

were explained to you in my despatches of the 19th and 29th November, and of the 7th, 8th, 10th, 11th, and 17th December. In none of these despatches will there be found any warrant or authority for the proceedings reported in your despatch of the 2nd December. It is to be regretted that they had not reached you sooner ; but the sanguine hope is entertained here that, if no collisions have taken place, or blood been shed till you have read those despatches, and conferred with the gentlemen who have been sent to Red River, matters may yet wear a more cheerful aspect, and the Government of the territory be assumed with some guarantee for order, and with all the formalities of law. Whether this hope is realised or not, your duty is plain ; and I am commanded by his Excellency to instruct you to remain at Pembina until you can get peaceable access to Fort Garry, with the assent, and under the protection, of the Hudson's Bay Company authorities ; that you are to take every means of removing the misapprehensions that exist in the minds of the residents, by explanations and otherwise ; and that you are to exercise no acts of authority on behalf, or in the name, of the Government of Canada, until officially informed that the Queen's Proclamation has issued, and until you shall have assumed the Government, and taken the oaths of office, on or after the day fixed in it for the union of the countries.

As the course of action proposed by you in your despatch of the 2nd December was to be carried out before an answer could possibly reach you, I have delayed replying for some days, in order to learn, if possible, the result of your policy ; but the receipt of your despatch of the 6th instant, which reached me on the 23rd with its enclosure, 2A, 2B, 2C ; and the course taken by Colonel Dennis, as described in those papers, make it necessary, without further delay, to send this despatch by a special messenger.

I wish I could inform you, that this report had entirely relieved the Governor General and Council from the anxiety already expressed. It is true that no blood had been shed up to the 6th, and you had not carried out your intention of occupying the Stockade near Pembina with an armed party, but the proceedings of Colonel Dennis, as reported by himself, are so reckless and extra-

ordinary, that there can be no relief from solicitude here while an officer so imprudent is acting under your authority.

Had the inhabitants of Rupert's Land, on the breaking out of the disturbances, risen and put an end to them, or had Governor McTavish organized a force to occupy his Forts, and maintain his authority, all would have been well, and Riel and his people would have been responsible for any bloodshed or property destroyed. But Colonel Dennis, with no legal authority, proceeds to seize the Fort, then in possession, not of the insurgents, but of the Hudson's Bay Company, and to garrison it with a mixed force of Whites and Indians, and proposes to give battle to the insurgents; should a junction be formed with some forces which he has ordered to be drilled on the Assiniboine. He appears never to have thought that the moment war commenced, all the white inhabitants would be at the mercy of the Indians, by whom they are largely outnumbered, and, divided as they would be, might be easily overpowered.

It is impossible to read the Colonel's account of his attempt to persuade Judge Black to aid him in proclaiming martial law, without strong feelings of regret, that you should have been represented, in the settlements, by a person with so little discretion. It is no wonder that Judge Black was "frightened" at the proposal, as he must have known that Colonel Dennis would have to answer, at the bar of justice, for every life lost by such an assumption of authority, and that the illegal seizure of an American citizen would at once provoke interference in the quarrel, and lead to very serious complications.

I have, &c.,

JOSEPH HOWE.

It appears from the Parliamentary Blue Book that a copy of the foregoing despatch was only transmitted to Earl Granville on the 9th February, 1870, having been detained for Mr. McDougall's expected explanations, and was not received at the Colonial Office until the 24th of that month. In the previous despatch transmitting the proclamation and commis-

sion, the Governor General made no comments on them, and Earl Granville wrote the following despatch prior to the receipt of Mr. Howe's of 24th December :

DOWNING STREET, 26th January, 1870.

SIR,—I have received your despatches noted in the margin relating to the progress of affairs in the Red River settlement. I never supposed, as you are aware, that Mr. McDougall intended to invoke the aid of the Indians. But I am glad to be assured that he never has done so. At the same time I think it unfortunate, however difficult and embarrassing Mr. McDougall's position undoubtedly was, that any steps should have been taken which could give rise to such an apprehension. I much more seriously regret the proclamation put forth by Mr. McDougall and the commission issued by him to Colonel Dennis. The proclamation recited that Her Majesty has transferred Rupert's Land to Canada, which has not been done; assumes the authority of Lieutenant Governor which did not legally belong to him, and purported to extinguish the powers belonging to Mr. McTavish, who is in fact the only legal Governor of the territory. A subsequent commission empowered Colonel Dennis to arm those adhering to him, to attack, arrest, disarm and disperse armed men disturbing the public peace, and to assault, fire upon and break into houses in which these armed men were to be found. If Colonel Dennis had acted on this the most disastrous consequences might have ensued. As it is, Governor McTavish must suppose his authority extinguished, none other being substituted for it, and the discovery that the statements made in the proclamation are unfounded in fact must detract from the weight of any subsequent proclamations. These proceedings do not render Her Majesty's Government less desirous of the restoration of tranquillity under the authority of the Dominion; but they have certainly enhanced the responsibility of the Canadian Government, and added to the complications which I was afraid might arise from the delay in completing the surrender of Rupert's Land to the Dominion. I enclose copies of two letters which I have received from Sir S.

Northcote. On the first of these, which relates to the political position of the Company, I shall not offer any observations. The results of the mission of Mr. Thibault, Colonel De Salaberry, and Mr. Donald Smith may afford the answer to be given to the questions which it raises. On the second I am bound to state my opinion that, considering all that has passed, the claim of the Company to interest on the purchase money of their territory from the 1st of last month, appears to me a reasonable one.

I have, &c.,

GRANVILLE.

Right Honorable Sir John Young, G.C.B., G.C.M.G.

It cannot be alleged by the most unscrupulous supporter of Mr. McDougall that Earl Granville was biased in his judgment by such motives as were attributed, without the slightest foundation, to Mr. Howe, and others of Mr. McDougall's former colleagues, and yet, on a comparison of the two despatches, no essential difference will be found in their views of the Imperial and Dominion Governments. Both were throughout animated by a desire to avoid a resort to force. At the same time, it appears by the Minute of Council of 16th December, that no time had been lost by the Government in taking steps, by the construction of boats and otherwise, for the despatch of a military force in early spring. In a review of the proceedings connected with the Red River insurrection, we cannot omit a document of so much importance as the elaborate Minute of the Privy Council dated 16th December, and which is as follows:—

Copy of a Report of a Committee of the Honorable the Privy Council, dated the 16th December, 1869.

The Committee of Council have had before them the despatch of the Right Hon. the Secretary of State for the Colonies of the 30th ultimo, on the subject of the two telegrams sent by Your

Excellency, on the 23rd and 27th ultimo, to the Colonial Office, on the subject of the disturbances in the Red River settlement.

The Committee readily acknowledge the correctness of the narrative in the despatch of the proceedings which resulted in the final arrangements for the transfer of the North-Western territory to Canada.

The circumstances which created the desire of the Government and people of Canada to acquire that country have been so often and so recently stated, that they do not seem to require reiteration. It was alike the interest of Her Majesty's Government, Canada, and the Hudson Bay Company, that the transfer should be made. Canada still desires to acquire the territory, and is quite ready to perform all the obligations that she has incurred under the recent arrangements made with Her Majesty's Government and the Company for the completion of the transfer.

At the same time, it would seem clear that if Canada is bound to accept the transfer of the territory, the Company is equally bound to make it. It surely was never contemplated by any of the parties engaged in the negotiations that the transfer was to be a mere interchange of instruments. It must, from the nature of things, have been understood by all parties, that the surrender by the Company to the Queen, and the transfer by Her Majesty to the Dominion, was not to be one of title only. The Company was to convey not only their rights under the charter, but the territory itself of which it was in possession, and the territory so conveyed was to be transferred by Her Majesty to Canada.

That there would be an armed resistance by the inhabitants to the transfer was, it is to be presumed, unexpected by all parties; it certainly was so by the Canadian Government.

In this regard, the Company cannot be acquitted of all blame. They had an old and fully organized Government in the country, to which the people appeared to render ready obedience. Their Governor was advised by a Council, in which some of the leading residents had seats. They had every means of information as to the state of feeling existing in the country.

They knew, or ought to have known, the light in which the proposed negotiations were viewed by the people under their rule.

If they were aware of the feeling of discontent, they ought frankly to have stated it to the Imperial and Canadian Governments. If they were ignorant of the discontent, the responsibility of such wilful blindness on the part of their officers must rest upon them.

For more than a year these negotiations have been actively proceeded with, and it was the duty of the Company to have prepared the people under its rule for the change—to have explained the precautions taken to protect the interests of the inhabitants, and to have removed any misapprehensions that may have existed among them.

It appears that no steps of any kind, in that direction, were taken. The people have been led to suppose that they have been sold to Canada, with an utter disregard of their rights and position.

When Governor McTavish visited Canada in June last, he was in communication with the Canadian Government, and he never intimated that he had even a suspicion of discontent existing, nor did he make any suggestions as to the best mode of effecting the proposed change, with the assent of the inhabitants.

Lord Granville states that "Throughout these negotiations, it has never been hinted that the Company is to be bound to hand over its territory in a state of tranquillity. Rather its inability to secure that tranquillity, and the dangers resulting from that inability to the neighboring colony, is taken for granted as a reason why its responsibilities should be adopted by Canada." Now the obvious reason why no express stipulation to that effect was made was, that it was assumed, by all parties, that the Company had both the right and the power to hand over the territory. It was in a state of tranquillity, and no suggestion was made of the possibility of such tranquillity being disturbed. Canada did not allege, nor did the Company admit, any inability on the part of the latter to secure the tranquillity of the country in its present condition.

It is true that Canada had pointed out that in the future, with the Population of the United States rapidly pressing forward towards the boundaries of the North-West territory, such pressure would soon overflow into British Territory, and that the Company would,

in such case, be unable to govern or control the large and alien population which might then take possession of the fertile country along the frontier.

But this state of things has not yet arisen, and the resistance comes not from any strangers or new comers, but from those born and brought up under the Government of the Company, and who have hitherto yielded it a willing allegiance.

These statements are not made as a matter of complaint against the Company, but, simply as a justification of the course taken by the Canadian Government, which is observed upon in the despatch. That course has been governed solely by a desire to carry out the transfer under the arrangement in the quietest and best manner possible ; and in a way that will not leave behind it any cause for discontent or disquiet in the future.

The resistance of these misguided people is evidently not against the Sovereignty of Her Majesty or the Government of the Hudson Bay Company, but to the assumption of the Government by Canada.

They profess themselves satisfied to remain as they are, and that if the present system of Government were allowed to continue, they would at once disperse to their homes.

It is obvious then that the wisest course to pursue is, for the present, to continue the authority of the Company, which the insurgents affect to respect, while steps are being taken to remove the misapprehensions which exist, and to reconcile the people to the change.

Any hasty attempt by the Canadian Government to force their rule upon the insurgents would probably result in armed resistance and bloodshed. Every other course should be tried before resort is had to force. If life were once lost in an encounter between a Canadian force and the inhabitants, the seeds of hostility to Canada and Canadian rule would be sown, and might create an ineradicable hatred to the union of the countries, and thus mar the future prosperity of British America.

If any thing like hostilities should commence, the temptation to the wild Indian Tribes, and to the restless adventurers who abound in the United States, (many of them with military experience

gained in the late civil war,) to join the insurgents would be almost irresistible. Already it is said that the Fenian Organization look upon this rising as another means of exhibiting their hatred to England.

No one can foresee the end of the complications that might thus be occasioned, not only as between Canada and the North-West, but between the United States and England.

From a sincere conviction of the gravity of the situation, and not from any desire to repudiate or postpone the performance of any of their engagements, the Canadian Government have urged a temporary delay of the transfer.

This is not a question of money—it may be one of peace or war. It is one in which the present and future prosperity of the British possessions in North America is involved, which prosperity, hasty action might permanently prejudice.

Even were the £300,000 paid over, the impolicy of putting an end to the only constituted authority existing in the country and compelling Canada to assert her title by force would remain.

It is better to have the semblance of a Government in the country than none at all. While the issue of the Proclamation would put an end to the Government of the Hudson Bay Company, it would not substitute Government by Canada therefor. Such a Government is physically impossible until the armed resistance is ended, and thus a state of anarchy and confusion would ensue, and a legal status might be given to any Government *de facto*, formed by the inhabitants for the protection of their lives and property.

On a review of the whole circumstances, the Committee would recommend that Your Excellency should urge upon Her Majesty's Government the expediency of allowing matters to remain as they are until quiet is restored, or, in case of failure of all effort to do so, the time should have arrived when it is possible to enter the country in force, and compel obedience to Her Majesty's Proclamation and authority.

As by the terms of the late Act, the surrender to the Queen must be followed, within a month, by Her Majesty's Order in Council, admitting Rupert's Land into the Dominion of Canada,

the proper course seems to be that the surrender itself should be postponed, and that the purchase money should remain on deposit meanwhile.

The Committee would also request Your Excellency to assure Lord Granville, that the Government here have taken, and are taking, active measures to bring about a happier state of affairs.

They have sent on a mission of peace to the French half-breeds now in arms, the very Reverend Mr. Thibault, Vicar General, (who has labored as a clergyman among them for thirty-nine years) accompanied by Colonel De Salaberry, a gentleman well acquainted with the country, and with the manners and feelings of the inhabitants. These gentlemen are fully informed of the beneficent intentions of the Canadian Government, and can disabuse the minds of the people of the misrepresentations made by designing foreigners.

They have also sent Mr. Donald A. Smith, the Chief Agent of the Hudson Bay Company at Montreal, as a Special Commissioner. From his position as an officer of the Company, he is likely to obtain ready access to Fort Garry, where he can strengthen the hands of Governor McTavish (now weakened by long illness,) and arrange with the loyal and well affected portion of the people for restoration of order.

It is confidently hoped that the measures taken will succeed, but in the event of failure, the Government are making preparations, by the construction of boats, and otherwise, for sending a military force in early spring. In these efforts the Canadian Government are glad to believe that they will have the hearty co-operation of Her Majesty's Government, and the Hudson Bay Company.

(Signed,)

JOHN A. MACDONALD.

16th December, 1869.

We have next to consider the result of the negotiations with the Imperial Government, whose co-operation it was so important to secure. On learning by telegram the

fact of the outbreak, Earl Granville sent the following cable telegram to Sir John Young :

25th November, 1869.

Do what you like with the following: "The Queen has
 " learned with regret and surprise that certain misguided men
 " have joined together to resist the entry of Her Lieutenant-
 " Governor into Her Majesty's possessions in the Red River.
 " The Queen does not distrust Her subjects' loyalty in those
 " settlements, and must ascribe their opposition to a change
 " plainly for their advantage, to misrepresentation or misunder-
 " standing. She relies upon your Government for taking every
 " care to explain where there is a misunderstanding, and to as-
 " certain the wants and conciliate the good-will of the settlers
 " of the Red River. But, at the same time, she authorizes
 " you to tell them, that she views with displeasure and sorrow
 " their lawless and unreasonable proceedings, and that she
 " expects that if they have any wish to express or complaints to
 " make, they will address themselves to the Governor of the
 " Dominion of Canada, of which in a few days they will form a
 " part. The Queen relies upon Her representative ' being
 " ' always ready on the one hand to give redress to well found-
 " ' ed grievances, and on the other, to repress with the autho-
 " ' rity with which she has entrusted him any unlawful distur-
 bance.'

The foregoing telegram led to the issue of the Governor General's Proclamation of the 6th December, which was as follows:—

PROCLAMATION.

By His Excellency the Right Honorable Sir JOHN YOUNG, Baronet, a member of Her Majesty's Most Honorable Privy Council, Knight Grand Cross of the Most Honorable Order of the Bath, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Governor General of Canada.

To all and every the Loyal Subjects of Her Majesty the Queen, and to all to whom these Presents shall come,

GREETING :

THE QUEEN has charged me, as Her representative, to inform you that certain misguided persons in Her Settlements on the Red River, have banded themselves together to oppose by force the entry into Her North-Western Territories of the officer selected to administer, in Her Name, the Government, when the Territories are united to the Dominion of Canada, under the authority of the late Act of the Parliament of the United Kingdom; and that those parties have also forcibly, and with violence, prevented others of Her loyal subjects from ingress into the country.

Her Majesty feels assured that she may rely upon the loyalty of her subjects in the North-West, and believes those men, who have thus illegally joined together, have done so from some misrepresentation.

The Queen is convinced that in sanctioning the Union of the North-West Territories with Canada, she is promoting the best interest of the residents, and at the same time strengthening and consolidating her North American possessions as part of the British Empire. You may judge then of the sorrow and displeasure with which the Queen views the unreasonable and lawless proceedings which have occurred.

Her Majesty commands me to state to you, that she will always be ready through me as her representative, to redress all well-

founded grievances, and that she has instructed me to hear and consider any complaints that may be made, or desires that may be expressed to me as Governor General. At the same time she has charged me to exercise all the powers and authority with which she has entrusted me in the support of order, and the suppression of unlawful disturbances.

By Her Majesty's authority I do therefore assure you, that on the union with Canada all your civil and religious rights and privileges will be respected, your properties secured to you, and that your country will be governed, as in the past, under British laws, and in the spirit of British justice.

I do, further, under her authority, entreat and command those of you who are still assembled and banded together in defiance of law, peaceably to disperse and return to your homes, under the penalties of the law in case of disobedience.

And I do lastly inform you, that in case of your immediate and peaceable obedience and dispersion, I shall order that no legal proceeding be taken against any parties implicated in these unfortunate breaches of the law.

Given under my Hand and Seal at Arms at Ottawa, this Sixth day of December, in the year of our Lord, One Thousand Eight Hundred and Sixty-nine, and in the Thirty-third year of Her Majesty's Reign.

[SEAL.]

By Command,

JOHN YOUNG.

H. L. LANGEVIN,
Secretary of State.

On the receipt of the Minute of Council of 16th December, Earl Granville, on 8th January, replied as follows:—

“ I observe with great satisfaction, the anxiety manifested
 “ by the Canadian Government to avoid any collision with the
 “ insurgents in the Red River settlement, and to exhaust all
 “ means of explanation and conciliation before having
 “ recourse to force. I entirely agree with your ministers
 “ that bloodshed might lead to the most deplorable conse-
 “ quences and should not be risked except under the pressure
 “ of the most urgent necessity. * * * A statement has
 “ appeared in a newspaper report to the effect that Mr.
 “ McDougall was enlisting Sioux Indians with the view of en-
 “ ploying them against the insurgents. I do not doubt that
 “ this intention was erroneously imputed to Mr. McDougall.
 “ If any apprehension on this subject had existed in my
 “ mind, it would have been removed by the Minute of the
 “ Privy Council.” It is hardly necessary to advert to the
 correspondence between the Hudson’s Bay Company and the
 Secretary of State, which led to the mission to Canada, of
 Sir Stafford Northcote, the Governor of that Company. It is
 sufficient to remark that the object was, that the Company
 during the negotiations with the Red River delegates, whose
 appointment was in accordance with the joint wishes of the
 Imperial and Dominion Governments and of the Hudson’s
 Bay Company. Meantime, while all the efforts of those
 specially responsible for the conduct of affairs were directed
 to a peaceful solution of the controversy at Red River, the disas-
 trous consequences of Mr. McDougall’s rashness became
 known. Colonel Dennis lost no time in acting on his com-
 mission to levy troops to attack the insurgents under Riel,

although, unfortunately, he was precisely in the same position as his opponents, having no lawful authority to resort to force. The consequence of this movement was the capture and imprisonment of a number of loyalists, which again produced feelings of such indignation among their friends that a body assembled under Major Boulton with the view of effecting a rescue of the prisoners. This was at a time when there were reasonable hopes of a satisfactory solution of the controversy. A more calamitous occurrence could hardly have taken place than the mock trial, conviction and shooting of the unfortunate Scott. The one person who has benefited by this disaster is Mr. McDougall. How little Riel could have imagined when perpetrating this atrocious act that he was serving the cause of his bitterest enemy, and irreparably injuring himself! Up to that time there had been no blood shed deliberately, and Mr. McDougall most certainly would have incurred great public condemnation for the errors which had led to the imprisonment of those who took up arms at his instigation. The death of the unfortunate Scott aroused a feeling of indignation in Ontario which has not yet subsided, and which turned the current of feeling in favor of Mr. McDougall. It is far from our intention to say one word in extenuation of Riel; but we submit with confidence to the judgment of an enlightened public that the occurrence of such a crime, atrocious though it was, could not have justified the Government in abandoning their efforts to restore law and order to the Red River territory. The views of Her Majesty's Imperial Government and of the Hudson's Bay Company were in exact accordance with those of the Dominion Government.

On the 4th April, the following cable telegram was despatched to Earl Granville by Sir John Young: "Smith
" came here on Saturday from Fort Garry with bad news. A
" Canadian called Scott was by Riel's orders tried by Court
" Martial and shot with the view, it is supposed, of compro-
" mising Riel's followers before Taché had arrived. They say
" the delegates are coming, but it is quite clear Riel will
" yield to nothing but force. Things now look, I think, very
" bad." This indeed was disastrous intelligence to the Canadian
Government. While using every effort for peace, the Dominion
Government was not unmindful that force might have to be
resorted to. In answer to their demand for Imperial co-oper-
ation, the following telegram, dated 5th March, had been sent
to Sir John Young by Earl Granville: " Her Majesty's
" Government will give proposed military assistance provided
" reasonable terms are granted Red River settlers, and pro-
" vided your Government enable Her Majesty's Government
" to proclaim the transfer of the territory simultaneously
" with the movement of the force." On the 9th of
March Sir John Young sent the following telegram to
Earl Granville: " How soon is Lindsay coming out? The
" force ought to start for the Red River about the 20th
" to 25th April. 100 boats are in a forward state of prepara-
" tion, and carts for transport; provisions have been ordered
" for 1000 men for 6 months, packed in small parcels so as
" to be easily carried over the portages." This was replied
to on 11th March: " General Lindsay hopes to start on the
24th instant, and to reach Montreal about 7th April." Mean-
time new complications had arisen. The condition of Imperial

aid depended on reasonable terms being granted to the settlers. On the 25th February Earl Granville telegraphed : "Hudson's Bay Company are anxious about the negotiations at Ottawa with the delegates from Red River. The settlement would probably be facilitated if Northcote were with you with full powers entrusted him by Company. If so, what would be best time for his arrival." At the time of the receipt of this telegram no news had been received of the departure of the delegates, and on 17th March Earl Granville again telegraphed : "Let me know by telegram when you know delegates have started from Fort Garry." On the 18th, Sir John Young replied : "Received your telegram of yesterday; no news from Red River yet of delegates starting." At last, on the 7th April, Sir John Young telegraphed : "Last of the delegates is expected at St. Paul's on Thursday the 14th; the others arrived there to-day and may reach Ottawa on Saturday, the 9th." Pending the arrival of the delegates negotiations were proceeding. Lord Granville had on 9th April sent the following despatch : "Let me know as soon as you can, by telegram, result of negotiations with Red River delegates, and immediately whether our conditions as to time of transfer and apportionment of cost of troops are accepted by your Government." To this Sir John Young replied on 11th : "Canadian Government will accept the transfer at once, provided the movement of troops is determined on, and will also pay any reasonable proportion of cost of expedition say three-fourths. We expect delegates to-day."

It may here be convenient to notice that in a despatch from

Earl Granville, dated 23rd March, he had pointed out that though the period for despatching troops to Red River was approaching, he was embarrassed by the want of explicit information, and as misapprehensions might exist or differences arise, and as the discussion of the questions could not be conducted by telegram, he had availed himself of the services of Sir Clinton Murdoch, then proceeding on a special mission to Washington, and who had hastened his departure, so as to accompany General Lindsay to Canada. Sir Clinton Murdoch was unreservedly in possession of the views of Her Majesty's Government in relation to the Red River settlement, and it was after a negotiation between the Governor General, General Lindsay and Sir Clinton Murdoch, and some of the Canadian ministers, that Sir John Young's telegram of 11th April was despatched. The arrest of two of the delegates seems to have led to new difficulty. On the 18th April, Earl Granville telegraphed: "Was arrest of delegates authorized by Canadian Government? Send full information by telegram." To this Sir John Young replied on the 19th: "Arrest of the delegates was not authorized by Dominion Government. A brother of Scott, the man who was shot, gave information on oath against two of the three delegates, as accessories before the fact." Further information on this arrest was given in Sir John Young's despatch of the 21st of April. He says: "Nothing could well have been more untoward than this turn of affairs. In addition to the feelings to which it may give rise within the limits of the Dominion, it cannot fail to arouse anger, and possibly the desire for retaliatory measures, in the minds of

“ Riel and his followers when the news reaches Fort Garry. “ It has prevented me seeing the delegates and delayed the “ opening of negotiations.” To return to the negotiations regarding the troops: on the 23rd of April, Earl Granville sent to Sir John Young the following ultimatum as to Imperial co-operation.

On the following conditions troops may advance :

1. Rose to be authorized to pay £300,000 at once, and Her Majesty's Government to be at liberty to make transfer before the end of June.

2. Her Majesty's Government to pay expense of British troops only, not exceeding 250, and Canadian Government the rest, sending at least 500 trained men.

3. Canadian Government to accept decision of Her Majesty's Government on all points of the Settlers Bill of Rights.

4. Military arrangements to be to the satisfaction of Gen. Lindsay.

The foregoing despatch does not appear to have been answered, but on the 28th of April, Sir John Young sent the following telegram: “ Lindsay, Murdoch, and I, think it “ hardly safe to send less than 300 of Her Majesty's troops. If “ the expedition goes it will be necessary to garrison two forts “ on the route. My ministers agree to this and still engage “ that three-quarters of the whole cost of the expedition shall “ be paid by Canada. Lindsay has telegraphed to same effect “ to Hors' Guards.” To this Earl Granville replied on the 30th: “ Your telegraphic proposal is accepted by Her “ Majesty's Government, provided Canadian Government

“accepts in other respects mine of 23rd, which ought to have “been answered.” By this time the negotiations with the delegates had been brought almost to a close. It does not appear from the printed papers that the Canadian Government agreed to accept the decision of Her Majesty’s Government on all points of the Settlers Bill of Rights, which stipulation in the ultimatum might have led to grave complication. However, on the 3rd May, Sir John Young was able to send the following telegram. “Negotiations with delegates closed “satisfactorily; a province named Manitoba erected, containing 11,000 square miles; Lieut. Governor appointed “by Canada, representative institutions, &c., &c., &c.”

The whole of this telegram need not be given as we shall lay the Act *in extenso* before our readers.

CAP. III.

An Act to amend and continue the Act 32 and 33 Victoria chapter 3; and to establish and provide for the Government of the Province of Manitoba.

[Assented to 12th May, 1870.]

WHEREAS it is probable that Her Majesty The Queen may, pursuant to the British North America Act, 1867, be pleased to admit Rupert’s Land and the North-Western Territory into the Union or Dominion of Canada, before the next Session of the Parliament of Canada:

And Whereas it is expedient to prepare for the transfer of the said Territories to the Government of Canada at the time appointed by the Queen for such admission:

And Whereas it is expedient also to provide for the organization of part of the said Territories as a Province, and for the establish-

ment of a Government therefor, and to make provision for the Civil Government of the remaining part of the said Territories, not included within the limits of the Province :

Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :

1. On, from and after the day upon which the Queen, by and with the advice and consent of Her Majesty's Most Honorable Privy Council, under the authority of the 146th Section of the British North America Act, 1867, shall, by Order in Council in that behalf, admit Rupert's Land and the North-Western Territory into the Union or Dominion of Canada, there shall be formed out of the same a Province, which shall be one of the Provinces of the Dominion of Canada, and which shall be called the Province of Manitoba, and be bounded as follows : that is to say, commencing at the point where the meridian of ninety-six degrees west longitude from Greenwich intersects the parallel of forty-nine degrees north latitude,—thence due west along the said parallel of forty-nine degrees north latitude (which forms a portion of the boundary line between the United States of America and the said North-Western Territory) to the meridian of ninety-nine degrees of west longitude.—thence due north along the said meridian of ninety-nine degrees west longitude, to the intersection of the same with the parallel of fifty degrees and thirty minutes north latitude.—thence due east along the said parallel of fifty degrees and thirty minutes north latitude to its intersection with the before-mentioned meridian of ninety-six degrees west longitude,—thence due south along the said meridian of ninety-six degrees west longitude to the place of beginning.

2. On, from and after the said day on which the Order of the Queen in Council shall take effect as aforesaid, the provisions of the British North America Act, 1867, shall, except those parts thereof which are in terms made, or, by reasonable intendment, may be held to be specially applicable to, or only to affect one or more, but not the whole of the Provinces now composing the Dominion, and except so far as the same may be varied by this Act, be applicable to the Province of Manitoba, in the same way, and to the like extent as they apply to the several Provinces of Canada, and as if the Province of Manitoba had been one of the Provinces originally united by the said Act.

3. The said Province shall be represented in the Senate of Canada by two Members, until it shall have, according to decennial census, a population of fifty thousand souls, and from thenceforth it shall be represented therein by three Members, until it shall have, according to decennial census, a population of seventy-five thousand souls, and from thenceforth it shall be represented therein by four Members.

4. The said Province shall be represented in the first instance in the House of Commons of Canada, by four Members, and for that purpose shall be divided by proclamation of the Governor General, into four Electoral Districts, each of which shall be represented by one Member: Provided that on the completion of the census in the year 1881, and of each decennial census, afterwards, the representation of the said Province shall be re-adjusted according to the provisions of the fifty-first section of the British North America Act, 1867.

5. Until the Parliament of Canada otherwise provides, the qualification of voters at Elections of Members of the House of Commons shall be the same as for the Legislative Assembly hereinafter mentioned: And no person shall be qualified to be elected, or to sit and vote as a Member for any Electoral District, unless he is a duly qualified voter within the said Province.

6. For the said Province there shall be an officer styled the Lieutenant-Governor, appointed by the Governor General in Council, by instrument under the Great Seal of Canada.

7. The Executive Council of the Province shall be composed of such persons, and under such designations, as the Lieutenant-Governor shall, from time to time, think fit; and, in the first instance, of not more than five persons.

8. Unless and until the Executive Government of the Province otherwise directs, the seat of Government of the same shall be at Fort Garry, or within one mile thereof.

9. There shall be a Legislature for the Province, consisting of the Lieutenant-Governor, and of two Houses styled respectively, the Legislative Council of Manitoba, and the Legislative Assembly of Manitoba.

10. The Legislative Council shall, in the first instance, be composed of seven members, and after the expiration of four years from the time of the first appointment of such seven Members, may be increased to not more than twelve Members. Every Member of the Legislative Council shall be appointed by the Lieutenant-Governor in the Queen's name, by Instrument under the Great Seal of Manitoba, and shall hold office for the term of his life, unless and until the Legislature of Manitoba otherwise provides under the British North America Act, 1867.

11. The Lieutenant-Governor may, from time to time, by Instrument under the Great Seal, appoint a Member of the Legislative Council to be Speaker thereof, and may remove him and appoint another in his stead.

12. Until the Legislature of the Province otherwise provides the presence of a majority of the whole number of the Legislative Council, including the Speaker, shall be necessary to constitute a meeting for the exercise of its powers.

13. Questions arising in the Legislative Council shall be decided by a majority of voices, and the Speaker shall, in all cases, have a vote, and when the voices are equal the decision shall be deemed to be in the negative.

14. The Legislative Assembly shall be composed of twenty-four Members, to be elected to represent the Electoral Divisions into which the said Province may be divided by the Lieutenant Governor, as hereinafter mentioned.

15. The presence of a majority of the Members of the Legislative Assembly shall be necessary to constitute a meeting of the House for the exercise of its powers; and for that purpose the Speaker shall be reckoned as a Member.

16. The Lieutenant-Governor shall (within six months of the date of the Order of Her Majesty in Council, admitting Rupert's Land and the North-Western Territory into the Union), by Proclamation under the Great Seal, divide the said Province into twenty-four Electoral Divisions, due regard being had to existing Local Divisions and population.

17. Every male person shall be entitled to vote for a Member

to serve in the Legislative Assembly for any Electoral Division, who is qualified as follows, that is to say, if he is:—

1. Of the full age of twenty-one years, and not subject to any legal incapacity:

2. A subject of Her Majesty by birth or naturalization:

3. And a *bona fide* householder within the Electoral Division, at the date of the Writ of Election for the same, and has been a *bona fide* householder for one year next before the said date; or,

4. If, being of the full age of twenty-one years, and not subject to any legal incapacity, and a subject of Her Majesty by birth or naturalization, he was, at any time within twelve months prior to the passing of this Act, and (though in the interim temporarily absent) is at the time of such election a *bona fide* householder, and was resident within the Electoral Division at the date of the Writ of Election for the same:

But this fourth sub-section shall apply only to the first election to be held under this Act for Members to serve in the Legislative Assembly aforesaid.

18. For the First election of Members to serve in the Legislative Assembly, and until the Legislature of the Province otherwise provides, the Lieutenant-Governor shall cause writs to be issued, by such person, in such form, and addressed to such Returning Officers as he thinks fit: and for such first election, and until the Legislature of the Province otherwise provides, the Lieutenant-Governor shall, by Proclamation, prescribe and declare the oaths to be taken by voters, the powers and duties of Returning and Deputy Returning Officers, the proceedings to be observed at such election, and the period during which such election may be continued, and such other provisions in respect to such first election as he may think fit.

19. Every Legislative Assembly shall continue for four years from the date of the return of the writs for returning the same (subject nevertheless to being sooner dissolved by the Lieutenant-Governor), and no longer; and the first Session thereof shall be called at such time as the Lieutenant-Governor shall appoint.

20. There shall be a Session of the Legislature once at least in every year, so that twelve months shall not intervene between the last sitting of the Legislature in one Session and its first sitting in the next Session.

21. The following provisions of the British North America Act, 1867, respecting the House of Commons of Canada, shall extend and apply to the Legislative Assembly, that is to say:—Provisions relating to the election of a Speaker, originally, and on vacancies,—the duties of the Speaker,—the absence of the Speaker and the mode of voting, as if those provisions were here re-enacted and made applicable in terms to the Legislative Assembly.

22. In and for the Province, the said Legislature may exclusively make Laws in relation to Education, subject and according to the following provisions:—

(1.) Nothing in any such Law shall prejudicially affect any right or privilege with respect to Denominational Schools which any class of persons have by Law or practice in the Province at the Union:

(2.) An appeal shall lie to the Governor General in Council from any Act or decision of the Legislature of the Province, or of any Provincial Authority, affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to Education:

(3.) In case any such Provincial Law, as from time to time seems to the Governor General in Council requisite for the due execution of the provisions of this section, is not made, or in case any decision of the Governor General in Council on any appeal under this section is not duly executed by the proper Provincial Authority in that behalf, then, and in every such case, and as far only as the circumstances of each case require, the Parliament of Canada may make remedial Laws for the due execution of the provisions of this section, and of any decision of the Governor General in Council under this section.

23. Either the English or the French language may be used by any person in the debates of the Houses of the Legislature, and both those languages shall be used in the respective Records and Journals of those Houses; and either of those languages may be used by any person, or in any Pleading or Process, in or issuing from any Court of Canada established under the British North America Act, 1867, or in or from all or any of the Courts of the Province. The Acts of the Legislature shall be printed and published in both those languages.

24. Inasmuch as the Province is not in debt, the said Province shall be entitled to be paid, and to receive from the Government of Canada, by half-yearly payments in advance, interest at the rate of five per centum per annum on the sum of four hundred and seventy-two thousand and ninety dollars.

25. The sum of thirty thousand dollars shall be paid yearly by Canada to the Province, for the support of its Government and Legislature, and an annual grant, in aid of the said Province, shall be made, equal to eighty cents per head of the population, estimated at seventeen thousand souls; and such grant of eighty cents per head shall be augmented in proportion to the increase of population, as may be shown by the census that shall be taken thereof in the year one thousand eight hundred and eighty-one, and by each subsequent decennial census, until its population amounts to four hundred thousand souls, at which amount such grant shall remain thereafter, and such sum shall be in full settlement of all future demands on Canada, and shall be paid half-yearly, in advance to the said Province.

26. Canada will assume and defray the charges for the following services :—

1. Salary of the Lieutenant-Governor.
2. Salaries and allowances of the Judges of the Superior and District and County Courts.
3. Charges in respect of the Department of the Customs.
4. Postal Department.
5. Protection of Fisheries.
6. Militia.
7. Geological Survey.
8. The Penitentiary.
9. And such further charges as may be incident to, and connect- ed with the services which, by the British North America Act 1867, appertain to the General Government; and as are or may be allowed to the other Provinces.

27. The Customs duties now by Law chargeable in Rupert's Land, shall be continued without increase for the period of three years from and after the passing of this Act, and the proceeds of such duties shall form part of the Consolidated Revenue Fund of Canada.

28. Such provisions of the Customs Laws of Canada (other than such as prescribe the rate of duties payable) as may be from time to time declared by the Governor General in Council to apply to the Province of Manitoba, shall be applicable thereto, and in force therein accordingly.

29. Such provisions of the Laws of Canada respecting the Inland Revenue, including those fixing the amount of duties, as may be from time to time declared by the Governor General in Council applicable to the said Province, shall apply thereto, and be in force therein accordingly.

30. All ungranted or waste lands in the Province shall be, from and after the date of the said transfer, vested in the Crown, and administered by the Government of Canada for the purposes of the Dominion, subject to, and except and so far as the same may be affected by, the conditions and stipulations contained in the agreement for the surrender of Rupert's Land by the Hudson's Bay Company to Her Majesty.

31. And whereas, it is expedient, towards the extinguishment of the Indian Title to the lands to the extent of one million four hundred thousand acres thereof, for the benefit of the families of the half-breed residents, it is hereby enacted, that, under regulations to be from time to time made by the Governor General in Council, the Lieutenant-Governor shall select such lots or tracts in such parts of the Province as he may deem expedient, to the extent aforesaid, and divide the same among the children of the half-breed heads of families residing in the Province at the time of the said transfer to Canada, and the same shall be granted to the said children respectively, in such mode and on such conditions as to settlement and otherwise, as the Governor General in Council may from time to time determine.

32. For the quieting of titles, and assuring to the settlers in the Province the peaceable possession of the lands now held by them, it is enacted as follows:—

1. All grants of land in freehold made by the Hudson's Bay Company up to the eighth day of March, in the year 1869, shall, if required by the owner, be confirmed by grant from the Crown.

2. All grants of estates less than freehold in land made by the Hudson's Bay Company up to the eighth day of March aforesaid,

shall, if required by the owner, be converted into an estate in freehold by grant from the Crown.

3. All titles by occupancy with the sanction and under the license and authority of the Hudson's Bay Company up to the eighth day of March aforesaid, of land in that part of the Province in which the Indian Title has been extinguished, shall, if required by the owner, be converted into an estate in freehold by grant from the Crown.

4. All persons in peaceable possession of tracts of land at the time of the transfer to Canada, in those parts of the Province in which the Indian Title has not been extinguished, shall have the right of pre-emption of the same, on such terms and conditions as may be determined by the Governor in Council.

5. The Lieutenant-Governor is hereby authorized, under regulations to be made from time to time by the Governor General in council, to make all such provisions for ascertaining and adjusting, on fair and equitable terms, the rights of Common, and rights of cutting Hay held and enjoyed by the settlers in the province, and for the commutation of the same by grants of land from the Crown.

33. The Governor General in Council shall from time to time settle and appoint the mode and form of Grants of Land from the Crown, and any Order in Council for that purpose when published in the *Canada Gazette*, shall have the same force and effect as if it were a portion of this Act.

34. Nothing in this Act shall in any way prejudice or affect the rights or properties of the Hudson's Bay Company, as contained in the conditions under which that Company surrendered Rupert's Land to Her Majesty.

35. And with respect to such portion of Rupert's Land and the North-Western Territory, as is not included in the Province of Manitoba, it is hereby enacted, that the Lieutenant-Governor of the said Province shall be appointed, by Commission under the Great Seal of Canada, to be the Lieutenant-Governor of the same; under the name of the North-West Territories, and subject to the provisions of the Act in the next section mentioned.

36. Except as hereinbefore is enacted and provided, the Act of the Parliament of Canada, passed in the now last Session thereof

and entitled, "An Act for the Temporary Government of Rupert's Land, and the North-Western Territory when united with Canada," is hereby re-enacted, extended and continued in force until the first day of January, 1871, and until the end of the Session of Parliament then next succeeding.

The Manitoba Act has been subjected to severe criticism, and as gross misrepresentations of its provisions have been publicly made by gentlemen who ought to have been better informed, it may be proper to offer a few observations on it. The chief complaint has been with reference to the grant of public lands which it has been alleged was made for the benefit of Roman Catholics, and with a view of its getting into the hands of the priests. Now, it will appear, on reference to the 31st section of the Act, that the land is to be set apart "for the benefit of the families of the half breed residents," and it has been stated by Dr. Schultz, that the proportion of half-breeds who are Protestants is fully 6 to 4 Roman Catholics; Colonel Dennis, as will be seen by reference to his statements, gives the French half-breeds as one-fourth or one-fifth of the settlement. In view of Colonel Dennis' statements as to the importance of quieting the strong feeling among the resident settlers on the subject the 31st and 32nd Clauses of the Act were indispensable.

On the 4th May, Sir John Young telegraphed as follows: "Instructions will be sent to Rose to-day by telegram to pay over £300,000. Imperial Government are at liberty to make the transfer of the territory any time before the end of June. But Canada wishes it to be made not immediately nor without giving due notice by telegram." On the 6th May, Sir John Young again telegraphed: "I may

“ now, I suppose, give final orders for the military to start
 “ for Red River, General Lindsay has asked me for such
 “ orders.” In reply Earl Granville telegraphed: “ Troops
 “ may proceed. Who is in command of expedition and what
 “ is name of Governor of territory?” The following telegrams
 were subsequently sent, 12th May: “ Bill for Government
 “ of North-West passed, sanctioning conditions agreed upon
 “ with delegates. Parliament prorogued to-day.” 15th May,
 “ Mr. Archibald of Nova Scotia, is to be Lieutenant-Gover-
 “ nor of the North-West.” We shall now give at length the
 last despatch of Sir John Young, printed among the papers:

OTTAWA, 19th May, 1870.

MY LORD,—I have the honour to forward herewith certified copies of the Act to establish and provide for the Government of the Province of Manitoba. The Act is so short that it seems needless to attempt to summarise its provisions. I have been informed by trustworthy authority that it is likely to prove generally acceptable to the people of the North-West. The gentleman recommended by my responsible advisers to fill the important office of Lieutenant-Governor is the Honorable A. G. Archibald, of Nova Scotia. Mr. Archibald has filled the offices of Solicitor General and Attorney General in the Province of Nova Scotia previous to Confederation. He was a member of the Convention in 1864, which discussed the terms of the present Confederation, and a delegate to the London conference, which finally settled the terms of union. He was appointed a Privy Councillor and Secretary of State for the Province in the first Government of the Dominion, but being defeated at the elections, he resigned his seat in the Cabinet. He has since been returned by his former constituency of Colechester to the Dominion Parliament. Mr. Archibald is spoken of in all quarters as a man of ability and sound calm judgment and I trust his selection may prove a fortunate one. Colonel Wolseley, who is to command the expedition, leaves Toronto with

Her Majesty's troops on the 20th instant, and they go on as quickly as possible to Fort William, at the head of Lake Superior. I telegraphed him yesterday to send me, for your Lordship's information, a short statement of his probable movements. He replied as follows:—"There are 200 of the first batttalion of volunteers and the gunboat Rescue at the Sault; all the regular troops will be at Fort William on the 26th May. A fort will be formed there and fortified. It is hoped that all the volunteers and stores will have reached Fort William by the 10th June. Expect to reach Fort Garry with entire force about 1st August, and to leave with regulars between 20th and 25th August, so as to reach Toronto by 1st October." I also send a copy of the orders he has issued. A temporary difficulty occurred in consequence of the stoppage by the American authorities of the steamer "Chicora" at the Sault Ste. Marie Canal, which runs through American territory, connecting Lake Huron with Lake Superior. She had no warlike stores, whatever on board, the Canadian Government having from the very first decided not to attempt the sending of any such stores much less of troops through the canal. At the request of my minister, therefore, I addressed a representation to Her Majesty's minister at Washington, and I am happy to be able to report that the United States Government has very promptly sent instructions to allow the "Chicora" and vessels of the same class to pass through the canal. I have placed the services of Lieutenant-Colonel McNeill, V.C., my military secretary, at the disposal of General Lindsay, for the expedition. He will report fully to me as occasion offers along the route, and I shall forward his reports to your lordship for your information. I beg to forward certain resolutions, passed at a public meeting at Sarnia, in Ontario, which have been sent to me for the purpose, as resolution 3 states, that "this meeting believes it expresses the enlightened public opinion of Canada, in calling upon our Government to use its influence with the Imperial authorities, with the view to the offer of a reward for the capture and arraignment, at the bar of justice, of Riel and his associates in the work of murder."

I am, &c.,

JOHN YOUNG.

The Earl Granville, K.G.

It may not be inconsistent with our object to discuss the late proceedings at the Red River. So far, the policy of the Canadian Government has been completely successful, but it has been so because it has been avowedly and consistently, and notwithstanding the obloquy cast upon its authors, a policy of conciliation towards the misguided men, who, laboring under a complete delusion with regard to the intentions of the Government, took up arms in October of last year. We have proved by documentary evidence that had a different policy been adopted the Canadian Government would not have had the cordial support and co-operation of the Imperial Government. Even though their views were substantially alike, slight differences arose between the two governments during the negotiations on minor points, each contending for the interests of those whom it specially represented. It will hardly be maintained now that it would have been wise in the Canadian Government to have paid over the purchase money on the 1st December, and to have accepted the responsibility of taking over in mid-winter an inaccessible territory, with the certainty that under such circumstances it would have been occupied in early spring by filibusters and sympathizers strong enough to have resisted, at least temporarily, any force that the Canadian Government, unsupported by Imperial prestige, could have sent against them. Looking at the question from an Imperial or from a Hudson's Bay Company point of view, we can readily understand the annoyance caused by the prompt action of the Canadian Government at the latter end of November, when they directed that the purchase money should not be paid over without further orders. Those who are familiar with colonial politics, and especially with the treatment of New Zealand, cannot doubt that had the money been paid Canada would not have received the slightest assistance either in men, money, or countenance, from the Imperial Government. Fortunately, the policy of the Impe-

rial and Dominion Governments towards the people of the Red River settlements was precisely the same. It has been denounced by Mr. McDougall and his abettors, but it has been completely successful, and those who denounced it are reduced to the single complaint that they want revenge for what all admit to have been a horrible crime, and that they have not been able to obtain it.

We shall advert very briefly to the false and mischievous rumors of an intention on the part of the Canadian Government to recommend an amnesty which were circulated for several weeks. Notwithstanding the explicit denial of the truth of these rumors, they were reiterated in some of the leading public journals. Colonel Wolseley, it was affirmed, had the amnesty in his pocket, but as that gallant officer has already returned to Canada without having published it, the falsehood of that statement has already been established. In conclusion, we submit that but for Mr. McDougall's neglect of Colonel Dennis' warning to defer the surveys until the Indians and half-breeds had been conciliated there would have been no insurrection; that Mr. McDougall not only deliberately assumed the functions of Lieutenant-Governor without authority, and notwithstanding his own declaration that he could not do so; but that he wantonly in defiance of the advice of the legal Governor and his council, and of the Bishop and the most influential Protestant gentlemen in the territory, issued an illegal commission to Colonel Dennis, and instructed him to call the population to arms; that he took that course at a time when he well knew that, in a very few days, he would learn the views of the Dominion Government as to the course to be taken in an emergency that was not foreseen when he received instructions for his guidance; that his factious conduct since his return to Canada has rendered it absolutely necessary to expose the lamentable errors of judg-

ment which he has committed. His endeavors to revive religious animosities, which of late years had been materially softened down, though temporarily successful, will, when the truth comes to be known, injure himself much more than those against whom his poisoned arrows have been aimed. His talents may possibly secure his re-admittance to the ranks of the Opposition, but those who study the history of the Red River insurrection will place little reliance on his judgment.

