

MÉTIS DEVELOPMENT AND THE CANADIAN WEST

2

Changing
Times



Saskatchewan
Education

Gabriel
Dumont
Institute



Changing Times

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UNIT 1

THE HISTORY OF THE UNITED STATES

The United States has a long and rich history, with many important events and figures that have shaped the nation.

From the early days of exploration and settlement to the present day, the United States has grown from a small colony to a global superpower.

Key events in the history of the United States include the American Revolution, the Civil War, and the Great Depression.

The United States has also been a leader in many areas, including science, technology, and culture.

Today, the United States continues to play a major role in the world, and its history remains a source of pride and inspiration for many people.

As we look back on the history of the United States, we can see how far the nation has come and how much it has achieved.

The United States is a land of opportunity and freedom, and its history is a testament to the power of the American dream.

Let us continue to build on the legacy of our ancestors and work towards a better future for all.

The history of the United States is a story of resilience and courage, and it is a story that we should all be proud to share.

As we move forward, let us remember the values that have made the United States a great nation: freedom, justice, and equality.

Let us strive to live up to these values and to make the United States a better place for everyone.

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Introduction

Series Overview

Métis Development and the Canadian West is a series of five books which examine the development of the Métis culture and the role of the Métis in western Canada from the seventeenth to the nineteenth centuries.

- *Book 1: Contrasting Worlds* is an overview of the Canadian West from the 1600's to the early 1870's when many of the Métis moved from the Red River area to Saskatchewan.
- *Book 2: Changing Times* is an examination of the governing bodies and the laws which were in effect in the Canadian West between 1821 and 1875.
- *Book 3: Petitioning for Rights* is a study of the period between 1872 and 1883 which focuses on attempts by the Métis to obtain title to the lands on which they lived.
- *Book 4: Conflicting Plans* is an examination of the conflict between the Métis' attempts to gain legal ownership of their lands and the federal government's national policy and plans for a railway.
- *Book 5: Ending an Era* is an examination of the resistance battles, Riel's trial, the political situation and the immediate aftermath of the resistance.

Series Objectives

The objectives of this series are:

- to present written, visual and primary materials in a form which is amenable to an inquiry-based approach
- to document Métis contributions to prairie settlement and the development of the West
- to challenge stereotypical images associated with the Métis by presenting information from which accurate perceptions of the historic Métis culture can be drawn
- to present the Métis perspective of the events which occurred between 1870 and 1885.

Suggested Methods

The material in *Métis Development and the Canadian West* series is designed to provide a basis for increasing the students' understanding of the Métis culture through an inquiry approach. Issues are presented and data is provided. The students are expected to resolve the issues themselves in a logical and defensible way. Their opinions should be respected and the emphasis should be on the development of their analytical skills.

A recommended reading list has been included at the back of each book. These can be used as a resource for both teachers and students, particularly when researching further material on some of the questions.

Organization of the Books

Each book contains:

- the objectives of the book
- a brief summary of the content
- a content section which incorporates a number of primary documents
- endnotes which indicate the source of the quotations used
- a vocabulary list which defines selected words from the content section **in this print**
- questions which can be used for discussion, research or assignment purposes
- a recommended reading list.

Objectives of Book 2: *Changing Times*

The objectives of this book are:

- to present information about the lifestyles of the Métis prior to the decimation of the buffalo
- to examine the laws and government of the Métis
- to explain how British law was established on the prairies
- to explain how the buffalo were nearly exterminated.

Summary of Book 2: *Changing Times*

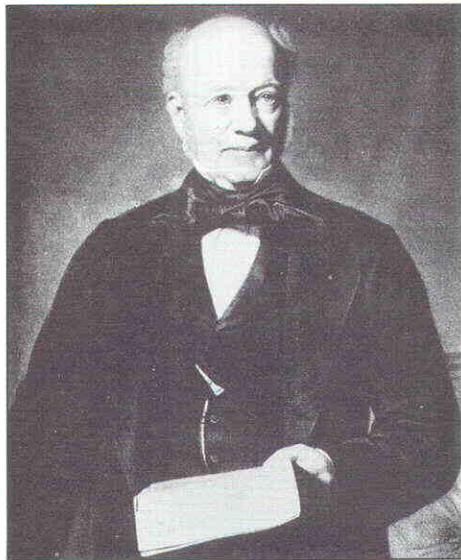
By the 1840's, the Métis living on the western prairies had established a way of life based on buffalo hunting and on the sale of buffalo meat. In order to protect their livelihood and preserve their lifestyle, the Métis established the Laws of the Prairie to regulate the hunting of buffalo. By the 1870's, buffalo were becoming scarce so the Métis established a permanent settlement at St. Laurent. They elected a council and established laws designed to meet the needs of the community. However, when the council enforced one of the laws in 1875, the North West Mounted Police were sent to investigate. This action began a process directed at establishing British law on the prairies.

Changing Times

The Amalgamation of Fur Trade Companies

In 1821, the Hudson's Bay Company and the North West Company merged. Their **amalgamation** ended decades of bitter rivalry which climaxed in the death of Governor Semple and twenty Selkirk settlers at Seven Oaks. The union of the Hudson's Bay Company and the North West Company adversely affected the Métis of Rupert's Land for, prior to the union, they comprised the bulk of the labour force of both companies.

Because the amalgamation of the two companies ended competition, their union meant that half the trading posts and about half the labour force involved in the fur trade immediately became **redundant**. Prior to 1821, in nearly all regions of the North West, both companies had set up trading posts near each other in order to compete for the fur trade. When the Hudson's Bay Company and the North West Company united under one management, those trading posts which existed only to provide competition became unnecessary and were abandoned.



George Simpson, Governor, Hudson's Bay Company, 1821-1839. Governor in Chief of Rupert's Land, 1839-1860.

The new company retained the name of the Hudson's Bay Company. George Simpson was

appointed governor of the Company and was responsible to a board of directors situated in London, England. He immediately set out to improve the fur industry which had fallen on hard times as a result of the intense competition prior to the merger. One of the first steps taken by Simpson in his role as governor was to hire employees on the basis of their education and administrative experience. Consequently, most of the new Company's positions were filled by former Hudson's Bay Company employees who possessed previous experience with the Company and spoke English rather than French. Most of the former North West Company employees found themselves without jobs.

The Council of Assiniboia

Before 1821, the North West Company had challenged the Hudson's Bay Company's right to rule over Rupert's Land. However, the Hudson's Bay Company had held both economic and political power over the colony since the granting of the Hudson's Bay Charter by the British monarch in 1670. The Company had ruled the colony through its board of directors in England. The board supervised the Company's commercial operations and governed the colony in a way that supported the Company's commercial interests.

Following the merger of 1821, Governor Simpson established the Council of Assiniboia using a deed poll. Under the deed poll, 40 per cent of the Company's profits was transferred into 85 shares. Fifty of these shares were allotted to 25 chief **factors**, each of whom received two shares; 28 shares were allotted to 28 chief traders; the remaining seven shares were placed in a retirement fund. In addition to becoming shareholders in the Company, the chief factors and chief traders also comprised the Council of Assiniboia. As council members, they were to assist Governor Simpson not only with the operation of the Company, but with legal and policy decisions pertaining to it, as well. The Protestant and Roman Catholic clergy had representatives on the council, as did the English- and French-speaking Métis.

In effect, the Council of Assiniboia assumed the duties of governing Rupert's Land. However, the Council was comprised solely of appointed members; there were no elections, consequently there was no **responsible government** in the area. The Council of Assiniboia functioned as a colonial administrative body to accommodate Britain's needs

within the colony. In 1821, as part of the merger agreement, the British parliament granted the Hudson's Bay Company exclusive trading rights, thereby ensuring that the Company retained its **monopolistic** control over the area.

Although serious criminal charges, such as murder and **sedition**, were tried in the East, the Council of Assiniboia had **jurisdiction** over all minor criminal offences such as theft and free trading in furs. Hudson's Bay Company factors were appointed as magistrates and, in effect, sat as judges of the colonial courts. Through its factor-magistrate system, the Council of Assiniboia also **adjudicated** civil matters in Rupert's Land. To all appearances, the Hudson's Bay Company imposed upon the people of the region a government of the Company, by the Company, for the Company.

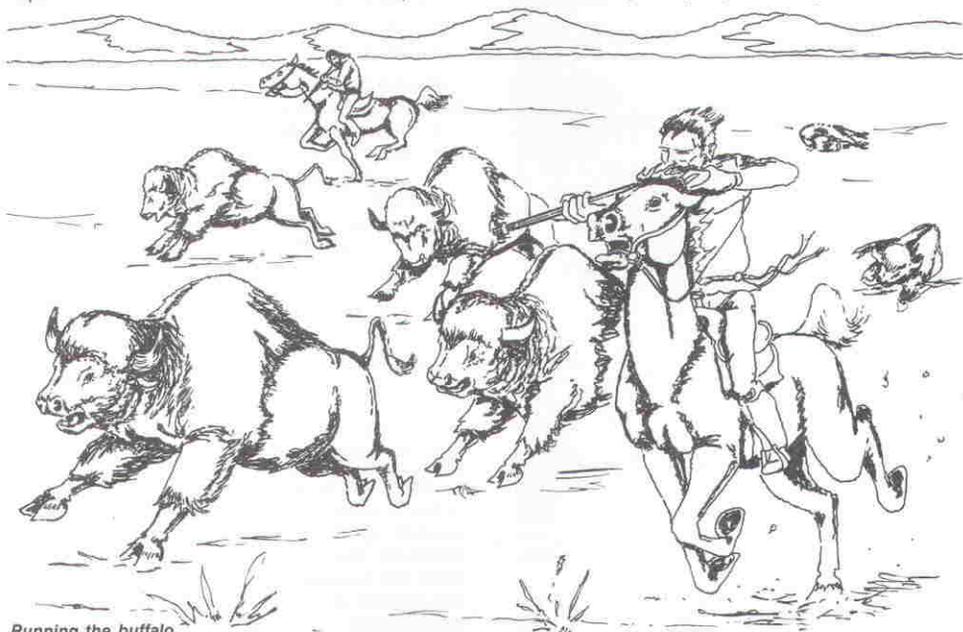
The Free Trade Movement

Prior to the amalgamation, both companies opposed the growth of any economic activity other than fur trading in Rupert's Land. As a result, when the French-speaking Métis were released from the fur trade after the merger of 1821, their situation was desperate. There was no local industry or agriculture in which they could find employment. Expelled from the labour force of a one-industry colony, their only hope of survival was to live as hunters on the plains.

Before the amalgamation, many of these men had made their living primarily as buffalo hunters. Combining the skills of the Plains Indians with those of the Europeans, the French-speaking Métis quickly became masters of the buffalo hunt in North America. Most of the Métis of the Red River area who had formerly been employed in the fur industry soon made the transition to buffalo hunting.

Many of the hunters and their families left the Red River Settlement for part of the year and hunted the great buffalo herds that still travelled in seasonal cycles across the Great Central Plains. This way of life demanded a social organization that differed greatly from that of the Company. The uncertainty of the hunt, the nomadic nature of the hunters' existence and the influence of the French-Catholic culture combined to create a social system among the French-speaking Métis that differed from that of the English-speaking Métis who remained behind as employees of the Company.

The social system of the hunters was also influenced by the free trade movement which developed between the French Métis and the American traders in St. Paul, Minnesota. According to Company law, free trade was illegal in Rupert's Land. Thus, the very basis of their new economy put the French-speaking Métis into conflict with the established authority of Rupert's Land. It can be argued that the Hudson's Bay Company's laws against free trade



Running the buffalo.



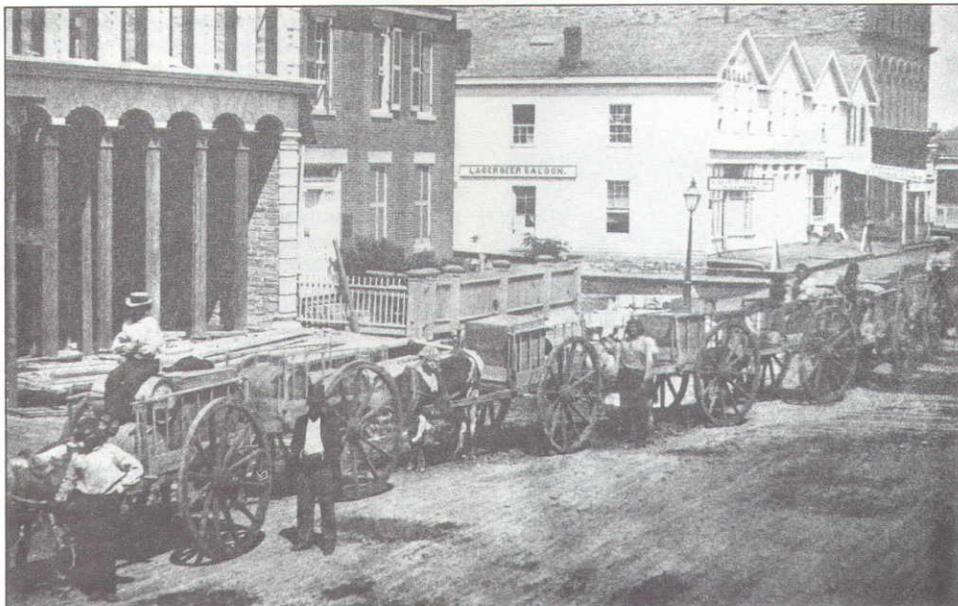
were unreasonable. Nevertheless, free trade was banned in Rupert's Land and those who engaged in it were liable to come into conflict with the authorities.

In response to their life as nomadic hunters living in a colony where free trade was considered a crime, the Métis developed a social structure designed to ensure their survival. Their social structure blended aspects of the traditional Indian way of life and European military organization in a new and unique combination which allowed the Métis to turn the buffalo hunt into a marvel of productivity. Convoys of up to 2500 Red River carts left the Red River Settlement in June and again in October to hunt buffalo. The hunters and their families, numbering in the thousands, took hundreds of thousands of buffalo from the plains annually. Most of the meat taken during these mass hunts was shared as a food staple among the Métis. The remainder was sold in St. Paul, through the illicit free trade movement.

Left: Métis camp, 1858.

Below: Métis family stopped for the evening (1860?).





Red river cart brigade St. Paul, Minnesota, 1858.

The Laws of the Hunt

Although illegal according to Hudson's Bay Company law, these massive hunts were the life-blood of the new, developing Métis nation. The Métis' survival depended on the success of the hunt, not merely for a few hunters, but for all. To ensure successful hunts, the Métis developed a set of laws based on traditional Indian hunting laws. From the time the hunt began until it was officially declared ended by the hunt captain, a strict military discipline was imposed on everyone.

The Métis system required strong leadership and generosity on the part of the hunters and elders. Food had to be obtained from massive herds of buffalo. Once obtained, the food had to be shared among all members of the group.

The first step in organizing the hunt involved holding a council meeting at which potential leaders of the expedition were nominated. For every 10 hunters there was a captain. A senior captain, who was in charge of the overall operation, was also chosen. Each captain had a **contingent** of ten hunters under his command; these were the men who would ride into the herd and kill selected animals. The council also appointed ten guides for each hunting party. Once the hunt officially began, the Laws of the Prairie prevailed over all other considerations.

Laws of the Prairie

1. No buffalo to be run on the Sabbath-day.
2. No party to fork off, lag behind, or to go before, without permission.
3. No person or party to run buffalo before the general order.
4. Every captain with his men, in turn, to patrol the camp, and keep guard.
5. For the first trespass against these laws, the offender to have his saddle and bridle cut up.
6. For the second offence, the coat to be taken off the offender's back, and be cut up.
7. For the third offence the offender to be flogged.
8. Any person convicted of theft, even to the value of a **sinew**, to be brought to the middle of the camp, and the crier to call out his or her name three times, adding the word "THIEF" at each time.¹

From the time the companies amalgamated until the formation of the province of Manitoba, the French-speaking Métis spent much of their time living as hunters on the plains of the North West. During the



Brigade of free traders, 1867.

winter months, they usually returned to the Red River Settlement. The English-speaking Métis who were released from their employment with the Hudson's Bay Company between 1821 and 1870 often joined their French-speaking **compatriots** as buffalo hunters and free traders on the plains.

Métis Land Allotment

In 1870, Rupert's Land was transferred to the Canadian government and the Province of Manitoba was created. Shortly thereafter, the government began making arrangements to extinguish the Métis' land claims in the new province. The Manitoba Act

of 1870 provided for 566,572 hectares (one million four hundred thousand acres) to be allotted for Métis land claims. It was not until 1873, however, that the government began allotting land. In 1874 the allotment system was changed. Under the new system, some land **scrip** and money scrip was issued.

Still later, the system was changed again. Previous allotments were cancelled and new ones drawn up. Of the Métis who received allotments, many soon lost their scrip certificates to land **speculators**.



Land scrip.



Money scrip.

The Métis were required to attend at a site where the Half-breed Commissioner had set up his tent. Here the Métis had to fill out applications for scrip. Being unfamiliar with such legal documents and perhaps being aware of the futility of trying to get actual title to a piece of land, the Métis signed these papers over to the speculators who often accompanied the Half-breed land Commissioners.

No doubt the two processes were viewed as one transaction by the majority of the Métis and likely they were encouraged to do so. Even the speculators may not have received the actual scrip, but instead they received credit for a certain amount of land which credit was often accumulated in scrip accounts administered by government agencies. The speculators then matched the land with incoming settlers at a healthy profit. This pattern was known in complete detail by the Federal Government which in numerous ways facilitated the work of the speculators 2.



Harvesting the crop.

In 1870, the Métis population of Red River was comprised of almost equal numbers of French-speaking and English-speaking people. By 1875, some of them had begun to establish farms on their newly-acquired lands. The majority, however, had lost their scrip to land speculators and many moved from the Red River area to join the hunters on the plains west of Manitoba. Here they hoped to follow the lifestyle their forefathers had pursued. They also hoped to establish their own communities in the North West Territories (now Saskatchewan and Alberta).

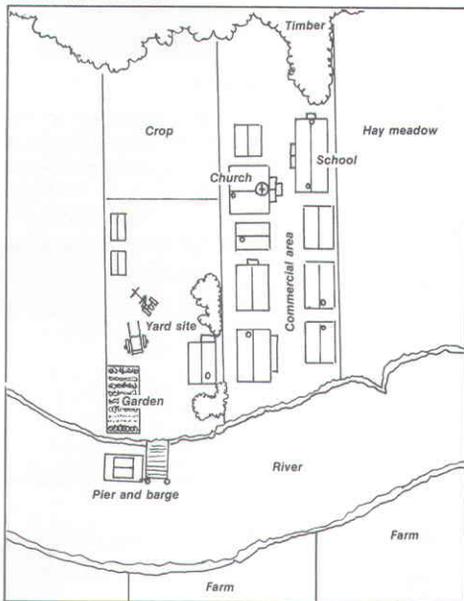
Métis Communities

The communities established by the Métis were invariably located in fertile river valleys. The farms stretched back from the river front in long, narrow holdings, following the farming pattern that had been used by the people of Red River and, before them, by the **Habitants** who lived along the St. Lawrence River in Québec.

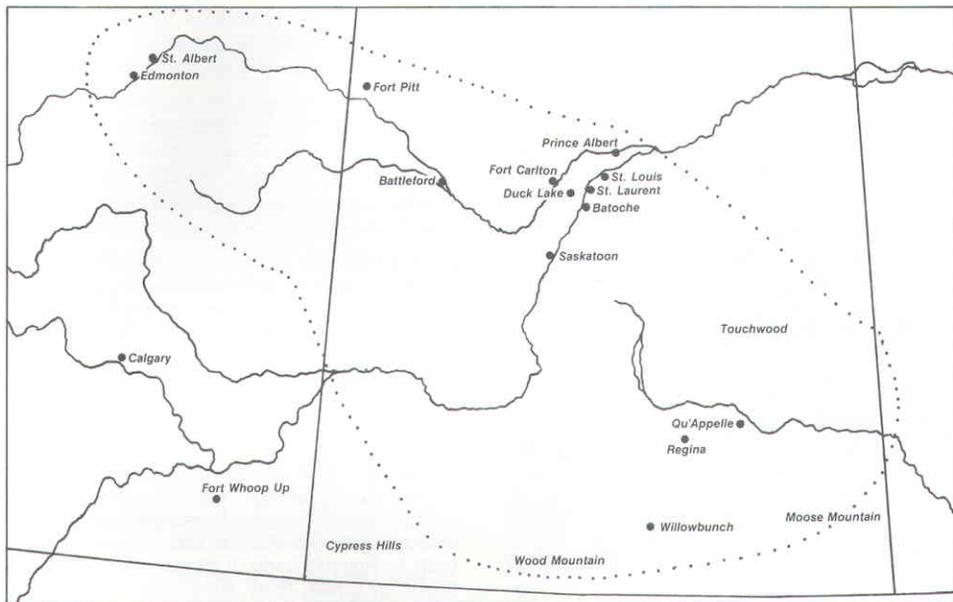
This system of land holding was particularly well suited to the **subsistence farming** of the Métis because it allowed each settler to have river frontage. Access to water was essential since the river provided both an important transportation route and a good supply of water for domestic use. This system of land division also provided for an even distribution of the wild hay meadows which usually ran parallel to the water.

Métis communities were established at Qu'Appelle and Willowbunch in the south, and at St. Laurent,

Métis Land Division.



St. Antoine de Padou (now Batoche) and St. Louis along the South Saskatchewan River. Other Métis people moved further west, establishing the community of St. Albert near the present site of Edmonton, Alberta. In all these communities, subsistence farming became an important means of supplementing the staple food supply obtained from the buffalo hunt.



Early settlements of the North West.

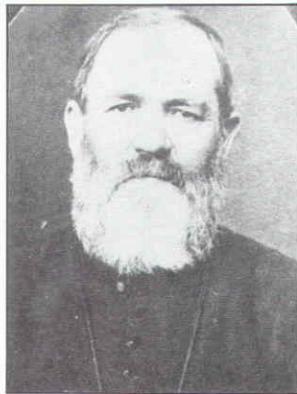
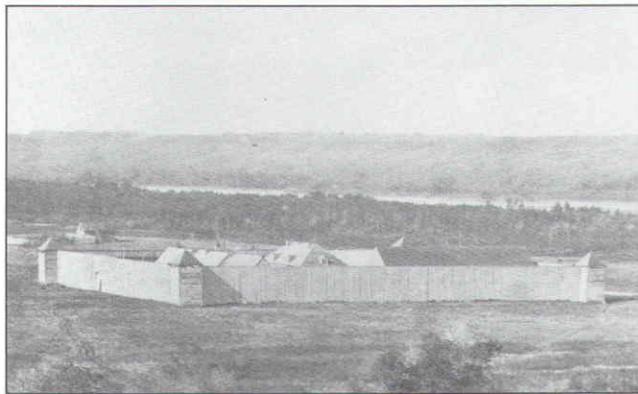
The Settlement at St. Laurent

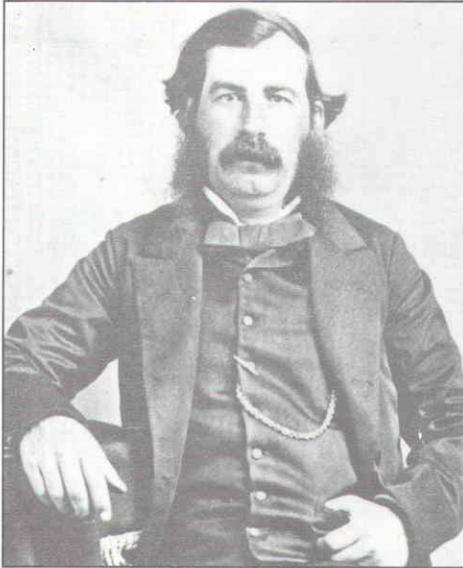
St. Laurent became the first Métis settlement in the northern district. In early 1870, the Métis who wintered here met to discuss a plan to transform their winter camp into a more permanent settlement. They proposed moving the camp to approximately forty kilometres from Fort Carlton.

Below: Fort Carlton, 1872.

Below right: Father Alexis André.

The decision to create a permanent settlement at St. Laurent was made on December 31, 1871 at a meeting of the Métis winterers at the mission of St. Laurent near Fort Carlton. Father André, a priest of the **Oblate** Order, and Lawrence Clarke, the Hudson's Bay Company factor at Fort Carlton, officiated at the meeting. Father André was elected secretary and Lawrence Clarke became chairman of the committee in charge of the founding and organization of the new Métis settlement of St. Laurent.





Lawrence Clarke, Hudson's Bay Company Factor, Fort Carlton, 1870.

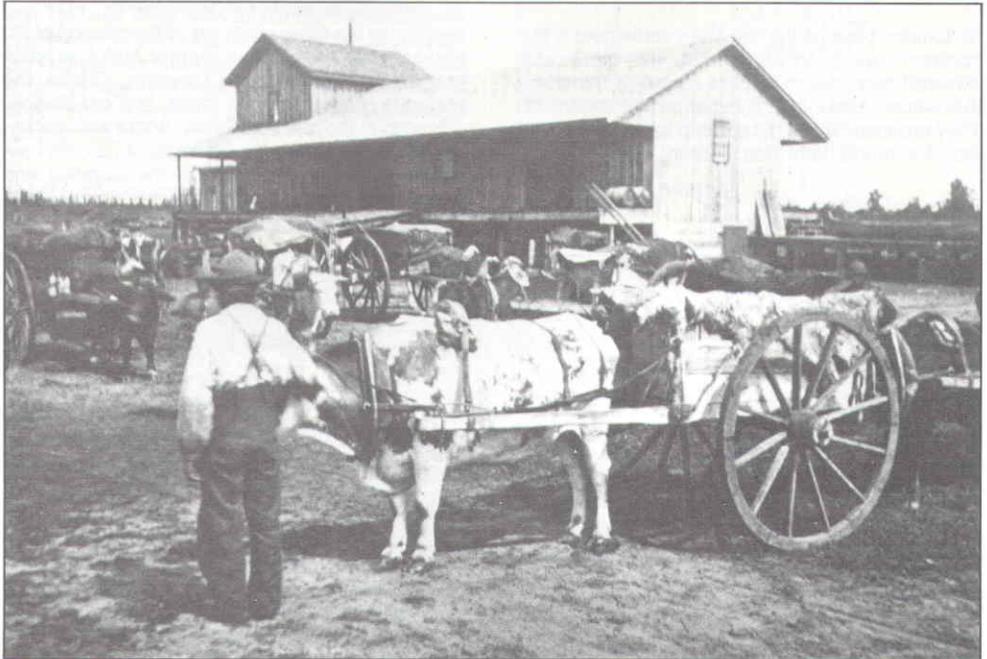
Lawrence Clarke spoke at this founding meeting, explaining to the Métis the benefits of moving their winter camp and settling closer to Fort Carlton.

He implored them to fix themselves thereon permanently, to abandon their wanderings and to settle down as steady plodding citizens. Clarke told them that in this way they would have three resources for making a remunerative livelihood, one or both failing, they would have the other to fall back upon. The prairie, the farm, the freighting.³

Clarke's reference to the prairie, the farm and the freighting summarized the reasons for establishing a permanent settlement at St. Laurent. The site was located near Clarke's Trading Post, where the Métis could secure employment as freighters for the Company. In addition, the prairie around St. Laurent was a favorite wintering place for massive buffalo herds and the land along the South Saskatchewan River was ideal for farming.

The Métis would use the money they earned as freighters to purchase farm equipment. Such equipment was essential if they were to enter the new agricultural order that was replacing the fur trade in Rupert's Land. If all went well, the Métis might progress from subsistence farming to **commercial farming** before the buffalo disappeared forever from the prairies.

The Métis freighting business, 1860's.



Mr. Isidore Dumont, an elder, spoke at this meeting on behalf of the Métis hunters. He outlined the Métis' reasons for choosing to settle at St. Laurent.

Mr. Isidore Dumont dit "Ecapoo", had been all his life a prairie hunter. He could remember when vast herds of buffalo covered the prairies from the foot of the Rocky Mountains to Fort Garry. Now they were only to be found in the Saskatchewan, and as the country got peopled, the buffalo would disappear. He was an old man and could tell the young people that the decision they had come to was good.... He had known Mr. Clarke a long time, he was glad to hear him speak as he did. If they were wise they would follow his advice. He knew of a tract of land between Carlton and Prince Albert which he thought would answer the purpose, it was a good country, good soil, plenty of wood for building and for fuel, and wild hay in abundance. The grasses were good for the horses and the spot not too far from the buffalo country.⁴

Thus the Métis winter camp was moved closer to Fort Carlton and the village of St. Laurent was established. Father André was pleased with the decision. For years he had pleaded with the Métis to settle in one location. Now the church could have greater influence over the Métis than had been the case during their years as hunters on the plains. By 1872, twenty-five Métis families were established in the settlement.



Remains of old convent at St. Laurent.

However, Lawrence Clarke had not been altogether candid with the Métis hunters when he advised them that St. Laurent would provide three alternatives for making a remunerative livelihood. In a letter to the Company's Chief Commissioner, Clarke revealed other motives for persuading the Métis to settle in large numbers near Fort Carlton:

This colony once started will rapidly become strong and influential. The founders are far from being poor men, they are rich men in horses and have more or less money at their disposal. The decision those men have arrived at will have a most important bearing upon our trade here, and must benefit us in every branch of our business. As carriers for the northern districts, it will ensure to us a reliable source from which we can draw any freighters we may require, and as the settlement increases in population, so will competition arise amongst them for fuller employment in this, their favorite occupation, and enable us to reduce the rates of freight to a minimum standard, directly saving a large sum of money annually. Indirectly we shall profit by this location, in so much that getting our transport conveyed so cheaply we will be able to dispense with a transport establishment of our own, and the enormous expenses and ruinous losses yearly incurred. Thirdly, save hundreds of pounds in oxen, carts and harness thus being able to reduce our staff of employees to a third of our present force and thus diminish our expenditure by the lowest calculation of 2000 £ sterling per annum.⁵

Initially the community of St. Laurent answered the needs of the Métis. From the new site, they continued to hunt the buffalo as before. With the capital they earned as cartmen for the Hudson's Bay Company, they planned to purchase machinery which would enable them to move from subsistence level farming to commercial farming.

For the first two years, the settlement benefitted all parties. St. Laurent developed as a result of the Métis' need for capital and land. The Hudson's Bay Company needed the Métis to supply and transport buffalo meat, the food staple of the Company's northern trading district. Yet, mutually beneficial as the situation appeared at the outset, it was soon obvious that there would be conflict between the Métis and the Company as the number of buffalo became fewer.



A Métis freighter, 1860s.

The Need For Laws

Although a government based on British law was established in Manitoba when it entered Confederation in 1870, the remainder of the North West

Territories had no recognized governing body at this time. The Lieutenant Governor of Manitoba, Adams Archibald, was given jurisdiction over the North West Territories in 1870 but was directed not to establish a responsible government in the region. Instead, his instructions were to establish friendly relations with the Indians and the Métis so as to determine the areas best suited for settlement.

By 1872, the inhabitants of the North West Territories recognized the need for an effective governing body in the region. Conflicts over land holdings arose and laws were required to settle the disputes. **Bootlegging** was becoming a major problem. A group of American whiskey runners had established themselves at Fort Whoop-up (near the present site of Lethbridge, Alberta) and were making and selling whiskey to the inhabitants of the area. A number of Métis became involved in this illegal activity and incorporated the sale of whiskey into their freighting industry. Of critical importance to the Métis and Indian people of the North West was the rapid decline in the number of buffalo. If the remaining herds were to survive and continue to be the major food source, laws governing their preservation were essential.

The Métis of St. Laurent also recognized the need for a more comprehensive set of laws for governing their community. On December 10, 1872, the



Adams Archibald, Lieutenant Governor of Manitoba, 1870-1872.

inhabitants of St. Laurent met to draft laws which would meet their needs and to establish a governing body which would uphold the laws.



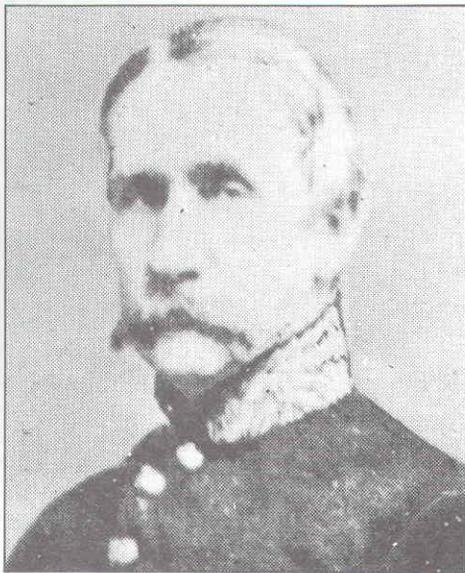
Jerry Potts, Métis scout employed by NWMP to curtail bootlegging, 1870's.

The habitants of St. Laurent held a public assembly to draw up laws and regulations for the peace and tranquility of their community. In the absence of any form of government among them to administer justice and to judge the differences that may arise among them, they have thought it necessary to choose from their numbers a chief and councillors invested with power to judge differences and to decide litigious questions and matters affecting the public interest....It

was well understood that in making these laws and regulations the inhabitants of St. Laurent in no way pretend to constitute for themselves an independent state, but the actual situation of the country in which they live, obliges them to take some measures to maintain peace and union amongst them. Knowing that so large a society as theirs can exist only under some sort of organization to preserve mutually their rights, but in forming these laws, they acknowledged themselves as loyal and faithful subjects of Canada, and are ready to abandon their own organization and to submit to the laws of the Dominion, as soon as Canada shall have established amongst them regular magistrates with a force sufficient to uphold in the country the authority of the law.⁶

The North West Council

On December 2, 1872, Alexander Morris replaced Adams Archibald as Lieutenant Governor of Manitoba. A council was appointed to assist him in carrying out his duties. Although the Council, which was comprised of political appointees who were loyal to the Canadian federal government, was granted power far exceeding that of the locally elected representatives, it still did not constitute responsible government.



Alexander Morris, Lieutenant Governor of Manitoba, 1872-1876.

The Laws of St. Laurent

The establishment of the North West Council did not assist the Métis of St. Laurent in governing their community and in settling differences amongst its members. Consequently, they met again on December 10, 1873, in their winter camp. At this meeting they elected a council for a term of one year, with Gabriel Dumont as president. After the elections and acceptance under oath by the officers, laws were established. The former Laws of the Prairie were revised and became known as the Laws of St. Laurent.



Gabriel Dumont, President of the Council of St. Laurent, 1873.

Laws of St. Laurent

- Article I. On the First Mondays of the month, the president and members of his council shall be obliged to assemble in a house indicated before hand by the president, in order to judge the cases that may be submitted to their arbitration.
- Article II. Any Counsellor who, unless by reason of illness, or impossibility shall not be present at the indicated place shall pay a fine of five **Louis**.
- Article III. The president who by his own fault shall not meet his Counsellors in the indicated place shall pay a fine of five Louis.
- Article IV. Any captain refusing to execute the orders that he shall receive in the name of the Council shall pay a fine of three Louis.
- Article V. Any soldier, who shall refuse to execute the order of his captain shall pay a fine of one Louis and a half.
- Article VI. Any person who shall insult the Council or a member of the Council in the public exercise of his functions shall pay a fine of three Louis.
- Article VII. Any person who shall be guilty of contempt of any measure of the Council or of one passed in a general Assembly, shall pay a fine of one Louis.
- Article VIII. Any person wishing to plead shall inform the President beforehand and shall deposit with him, as security, the sum of five shillings.
- Article IX. In every case the plaintiff shall deposit two Louis, five shillings with the president to remunerate him and the members of the Council for their loss of time, but at the termination of the case, the person losing shall pay all the costs and the plaintiff if he gains shall receive back the money deposited.
- Article X. Any person shall call the Assembly together, shall pay five shillings to the president and to each member, should he come to a compromise with the other side and abandon the prosecution of the case.

- Article XI. Every witness in a case shall receive two and a half shillings a day.
- Article XII. Any case, once brought before the Council, can no longer be judged by any arbitrators outside the Council.
- Article XIII. Any person judged by the Council, shall be allowed ten days to make arrangements with the person with whom the quarrel is; at the expiration of that term the Council shall cause its order to be forcibly executed.
- Article XIV. Any person, who only has three animals, shall not be compelled to give up any one of them in payment of his debts: This clause does not apply to unmarried men, who shall be compelled to pay even to the last animal.
- Article XV. Any person who shall be known to have taken another person's horse without permission, shall pay a fine of two Louis.
- Article XVI. Any contract made without witnesses shall be null and void and its executive cannot be sought for in the Council.
- Article XVII. Any bargain made on a Sunday even before witnesses, cannot be prosecuted in Court.
- Article XVIII. Any bargain any contract any sale shall be valid, written in French, English or Indian characters even if made without witnesses, if the plaintiff testified on oath to the correctness of his account or contract.
- Article XIX. Any affair decided by the Council of St. Laurent shall never be appealed by any of the parties before any another tribunal when the government of Canada shall have placed its regular magistrates in the country, and all persons pleading do it with the knowledge that they promise never to appeal against the decision given by the Council and no one is permitted to enjoy the privileges of this community, except on the express condition of submitting to this law.
- Article XX. Any money contribution shall not exceed one Louis and every public tax levied by the Council shall be obligatory for the inhabitants of St. Laurent, and those who shall refuse to submit to the levy shall be liable to pay a fine, the amount of which shall be determined by the Council.
- Article XXI. Any young man, who, under pretext of marriage, shall dishonour a young girl and afterwards refuses to marry her, shall be liable to pay a fine of fifteen Louis: This law applies equally to the case of married men dishonouring girls.
- Article XXII. Any person who shall defame the character of another person shall attack his honour, his virtue or his **probity** shall be liable to a fine in proportion to the quality and rank of the person attacked or to the degree of injury caused.
- Article XXIII. Any person who shall set fire to the prairie from the 1st August and causes damage shall pay a fine of four Louis.
- Article XXIV. On Sundays and obligatory festivals the river ferrys shall be free for people riding or driving to church, but any person who shall crop without going to church, shall pay as on ordinary days.
- Article XXV. All the horses shall be free, but he whose horse causes injury or annoyance shall be warned and should he not hobble his horse he shall pay a fine of 5 shillings a day from the time he was warned to look after his horse.
- Article XXVI. If any dogs kill a little foal, the owner of the dogs shall be held responsible for the damage done.
- Article XXVII. Any servant who shall leave his employer before the expiration of the term agreed upon, shall forfeit all right to his wages: in the same way, any employer dismissing his servant without proper cause shall pay him his wages in full.
- Article XXVIII. On Sunday no servant shall be obliged to perform any but duties absolutely necessary, however, on urgent occasion, the master can order the servant to look after his horses on Sundays only after the great mass: he shall never prevent him from going to church, at least in the morning.⁷

The Laws of St. Laurent dealt with civic matters relating specifically to the local Métis community. Included in the laws were fines and punishments for breaches of the rules and regulations. Equally important to the life of the community was another set of laws dealing with the prairie and hunting. These laws consisted of 25 articles which regulated all aspects of the buffalo hunt. One of these articles decreed that the hunt would begin at a time determined at a general meeting held annually at the end of April and that "...no one, unless authorized by the Council can leave before the time fixed for departure".⁸ Provision was made to punish anyone who broke this all-important rule, either by fining him, confiscating his equipment, or both.

The Laws of St. Laurent were an attempt to ensure that the good of the community was protected against the desires of any individual who might be working solely on his own behalf. The very lives of the people depended upon the buffalo hunt; yet, the punishment for breaking the rules of the hunt was comparatively lenient. In general, a small fine was levied. The most serious offence was hunting the buffalo before the appointed time since this could drive the animals away. Without buffalo, the members of the entire community would suffer severe hardship and, perhaps, even starvation.

Despite the beneficial effects of the laws on the community of St. Laurent, the document containing the laws was later used by Lawrence Clarke to bring the North West Mounted Police to the region. The document, he argued, was evidence that the Métis were about to rebel against Canada and set up their own government.

Difficulties at St. Laurent

For two years, the Métis who settled around the Fort Carlton region lived a life of relative prosperity and peace. Initially, it seemed that Lawrence Clarke's plans had worked well. By the end of 1873, hundreds of Métis families had moved into the region. However, competition pushed wages down so low that the Hudson's Bay Company was paying the Métis cartmen not with cash, but with trade goods. As well, the Métis had become a captive market for the Company's trade items. Clarke wrote to his superiors in 1872:

I have assumed the responsibility of increasing the price of goods 50% and some articles 100% and could sell all I have to those people at these rates but I am holding on to them as much as possible. To sell our goods at 100% on cost is sacrificing them.⁹

The plans which had been made with such enthusiasm by the Métis Council in 1872 for their settlement at St. Laurent had all but failed by 1874. Paid only in trade goods, the Métis were unable to earn enough money to improve their small subsistence farms. Without plows and harrows, which were very expensive in the West, the Métis could not farm commercially. Moreover, by 1874, the buffalo were disappearing at an alarming rate and the Métis faced possible starvation. Clarke wrote his superiors in 1874:

Their "[sic] is no buffalo anywhere down this way. The last accounts of our Free Men was far from cheering. They were camped at the Red Deer River, and only killing enough game to keep the camp in daily food.¹⁰

By March of 1874, buffalo were so scarce that the winter operations of the Hudson's Bay Company were threatened. Without pemmican, the Company was unable to make the long overland trips to its distant outposts. In March 1874, Clarke wrote:

I am leading a dog's life of it just now. Free men, settlers and Indians are all starving and after putting past the quota for Dave, have just 23 bags of pemmican left, all hands are coming to us and as I can't supply them I get many a threat and curse.¹¹

Clearly, the scarcity of buffalo was creating havoc for both the Métis community, which depended on the buffalo for food, and the Hudson's Bay Company, which relied on pemmican as a food staple for its employees.

The Arrival of the North West Mounted Police

In June 1875, the Métis, under Gabriel Dumont, arrested a party of hunters on the plains south of St. Laurent and charged them with hunting buffalo before the appointed time. This incident triggered a series of events which drastically altered the future of the West.

On July 10, 1875, Lawrence Clarke, the Hudson's Bay Company factor at Fort Carlton, informed Lieutenant Governor Morris that the Métis had taken the law into their own hands and that a police force was needed at once to prevent lawlessness and the eventual **insurrection** of the Métis. On the strength of Clarke's letter, a force of 50 North West Mounted Police, under the command of Colonel French, was



Troop of North West Mounted Police officers.

dispatched from Swan River, Manitoba. The force arrived at Fort Carlton and began to investigate Clarke's allegation that the Métis had formed their own government and were enforcing their own laws.

Following the investigation, Colonel French informed his superiors that there was no cause for alarm and that Lawrence Clarke had staged the entire affair. French reported:

4th August 1875, LeVeillier camped here today and has just returned from where the trouble is with the Half-Breeds, he says it does not amount to anything only a row among the hunters, who have made laws about hunting and one of them has broken it by starting ahead of the rest of the party and driving away the buffalo. They caught up to him, took his cars and fined him twenty-five dollars and sent him back. He reported to the [Hudson's Bay Company] all sorts of things, thus the excitement. It seems the Hudson's Bay Company are the cause of it. They supplied this man with goods and sent him out secretly so as to get ahead of the rest of the traders — and about their having formed a government—it is this; these hunters have things organized, having a President at the head, a certain number of soldiers, and have a law for hunting of their own.¹²

Although Lawrence Clarke had **orchestrated** the entire affair, the police arrested Gabriel Dumont for his part in enforcing the Laws of St. Laurent. Lawrence Clarke, acting in his capacity as magistrate, tried Dumont and levied upon him a small fine. Thus, the trial itself and the arrival of the North West Mounted Police in Fort Carlton signalled the end of Métis law. With the Laws of St. Laurent no longer recognized, the buffalo were hunted at will by free hunters who sold the pemmican to the Hudson's Bay Company. Father André wrote of this:

This affair...had other results that it was easy to foresee....It was that the humble legislation of the colony of St. Laurent, having no longer the right to punish the delinquents naturally lost sanction....Everyone took their freedom and ran on the buffalo without any other guide than their **insatiable** keenness, passion for killing, greed and **avarice**

Anarchy and self interest reigned on the prairie. They exterminated the poor buffalo with more frenzy than ever, so well that the police recognized a little later the wisdom of the laws....About 260 families were obliged to make their winter quarters at Lac de Boeuf. In this number one must count at least a good tenth as merchants (selling buffalo meat to the Hudson's Bay Company). The passion of business, that is to

say the thirst for gold attracted from every direction a herd of such traders as these bands of wolves who followed the caravans of hunters. The competition was terrible and the price rose to a maximum. They announced, besides, the scarcity of buffalo, misery and near famine.¹³

Colonel French, in concluding his investigation, wrote:

I cannot myself help thinking that his honor, and I fear the Dominion Government have been unnecessarily agitated by the alarming reports received....I was informed that some of the persons accompanying Mr. Graham, the Chief Commissioner of the Hudson's Bay Company, had stated when passing Fort Pelly that serious disturbances had occurred at Carlton. I however, considered that such could not be the case as Mr. Graham had sent me no message on the subject. I sent to the Hudson's Bay Company's post at Pelly and inquired from the officer there if any message or letters had been left for me by Mr. Graham and on finding that none such had been left I concluded that the matter was a mere **canard**.¹⁴

Conclusion

Although the police investigation proved Lawrence Clarke's allegations to be unfounded, the arrival of British law in the region and the establishment of a major Canadian police **garrison** at Fort Carlton resulted in the end of Métis law on the prairies. The buffalo lost any protection afforded them by the Laws of St. Laurent and were soon all but exterminated.

The Indian and Métis people of the region were left in a state of severe economic hardship. The buffalo were gone and the Hudson's Bay Company no longer provided sufficient employment to support the Métis communities in the north. By 1875, it was imperative that the Métis receive title to the lands they occupied.

Buffalo bones on the prairie, 1870s.



Endnotes

1. Alexander Ross, *The Red River Settlement: Its Rise, Progress, and Present State*, Edmonton: Hurtig Publishers, 1972, pp. 249-250.
2. *Riverlots and Scrip; Elements of Métis Aboriginal Rights*, Winnipeg, Manitoba Métis Federation, 1978, p. 15.
3. Glenbow Alberta Institute: Hardisty Papers, Vol. 11, File 31, Report of a Meeting of the Métis Winterers at the Mission of St. Laurent, December 31, 1871.
4. Ibid.
5. Glenbow Alberta Institute, Hardisty Papers Vol. 2, File 34, Lawrence Clarke to Hudson's Bay Company Chief Commissioner Donald A. Smith, January 15, 1872.
6. Glenbow Alberta Institute, Hardisty Papers, Vol. 2, File 57, Laws of St. Laurent, December 10, 1873.
7. Ibid.
8. Ibid.
9. Glenbow Alberta Institute, Hardisty Papers, Vol. 2, File 34, Lawrence Clarke to William Christie, Chief Factor Edmonton House, January 15, 1872.
10. Glenbow Alberta Institute, Hardisty Papers, Vol. 3, File 57, Clarke to Richard Hardisty, January, 1874.
11. Glenbow Alberta Institute, Hardisty Papers Vol. 3, File 80; Clarke to Hardisty, March 20, 1874.
12. Public Archives of Manitoba, Morris Papers Vol. 54C, No. 1085, N.W.M.P. Constable in Charge of Shoal Lake Division to Colonel French, August 4, 1875.
13. Public Archives of Alberta, Oblate Collection, St. Laurent de Grandin Parish Records, Item 5, St. Laurent Chronicles, 1875.
14. Public Archives of Manitoba, Morris Papers, Vol. 54C, No. 1085, A Report by Colonel French, August 17, 1875.

Vocabulary

All definitions denoted by an asterisk (*) are from the *Shorter Oxford English Dictionary*, third edition, Oxford University Press, 1973. Other definitions are explained in the context in which they appear.

- p. 5 * **Amalgamation**: the action of combining into one uniform whole.
- p. 5 * **Redundant**: abounding to excess or fullness, plentiful, copious, exuberant.
- p. 5 **Factor**: the person in charge of a fur trading post.
- p. 5 * **Responsible Government**: a government answerable or accountable to the people it represents for its actions.
- p. 6 **Monopolistic**: having exclusive possession of the trade in some commodity.
- p. 6 * **Sedition**: a concerted movement to overthrow an established government; a revolt, rebellion, mutiny.
- p. 6 * **Jurisdiction**: the range of judicial or administrative power.
- p. 6 * **Adjudicate**: to act as a judge, or court of judgement.
- p. 8 * **Contingent**: a force which forms part of an army.
- p. 8 * **Sinew**: a tendon taken from an animal's body and used for some purpose, especially for binding or tying.
- p. 9 * **Compatriot**: a fellow countryman.
- p. 9 * **Scrip**: taken from the word "description", therefore, a ticket with a description of the land or dollar value intended to satisfy the claim.
- p. 9 **Speculator**: one who engages in the buying and selling of commodities in order to profit by a rise or fall in their market value.
- p. 10 * **Habitant**: a native of Canada of French descent; one of the race of original French colonists, chiefly small farmers.
- p. 10 * **Subsistence Farming**: a system of farming where nearly all the goods produced are used by the farm family without any significant surplus for sale.
- p. 11 * **Oblate**: a person solemnly devoted to a monastery or to a religious work. "[The Oblate Order was a group responsible to the Roman Catholic bishop in Montreal.]
- p. 12 **Commercial Farming**: a system of farming where most of the goods produced are destined for a market, to be sold at a profit.
- p. 14 **Bootlegging**: being involved in the manufacture, transport, or sale of illegally made liquor.
- p. 15 * **Litigious**: Something that is or is liable to become the subject of a lawsuit.
- p. 16 * **Louis (Napoleon)**: a gold coin issued by Napoleon I.
- p. 17 * **Probity**: moral excellence, integrity.
- p. 18 * **Insurrection**: the action of rising in arms or open resistance against established authority or governmental restraint.
- p. 19 * **Orchestrate**: to compose or arrange.
- p. 19 * **Insatiable**: never satisfied.
- p. 19 * **Avarice**: inordinate desire of getting and hoarding wealth.
- p. 20 * **Canard**: an extravagant or absurd story circulated as a hoax; a false report.
- p. 20 **Garrison**: an organized troop of men placed in a location to provide defense and to administer laws and regulations.

Questions

The questions which follow have been selected to reinforce the objectives of *Book 2: Changing Times*. They can be used for discussion, research or assignment purposes.

Students should not be expected to answer all of the questions. It is suggested that the teacher select a variety of questions appropriate to the class.

Objective 1: to present information about the lifestyles of the Métis prior to the decimation of the buffalo.

Questions

1. Explain why many Métis found themselves unemployed following the merger of the two fur trading companies.
2. Why was the Hudson's Bay Company not in support of the Métis' free trade practice?
3. Why were Father André and Lawrence Clarke pleased when the Métis created a permanent settlement at St. Laurent?
4. Explain why the Métis required a set of laws by 1872.
5. Explain the term "lifestyle". Research the lifestyle of the Métis and other cultural groups. In what ways were they similar; in what ways were they different?

Objective 2: to examine the laws and government of the Métis.

Questions

1. Discuss the purpose of each of the eight laws of buffalo hunting (Quotation 1).
2. Put yourself in the position of a reporter assigned to cover the December 10, 1872 meeting in St. Laurent. Write the information contained in Quotation 5 in the form of a contemporary newspaper article.
3. The punishment for breaking the laws of the prairie was lenient. Make some assumptions about why the laws were seldom broken. Support your assumptions.

Objective 3: to explain how British law was established on the prairies.

Questions

1. Who did the Council of Assiniboia support and what was the role of the Council?
2. Colonel French's investigation revealed that Lawrence Clarke staged the arrest of Dumont in order to get the North West Mounted Police established on the plains. Why do you think Gabriel Dumont was arrested and Lawrence Clarke was not?

3. The Lieutenant Governor of Manitoba and the North West Council were given political responsibility for the North West Territories. Why did they not function as a responsible government?

Objective 4: to explain how the buffalo were nearly exterminated.

Questions

1. Paraphrase the letter written by Father André (Quotation 13) which explains the motives for extinguishing the Laws of St. Laurent and the outcomes of the extinguishment.

Enrichment Questions

1. Compare the Métis pattern of land division with the Canadian Survey method. What are the advantages and disadvantages of each? Which was best suited to subsistence farming?
2. Reread Quotation 9 and appraise the implications for:
 - a. the Métis
 - b. the Hudson's Bay Company
 - c. the Church.
3. Explain why conflict arose between the Métis and the Hudson's Bay Company as the buffalo became harder to find.
4. The Métis of St. Laurent established laws for their community which were similar to the laws of a town in contemporary society. Explain why such laws would be necessary.
5. Why did the Hudson's Bay Company pay the Métis cartmen in trade goods rather than with money?
6. Why, by 1875, was it imperative that the Métis receive title to the land they occupied?
7. A form of scrip is used in our present society. We encounter scrip usage when we receive coupons which say: Good for one free hamburger with minimum purchase of thirty litres of gas, or twenty cents off purchase upon presentation of this coupon at your store. Decide upon the benefits and the liabilities when dealing in coupons and relate this to scrip usage.

Recommended Reading List

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