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# **A History of the Legislative Assembly of Assiniboia / le Conseil du Gouvernement Provisoire**

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# Introduction

The Legislative Assembly of Assiniboia formed during the turbulent Red River Resistance and functioned from 9 March to 24 June 1870. Early accounts, including the reminiscences of eyewitnesses to the events of 1869–1870, sometimes mentioned a ‘council’ of the Provisional Government, but did not refer to any legislative function. Some later histories read as though the Legislative Assembly did not exist. This essay reintroduces the forgotten assembly of Red River settlers who navigated Manitoba’s entry into Confederation. As a first step towards remembering, this essay briefly recounts the historical context of the Legislative Assembly of Assiniboia. It then outlines the Assembly’s organization within the Provisional Government. Finally, it lists the Honourable Members and summarizes their work. The Resistance was a political event. Its complexities remain open to interpretation. The following is not a definitive description, therefore, but a suggestion — of accomplishments worth celebrating, and of questions that remain to be answered.

The few surviving contemporary newspaper accounts of the Red River Resistance offer sharply contrasting views of the months in which the Legislative Assembly operated. The *New Nation*, affiliated with the Provisional Government, printed the debates of the Legislative Assembly. The debates reveal how people of the settlement responded to political change. While opinions may have been divided, compromise is notably present. Even recovering the names and attempting to trace the identities of members of the Assembly generates insight. It is clear that people ‘native to the country’ predominated in the formation and operation of the Legislative Assembly of Assiniboia. This participation needs to be acknowledged. It reveals that among Métis members of the community there was awareness of, and sophisticated — even cosmopolitan — familiarity with forms of governance that go well beyond a reliance on traditional ways of organizing for buffalo hunts.

For the census conducted in 1870 at Red River, individuals who were ‘descended however remotely, either by father or mother, from any ancestor belonging to any one of the native tribes of Indians, and also descended, however remotely, from an ancestor among the Whites,’ were identified as ‘Halfbreed’ on English language census forms and as ‘Métis’ on French language forms. The term Halfbreed, when used by people of Red River, was not necessarily pejorative, but the word has a history of negative connotations. It will not figure, therefore, in the following description except where it appears in a quoted source. As Métis is a name of honour for people who choose to identify with this aspect of their heritage — whether speaking French, English, or an Aboriginal language — it will serve as a universal term for past people of mixed Indigenous and non-North American heritage.

Tracing names and identities of members of the Legislative Assembly also reveals participation by inhabitants of Red River who were of non-Aboriginal heritage. There was an ‘old settler’ descendant of Selkirk Settlers and there were several ‘new arrivals’ from the British Isles, Canada, and the United States. As a whole, the first locally instituted legislature in Assiniboia spoke legitimately for all the people of the settlement, whatever their origin. The work of the Assembly stands as evidence that Manitoba was built on a promising precedent: cross-cultural consideration was a feature of planning for a collective future.

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# The Impetus for Representative Government in Rupert's Land: First Phase of Provisional Government

From 1670, by Royal Charter, the Hudson's Bay Company (HBC) held powers of government and virtual ownership of Rupert's Land, a territory that covered more than a quarter of the North American landmass. In 1868, the British government and the HBC reached an agreement that allowed transfer of the territory to the newly confederated Dominion of Canada. Before the terms of agreement were met, and the transfer formally decreed, Canada prepared to take possession. No one thought to inform the people of the Red River Settlement or the wider North-West about that preparation, to consult them about what measures were appropriate, or to ask their opinion on a new form of government.

Over the summer, through the autumn and into the winter of 1869, fears grew within the settlement that lives might be disrupted by self-styled 'friends of Canada,' who were apparently willing to install a 'new order' by force. Although the number of such newcomers was small, newspaper reports, gossip, and the behaviour of newly arrived 'loyalists' from Ontario served to reinforce a perception that a threat existed. One story that circulated in late November, for example, held that Canadians were raising an army from among First Nations rumoured to harbour grievances against the settlement.<sup>1</sup>

While the hostility of First Nations was overstated, unease within the settlement was justifiable. Red River had run for years under a system whereby a governor appointed by the HBC, and a council formed on his authority, oversaw day-to-day management of civil affairs. The system relied heavily on informal acceptance of HBC authority. There was no formally installed military force capable of maintaining this tradition of order — there were not even sufficient guards within the walls of Upper Fort Garry, the governor's abode, to defend it against a concerted attack. The settlement beyond the walls of the fort was even more vulnerable, sprawling as it did along the banks of the Red, Assiniboine, and Seine rivers some 120 kilometres in each direction. To compound matters, Governor William Mactavish was seriously ill. While his capacity to act was seen to be compromised, it was known that one William McDougall was on his way to the settlement from Canada. By an act of temporary governance of the North-West passed by the parliament in Ottawa, McDougall had been appointed Lieutenant-Governor and tasked with replacing Mactavish as the head of local affairs and installing a new system of government. This news was not entirely welcome in Red River.

Within the settlement, there were fears that a foreign administration might not give the original settlers a say in how their settlement would be run. People were anxious for some assurance that their land holdings would be respected and that they would be valued as citizens in any new arrangement. No such assurance was forthcoming. Reports in the press that McDougall's party was transporting crates of rifles, together with combative statements from members of the Canadian Party only served to heighten alarm. Moreover, there was no mechanism by which settlers could have a voice in determining what course of action Mactavish might decide, or be obliged to take, if his condition worsened and the threats of a military attack proved stronger than idle boasts.

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<sup>1</sup> 'Nor'-Wester & Central British American Advertiser, *Nor'-Wester* (24 August 1869) 2, sympathetic to the Canadian Party, called for quick installation of 'the new order of things'; see also 'The Sioux! Winnipeg in Arms! The First Appearance of the Canadian Allies,' *Red River Pioneer* (1 December 1869), 2. The rumour persisted, see 'The Sioux,' *New Nation* (8 April 1870), 2.

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The idea of a provisional government had been put forward by residents of the parishes of St. Vital and St. Norbert as early as October 1869. They had been spurred to action by the appearance of Canadian surveyors marking off land that fell within an outer extension of river lot properties in St. Vital. The lots of the settlement were long and narrow. By 1869, river frontages normally ranged from 40 chains (about 805 metres) to as little as one chain (about 20 metres) and a depth of two miles. People occupying the lots made use of an additional two miles of land immediately behind their property. Known as the hay privilege, custom and local law treated this land as if it were settler-owned. On 11 October, a group of river lot owners confronted the surveyors and stopped the activity. The act of 'standing on the survey chain' was the first overt signal of the resistance that followed. For those involved, the need for an effective response to intrusions by what was still a foreign power seemed obvious. People of St. Vital and neighbouring St. Norbert organized. Their intent was twofold: to ensure stability for residents and to enable them to decide the terms on which they wished to negotiate confederation with Canada. Despite divergent opinions throughout the settlement about available options, it did seem that confederation was what the majority wanted.

On 19 October 1869, a Comité National des Métis formed among like-minded people of nominally French parishes of the settlement (meaning that the parish church with the largest number of adherents held French-language services). To prevent McDougall's coming to power, they erected a barricade across the Pembina Trail immediately south of the Rivière Sale/'Stinking River' at St. Norbert to keep him out of the settlement. The committee did not claim to speak for all settlers, but was anxious that the wider settlement reach agreement about what was best for the country before Canadian authority was installed. By 3 November, they had demonstrated the weakness of all purported authorities and pre-empted suspected enemies. Their locally mustered forces had turned back McDougall near the border with the United States at Pembina, stopped members of his entourage at the barricade at St. Norbert, then occupied Upper Fort Garry.

Discussions about the propriety of these actions and the need for settlement-wide self-government took place with residents of other parishes through November of 1869, particularly at the Convention of Twenty-four that began 16 November. By 8 December inhabitants of the French Parishes had organized, instituted, and proclaimed a provisional government under President John Bruce. Individuals from English parishes had been involved in supporting this development at various stages and to varying degrees — notably James Ross of St. John's, Thomas Bunn from St. Clement's, and Andrew G.B. Bannatyne of the Town of Winnipeg. As of January 1870, however, the Provisional Government was not a governing body able to devote itself to setting policy so much as it was an organization set on enforcing stability by martial means. Louis Riel (President as of 27 December 1869 when Bruce resigned) and his Council had at their disposal a military force, organized under Adjutant General Ambroise-Dydime Lépine into ranks of officers and enlisted men, primarily cavalry. The enemy at the time was anarchy. The settlement as a whole had yet to approve formally of the Provisional Government. The Friends of Canada, particularly outraged that McDougall's government had not been installed, were determined to right that situation by any means necessary.

The primarily defensive, French parish-based, local governing body was the first phase of the Provisional Government's formulation. Its activity mainly involved controlling movement and monitoring communication within the settlement. Anyone suspected of attempting to undermine its efforts was subject to arrest, and a good many people were jailed — some from the Canadian camp, but also individuals belonging to the settlement's French and English parishes. In some cases, opposition to Riel's authority was seen as a threat to stability and was enough to warrant arrest. Those who agreed to take an oath of neutrality and refrain from disruptive behaviour were released, those who refused were not. No one in the settlement was happy with affairs as they stood, but they did recognize that *something* had to be done, and, in the latter half of January 1870, a second significant phase of development in the constitution of local government took place.

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## Instituting Representative Government: the Convention of Forty/la Grande Convention

On the eighteenth and nineteenth of January, at a public meeting held outdoors at Upper Fort Garry, a commissioner from Canada, Donald A. Smith, at last conveyed promising news to the inhabitants of Red River.<sup>2</sup> Over the course of the two days, Smith communicated his understanding of Canada's intention with respect to the settlement and to settlers and their existing privileges and rights. At the end of the meeting Riel proposed a motion, seconded by A.G.B. Bannatyne, 'that 20 representatives shall be elected by the English population of Red River to meet 20 other representatives of the French population,' to decide how to proceed in light of Smith's assurances. The motion carried.

On 25 January, the elected representatives convened in the 'grande salle' at Upper Fort Garry. The Convention of Forty/la Grande Convention, extended through to 10 February. During the first two weeks, the representatives prepared a List of Rights — terms by which the settlers of Red River would agree to confederate with Canada. Protecting land ownership was a paramount consideration, but, as Thomas Bunn pointed out, any plan the convention might devise depended 'on contingencies' to be met by a future government. Riel argued that securing provincial status, rather than accepting territorial status, would confer control over land to future local representatives — who would, initially, likely be themselves. James Ross countered that taking responsibility for provincial affairs might be beyond their ability: 'We have never had the right of self-government ... it is very probable we would soon consider that we had control of an elephant.' Riel lost the point by 6 February. The members of the convention declined to ask for provincial status and refused to insist that 'the people of the country,' not the HBC, had sole authority to transfer Rupert's Land to Canada. Riel did not hide his contempt for what he regarded as a cowardly response to challenge. Neither did he turn away from pursuing his objective.

On 8 February, Riel put forward a proposal to re-organize the Provisional Government, so as to include elected representatives from all parishes of the settlement. The *New Nation* reported that he had urged:

[M]anifestly, we have to form a Government in order to secure the safety of life and property, and establish a feeling of security in men's minds, and remove a sense of apprehension that it is not desirable should continue for a moment. How often have we not, on our side, expressed a fear as to the security of property and life. It is our duty to put an end to this, and it will be our glory as well as our duty.

The members of this broadly representative convention responded with cheers and voted in favour of his proposition. The process of negotiating the organization of a legislative assembly/conseil du gouvernement provisoire then began.

A committee of six individuals — three from French parishes and three from English — was appointed to 'discuss and decide on the basis and details of the Provisional Government which is to be formed for Rupert's Land and the North-West Territory.' The committee members — James Ross (chair), Dr. Curtis James Bird (secretary), Thomas Bunn, Louis Riel, Charles Nolin, and William B. O'Donoghue — then submitted a set of basic proposals to the convention.

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<sup>2</sup> D.N. Sprague, *Canada and the Métis, 1869-1885* (Waterloo: Wilfred Laurier University Press, 1988), 46-47, notes Smith was originally charged, and funded, by John A. Macdonald to foment a counter-insurgency to restore the authority of the HBC. On seeing the failure of previous efforts and the relative unwillingness of the locals to have a civil war, Smith reverted to his 'cover assignment,' that of diplomat sent by Canada.



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The proposals reflected a diverse set of influences. The committee members considered British, Canadian, and American models and discussed features of British legislative practice, other colonial governments, and constitutional precedents. Naming the leader of the government 'President' signalled a familiarity with and preference for republican-style democracy. Republicanism as a philosophy for government had infused a number of proclamations, issued prior to the Convention of Forty, that avowed citizens' rights to security, to property, and to resistance of oppression. Excluding women from the franchise further reflected prior formulations of the 'Rights of Man' in France, the United States, and England. Women figuring as 'silent partners' in the democratic process was consistent with Canadian policy as well. Thomas Bunn, for instance, cited the nearest Canadian electoral district, Algoma, as an example of the franchise extending to 'every male British subject.' Alfred H. Scott (twenty-six years old and unmarried) asked during the convention, 'Is it the intention of the Convention to allow women to vote? No doubt many such will come in and be householders.' His apparently rhetorical question was met with laughter. Thus, while on this issue the committee members had an opportunity to consider something truly 'revolutionary' for their community, one described by James Ross as 'a peculiar people in exceptional circumstances,' their agreed-upon plan actually fell well within the bounds of Western European and North American norms.

Although most of the committee's proposals for forming a provisional government with a legislative assembly were accepted, the minutes of the convention indicate that on 9 February at least eight of the English representatives were reluctant to declare it operational and to sanction motions put forward by Norbert Larance<sup>3</sup> and Xavier Pagé that Riel be president. Seven wanted time to consult the residents of their parishes. Judge John Black,<sup>4</sup> chair of the convention, declined to vote because he was acting Governor of the HBC during Mactavish's illness. While Riel respected Black's abstention, he denounced the others. Alluding to 'Dark, mysterious, dangerous rumors' of armed gatherings, he predicted that 'if they did not decide at once in joining in a Provisional Government arrangement, there would be war — war within fifteen days.' Thomas Bunn and W.B. O'Donoghue supported Riel's position, arguing for a unified front to avoid 'civil war.' In the end, all but three (including Black), voted in favour of adopting the report of the committee and confirming Riel as President of the Provisional Government.

On 10 February, responding to an invitation that had been put forward by Commissioner Smith, the convention selected three delegates to represent them in negotiations at Ottawa. Among those confirmed, Alfred H. Scott of the Town of Winnipeg was a new arrival who had American contacts, who was interested in seeing that railways connected Assiniboia to the wider world, and whose opinions were valued for his 'intelligent view of things.' Judge John Black of St. John's parish, along with his position with the HBC, was Recorder and president of the General Quarterly Court of Assiniboia and former Secretary for Lands, New South Wales (1859–1860). Rev. Noël Ritchot of St. Norbert was a priest who was intimately familiar with the concerns of Red River settlers, having recorded deliberations of meetings held in the settlement's French parishes throughout 1869–1870 and having served as 'chaplain to their forces, and as a counsellor to their leaders, particularly Riel.'

The public announcement that responsible, representative government would be formally instituted for the first time in Red River was celebrated on the last day of the Convention, with one of the earliest, if not the first, displays of fireworks at The Forks.

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<sup>3</sup> Reported by the *New Nation* to be Norbert Laronce; whose surname was also spelled La Rance and Laurence.

<sup>4</sup> Not to be confused with Rev. John Black.

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## From Proposal to Practice

As proposed during the last meeting of the Convention of Forty, the Legislative Assembly of the Provisional Government would exercise a two-thirds majority over the veto of its president, who was not to participate as a voting member representing a parish. The Legislative Assembly was to consist of twenty-four elected members, 'twelve from the English and twelve from the French speaking population.' The respective English and French populations within the settlement were to determine the boundaries of their constituencies. The French delegates at the Convention of Forty had agreed that their councillors would be selected from amongst themselves — their parishes having already gone through the process of electing representatives on numerous occasions since the previous autumn, including settling contested seats for the convention. The English delegates, however, decided that their assembly members would be elected anew.

Disagreement among potential English representatives resulted in a modification to the overall plan for the size of the Assembly. Prior to the close of the Convention of Forty, debate among the English participants had not resolved the question of electoral boundaries to the satisfaction of Alfred H. Scott. He objected to the opinion — apparently held by a majority of English delegates — that henceforth his constituency, the Town of Winnipeg, should fall within the bounds of the parish of St. John's. A.G.B. Bannatyne had previously contested Scott's candidacy and had protested his election to the convention. Bannatyne's remonstrations demonstrated that although he had been outmanoeuvred once, Scott would not likely succeed a second time. On 12 February, therefore, Scott circulated a petition asking for separate representation for Winnipeg. He presented it to President Riel. Scott's petition was subsequently honoured. It is unknown whether his arguments played any part in elevating Winnipeg's status within the settlement, but by 5 March the town had been designated the capital of the North-West. Riel, in his capacity as president, modified the plan for the new Assembly, allowing for two additional councillors to represent the capital.

Increasing the number of ridings by one and bringing the total number of representatives up to twenty-six would have meant the Assembly had fourteen nominally English councillors and only twelve who were nominally French. Balance was maintained by allowing for two additional French councillors, thus finalizing the number of members required for the Assembly at a total of twenty-eight.



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# The Provisional Government in Rupert's Land, Second Phase

## Members and Representative Bodies

That the members of the revised Provisional Government were proud of their creation of a representative legislative assembly was indicated by their favouring its members with the title 'honorable.' The ranks of honourable members were largely filled in time for the first session of the 'First Parliament,' on 9 March 1870. Election of members to the Assembly had been staggered over a number of days according to arrangements made by each parish. Nevertheless, due to such factors as weather and communication problems, attendance at the Legislative Assembly fluctuated. There also seem to have been some substitutions. For example, Charles Nolin, Riel's cousin, was apparently slated for the position of councillor for Ste.-Anne/Oak Point. During the Convention of Forty, the two had engaged in a heated exchange on whether Nolin deserved to be called a 'traitor' if he chose to vote according to his conscience rather than to side with Riel. Nolin was subsequently jailed and his position filled by another, perhaps less combative cousin — Auguste Harrison.

There were other changes as well. Once in session, 'Assiniboia' was added to the names of the Provisional Government and the Legislative Assembly. There had been debate during the Convention of Forty about the geographical reach of the government. The HBC municipal district of Assiniboia, by local regulations of 1841, had been 'limited to a circle of a hundred miles in diameter, with the Forks as a centre.' The convention had enlarged this circle to extend their control to the American border and to encompass the parish of St. Mary's Laprairie (also known as Portage). While the Legislative Assembly did not claim jurisdiction over all of Rupert's Land, it did presume the right to rename it. Dr C.J. Bird, representative for St. Paul's parish, moved that they do so, arguing, 'We ought to retain the Indian names as far as possible, for they are appropriate and euphonious.' He proposed the name Assiniboia and his motion carried unanimously. Thus, the Legislative Assembly of Assiniboia controlled a district known as Assiniboia in a country of the same name.

The names of the honourable members of the Legislative Assembly of Assiniboia, as well as names of principal office holders in their provisional government are set out in accompanying tables. Among the Executive Officers of the Provisional Government named in Table 1, James Ross as the Chief Justice, like the President, did not hold a seat in the Assembly. He did serve on the Constitution Committee/Law Committee in an ex officio capacity, however, and was likely consulted by Riel on a fairly frequent basis. The two had worked together in 1869 on drafting and printing broadside proclamations, and Riel appears to have relied on Ross for translations of his speeches and for supplying texts on such subjects as the Canadian Confederation debates.

## Executive Offices and Departments of the Provisional Government of Assiniboia

President	Louis Riel
Vice-President	François-Xavier Dauphinais
Secretary of State	Thomas Bunn
Under-Secretary of State	Louis Schmidt
Treasurer	W.B O'Donoghue
Chief Justice	James Ross
Adjutant General	Ambroise-Dydime Lépine
Postmaster-General	A.G.B. Bannatyne
Coroner	Dr. C.J. Bird
Commissioner of Indian Affairs	James McKay
Superintendent of Public Works	John Bruce

*Table 1: Executive Officers of the Provisional Government: including pre-existing positions, those named during the Convention of Forty, and those confirmed in the Legislative Assembly.*

Like other colonial governments in North America, the system instituted in Red River was divided so as to include a Cabinet, which was also known as the Executive Council to the President. From existing documents, it is difficult to determine exact membership. Riel, in an address to the Legislative Assembly, named only those people in Table 2. Examination of the composition of the Assembly shows that balance between French and English representation was almost scrupulously maintained. Nevertheless, Louis Schmidt, Under-Secretary of State, Vice-President François-Xavier Dauphinais, and Hon. Pierre Poitras also seem to have participated in the President's Council. Theoretical balance then, perhaps sometimes gave way to practical considerations such as who was available, or was most informed on a particular aspect of settlement functioning.

### Cabinet/Executive Council to the President

Secretary	Thomas Bunn
Treasurer	W.B. O'Donoghue
Postmaster	General A.G.B. Bannatyne
Adjutant General	Ambroise-Dydime Lépine

*Table 2: Cabinet/Executive Council to the President named by Riel 5 May 1870.*

## Legislative Council

<b>Councillors Representing Nominally French Parishes:</b>		
Saint-Vital	Hon. André Beauchemin	Métis
Saint-Charles	Hon. Jean-Baptiste Beauchemin	Métis
Saint-Boniface	Hon. John Bruce	Métis
Saint-Charles	Hon. François Dauphinais	Métis
Pointe Coupée	Hon. Pierre Delorme	Métis
Saint-Vital	Hon. Ambroise-Dydime Lépine	Métis
Saint-Boniface	Hon. W.B. O'Donoghue	
Saint-François-Xavier	Hon. François-Xavier Pagé	Métis
Saint-Norbert	Hon. Pierre Parenteau	Métis
Baie Saint-Paul	Hon. Pierre Poitras	Métis
Saint-Anne	Hon. Auguste Harrison	Métis
Saint-Boniface	Hon. Louis Schmidt	Métis
Saint-Norbert	Hon. Baptiste Tourond	Métis
Pointe Coupée	Hon. Louis Lacerte	Métis
<b>Councillors Representing Nominally English Parishes:</b>		
St. John's	Hon. A.G.B. Bannatyne	
St. Paul	Hon. Dr. C.J. Bird	
St. Clement's	Hon. Thomas Bunn	Métis
Kildonan	Hon. William Fraser	
St. Mary's Laprairie	Hon. William Garrioch Jr.	Métis
St. Anne's	Hon. George Gunn	Métis
St. Andrew's	Hon. E.H.G.G Hay	
St. James's	Hon. James McKay	Métis
St. Margaret's	Hon. John Lazarus Norquay ['Sr.']	Métis
Town of Winnipeg	Hon. Hugh F. Olone	
Town of Winnipeg	Hon. Alfred H. Scott	
St. Peter's	Hon. John Sinclair	Métis
St. Andrew's	Hon. Thomas Sinclair Jr.	Métis
Headingley	Hon. William Auld Tait	Métis
<b>Delegates to Ottawa</b>	John Black Rev. N.-J. Ritchot Hon. Alfred H. Scott	
<b>Clerk of the Assembly</b>	William Coldwell	

Table 3: Honourable Members and Officers of the Legislative Assembly of Assiniboia/le Conseil du Gouvernement Provisoire

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The delegates to Ottawa are included in the list of members of the Legislative Council (Table 3) even though they were members 'of' the Assembly only in the sense that they were representing the wishes of the Assembly to the Canadian Government (they had been nominated and elected by the Convention of Forty before the actual roster for the Assembly itself had been determined). William Coldwell's appointment as Clerk of the Assembly was officially announced on 23 March 1870, although he had been acting in the capacity of clerk for the Provisional Government (as official reporter of its proceedings to the *New Nation*), from at least 1 December 1869.

In addition to President Riel and Chief Justice Ross, 21 of the 28 honourable members of the Legislative Assembly of Assiniboia were Métis. Dr. C.J. Bird was born at the settlement to parents originally from Scotland and England. William Fraser, likewise born at Red River, was descended from Selkirk Settlers. A.G.B. Bannatyne and Judge John Black were both born in Scotland. Edward H.G.G. Hay, Alfred H. Scott, and William Coldwell were born in England. W.B. O'Donoghue was born in Ireland. Hugh F. Olone<sup>5</sup> was born in the United States, and Rev. N.-J. Ritchot was born in Lower Canada. Taking the president, chief justice, clerk, honourable members, and delegates into account, 25 of the 33 people associated with the Legislative Assembly were native to the country.

Another distinctive feature of the Legislative Assembly was the equal representation accorded to French-speaking and English-speaking constituencies. Although, in a general sense, there were differences in cultural orientation between the two groups, there was also a great deal of cross-over. French or English (or Gaelic) might be the principal language spoken within a parish or in the home of an honourable member, but many could apparently understand, speak, and/or read both languages, and 'most also spoke several native tongues fluently'. Cultural differences were further diminished by familial connections. Non-Aboriginal members of the Provisional Government, such as A.G.B. Bannatyne, Judge John Black, and William Coldwell had married into Métis families, as had Dr. C.J. Bird, who also had half-brothers and sisters who were Métis.

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<sup>5</sup> Occasionally, but inaccurately, spelled O'Lone.

## Committee appointed to draw up a Constitution for the Provisional Government of Assiniboia

French Members	Louis Riel Ambroise Lépine W.B. O'Donoghue John Bruce
English Members	William A. Tait Dr. C.J. Bird Thomas Bunn A.G.B. Bannatynne

### Law Committees

To review local laws (Appointed 25 March)	Louis Riel Louis Schmidt W.B. O'Donoghue Thomas Bunn E.H.G.G. Hay Dr. C.J. Bird
To Codify Local Laws (Appointed 26 March)	W.B. O'Donoghue (chair) Thomas Bunn (vice chairman) Dr. C.J. Bird (secretary) John Bruce A.G.B. Bannatynne Louis Riel James Ross William A. Tait

Table 4: Committee on the Constitution/Law Committees

While some within the English-speaking parishes looked to Britain as the pre-eminent model of civilization, some within the French-speaking community looked to Quebec as a superior model for protecting and promoting French customs and traditions in the North American context. The starting point for discussion on what the Legislative Assembly was, philosophically, to represent, was in drafting a Constitution. Some work in this direction appears to have taken place prior to the opening of the Assembly because the first two motions tabled by Thomas Bunn and Alfred H. Scott on 15 March, and adopted on 16 March, amounted to the beginnings of a preamble. After discussion, a committee of eight, evenly split between appointed French and English councillors, was tasked with drafting a full preamble to a Constitution for the approval of the Legislative Assembly. When this was submitted on 18 March several more days of discussion ensued. By 23 March it was clear that 'in order to have more time for deliberation to draw up a Constitution creditable to this Hon. House — and suitable in every way to the wants and requirements of the people of Assiniboia,' the committee would have to deliberate outside the Assembly and report back during the next session. Attention then shifted to concrete provisions — the customs and privileges — that the negotiations at Ottawa were

to protect. It is not evident from surviving documents whether the Assembly ever returned to the issue of a Constitution, or, perhaps left its approval to the Executive. The work of the committee might have stalled because many of the same individuals served on the law committees (see Table 4) and/or made up the Executive responsible for governing the settlement between sessions of the Assembly. Members also had businesses and farms to run.

Other positions that had been in place under the previous administration, the Council of Assiniboia, were also filled during this time and a number of new positions were created, notably in the rearranged and expanded system of district courts (see Table 5 and Table 6).

### Administrative Appointments

Sheriff and Governor of the Gaol	Henry McKenny [resigned] Robert Tait
Collectors of Customs	Roger Goulet John Sutherland
Post Master, St. Andrew's	Thomas Sinclair Jr. [successor to Thomas Sinclair Sr., deceased]
Post Master, St. Norbert	Joseph Hamelin

*Table 5: Civil Appointments of the Provisional Government of Assiniboia.*



## Appointments to the Judiciary

Manitobah District Court: <i>'To include all the settlements in the immediate vicinity of Manitobah Lake'</i>	
President	James McKay
Portage La Prairie District Court: <i>'From the extreme end of the settlement, along the Assiniboine River, down to the place at which the Long Lake touches the public road; on both sides of the river.'</i>	
Justice of the Peace	Charles Curtis
Magistrates	David Spence John Norquay ['Jr.']
White Horse Plain District Court: <i>'To extend from where the Long Lake touches the public road to Sturgeon Creek; on both sides of the river.'</i>	
President	William Tait
Justice of the Peace	Magnus Birston
Magistrates	James McKay David Spence Charles Ademar Barron Patrice Breland Robert Morgan
District Court of Fort Garry: <i>'To extend from Sturgeon Creek on the Assiniboine River, and from Pembina down to St. Paul's Church on the Red River, and on both sides of each river. This district to include also Point de Chene.'</i>	
President	A.G.B. Bannatyne
Justices of the Peace	Roger Goulet Robert McBeath/McBeth
Magistrates	James McKay Pierre Delorme John Bruce B. Morin A. Fidler John Fraser
District Court of St. Andrew's: <i>'To extend from St. Paul's Church to any of the settlements on or around Winnipeg Lake, and on both sides of the river.'</i>	
President	Thomas Sinclair Sr. [deceased]
Justice of the Peace	Donald Gunn Sr. [replaced Sinclair Sr.]
Magistrates	Thomas Sinclair Jr. Charles Begg John Tait Alexander McBeath/McBeth

Table 6: Judicial appointments made by the Provisional Government. Note: The final judicial districts differed from what had been determined by the Convention of Forty.

The military arm of the government was carried over from the first phase of the Provisional Government into its second. One of the visible 'exact divisions between civil and military authority' was the means of organization. It was the military that perhaps most closely fits comparison to 'the old custom of the country' whereby 'when any difficulty arose in which it was necessary to take up arms, the inhabitants used to organize of their own accord, after the manner in which they organized for hunting on the prairies.' To date, however, there has been no systematic study of the armed force of the Provisional Government. There might have been anywhere from 50 to 250 or more men acting as guards at Upper Fort Garry, or assigned to various posts throughout the settlement at any given time. A few of the more prominent individuals, roughly organized by rank, are listed in Table 7.

### **Military Appointments under Adjutant General/Adjutant général Ambroise-Dydime Lépine**

Second-in-Command	Elzéar Goulet	
Colonel	J.E. Gay	
Captains	Patrice Breland (Envoy to the Plains) Joseph Delorme François Poitras Michel Dumas Jr. [?] Dechamp H.S. Donaldson	
1st Lieut	Hugh F. Olone	
2nd Lieut	Henry M. Robinson	
Scouts	Pierre Léveillé J.C. Kennedy	
Guards	André Nault François Thibault Marcel Roy Baptiste Lépine J.-B. 'Janvier' Ritchot Francis St. Luc	Pierre Champagne Auguste/Augustin Parisien François Guillemette Joseph Nolin Paul Proulx Elzéar Lagimodière

*Table 7: Some of the Officers and Enlisted of the Guard of the Provisional Government.*

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Almost concurrent with the Legislative Assembly being called into session for its first Parliament on 9 March, the need for an armed force seems to have dissipated. Partisan aggression within the settlement had abated significantly by that date. The height of armed conflict had been reached on 16 February. A march from the Portage, organized by keymembers of the Canadian Party and including other disaffected settlers, undertaken purportedly for the purpose of freeing prisoners held in Fort Garry and reputedly of overthrowing the Provisional Government, went badly awry and culminated in three deaths. Although a number of descriptions of the event and aftermath exist, these accounts contain conflicting details or are silent on crucial points. There is general agreement that Hugh Sutherland, from an English-speaking parish in the settlement (and not of the Portage party but simply in the wrong place at the wrong time), was fatally shot on 16 February, though his death was not immediate. Most accounts portray Norbert Parisien, a member of the French-speaking community, as having 'almost accidentally' killed Sutherland while panic-stricken and in flight from the Portage party. While there is agreement that Parisien was quickly captured and gravely injured by members of the Portage group, to date no historical documents have surfaced that unequivocally confirm the nature of his trauma, the length of time it took him to die, or even who he was. By some accounts, Thomas Scott was present during the affray involving Sutherland and Parisien. All accounts agree that Scott was among the Portage party members arrested and jailed on 17 February. Scott was tried by a military tribunal of the Provisional Government and he was executed by firing squad on 4 March 1870. There are no surviving minutes of that tribunal, however, to answer the question of why Scott was condemned to die. Nor are there papers of the Provisional Government to consult for explanation.

The recorded debates of the Legislative Assembly of Assiniboia contain no mention of the deaths. Although members referred to mistakes having been made on all sides, they seemed determined to relegate them to the past and move ahead. For his part, Riel urged the Assembly: 'Let us, then, see to it that the public are no more allowed to rush together, on one side or the other, in such a manner as they have gathered of late. Let us be friends — and let our friendship be hearty and sincere.' As for the constituents of Portage, their representative, William Garrioch Jr., assured the Assembly, 'We feel that we are in duty bound to come under the Provisional Government, and are now on perfect good terms with all the people of Red River.' Riel's subsequent suggestion that 'let us act' ought to be the Assembly's motto was greeted with cheers.

## Acting in Assembly

The procedures and decorum observed in the Legislature appear largely to have followed those established by the Council of Assiniboia, although there were modifications. As the ad hoc approach to devising a Constitution illustrates, the Assembly, faced from its inception by pressing time constraints, generally dealt with procedural issues as they arose. Riel, when addressing the honourable members at the opening session, was still urging that all elections be finalized. It was not until 24 to 26 March that oaths of office were administered. No description survives, but if this procedure was based on the tradition established by the Council of Assiniboia, then the members repeated the oath appropriate to their position as it was recited to them and finished by swearing 'so help me God' and 'kissing the Holy Bible.' There is no indication of who devised the oaths administered in the Legislative Assembly, but these differed significantly from those of the HBC Council. They were simplified and localized. References to serving 'our Sovereign Lady, the Queen or Her Heirs and Successors, and all, who now do, or hereafter may, lawfully exercise authority under her or them,' were dropped. In the President's oath, 'the voice of the people' was the overriding authority.

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Voting procedure for entry to the Legislative Assembly had been laid out by the Convention of Forty, which established that 'the mode of election will be by public meeting.' It is not clear what inspired voting practice within the Assembly itself, although according to one description, 'the votes were taken by a Secretary, and every one used to rise and give his vote ... each member rose and voted "Yay" or "Nay," and as he did so his name and vote was recorded on ordinary foolscap.' To be resolved, motions were made, seconded, and voted upon. In many cases, extended debate interrupted the process and amendments were made and withdrawn before a vote took place. Bills were also subject to much discussion and amendment. To be passed, each had to be read three times, after which there was a vote. The passage of bills marked the debates of the first session of the Assembly.

## First Session of the Legislative Assembly of Assiniboia

The *New Nation* announced that a meeting of the Assembly of the Provisional Government was scheduled for 9 March. On the appointed day Riel delivered a speech and the naming of Assiniboia took place, but due to incomplete attendance, owing partly to not all elections being finalized, the meeting was adjourned. Secretary Thomas Bunn sent out notices summoning members to convene at 10 am., on Tuesday 15 March. On that date, Bishop A.-A. Taché addressed the Assembly, asking that half the prisoners still in jail (principally members of the Portage party) be released as a sign of goodwill. The honourable members endorsed the suggestion with cheers and the president agreed.

The resolution of practical issues began on 24 March with W.B. O'Donoghue's introduction of the first bill to be considered: 'An Act respecting the Two Mile Hay Privilege,' which provided that the 'privilege, heretofore enjoyed by the inhabitants of Red River, should be converted into fee simple ownership.' The goal was to protect an option on land — amounting to half of the property under use — that those farming in the settlement relied upon, but for which the HBC had never actually conferred title. The members of the Assembly soon realized that the issue was complex: there were questions as to how rights of possession, access, and use were understood throughout the settlement and about how future scenarios might be addressed. Consequently, full consideration of the bill was set aside until the residents of Red River could be consulted. Representatives of the Assembly from each parish were to chair committees, 'of not less than five, and not more than ten members,' within their constituencies. Reports on what the individual parishes regarded to be 'the best mode' of converting use of the hay privilege to ownership of land 'to the satisfaction of all parties concerned,' were to be tabled at the next session.

The Assembly then reviewed four more bills — all of which were passed by 25 March 1870. The second was a bill providing for the better administration of public justice. It called for some reorganization of the judicial districts and laws, but basically ensured that until that task was completed all previous laws would remain in force. The third bill sanctioned modifying the military, which was still 'considered necessary for the protection of life and property.' It provided:

That a body of fifty men be recruited from the different sections of the country, and that this body of men be regularly organised and retained at Fort Garry for the service of the Executive; that each man so recruited and organised shall receive a monthly payment of Three Pounds Sterling, and his Board, as compensation; and that the term of each man's service shall be for two months.

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The Assembly conferred command of the force upon Hon. Ambroise Lépine, Adjutant General.

The fourth bill, 'An Act respecting Indemnity to Members' set a rate of remuneration for the Honourable Members. They were to receive twelve shillings per day while on government business, on a promise of five dollars a day, to be paid when the Legislature completed 'further arrangements.' The fifth and final bill ensured that until the first bill on the hay privilege came into force, no one would be allowed to stake any claims or take up any kind of residence on the land directly behind any of the river lots in the settlement. The Assembly was then prorogued until 26 April.

Throughout the first and succeeding sessions, the work of the Assembly was reported in the *New Nation*. On 15 April the paper also published a proclamation celebrating the Assembly and honourable members who 'devoted themselves to the public interests and yielded only to sentiments of good will, duty and generosity.' Martial law had been lifted, pardons granted to 'all those whom political differences led astray only for a time,' and amnesty promised 'to all those who will submit to the Government.' The HBC had resumed business and pledged to 'circulate their money as of old.' The announcement further enthused:

Happy Country, to have escaped many misfortunes that were prepared for her! In seeing her children at the point of war, she recollects the old friendship which used to bind us, and by the ties of the same patriotism she has re-united them again for the sake of preserving their lives, their liberties, and their happiness.

Let us remain united, and we shall be happy. With strength of unity we shall retain prosperity ... without distinction of language or without distinction of creed.

## Second Session of the Legislative Assembly of Assiniboia

The Legislative Assembly of Assiniboia reconvened on 26 April and sat to 9 May. It opened with a reading, in English and French, of a joint report of the special committees to revise and codify the laws. The committees had apparently combined their findings during the recess. It was the joint Law Committee that codified the position of women within the settlement most clearly, stating in their report, 'Every enactment shall be interpreted without regard to the distinction of Gender.' On hearing from the Law Committee, however, the work of the Assembly almost immediately returned to a discussion of the hay privilege.

Reports from all parishes, detailing how people of the settlement wanted the hay privilege question settled, were communicated in French, English, and 'Indian' — probably *Saulteaux* and *Cree*. Debate on the issue continued through the next day, during which time the question of *Aboriginal title* — raised as an issue during the *Convention of Forty* — was again addressed. A full treatment of the debates that took place at the convention and carried into the Assembly is beyond the scope of this essay. But concerns were voiced, most persistently by *Thomas Bunn*, that ownership of the hay privilege ultimately devolved to the region's *First Nations* because they had originally ceded only a two-mile allowance for river lots, not the additional two miles behind them. Some parishes, such as *St. Boniface*, did not have ready access to land immediately behind river lots because property granted as a *Catholic seignior* intervened. Others had access only to *treed lands*, not suitable for cutting hay. Members such as *Pierre Parenteau*, *Auguste Harrison*, and *Pierre Poitras* therefore argued for setting aside reserves of land for common use. *Hon. James McKay's* contribution to the discussion, printed in the *New Nation*, merits inclusion:

As Half-breeds we require wood and hay quite as much as the Indian does his rights; and if we take a reserve for our own use, I do not think for a moment that we are thereby depriving the Indian of any title. Since the question of reserves [for non-First Nations settlers] has come up, I must say that I would strongly support such a disposition of a portion of our lands. The fact is that by making these reserves, the Indians are benefitted: for so much of the land would thereby be kept for many years in its present shape. If these reserves are not granted, then the land may be sold before long, and used as private property, and the Indians will not have the same right of using the land as heretofore. I would like to see a reserve set apart for the people of the Assiniboine. I respect the Indians and all that live in the country. But at the same time I do not want to be deprived of my rights until the Indian claim is satisfied. I could go farther, and say — one quarter of me is Indian; and if the Indian title is to be respected, the rights of one-quarter of my person must be respected (cheers and laughter) [McKay was a very large man]. I am not at all afraid but that in my dealings with the Indians, I can satisfy them without robbing them of any of their titles (cheers). (The hon. gentleman repeated his address in Indian in which he is a very fluent and eloquent speaker.)

In the end, the Assembly again turned to appointing a special committee to work through this ‘critical’ issue (see Table 8).

### Special Committee on the Two-Mile Hay Privilege

English Parishes:	French Parishes:
Dr. C.J. Bird	W.B. O’Donoghue
William Fraser	Pierre Delorme
John? Sinclair	Baptiste Tourond
James McKay	François Dauphinais
William Garrioch Jr.	André? Beauchemin
Thomas Bunn	John Bruce

Table 8: *The Special Committee on the Hay Privilege was ‘to have the privilege of forming itself into two sub-committees if considered desirable, but to amalgamate their reports before presentation to the House.’*

The Assembly then spent from 28 April to 6 May reviewing the joint report of the law committees one article at a time, sometimes one word at a time. The laws covered diverse aspects of life in the settlement: what to do with runaway livestock, where and with whom it was permissible to imbibe liquor, and how to apportion guilt in the case of runaway fires. Given that committee member W.B. O’Donoghue was adamant that the laws ‘were not the old laws a little altered. The old laws were taken as a guide, but none of them were adopted without undergoing many alterations,’ the codification of a distinct set of laws for the settlement by the Assembly deserves further study. One notable feature of the debates is that although the laws reflected local concerns and customs, opinions about their formulation were not solely based on local experience: references and comparisons were made to practices in ‘other countries.’



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To 9 May 1870, the Assembly debated such matters as instigating public works, revising the judicial districts, and setting up a senate. They also discussed what was being written about their country in newspapers from abroad. Riel, for instance, announced:

in reference to the news received by last mail — now we are recognized abroad — recognized because we have taken a bold stand among the nations. Even if we are a community small in number, our attitude has been that of honest, determined, straightforward men.

In the midst of determining what needed to be done with respect to roads and bridges, the members learned that their delegates had arrived in Ottawa. Before the second session closed on 9 May, the Assembly received the List of Rights that the President and an acting Executive had instructed the delegates to secure.<sup>6</sup> The List included the provision that Assiniboia enter confederation as a province, and reflected the Assembly's practice by safeguarding French and English language rights equally. There was no debate on or objection to either point. The composition of a finalized Executive Council was formally announced, the councillors agreed to leave all unsettled matters to its deliberation, and they then departed for their homes to wait for an official report from their delegates on the outcome of negotiations with Canada.

### **Third Session of the Legislative Assembly of Assiniboia:**

On 23 June, a 'special session of the Legislative Assembly' convened to hear the report of Rev. Ritchot, the first delegate to have returned from negotiations at Ottawa, only to find that he was ill and would not be attending until the next day. When the Assembly reconvened on the 24 June, Ritchot gave a full account of the negotiations. He described the events of his journey, which had been replete with arrests and confinement, dinners, and deft political manoeuvres, and then he submitted the Manitoba Act for the Assembly's consideration. After questioning Ritchot on the implications of the various clauses, and receiving reassurance that contrary to newspaper reports the people of Canada were sympathetic to the Provisional Government, the Assembly was satisfied that the rights they valued had been recognized. Hon. Louis Schmidt moved 'that the Legislative Assembly of this country do now, in the name of the people, accept the Manitoba Act, and decide on entering the Dominion of Canada, on the terms proposed in the Confederation Act.' While the members of the Legislative Assembly cheered, Hon. Pierre Poitras seconded the motion. The Legislative Assembly of Assiniboia ratified the Manitoba Act and the session was adjourned. Both Ritchot and Riel, however, felt compelled to make closing statements that underlined the significance of the Assembly's achievement. For his part, Ritchot observed:

while in Canada, let me say, in closing, not only had we all the sympathy and attention we could have expected, but admiration was expressed for the stand taken by the people, who had, it was held, shown themselves to be reflective, prudent people — wise to plan — resolute to act — so that, although jeopardised through dangers of the greatest magnitude, they passed almost unscathed through the crisis.

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<sup>6</sup> See Archives of Manitoba, MG3 A1-15 [Thomas Bunn], 'Sessional Journal of the Legislative Assembly of Assiniboia,' 39-42, and reference to document 'D', presumably the List of Rights; and 'Legislative Assembly of Assiniboia. Second Session,' *New Nation* (20 May 1870), 1-2. On 5 May, Riel announced he would present the amended 'List of Rights' the following day. The minutes for 6 May merely allude to the list. Bunn apparently meant it to be consulted with his journal, but does not state when the list was tabled, nor is the document archived with his text. W. L. Morton, ed., *Alexander Begg's Red River Journal: and other papers relative to the Red River Resistance of 1869-1870* (Toronto: Champlain Society, 1956), 369 n.1, cites H.M. Robinson, U.S.N.A., Department of State, Consular Reports, Winnipeg, I, May 10, 1870, No. 35, as evidence the revised Bill of Rights was put before the Assembly.



William Coldwell, Clerk of the Assembly, recorded that 'loud cheers' followed, and Riel concluded:

I congratulate the people of the North-West on the happy issue of their undertakings (cheers). I congratulate them on their moderation and firmness of purpose; and I congratulate them on having trust enough in the Crown of England to believe that ultimately they would obtain their rights (cheers). I must, too, congratulate the country on passing from under this Provisional rule to one of a more permanent and satisfactory character.

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## Conclusion

The Legislative Assembly of Assiniboia closed on a positive note. The Provisional Government continued to oversee the settlement, in keeping with Sir George Cartier's instructions, communicated by Ritchot, that the officials were 'not to be discharged; let them keep peace and quietness in the country until the Governor has arrived.' The standing military was also retained. Under this arrangement, life in Red River appears to have carried on as efficiently and peaceably as it ever had before. It is possible, however, that for some people in the settlement the aftermath of the Legislative Assembly's admitting Manitoba into Confederation was as marked by uncertainty as the period that had preceded the Assembly's formation. Rumours persisted in the press, and among settlers, that the Red River Expeditionary Force, on its way from Canada, might include individuals who viewed the people of Red River to be 'rebels' and 'murderers' who were in need of forcible correction. What exactly the various Honourable Members of the Assembly anticipated is difficult to ascertain. If little research has gone into their participation in the Legislative Assembly, even less has been done to study the lives of most of them afterwards.

Riel's story, with its harsh consequences for himself and his people, is relatively well known. Due to agitation in Ontario on the part of former 'Canadian party' members, Riel was never allowed to sit as a member of the Parliament of Canada — though he was elected for Provencher, Manitoba, in 1873 and 1874. By 1884 Riel was living in Montana. In that year, Métis and non-Aboriginal settlers in what is now Saskatchewan solicited his help to petition the Government of Canada over grievances about its land policies. Riel agreed to join the movement, arriving at the settlement of Batoche in early July. On 19 March 1885, convinced that written protest had failed, Riel and the Métis of the settlement took up arms and declared a provisional government. Their resistance effectively ended on 12 May with the capture of Batoche by Canadian forces. Riel was hung for treason on 16 November 1885. Increased marginalization of Métis people in Western Canada followed.

Prior to that date, the other, comparatively obscure, former members of the Provisional Government of Assiniboia experienced the transition to Canadian rule differently: while some died or moved away, others went on to serve their constituencies in the new Government of Manitoba. After the arrival of Colonel Garnet Wolseley's Expeditionary Force on 24 August 1870, the ordeals of Ambroise-Dydime Lépine and W.B. O'Donoghue became public and humiliating. An expected general amnesty was never proclaimed and in the end, along with Riel, they faced exile from Canada. In a written protest, Riel also alleged that Pierre Poitras, François Xavier Pagé, and François Dauphinais were assaulted and jailed during the months of 'reprehensible' lawlessness that marked the transition from provisional to provincial government. Although the prevalence of duplicate names in the settlement makes it difficult to be certain, it is possible that in the face of harassment by new authorities — experienced by settlers as a 'reign of terror' — both Poitras and Pagé moved away from Red River. Dauphinais stayed in Manitoba for a time, but eventually relocated to St. John, Dakota Territory, where he died in 1889, age seventy-two.

The most prevalent problem encountered by former members of the Legislative Assembly was that of resolving land issues. Despite their Assembly's efforts, the hay privilege remained problematic and unresolved. Not until April of 1871 did an Order in Council of the Canadian Government introduce regulations concerning the public lands of Manitoba. Some former members of the Legislative Assembly, including Pierre Parenteau, Baptiste Tourond, and William Garrioch, protested the disorderly implementation of land policy and sought redress on behalf of their communities. Their efforts garnered attention, and early in 1873 a commission was appointed to investigate. It reported in March that certain

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rights in the customary hay privilege did exist, and that settlers were entitled to compensation for losses. The Governor General of Canada approved the Report, and a second order, passed 1875, laid out procedures for distributing compensation, either by granting ownership of the hay privilege, or issuing scrip. There were conditions, however, including investigations to be carried out. The process was slow and the dispensation of land titles never really emerged from the state of 'conflict and confusion' that attended Canada's 'trial and error' approach to its geographical expansion. The names of John Lazarus Norquay (cousin to the John Norquay who became Manitoba's premier in 1878), George Gunn, Louis Schmidt, John Bruce, and John Sinclair may be added to a list of those who decided to leave farms that had become contested terrain and relocate, homesteading anew, before the province of Manitoba had passed through its first decade.

Over those same ten years, the deaths of men whose work as members of the Legislative Assembly of Assiniboia had shown promise constituted another loss to the province. Hugh F. Olone, 35 years old, was the first to die, murdered at Pembina in early January 1871. James Ross, who at 36 years old was 'the third man to be admitted to the bar of Manitoba,' fell ill in May of 1871 and died in September that same year. Alfred H. Scott died in May of 1872, in his 28th year, at the St. Boniface General Hospital (conducted by the Grey Nuns, or Sisters of Charity of Montreal). Thomas Bunn, called to the Manitoba Bar in June 1871, died in 1875, after a brief illness, at age 45. Dr. C.J. Bird fell ill the next year, sought medical treatment in London, England, but died there in June 1876, 38 years old. W.B. O'Donoghue, displaced from Manitoba after the province's creation, died in March of 1878, while seeking medical treatment in St. Paul, Minnesota. Whether the tuberculosis outbreak that devastated Aboriginal communities in Western Canada from the early 1870s through the 1880s, might account for these deaths is currently unknown. Although William Coldwell, former Clerk of the Legislative Assembly of Assiniboia, was invalidated around 1878, he survived well into his seventies, after relocating to Victoria, British Columbia.

Other former members of the Legislative Assembly continued to work on behalf of friends and neighbours in the legislature and civil service of the new Government of Manitoba. Of the twenty-four members who made up the first Legislative Assembly of Manitoba under Governor Adams G. Archibald, eight had been associated with the Legislative Assembly of Assiniboia. James McKay became President of the Legislative Council of the First Parliament of Manitoba in 1871. François Dauphinais sat as an Honourable Member of the same council. E.H.G.G. Hay was elected a member of the Legislative Assembly for St. Andrew's, South; Louis Schmidt for St. Boniface, West; Pierre Delorme for St. Norbert, South; and André Beauchemin for St. Vital. Before their untimely deaths, Thomas Bunn and Dr. C.J. Bird represented St. Clement's and St. Paul, respectively. Together with men described as 'loyalists, Rielites, French half-breeds, English half-breeds, Hudson's Bay Company officers, Selkirk settlers and Canadians,' these representatives met in A.G.B. Bannatynne's home, the new Government House. Judge John Black had declined the offer of a government position in Manitoba and moved home to Scotland, but other former participants in the Legislative Assembly of Assiniboia who stayed in the province — Louis Lacerte, Jean-Baptiste Beauchemin, Thomas Sinclair Jr., Auguste Harrison, William Fraser, and Rev. N.-J. Ritchot — continued to attend meetings in courtrooms, boardrooms, and council rooms throughout Manitoba and across the North-West, alongside original settlers and immigrants. Tribulations notwithstanding, they sought, as before, to determine in concert 'what was best for the country.'

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For Manitobans of 2010, recovering the history of the Legislative Assembly of Assiniboia is an important step towards recognizing the Métis and other settlers, who along with Riel, were leaders in the creation of the Province of Manitoba. If history is imagined as collective memory, then bringing the story of the Assembly to light forestalls forgetting past accomplishments. In Manitoba the depth of a history of cooperation and community involvement among people of diverse cultural origins is made more apparent when the work of the Legislative Assembly is considered. There is work that could be done, questions not answered in this essay, of women's power; of how closely the laws conformed to previous administrations, and where they diverged; of health concerns within the settlement and early Manitoba; and of the members themselves and their relationships with each other. And what of the First Nations — John Sinclair, the representative of the 'Indian Settlement' of St. Peter's — who was he and what did his participation signify? In what ways did the Assembly resemble what followed it, and in what ways was it distinct? The military, too, deserves more attention. Those answers must be left to future researchers.

In 1870 the future imagined in the Assembly was a shared future. The Honourable Members of Assiniboia cheered when Rev. Ritchot predicted: 'we will be a strong people, and our little Province will be the Model Province of Confederation.' His statement that 'We will have an influx of strangers here. We want them, and will be glad to receive them,' elicited more cheers. The people of Assiniboia were forward looking: inventive, resourceful, and proud of the promise inherent in Manitoba. Change was 'viewed as mutual success and not gains to be won at the expense of others.' That is a legacy worth preserving.

## Select List of Documents in Chronological Order with Sources

1. J. Stoughton Dennis, map, 'Rough Diagram, Based on Hinds Map intended to illustrate Report on Townships Surveys and Red River Territory [sic],' 1869.
  - Library and Archives Canada [LAC], H12 740, Red River Settlement 1870, record no. 22750.
2. 'Printed Declaration of the People of Rupert's Land and the North West, by Bruce, John and Louis Riel, opposing the establishment of Canadian authority,' 8 December 1869.
  - LAC, William McDougall fonds, reference no. MG27-IC6, R4506-15-1-E, Page 52, inventory no. 3522.
3. 'Déclaration des habitants de la Terre de Rupert et du Nord'Ouest,' 8 December 1869.
  - Glenbow Alberta Institute, Louis Riel Collection, Red River Rebellion Scrapbook collected by James Ross, M 6058, 18.
4. 'Minutes of a meeting held in Parish of Headingley to elect two representatives to consider the subject of Mr. Smith's Commission,' 24 January 1870.
  - Archives of Manitoba [AM], MG3 A1-9, Red River Disturbance collection.
5. Debates of the Convention of Forty.
  - AM, E.9/1, 15-22, Red River Rebellion Records, Minutes of Convention, 26 January to 9 February 1870.
  - Manitoba Legislative Library, Newspapers and Periodicals Collection, The New Nation (21 January, 28 January, 4 February, 11 February, and 18 February 1870).
6. 'Resolution that the invitation by the Canadian Commissioners to send a delegation to Canada to confer with the Canadian Government be accepted. Moved by James Ross, seconded by Louis Riel,' 8 February 1870.
  - AM, MG3 A1-10, Red River Disturbance collection.
7. 'Letter from Donald Gunn to Thomas Bunn,' 11 February 1870.
  - AM, MG3 B1-3, James Taylor collection.
8. 'Minutes of meeting held in Parish of St. Clements to elect a member to the Council of the Provisional Government. Notes used by Thomas Bunn for speech at above meeting. 1870.'
  - AM, MG3 A1-12, Red River Disturbance collection.
9. 'Election returns. February 1870.'
  - AM, MG3 B1-2, James Taylor collection.
10. 'Election returns for parish of St. Margaret's for Council of Provisional Government. 1870.'
  - AM, MG3 A1-13, Red River Disturbance collection.
11. 'Election returns for parish of St. Mary's La Prairie for Council of Provisional Government, 1870.'
  - AM, MG3 A1-14, Red River Disturbance collection.
12. Debates of the Legislative Assembly of Assiniboia.
  - AM, MG3 A1-15, Red River Disturbance collection, 'Sessional Journal of the Legislative Assembly of Assiniboia, March 1870.'
  - Manitoba Legislative Library, Newspapers and Periodicals Collection, New Nation (11 March, 16 March, 8 April, 29 April, 6 May, 13 May, 20 May, 24 May 1870, 27 May, and 1 July 1870).



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13. 'Bill No. 1. 1st Session. 1st Parliament. Respecting the Hay Privilege. 1870.'
    - AM, MG3 A1-20, Red River Disturbance collection.
  14. 'Bill No. 2. 1st Session. 1st Parliament. An Act Providing for the due administration of public justice. 1870.'
    - AM, MG3 A1-23, Red River Disturbance collection.
  15. 'Bill No. 3. 1st Session. 1st Parliament. An Act for Organization of Military Force, 1870.'
    - AM, MG3 A1-19, Red River Disturbance collection.
  16. 'Bill No. 4. 1st Session. 1st Parliament. An Act Respecting Indemnity to Members, 1870.'
    - AM, MG3 A1-21, Red River Disturbance collection.
  17. 'Bill No. 5. 1st Session. 1st Parliament. An Act Respecting the Hay Privilege, 1870.'
    - AM, MG3 A1-22, Red River Disturbance collection.
  18. 'Minutes of meeting of Committee to codify and arrange laws. 1870.'
    - AM, MG3 A1-24, Red River Disturbance collection.
  19. 'Laws of Assiniboia, Passed By The President and Legislative Assembly of Assiniboia, On The 7th Day of May, 1870. Second Session of the Legislature.'
    - Manitoba Legislative Library, Newspapers and Periodicals Collection, New Nation (6 May, and 20 May 1870).
  20. 'List of rights, commission and instruction to Ottawa delegates, 1870.'
    - AM, MG3 B1-5, James Taylor collection.
  21. Letter from Louis Riel to William MacTavish, 28 March 1870, with reply, 5 April 1870.
    - AM, E. 9/1, 1-2, Red River Rebellion records.
  22. 'Lettre de Louis Riel à l'abbé Ritchot proposant le nom Manitoba pour la nouvelle province, 19 Avril 1870.'
    - La Société historique de Saint-Boniface, Centre du patrimoine, Louis Riel fonds, S1 0003.
  23. 'Telegram from Rev. J.N. Ritchot to Thomas Bunn,' 27 April 1870.
    - AM, MG3 B1-7, James Taylor collection.
  24. 'Telegram from J.N. Ritchot to Thomas Bunn,' 14 May 1870.
    - AM, MG3 B1-9, James Taylor collection.
  25. 'Telegram from Rev. J.N. Ritchot to Maxime Lépine,' 20 May 1870.
    - AM, MG3 B1-10, James Taylor collection.
  26. 'Letter from Thomas Bunn to J.N. Ritchot,' 23 June 1870.
    - AM, MG3 B1-11, James Taylor collection.
  27. 'Letter from J.N. Ritchot to Thomas Bunn, Joseph Howe [copy by Thomas Bunn],' 23 June 1870.
    - AM, MG3 B1-12, James Taylor collection.
  28. 'Instructions to be observed by the enumerators appointed by the Lieutenant-Governor, to take the Enumerations of the Province of Manitoba/Instructions que devront observer les Enumerators appointes par le lieutenant Governor de Manitoba,' 16 July 1870.
    - AM MG2 B3-3, Council of Assiniboia fonds, Red River and Manitoba census returns.

