

7. The Market for Métis Lands in Manitoba: An Exploratory Study (1991)

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The fate of Métis land and scrip in Manitoba in the troubled 1870s and 1880s has led to a lasting controversy over the issue of victimization. The argument presented here is that fairness prevailed, associated as it was with the two main tenets of the capitalist free market: non-racist economic competition, and information made available to all. There were winners and losers on every side, but governments acted as constitutionally as could be expected.

The Manitoba Act provided extensive land grants to the Métis of Manitoba.¹ Section 31 set aside 1.4 million acres for distribution among “the children of the half-breed heads of families,” while section 32 confirmed the titles of old settlers, Métis or white, who had possessed land in Manitoba prior to 15 July 1870. Subsection 32(5) promised commutation for the rights of hay and common in the outer two miles that had accompanied many of the old river lots. Additional legislation in 1874 granted \$160 scrip, redeemable in Dominion Lands, to all Métis heads of families, husbands and wives alike.²

What happened to all this land and scrip is one of the enduring questions of Métis history and is also of current legal and political interest now that the Manitoba Métis Federation has commenced litigation on the subject.³ The Métis case relies to a considerable degree on the thesis of D.N. Sprague that the federal government never intended all this land to pass into Métis hands and therefore structured the grants so as to encourage fraud, misappropriation, and hasty sales at low prices.⁴ Gerhard Ens has recently criticized certain aspects of Sprague’s dispossession thesis pertaining to the river lots

mentioned in section 32 of the Manitoba Act. The data reported by Ens show that the Dominion Lands surveyors recognized Métis occupancy of these lots and that the Department of the Interior faithfully issued patents to the Métis occupants or to those to whom they sold their rights. Difficulties in obtaining title to river lots did not play a major part in encouraging Métis emigration from Manitoba in the 1870s.⁵

This article addresses other aspects of the dispossession thesis—the fate of the Métis children’s land grants and of the scrip for heads of families. According to Sprague, most of these benefits were taken from the Métis through deception:

But a group of about 500 speculators, usually from Ontario, operated from the same lists as the commissioners and worked just as systematically through every parish. Frequently, they told people that it was necessary to have an attorney now that the government was processing claims. Thus they secured powers of attorney. Sometimes they told claimants the government was not to be trusted, no land would ever be granted but twenty-five dollars was offered for the claim on the chance some small portion would be granted. In this way they procured assignments of claims. Occasionally the powers of attorney or assignments were completely fraudulent; they were made up without contacting the claimant at all. ... The culpability of the government in this farce was two-fold. First, they failed to provide an institutional means for validating contracts between literate confidence men and illiterate claimants. Secondly ... the civil servants and elected officials who were closest to these proceedings ... seized upon the opportunity and joined in the bonanza themselves. As a result, virtually all of the money scrip which was supposed to have been awarded to Half-breed heads of families never reached the claimants. As soon as it arrived at the Dominion Lands Office in 1876, assignees and attorneys picked it up instead.⁶

Sprague’s account elaborates upon the early reports of Giraud and Stanley that the desperate Métis, discouraged by government delays, were poorly informed and often defrauded; that they sold their rights at trivial prices; and that they received little long-term benefit from the transactions. Stanley wrote: “Despairing of ever receiving their land patents, many disposed of their rights for a mere song. Some gladly sold their scrip for trifling

sums to smooth-tongued speculators. ...”⁷ Giraud conveyed the same impression:

Unaware, because of their habits of life, of the true value of the land, they could not resist the temptation of trading their scrip for a sum of money which, no matter how small it might be, would appear to them in the foundering of their traditional activities, as the sole capital likely to save them from poverty. A few dollars were often enough to secure their agreement. Alcohol, whose distribution was no longer subject to any restriction, contributed greatly to the despoilment of the Métis. Often the speculators, abusing their credulity, would make off with the scrip without paying the promised sums.⁸

Both Stanley and Giraud saw the Métis as a more or less primitive people, doomed to extinction in their conflict with expanding civilization,⁹ so it is not surprising that they emphasized the supposed inability of the Métis to look after themselves in the market. More recent writers such as Sealey and Lussier, Taylor, Friesen, and Boisvert and Turnbull paint a similar picture of the market, even though they no longer see the Métis as a primitive people.¹⁰ Against this consensus, the author once suggested that the Métis, not only in Manitoba but also later in the North-West Territories, followed a rational course in the market. They sold their land and scrip because money was more useful to them than land at that moment, and they received the value of what they sold as determined by a freely functioning market.¹¹ This argument was based on *a priori* reasoning and was not substantiated with systematic empirical data at the time.

The earlier hypothesis is now followed up by presenting empirical evidence about the market for Métis land and scrip in Manitoba in the 1870s and 1880s.¹² Three bodies of data are considered: prices for children’s allotments, scrip for heads of families, and military bounty warrants. The information casts further doubt upon the dispossession thesis.

Children’s Allotments

Section 31 of the Manitoba Act provided for a grant of 1.4 million acres to the “children of the half-breed heads of families” residing in Manitoba as of July 15, 1870:

31. And whereas, it is expedient, towards the extinguishment of the Indian Title to the lands in the Province, to appropriate a portion of such ungranted lands, to the extent

of one million four hundred thousand acres thereof, for the benefit of the families of the half-breed residents, it is hereby enacted, that, under regulations to be from time to time made by the Governor General in Council, the Lieutenant-Governor shall select such lots or tracts in such parts of the Province as he may deem expedient, to the extent aforesaid, and divide the same among the children of the half-breed heads of families residing in the Province at the time of the said transfer to Canada, and the same shall be granted to the said children respectively, in such mode and on such conditions as to settlement and otherwise, as the Governor General in Council may from time to time determine.¹³

When the federal government appointed A.G. Archibald lieutenant governor of Manitoba, it requested him to offer advice on the implementation of section 31. That advice was substantially incorporated into the order in council of April 25, 1871, which established the first regime for Dominion Lands.¹⁴ The order provided that the lieutenant governor would conduct a lottery to carry out the Métis children's land grant. Following Archibald's advice, the order loosely interpreted the wording of section 31, allowing all Métis persons, whether children or adults, to participate in the lottery. That meant that individual allotments would be 140 acres, since there were about 10,000 Métis in the province.

By the summer of 1872, the Dominion Lands survey was sufficiently advanced that the selection could begin. Consulting with the Métis parishes over a period of several months, the lieutenant governor and other federal officials chose blocks of townships totalling 1.4 million acres. These were located for the most part immediately behind the parishes among whose inhabitants they were to be distributed. Lieutenant Governor Alexander Morris, who had replaced Archibald, began drawing lots for 140-acre grants on February 22, 1873.¹⁵

This beginning, however, proved unsatisfactory to some of the leading spokesmen of the Métis. It had become apparent that many Métis were making advance sales of their rights, and their children's rights, to participate in the lottery. Robert Cunningham, editor of the *Manitoban* and member of Parliament (MP) from Marquette, raised the matter in the House of Commons, urging the government to comply strictly with the wording of section 31 and restrict the grant only to "the children of the half-breed heads of families." In later years, exclusion of the adults would discourage immediate speculative sales, since children would not receive their patents until they turned 18.¹⁶ Sir John A. Macdonald quickly complied with the request

and introduced the necessary legislation to restrict the grant.¹⁷ His action received the approval of Archbishop Taché, Father N.-J. Ritchot, and Louis Riel.¹⁸

Exclusion of the adults meant that fewer recipients would share the 1.4 million acres, so the allotment size had to be enlarged. Drawings for 190-acre allotments were recommenced in August 1873,¹⁹ but complications continued to arise. There were many problems with the precise location of the 1.4 million acres as well as uncertainty about how to verify applications for the land. The Dominion Lands agent in Winnipeg advised that his small staff could not handle the approximately 7,000 applications expected.²⁰

When the Liberals came to power after the Pacific Scandal caused the fall of Macdonald's government, David Laird became Minister of the Interior and, after making a first-hand investigation in Manitoba, decided a fresh start was necessary. An order in council of April 26, 1875 provided that a special commission would receive applications to share in the lottery. The size of the allotments would be finally determined after the number of participants was fixed, and only then would the lottery be carried out.

The commission consisted of two lawyers, John Machar of Kingston and Matthew Ryan of Montreal. They toured Manitoba over the summer of 1875, approving 5,088 children's claims. Making an allowance for about 500 claims still to be received, the government set the allotment size at 240 acres,²¹ and drawings began in the last week of October 1876.²² In the meantime, Matthew Ryan's commission was extended to allow him to receive applications in the North-West Territories from eligible recipients who had left Manitoba before 1875.²³

For reasons that are not fully understood, the drawings, which were conducted parish by parish, were not completed until February 1880. Patents, however, were issued in batches as phases of the drawings were finished. The first batch arrived in Winnipeg on August 31, 1877,²⁴ while others were delivered at irregular intervals into the early 1880s. In the end, 6,034 patents for 240-acre allotments were issued to Métis children, for a total of 1,448,160 acres.²⁵

Speculative sales had begun even before the first drawings in February 1873, leading to the exclusion of the Métis adults from the grant. Another result at the same time was passage of the provincial Half-Breed Land Grant Protection Act, allowing Métis who had sold their claims to repudiate their bargains without penalty, as long as they repaid the purchase price.²⁶ The Manitoba legislature tried to weaken this protection in 1875, but the federal cabinet disallowed the amendment.²⁷ In 1877, however, the legislature removed the revocation provision prospectively for sales made after July 1,

1877; this time the federal government did not intervene.²⁸ Subsequent provincial legislation allowed Métis children to sell their grants at age 18 if they had parental consent.²⁹ Provision was also made for judicially approved sales by children under 18 upon parental application to the Court of Queen's Bench.³⁰

Sales thus took place in several forms. Many of the recipients were over 21 by the time patents were issued in 1877 and afterwards, so their sales were normal real estate transactions between adults. In some cases, however, the land was sold before the patent was received or issued, or even before the lottery was conducted. In such cases, vendors sold their right to the proceeds of the lottery. Federal regulations tried to ensure that the patent would be issued directly to the Métis child, but purchasers circumvented this barrier by getting the seller to sign a power of attorney empowering the purchaser to pick up the patent at the Dominion Lands Office.

About 560 allotments were sold under judicial supervision because the sellers were under 18 at the time.³¹ A provincial investigation of these sales in the fall of 1881 revealed that the courts were not scrutinizing these cases thoroughly, and judicial sales were discontinued.³² But this was only a delay, since the children could sell with parental consent when they turned 18, and with no restriction when they turned 21.

This study began by drawing a 1% random sample of sixty allotments from the registers kept by the Department of the Interior.³³ One instance of duplication in the sample left fifty-nine cases to be investigated. Using sources at the National Archives of Canada, the recipient's name and number, the legal description of the allotment, the date of the grant, the date of the recipient's eighteenth birthday, the father's name and parish, and sometimes the name of a spouse were determined. From abstract books in the provincial land titles offices, information was collected about the disposition of the allotment by the recipient, including when it was sold, who bought it, how much was paid, and whether complications ensued.

Table 1 is an overview of the disposition of the fifty-nine allotments. The data confirm the popular impression that the children's allotments were sold rather than kept; only five (about 8%) were retained past 1890. But it is not true that most of the land was sold when the recipients were still children. Because of the long time taken to carry out the distribution, and because judicial sales were terminated in 1881, over 90% of the land was disposed of by people over 18, and more than 60% by people over 21.

The sales took place according to the chronology shown in Table 2. Prices increased rapidly through the late 1870s, shot up in the boom years of the early 1880s, and levelled off thereafter. One should note the spate of

| Disposition | Number | Percentage |
|------------------------------------|---------------|-------------------|
| Recipient deceased, sale by heirs | 6 | 10 |
| Recipient seller over 21 | 24 | 41 |
| Recipient seller between 18 and 21 | 16 | 27 |
| Judicial sale | 5 | 8 |
| Land kept by recipient past 1890 | 5 | 8 |
| Sold for taxes | 1 | 2 |
| Information not available | 2 | |
| Total | 59 | |

sales at the beginning of the decade: six each in 1880 and 1881. The collapse of the great real estate boom in May 1882³⁴ had a marked effect on sales of allotments—there were only two in 1882, one in 1883, and none in 1884.

The data contradict the stereotype that most allotments were sold quickly for derisory prices. The early sales that are so often referred to in the literature must have been repudiated under the Half-Breed Land Grant

| Year | Number | Average Price (\$) |
|-------------|---------------|---------------------------|
| 1875 | 1 | 40.00 |
| 1876 | 0 | n/a |
| 1877 | 10 | 100.00 |
| 1878 | 4 | 177.50 |
| 1879 | 4 | 147.50 |
| 1880 | 6 | 286.66 |
| 1881 | 6 | 230.00 |
| 1882 | 2 | 175.00 |
| 1883 | 1 | 400.00 |
| 1884 | 0 | n/a |
| 1885 | 2 | 270.00 |
| 1886 | 3 | 233.33 |
| 1887 | 2 | 175.00 |
| 1888 | 5 | 211.00 |
| 1889 | 2 | 247.50 |
| 1890 | 1 | 325.00 |
| Total | 49 | |

Table 3. Average Sale Prices of Children's Allotments by Five-Year Periods

| Year | Number | Average Price (\$) |
|---------|--------|--------------------|
| 1875-79 | 19 | 123.16 |
| 1880-85 | 17 | 258.23 |
| 1886-90 | 13 | 211.54 |
| Total | 49 | 193.47 |

Protection Act, or were at any rate never carried through, for only one lot in the sample was sold before 1877. It is true that prices prior to 1877 were low; evidence was found elsewhere of four sales from this period at prices of \$25, \$35, \$40, and \$55.³⁵ It is understandable that the stereotype of sales at absurdly low prices arose, but in light of the facts it cannot serve as an overall generalization. For convenience, the data are smoothed out in Table 3. The mean for all forty-nine cases for which a sale price could be ascertained was \$193.47.³⁶

The lawyer M.B. Wood told the provincial Commission of Inquiry in 1881 that "one thing is to be remembered, that a halfbreed can never get as much money for his land as a white man; for everyone in town are all beating the halfbreeds down."³⁷ In one sense, Wood's statement was obvious—white speculators would not have traded in Métis lands unless they could sell them for higher prices than they had paid. But interesting problems arise both in documenting these higher prices and in interpreting them.

It is usually impossible to discover the resale price of children's allotments, even though there are entries in the abstract books. Many subsequent transactions were not at arm's length because business partners sold lands back and forth for \$1 or other nominal prices. A more fundamental problem with the data is that sellers often grouped allotments into larger batches before reselling them, in which case only aggregate prices were recorded in the indentures and abstract books. There is no doubt, however, that quick "flips" at substantial profits did take place. In one verified instance, John McNab bought the allotment of James Larocque for \$200 on March 15, 1881 and sold it for \$360 on April 9, 1881.³⁸

Another factor to be kept in mind in evaluating resale prices is the boom market of the early 1880s. Until the crash, everyone was a speculative genius; one only had to wait to make money. But things were much tougher afterwards, and sales records for later years contain examples pointing to losses and even bankruptcy for investors.

There were two types of ultimate purchasers: immigrants streaming into Manitoba looking for farms on which to settle, and speculators looking for

a long-term investment. Some were individual investors, but there were also land companies, such as the Scottish, Ontario and Manitoba Land Company, for which the MP A.W. Ross was a principal buyer. M.B. Wood testified to the Commission of Inquiry that Ross “is authorized to buy for his clients, and has money from them to enable him to do so.”³⁹ Ross may have sometimes bought directly from sellers, but he also depended on “claim runners” such as Napoléon Bonneau and R.P. Wood to buy and resell to him.⁴⁰ Lawyers like Ross did the paper work; they aggregated lands into batches that might interest an external buyer, and funneled money from outside the province into the local market.

From the time the allotment was made, there was usually a chain of two, three, or even more sales before the land came to rest with a person or company prepared to settle on it or hold it for a long time. Each of the intermediate sellers had to be able to cover costs and make some money in order to remain in the market. The land had been granted to Métis who wished to sell it but lived in remote rural locations, often could not read or write, sometimes spoke no English, and had few contacts with potential purchasers. By acting as middlemen, the speculators conveyed land to those who wanted to farm it, or at least hold it for a longer period. Speculative profits were the inducement leading them to perform this useful but risky service.

To understand the chain of relationships and the profit margins at each stage, the Métis might be compared to producers of land, the middlemen to wholesalers, the land companies to retailers, and the settlers to consumers. It is, therefore, misleading to compare the prices that Métis sellers got against the prices later paid to the intermediaries. The Scottish, Ontario and Manitoba Land Company would not have wanted to deal directly with local inhabitants or even with claim runners. A distant company needed to deal with an established lawyer or other businessman who could offer some reliability in unfamiliar conditions. Goods and services are most useful if they are made available at the right place and time, with appropriate labelling, information, and guarantees attached to them.⁴¹ The same is true of land, even if that commodity does not physically change place.

Another important function performed by the middlemen was to absorb risks, which were particularly high for a claim sold before the allotment sheet was posted. Not only might the land turn out to be worthless swamp, there might not be any allotment at all. A seller might be ruled ineligible for technical reasons—for example, living outside Manitoba on July 15, 1870—or he might have applied so late that the land for his parish was exhausted and he would get only \$240 scrip. The risks are illustrated in the papers of

David McArthur, a Winnipeg businessman who dealt extensively in Métis lands. His files contain half a dozen letters from the Department of Interior, dated 1888, concerning Métis whose allotments McArthur had bought ten years earlier but who had ultimately received scrip instead of land and had sold it elsewhere.⁴²

Another threat was that the vendor might sell his allotment more than once. Chief Justice E.B. Wood wrote that the Métis felt “at liberty to sell as often as they could find a purchaser and make him believe he had not already sold.” Fear of multiple sales resulted in a “race to the registry,” in Wood’s words: “And so soon as the allotment came up there was such a race to the Registry office with the conveyances to get registered first, that horses enough could not be found in the city of Winnipeg for that purpose.”⁴³ Wood’s statement is confirmed by a newspaper report:

The Ste. Agathe allotment was received this morning—and of course there was a rush of those interested to the Lands Office. The fastest horseflesh in town was engaged, but one chap outwitted his rivals by sending a telegraph operator up to the Ste. Agathe registry office, where he tapped the wire, and receiving the description of the allotments by telegraph from here, had them registered before the less ‘cute’ claimants appeared at the office.⁴⁴

Registration of a deed, power of attorney, or other instrument was not in itself sufficient to secure title, but it did constitute notice to other purchasers: “The registry of any instrument under this Act, or any former Act, shall in equity constitute notice of such instrument to all persons claiming any interest in such lands subject to such registry.”⁴⁵ In *Sutherland v. Thibeau*, decided March 28, 1879, Chief Justice Wood held that the assignment of an unallotted claim might be validly registered, and constituted notice to other parties.⁴⁶ Prior to passage of the Real Property Act, 1885, registration was the best available safeguard of title.

Why did the Métis sell their allotments? Since only five of fifty-nine subjects in the sample kept their allotments, it might be better to begin by asking, “Why did those few keep them?” Interestingly, three of these five cases can be identified as members of the Métis upper class. Jemima Murray was married to Samuel L. Bedson, a white man who was the first warden of the Manitoba Penitentiary. She died in 1886, and he kept her allotment until 1890, when he sold it for \$1,440.⁴⁷ Timoleon Tait was the son of Robert Tait, a prosperous Métis farmer, miller and businessman. Young Timoleon’s allotment was mortgaged, perhaps to provide capital for the father’s business enterprises. James Ross, Jr. was the son of James Ross, who had attended the

University of Toronto, and the grandson of Alexander Ross, the historian of Red River. His allotment was kept until 1897, when it was sold for \$500. These Métis from educated and well-to-do families seem to have kept their allotments for business and investment purposes.

There is little direct evidence about the motivation of less well-off Métis for selling their lands. One exception is the testimony of Elie Carrière and his children, Joseph-Adolphe (aged 16) and Angelique (aged 13) to the Commission of Inquiry. Carrière testified that he had sold his children's allotments to pay his debts and buy more cattle. "When I got the money I knew it was for the children; and ... when I invested in cattle I thought I was doing well for the children and that these cattle would revert to them."⁴⁸ He also outfitted another son "to enable him to start work on the road."⁴⁹ Both children agreed that they had wanted to sell their allotments to help the family.

In the absence of such direct statements, one must try to infer motivation from what we know about the Métis. First, although there were important exceptions, most Métis were not commercial farmers. Their small-scale farming, more like horticulture than agriculture, was an adjunct to their economy, not the basis of their way of life. Ens has shown how the Métis came to depend increasingly on the buffalo robe trade after the 1840s.⁵⁰ In any event, cash farming on the Manitoba prairie was hardly profitable for anyone prior to about 1880. New strains of wheat and new farm implements were required to make modern agriculture feasible.⁵¹

Ens has also shown how the buffalo robe trade induced many Métis to leave the Red River colony and move further west, where they could winter on the plains and hunt when the robes were at their prime. Beginning in the 1850s, this movement continued through the 1860s and into the 1870s.⁵² Although the desire to participate in the buffalo robe trade was the original inducement, the wish to emigrate was reinforced in the early 1870s, particularly for the French Métis, by conflict with the new English-Protestant settlers in Manitoba.⁵³ Selling their children's allotments was an obvious way to finance a departure from Manitoba.

There was another peak of Métis emigration from the Winnipeg area in the years around 1880. The buffalo robe trade was largely played out by then, and Ens attributes this wave of emigration to the desire of the remaining Métis to obtain larger tracts of land for farming, compounded by a loss of power and prestige in the political crisis of 1879.⁵⁴ Many went to the North-West Territories, while others founded new settlements in Manitoba.⁵⁵ But even those who wanted to remain in Manitoba to become commercial farmers did not necessarily want to settle on their particular children's allotments. The Métis tended to move in large, clan-like groups of relatives,

consisting of parents and children, brothers and sisters, and in-laws. The partition of reserve land into 240-acre parcels made it difficult to resettle as a group; it would only be chance if a group of relatives happened to get allotments near each other. Sale of the children's allotments was a way to raise money to move to a preferred location.

Keeping the land for a long-term investment was probably not an attractive option for most Métis. They would have to pay property taxes, and the eventual sale would be particularly difficult for those leaving the province. If they were going to sell anyway, they did better to sell in the boom years than to wait. Let us make the more or less realistic assumptions that a given allotment could be sold for \$300 in 1881, and that if it were not sold, property taxes would be \$3 per year beginning in 1883. Ten years later, compound interest at approximately 3% would have turned that \$300 into \$403, to which one would have to add \$30 in avoided taxes. That means one would have had to sell the same lot for $\$403 + \$30 = \$433$ in 1890 to do as well as was possible in 1881, but in fact prices in 1890 were not at that level. (The average price of the eight allotments from this sample sold in the years 1888–90 was \$234.)

Of course, not everyone was smart or lucky enough to sell during the boom. Only fifteen of forty-nine allotments in the sample, or 31%, were sold in the years 1880–83. Many sellers who took the lower prices prevailing in the 1870s probably wished, with the benefit of hindsight, that they had waited longer. But such situations are universal in a market economy. The Métis did what they did for reasons which seemed good to them at the time.

Scrip

The government made separate provision for the approximately 3,000 Métis heads of families who were removed from sharing in the 1.4 million acres after Cunningham's protest in the spring of 1873. Legislation passed the next year authorized grants of 160 acres, or \$160 scrip redeemable in Dominion Lands, to the heads of families.⁵⁶ The Machar-Ryan Commission received their applications at the same time as it enumerated the children.

After the government opted for scrip rather than land, the first scrip now was signed on May 1, 1876.⁵⁷ In the end, 3,186 scrips were issued to Métis heads of families,⁵⁸ while an additional 800 scrips were issued to the original white settlers of Manitoba and their descendants. The Métis heads of families and the white settlers received identical \$160 scrip notes, distinguishable only by the serial numbers. There was no difference from the purchaser's point of view.

Fewer formalities attended scrip, so the Métis sold it even more quickly

than they sold the land. As with the 240-acre allotments, much of it was sold before it was ever received. It is impossible to gather first-hand data about prices because no legal sales records exist, but there are many references to the price of scrip in the newspapers of the day and other contemporary documents.

Land speculation is often long-term, but speculation in scrip was probably short-term—for example, holding it over the winter to try to take advantage of next spring's immigration. Holding it for long periods would have made little sense, for scrip was in effect a special kind of currency, denominated in dollars and redeemable against Dominion Lands. Its value to the speculator could never rise above the face value of the scrip, and it was liable to radical devaluation if the Department of the Interior should raise the price of Dominion Lands.

Although scrip did not begin to reach Manitoba until the end of June 1876, \$46,115.29 (including a small amount of hay scrip granted in commutation of claims under section 32(5) of the Manitoba Act) had been redeemed by the end of the year—equivalent to about 280 claims. By the end of 1877, the equivalent of another 1,000 claims had been redeemed.⁵⁹ The records do not show who was locating the scrip; but whoever was doing it, was doing it quickly.

The scrip market became highly developed in a short period of time. Investors from inside and outside the province placed blocks of money with agents who did the actual purchasing. Real estate brokers, lawyers, and other merchants printed advertisements in local newspapers offering to buy and sell individual scrip notes as well as larger quantities. The newspapers also quoted going prices. The brokers printed standardized forms for assignments and powers of attorney, to try to reduce legal complications to a minimum. Some merchants would even accept scrip as payment for merchandise; scrip was, in effect, a land-backed currency, like the famous *assignats* of the French Revolution. In other words, there was a competitive market with a lively flow of information. No one had to accept a take-it-or-leave-it price dictated by a monopoly buyer.

Claims for scrip seem initially to have sold for about \$40 or less. The lawyer W.B. Thibeau paid \$35 for a claim in 1875.⁶⁰ The *Manitoba Free Press* carried an ad on October 9, 1875, offering claims for sale at \$40 each. A buyer wrote to John Schultz around the same time: "What are the prospects of the scrip market? Can you buy at \$40?"⁶¹ On October 21, 1876, Isabella Bird sold her claim to scrip for \$40.⁶² To put these low prices in context, one must remember that the Manitoba real estate market was depressed after the worldwide business crash of 1873 and after the Liberal

government's decision to bypass Winnipeg with the transcontinental railway.

The price seems to have gone up as the issue of scrip actually took place. In the letter cited above, Schultz mentioned prices as high as \$65. On November 1, 1876, the *Free Press* reported that the Métis were "desperate under the repeated delays, and they are daily sacrificing their rights for a nominal sum ... their assignments may be purchased in trade at a little more than half the cash value of the scrip [\$80]." However, *Le Métis* (which repeatedly lectured its readers not to sell and may therefore have perceived the price as lower) said scrip was selling at \$40 to \$50 on November 23.

There may well have been considerable variation in price in the fall of 1876. Scrip was just coming out, and old assignments were still being traded. It is not always clear whether quoted prices refer to assignments or actual notes; the latter were more valuable because they were not as risky as assignments. In any case, the real estate market had begun to recover somewhat in 1876 as new varieties of wheat made agriculture more profitable.

Prices took a jump in the spring of 1877, perhaps coinciding with a rush of incoming settlers, who often came in early spring, located on land, and tried to get in a crop for fall harvest. Thibeau's scrip was allegedly worth \$100 around Easter 1877.⁶³ *Le Métis* reported on May 17: "Les scrips de chefs de famille Métis qui se sont vendus jusqu'à \$115 et \$125 ont baissé de prix. Ils sont maintenant à \$100."

Prices seem to have held around \$80 throughout 1877, as shown by Table 4. Then there was another rise in the spring, as shown in Table 5 (compiled from price reports in the *Winnipeg Free Press*). Only one more reference to price was found after this, in the *Free Press* of April 22, 1879: "Holders of scrip are asking from \$125 to \$130 for it." Considering the rate at which scrip was redeemed, notes must have been relatively rare by that time.

Assignments were cheaper than actual scrip notes, so prices quoted out

| Date | Price (\$) |
|--------------------|-------------------|
| July 12, 1877 | 80.00* |
| August 18, 1877 | 85.00** |
| August 23, 1877 | 85.00* |
| September 22, 1877 | 80.00** |
| December 1, 1877 | 80.00** |
| January 2, 1878 | 80.00** |

Source: **Le Métis*; ***Winnipeg Free Press*.

| Date | Price (\$) |
|----------------|-------------------|
| April 20, 1878 | 120.00 |
| April 25, 1878 | 105.00 |
| May 10, 1878 | 108.00 |
| May 23, 1878 | 102.00–103.00 |
| May 29, 1878 | 103.00 |
| June 12, 1878 | 95.00 |
| June 14, 1878 | 92.00 |

| Year | Amount (Acres) |
|-------------|-----------------------|
| 1875 | 163,777 |
| 1876 | 154,533 |
| 1877 | 400,424 |
| 1878 | 682,591 |

of context have to be treated with caution. Those Métis who waited to draw their own scrip probably benefitted more than those who sold their claims early. There was a tendency for the price to surge ahead in the spring of the year and another tendency for the price to rise over time, possibly because the issue of scrip came during the run-up to the great Winnipeg land boom. The annual reports of the Winnipeg lands agent show the growth in land taken up during this period (Table 6, compiled from *Canada Sessional Papers*). The secular rise in the price of scrip accompanied a rise in the price of land caused by immigration. It may also be true that the availability of scrip, by making land cheaper *de facto*, encouraged more of it to be taken up, and the issue of scrip may have been a causal factor in the onset of the Winnipeg land boom.

Military Bounty Warrants

We can get a comparative perspective on the market for scrip and children's allotments through study of the 1,599 military bounty warrants distributed to Canadian soldiers serving in Manitoba between 1870 and 1875. Legally, warrants resembled land scrip rather than money scrip. Like land scrip, warrants were vouchers for 160 acres of Dominion Lands, not \$160 to be spent on Dominion Lands. Because they were denominated in acres rather than dollars, they were considered real estate rather than personal property,

and their sale required the formality of written assignments and affidavits of execution. The Department of the Interior retained the located warrants and any attached assignments, thus creating a convenient body of data on sales and prices.⁶⁴

A probe of 100 randomly chosen files yielded a sample of eighty-four usable cases in which the sales history of the warrant was complete, or nearly so. Only 6% of the warrants in the sample were located by the recipient; the others were sold for cash. In three-quarters of these sales, the recipients sold the warrants before they received them, giving their discharge certificates to the purchasers, who then applied to the Department of the Interior for the issue of the warrants. Some militiamen sold their warrants or rights after they returned to Ontario or Quebec, but most sold them in Winnipeg shortly after discharge. It was a way of raising money to go back to the east or to make a new start in the west.

Once in the market, the warrants were often resold before being located. Only twenty-three of the sample were located by the first purchaser, the rest being resold at least once. The statistical average was 2.02 sales per warrant, with a median and mode of 2, and a maximum of 6.

Price tended to climb with resale. The average price of all first sales, in which the money went to the discharged militiaman, was \$77.56 ($n = 78$),⁶⁵ whereas the average price of all last resales, immediately before location of the warrant, was \$128.82 ($n = 54$). In practice, an immigrant looking to purchase a quarter-section would pay very close to \$160 for a warrant, for that was the cost of purchasing 160 acres from the Dominion Lands Office.

An investor had to put out money in advance, hold the warrant, then seek out new purchasers. In most cases, he also had to undertake the burden of dealing with the Department of the Interior. Significantly, the twenty militiamen who waited to receive their warrants before selling them received a much higher average price (\$102.40) than the fifty-eight who sold the bare right to draw a warrant (\$68.99).

As shown in Table 7, the average price of warrant sales by militiamen started low, reached a peak in 1873, then receded and levelled off thereafter. This time series makes sense in the light of known facts of Manitoba history. In 1871, military bounty warrants were still unfamiliar (the first ones were not actually issued until summer 1872), and there were not yet many immigrants to create demand for them. There was a rise in immigration through 1873, until the worldwide economic crash of that year caused the pace to slow. By 1875, sellers of warrants also had to face stiff competition in the market from Métis heads of families selling their rights to \$160 money scrip.

Warrants and scrip, however, were different instruments with different

| Year | Number | Average Price (\$) |
|-------------|---------------|---------------------------|
| 1871 | 11 | 35.09 |
| 1872 | 23 | 68.07 |
| 1873 | 9 | 105.33 |
| 1874 | 7 | 90.71 |
| 1875 | 21 | 93.57 |
| 1876 | 2 | 105.00 |
| 1877 | 2 | 65.00 |
| 1878 | n/a | n/a |
| 1879 | 3 | 103.33 |
| Total | 78 | 77.56 |

legal characteristics. Almost all sales were in different time periods, because scrip flooded into the market in 1876 after warrants had virtually disappeared. Whereas the data for warrants are quite good, consisting of complete sales histories, information about scrip sales must be gleaned from newspaper reports and other fortuitous sources.

In spite of the need for caution, several similarities between the two markets stand out. Recipients of both warrants and scrip generally sold at a deep discount, particularly if they sold their rights before actually obtaining the document. Intermediaries who were willing to wait for appropriate customers obtained higher prices upon resale. Prices in general tended to rise over time as the instruments became known and as the flood of early sales was cleared out of the market. Prices also varied in correlation with known historical factors such as booms and busts or the tendency of immigration to peak in the spring.

It is possible that Métis selling their rights to scrip before receiving it had to accept a deeper discount than militiamen in the same situation with respect to warrants, because there was probably more risk attached to the scrip. Scrip was issued in one great wave, starting in June 1876, to thousands of applicants bearing a relatively small number of family names and Christian names that were often repeated across generations. Whether true or false, rumours abounded that many Métis were selling their claims more than once. And the procedures under which scrip was to be distributed were uncertain because of the confusion over children and heads of families in section 31 of the Manitoba Act. Under such circumstances, a buyer of scrip claims must have perceived some risk that the money for any particular purchase might be wasted.

Warrants probably seemed less risky in comparison. They were issued in small batches as groups of soldiers were discharged. The militiamen must have often been personally known to the merchants who speculated in warrants, and in any case a discharge certificate was good evidence of eligibility to receive a warrant. There were some interim changes of the rules, as when those who had been invalidated out of service before finishing their terms of enlistment were made eligible for warrants; but such adjustments were small in comparison to the massive changes that affected Métis land and scrip.

However, the data suggest that, in general terms, militiamen and Métis heads of families realized similar prices from selling their benefits. The early prices of warrants (\$35.09 in 1871, \$68.07 in 1872) were broadly comparable to the early prices reported for scrip (\$30 to \$40 before issue, rising to about \$65 when it actually appeared). Prices received by militiamen in 1873 and afterwards, in the range of \$90 to \$100, were also similar to the prices reported for scrip in 1877 and 1878.

Conclusions

Each of the three bodies of data presented here—on allotments, scrip, and warrants—is relatively small, but they all point toward the same conclusions about the Manitoba real estate market in the 1870s and 1880s. The market for Métis lands and scrip was open and highly competitive, with many buyers and sellers actively seeking to make bargains. Sophisticated institutions arose to channel outside money into the market. Local people, some of them Métis, were hired as claim runners to bring buyers and sellers together. Information about market prices was readily available in newspapers and by word of mouth.

Some Métis entered the market with initial disadvantages: a desire to emigrate, which led them to sell quickly; unfamiliarity with the complexities of the new legal system; difficulties in reading or speaking English; and lack of contacts with prospective buyers. On the other hand, the process of buying and selling went on for years, so there was some opportunity for those unfamiliar with real estate transactions to observe and learn how the game was played. Experience with scrip should have enabled parents to advise children about their allotments. The provincial Half-Breed Land Grant Protection Act rendered unenforceable all allotment transactions entered into before July 1, 1877, thus extending the learning period. The allotments themselves were released in batches over a period of years, so that relatives and friends could learn from each other's experience.

Generally speaking, those who sold their rights to receive scrip or

allotments fared more poorly than those who waited to receive the actual documents; and those who waited to sell until the great land boom of the early 1880s did particularly well. Shrewdness and luck were not the monopoly of any one race. Métis scrip and original white settlers' scrip were indistinguishable and were treated equally in the market. Some white militiamen sold their warrants, and some Métis sold their scrip and allotments, at foolishly low prices. Many white investors overplayed their hand and lost large amounts of money after the boom collapsed in 1882. At that point in time, Métis children who had taken \$100 in cash for their allotments would have looked like winners.

The amounts that the Métis received for their allotments and scrip seem small today, but they must be evaluated in the context of contemporary prices. A basic workman's wage was about \$1.25 a day in the early 1880s, or \$375 a year for a six-day week with two weeks off. Letter carriers in Winnipeg made \$400 a year, prison guards \$600. The average allotment sale price of \$193 was thus the equivalent of several months wages from a full-time job. By the standards of the 1870s or 1880s, these were considerable sums of money. They should have been of real benefit in improving the existing river lots of those Métis farmers who stayed near Winnipeg; purchasing new farms elsewhere for those who chose to relocate; buying guns and horses for those who wanted to follow the buffalo; and acquiring horses and oxen for those who wanted to expand the traditional Métis business of cartage.

These findings shed useful light on the dispossession thesis. They show that the Métis, as a group, received significant sums of money for their land and scrip. Some individuals may have been foolish or may have been cheated, but others did exceptionally well in the boom market of the early 1880s. On average, the Métis could resort to a lively market in which cash, not race, was the primary consideration. They had many reasons for wishing to sell their benefits, including the pull of the buffalo robe trade, the push of English-Protestant immigrants to Manitoba, and the desire to found new communities where they could get better land for farming while preserving their social homogeneity. As Ens has shown with respect to the river lots of the Métis, the decision to sell out and move on did not arise primarily from the federal government's land policies as administered by the Department of the Interior.

These findings also cast considerable doubt on Sprague's account of the fate of children's allotments and scrip for heads of families. However, the dispossession thesis is a complex theory with many ramifications, and further research is required to test all the hypotheses associated with it.

