

remembered his letter writing usually took place in those few moments stolen by sheer force of will from much-needed sleep.

The men's relationship with Maggie revealed through William's letters is intriguing. It is truly unfortunate, and telling, they did not think her letters worth saving. William is constantly urging Maggie to write longer, more detailed letters. The lifeline they created was made painfully clear. In one dated 4 February 1884, after admitting it was not uncommon to wear four socks at a time in his moccasins, William declared he would rather she sent a letter than a pair of socks any day. While they do seem to miss her and sincerely want her to come to Manitoba, their entreaties to do so are often coloured by a description of what she could do for them. They wanted a woman to relieve themselves of the housework, and that was that. William frequently asks Maggie to send newspapers, music books, violin strings, and many other sundries. When received, they were often met with reluctant appreciation, and Maggie was reproached for being a few pennies short on the postage or for picking music not quite to his tastes. Perhaps these letters, which Maggie obviously gleefully shared with her female friends, give an indication of why there was a paucity of single young women on the settlement frontier. Maggie, a teacher, quite enjoyed her independent life. She had no desire to be a housemaid. William's descriptive letters, containing as they did numerous accounts of the fierce weather, nearby bears and howling wolves, including a tale of one old brute trapped by a neighbour whose fangs William noted were longer than his forefinger, would not have tipped the balance in immigration's favour.

The letters are thoughtfully and unobtrusively annotated using footnotes. Would you have guessed, for example, that the wild turkeys William refers to at one point were probably Sandhill cranes? The introduction provided by the editors puts the letters in their historical context, and draws comparisons with the wide body of published pioneer narratives. *My Dear Maggie ...* is an informative addition to that literature that goes beyond a relating of daily triumphs and defeats. William Wallace takes us on his personal journey from immigrant to citizen, a journey awakened by his growing attachment to his new landscape.

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*Manitoba's Métis Settlement Scheme of 1870*, by Paul L.A.H. Chartrand.  
Saskatoon: Native Law Centre, University of Saskatchewan, 1991. Pp. 233.

In the late 1970s the Manitoba Métis Federation began a program of historical and legal research focussed on the experience of the Métis in that province. Tangible results of this program became apparent a decade later and include D. N. Sprague's *Canada and the Métis, 1869-1885* and the *Dumont* case. The former, based largely on research conducted for the Manitoba Métis Federation, provides a moving account of the often sad history of the

Métis during Canada's early years and constitutes little short of an indictment of official Canadian policy — and of Sir John A. Macdonald, in particular — held to be directly responsible for virtually every misfortune the Métis suffered. The latter, the result to some extent of the same historical research, is a case brought by the Manitoba Métis Federation against the federal government, seeking to see a land base established for the Métis.

The *Dumont* case — likely to be renamed soon since Mr. Dumont was recently named the Lieutenant-Governor of Manitoba — has raised a number of extraordinarily complex legal issues and so seems likely to remain before the courts for the foreseeable future. By its nature it has required the federal government to engage in its own program of research. One result of this is T. Flanagan's *Métis Lands in Manitoba* (based on research commissioned by the federal Department of Justice). Flanagan is highly critical of Sprague's conclusions, presenting the federal government as diligent, fair-minded and inclined to be overly-generous, and the free market (that is, land speculators) as having had an altogether beneficial effect on the recipients of land grants in Manitoba. This on-going historical debate (and others besides Sprague and Flanagan have been participants) and the associated legal dispute are the environment in which Paul Chartrand's *Manitoba's Métis Settlement Scheme of 1870* must be situated.

Chartrand's study, primarily, and more successfully, a study of law, is a reworking of the master's thesis he submitted to the Law School at the University of Saskatchewan. It explores the meaning and implementation of section 31 of the *Manitoba Act, 1870*. It acknowledges Sprague's work as its historical base (Flanagan's book was published in 1991 so it is unlikely that Chartrand could have had access to it) and is founded on the law as it was in 1988. It will be of value to those interested in the legal history of aboriginal rights in Canada generally, and in the history of the Manitoba Métis in particular.

The starting point is section 31 of the *Manitoba Act, 1870*, which Chartrand says embodied a "fast-track" version of existing practices to extinguish Indian title. Adjusted "to accord with the unique circumstances" of the Métis, the section provided for 1.4 million acres of land to be set aside "for the benefit of the families of the half-breed residents." Having identified the purpose of the section Chartrand proceeds, in the second chapter, to identify the beneficiaries of this plan, and, relying on the purpose of the section to interpret its terms, he suggests a much larger number of beneficiaries than has often been proposed. This "purposive" approach to interpretation also characterizes the third chapter, which examines the selection of lands to be distributed, and the fourth, which argues that the purpose of the section could only have been accomplished by a "gradual, regulated land settlement scheme": in effect, by the federal government administering Métis lands very much as it has lands given to Canada's Indians by treaty. Chapter five explores some of the implications of constitutional status of section 31 and touches briefly on the question of group rights. Chapter six



recapitulates the government's many faults and suggests the route which ought to be followed in rectifying these long-standing grievances.

Readers who lack legal experience may be a bit disturbed by the general tone of the work — it strongly and knowingly advocates the Métis position at law — and the sometimes seemingly esoteric legal arguments, but this should not prevent them from taking advantage of the author's careful presentation of those arguments. It should, however, alert them to the need to read critically the evidence and reasoning presented.

For example, there are certainly elements in the historical sections of Chartrand's work which will not meet with the approval of all readers. There are those who will not be persuaded that Parliament intended "as one of its larger constitutional objects, the cultural survival of the Métis people, notwithstanding its policy of providing lands for all to whom the racial term "Half-Breed" might apply" (p. 31). Such an assertion would seem to depend largely on one view of the working of the *Manitoba Act*, 1870, and would appeal to few who are not lawyers. And the statement, made after referring to the Quebec Conference of 1864 which preceded Confederation, that "No lesser status can be accorded to the negotiations between the convention's delegates and the Canadian ministers for the interpretation of the *Manitoba Act*" (p.131) is equally unlikely to be universally accepted. If nothing else, the contexts of these two debates were fundamentally different. But these and like criticisms do not go to the heart of Chartrand's work or to its value, which is its analysis of the legal dimension. His meticulous consideration of every phase — and nearly every word — in the relevant sections of the *Manitoba Act* provides an excellent introduction to their interpretation. And even if the interpretations presented are not persuasive in every case — and are in many cases subject to eventual adjudication by the courts — the perspective offered is always interesting and accessible to the careful reader.

The reviewer regrets, however, that the discussion has not been carried further on at least two points. First, inherited group rights inevitably conflict with individual rights, and, though this is acknowledged in chapter five, the author largely fails to explore the practical problems raised. It is unfortunate that he did not take the opportunity to add more fully to his analysis in the present work. And second, after listing the government's numerous breaches of legal obligation — they are listed under fourteen (!) headings — Chartrand concludes by suggesting that negotiations between the government and the Métis will provide the most satisfactory remedy. This rather abrupt ending, holding that constitutional rights are in some fashion negotiable, certainly merits further explanation, and it is to be hoped that the author will address this issue in the future.

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