

The X files

BY SIGNING APPLICATIONS FOR LAND GRANTS,
WERE THE PRAIRIE METIS DRAWN INTO ONE OF THE LARGEST
PROPERTY SWINDLES IN CANADIAN HISTORY?

BY LINDA GOYETTE

LUCIA JANVIER SIGNED away her inheritance three times: once with an X, once with a wobbly cross and, the next day, in the handwriting of an educated woman. We are asked to believe that each mark is valid proof of her informed consent.

One woman with three different signatures? A spark of doubt is the point of departure for an investigation of the truth and lies, promises and swindles, in the transfer of more than five million acres of land in Western Canada a century ago.

A young woman is peering over Janvier's shoulder, watching every move of her hand as she leans over the first document on the table. Nobody in Portage La Loche, Sask., on July 11, 1907, can see this stranger: not Janvier, not Commissioner Thomas Borthwick, not the Dene translator, the priest, the gang of scrip speculators, not even the children playing in the sunlight outside the commissioner's canvas tent.

Janvier is about to sign an application for Metis scrip, a government certificate that will entitle her to 240 acres of land for herself and her only son, two-year-old Pierre. The document is intended to extinguish her aboriginal title in the remote territory.

The invisible witness looking over Janvier's shoulder is Nonnie Jackson. She lives in our own century. She is examining Janvier's first signature in a computer lab in Edmonton. At 27, Jackson is a seasoned researcher at the University of Alberta and a member of the Whitefish Lake First Nation. She quickly clicks to the next document in the database, then the next.

"Look," she says, pointing to the third Janvier signature

on the computer screen. "One day later, she can sign her name perfectly?"

Her skepticism will be our compass. She offers no answers, only an infinite number of questions to guide us through a confusing landscape.

Jackson works for the MatriX Project. The X in MatriX stands for a scrawled signature — and an unravelling mystery. The detectives are Frank Tough, director of the School of Native Studies at the University of Alberta, and a team of researchers in the Metis Aboriginal Title Research Initiative. Tough is a historical geographer, a quiet man with the intense curiosity that fuels all scholarship, and the limitless patience that sustains it. He has explored Metis history in books and articles and has contributed significant research to the Royal Commission on Aboriginal Peoples. Since 1999, he has trained 15 students and young academics in the pursuit of a widely forgotten Canadian story.

Tough and his colleagues are following a paper trail to a new understanding of Canada's complex transactions with the Metis in the late 19th and early 20th centuries. They are searching government scrip registers, census lists, scrip coupons, Hudson's Bay Company post journals, scrip transfer records, church records, surveyors' diaries, drawings and maps. They are checking signatures on hundreds of files, and digitally charting their findings. What they have documented in great detail so far is that few Metis ended up with land the scrip system was supposed to deliver to them, that many of the transactions appear to have been fraudulent and that those who benefited most were the speculators who travelled with government-appointed scrip commissioners, as well as the politically connected bankers, lawyers and businessmen who stood behind them.



Between 1885 and 1925, scrip commissions, such as this one camped at Sturgeon River in what is now Saskatchewan, travelled to Metis villages to award residents land grants in exchange for extinguishing their aboriginal title to territory they occupied in Western Canada. But the process was undermined by speculators who accompanied the commissioners and ended up with the lion's share of scrip land.

LUCIA JANVIER's indigenous ancestors lived in the boreal forests of what is now northern Saskatchewan for generations before the arrival of European fur traders. Her family traced its roots to early fur trading posts in the remote northland.

Trader Thomas Frobisher set up the first local post at Île-à-la-Crosse, in what is now Saskatchewan, in 1776. While the North West Company competed with the Hudson's Bay Company for furs, the company men competed for the affections of indigenous women in the area. Couples started families. Families created communities: Île-à-la-Crosse, Buffalo Narrows, La Loche, Green Lake, Turnor Lake, Beauval and many others.

If the application received approval, the claimant would eventually be given a coupon for either land scrip, which was valued in acres, or money scrip, which was valued in dollars but had to be used to acquire land.

Canadian regulations stipulated that the scrip coupons could be applied only to surveyed Dominion lands open for homesteading. To obtain the land, a Metis applicant had to appear in person at an established land-registry office. But when Canada offered scrip to Janvier and her people, there wasn't a metre of surveyed land in northwestern Saskatchewan nor was there a local registry office. Scrip coupons for land were next to useless to the northern Metis, unless they abandoned their homes and moved hun-

'I was to act as an independent buyer, and was given \$5,000 in a canvas bag,' recalls one scrip speculator.

At the beginning of the 20th century, Joachim Janvier and Adelaide Malboeuf — Lucia's Metis parents — lived much the same way as the Cree and Dene of their region. They hunted, fished, trapped and gathered food as their people had always done. The Metis worked as freighters in the fur trade. They intermarried with Cree and Dene.

The Hudson's Bay Company did not consult these indigenous Westerners when it transferred its vast territory, Rupert's Land, to Canada in 1870. Following that transfer, the Government of Canada dispatched commissioners to the West to settle its legal ownership of the land with the indigenous inhabitants of the region. The commissioners collected signatures on two kinds of documents: collective treaties for Indian bands and scrip applications for Metis individuals. First in what is now southern Manitoba and later across the prairies, the Dominion government offered land or money scrip to the Metis. The Dominion Lands Act of 1879 states Canada's clear intentions: "To satisfy any claims existing in connection with the extinguishment of the Indian title, preferred by half-breeds resident in the North-West Territories ... by granting land to such persons, to such extent, and on such terms and conditions, as may be deemed expedient."

Expedient, it was. To obtain scrip, Metis individuals were obliged to make an application before one of the scrip commissioners travelling through the region. They would be questioned on their birthplace, whether their parents were "half-breeds," their marital status, whether they had ever made such an application before, and so on.

dreds of kilometres to the south or sold the scrip for cash to the speculators who travelled, conveniently, with the commissioners.

Did Janvier sell her inheritance? How much is a homeland worth?

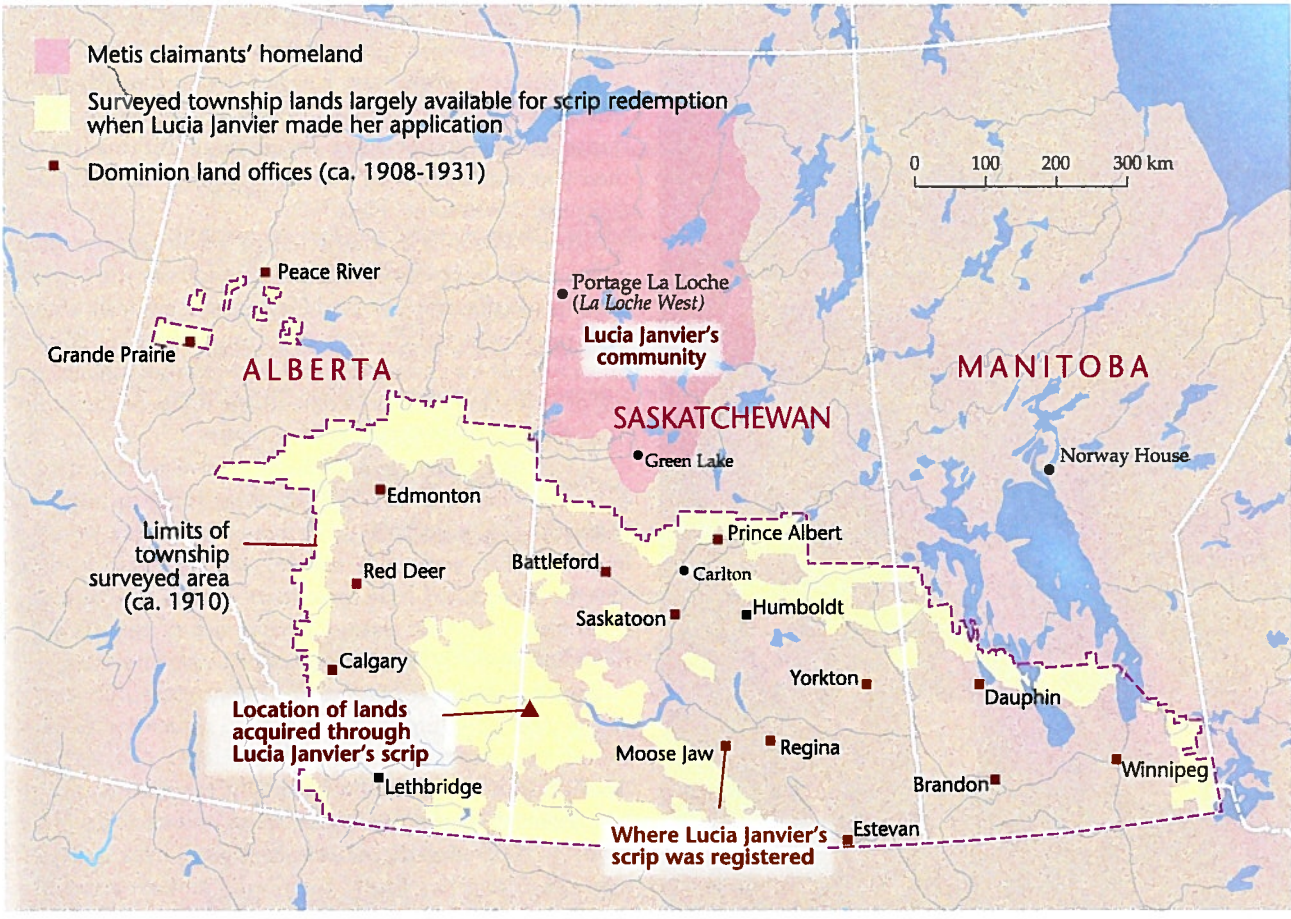
TOUGH doesn't try to answer these questions. His assignment is to nail down what happened. "Not all the evidence is in," he says, "but I don't think it's a process that can be seen as one of the prouder moments in the history of Canada and its relationship with aboriginal people."

Tough's MatriX Project is an act of scholarship and an ambitious endeavour in public education, but it began as a research assignment to support a massive Metis land claim in northwestern Saskatchewan. In March 1994, 34 Metis elders and leaders from 19 communities sued the Governments of Canada and Saskatchewan, alleging "the scrip system was a sham that was never designed to convey benefits on Metis people." Instead, they argued, it left them landless and poor, on the margins of Canada's political and economic life. In the lawsuit, they are claiming aboriginal title to the land they inhabit, the right to self-government and unnamed damages. They say that the Metis of the Treaty 10 region in northern Saskatchewan are a distinct people who still occupy and use the land and resources their families held before 1870.

In reply, the Government of Canada has argued in its own court filings that the Metis acceptance of scrip certifi-



STEVEN FICK/CANADIAN GEOGRAPHIC. SOURCE: F. TOUGH, L. DORION, A STUDY OF TREATY TEN AND TREATY FIVE ADHESION SCRIP, 1993



cates for land or money extinguished Metis aboriginal title, if such a thing ever existed. To help resolve the suit, lawyers for the Metis and the Governments of Canada and Saskatchewan explored the idea of a joint fact-finding project, but the plan faltered. The Metis suggested the project be led by Tough, who had already conducted substantial research on the Metis scrip system for the Royal Commission on Aboriginal Peoples (RCAP). Eventually, Ottawa and Saskatchewan provided funding to the Metis Nation-Saskatchewan to address problems raised in the RCAP report. With that money and another \$87,000 from the Metis National Council, \$387,000 was given to the University of Alberta to fund Tough's research.

When Tough launched the MatriX Project in 1999, he already had some sense of the magnitude of the task. He knew the Government of Canada had processed applications for more than 24,000 Metis in Manitoba, Saskatchewan, Alberta and the District of Mackenzie between 1870 and 1925. He knew the land and money scrip had a land equiva-

Lucia Janvier marked her X on a scrip application at Portage La Loche (ABOVE) in July 1907. Three years later, someone appeared in the land office in Moose Jaw to redeem her scrip for property near the Alberta-Saskatchewan boundary.

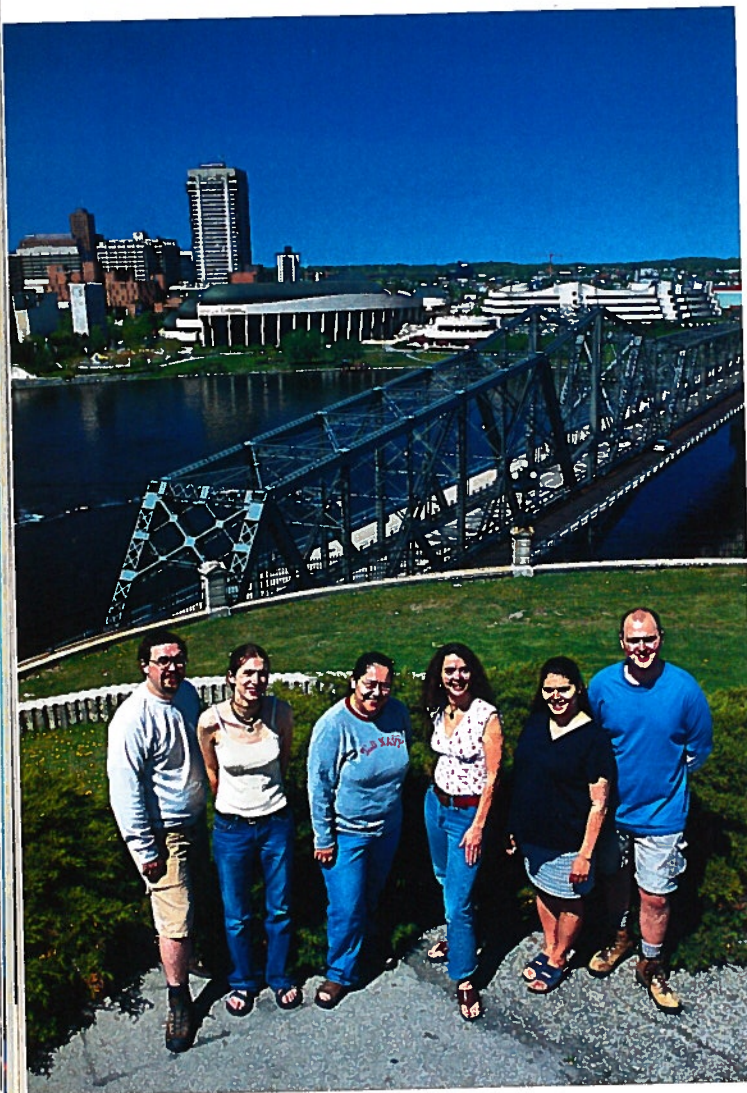
lent of 5.4 million acres across the West.

The Department of the Interior kept meticulous ledger books, noting every transaction. Each scrip application produced a hurricane of paper. Civil servants packed hundreds of cardboard boxes full of scrip certificates, letters, telegrams, registers, commissioners' reports, surveyors' notebooks and maps — all preserved in the National Archives of Canada in Ottawa — but filed, damnably, in roughly chronological order and not always by location.

How do you begin to assemble a jigsaw puzzle when most of the pieces have been taken out of the box and scattered all over the house? You get down on your hands and knees and hunt for the corner pieces.

The corner pieces are the scrip coupons.





The **MatriX** researchers who visited Ottawa (from left: Paul Hengstler, Katie Morrison, Sara Cardinal, Valerie Knaga, Nonnie Jackson and Aaron Wilson) are either students at, or employees of, the School of Native Studies at the University of Alberta, whose director is Frank Tough (RIGHT, with Jackson).

"It looks like money, that was my first thought," says MatriX researcher Sara Cardinal, remembering the first blue-green scrip coupon she touched. The coupons could have been crisp \$20 bills or oversized Monopoly money. "Most of them felt as if they'd been made yesterday."

Tough has led three research trips to Ottawa since 1999.

"It's very labour-intensive," he explains, "because of the complexity and the amount of the record." On last spring's trip, nine MatriX researchers arrived at the Archives every morning at 8:30 a.m. and worked until closing time at 9:45 p.m. They took one day off to explore a national capital most of them had never visited before.

Tough assigned Cardinal to verify some 600 entries in the scrip-coupon database. Each application is checked as many as three times for missing details. He sent Valerie Knaga and Katie Morrison to the Legal Surveys Division of Natural Resources Canada. Their job was to comb the

records of government surveyors who travelled through the claim region between the late 1800s and the 1920s.

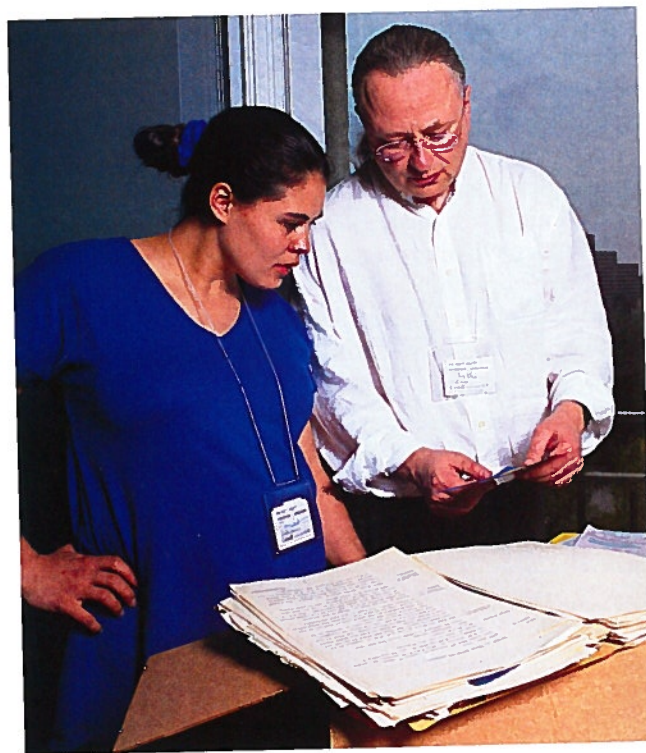
"It's draining work," says Knaga. "It goes through a slight redium, where you're going through things, trying to find things, this mound of paper, this maze of information, and then you find something you were looking for, and there's this rush, this absolute high."

Aaron Wilson was instructed to verify transfer documents in 50 boxes for a database that follows the activities of scrip speculators. And Paul Hengstler, a graduate student in history, was tasked with examining Britain's colonial office records for clues about the contemporary understanding of sovereignty in the West and the rights of the indigenous people.

"The level of concentration you have to maintain to make sure you don't overlook anything is exhausting," says Hengstler. "The first five or six hours of the day would go by so quickly, and you'd realize, 'It's two o'clock, and I haven't eaten, and I have these fuzzy eyes.' I was looking at microfilm the whole time. I'd come out of the microfilm room and be like a bat coming out of a cave into the light."

For all their weariness, each of the researchers experienced that "absolute high" of a fresh discovery. Cardinal found a government file that included a civil servant's description of scrip and how it might be used. Knaga and Morrison found the notebooks, maps and sketches of surveyor J. H. Bourgeois' travels between Green Lake and Carlton. Hengstler found previously unseen correspondence about the Metis rebellion.

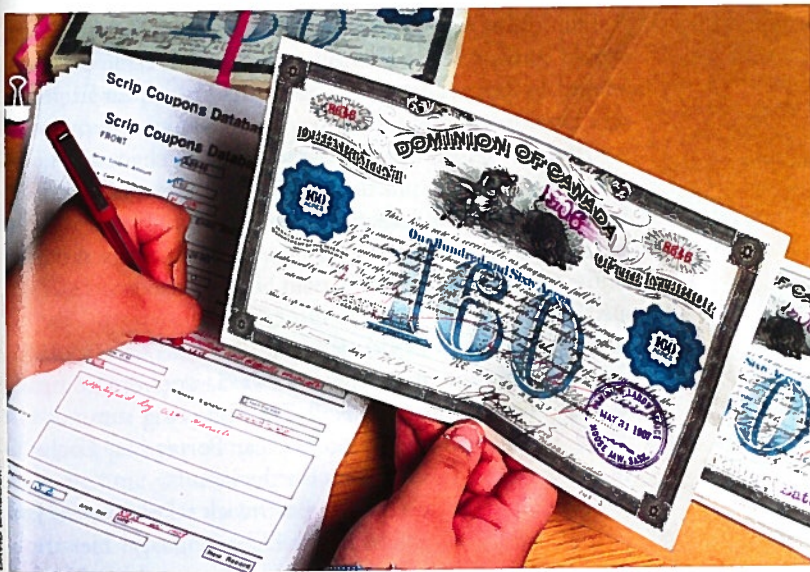
Over the past four years, the team has zeroed in on 712 Metis scrip claims, representing 1,163 individuals associated with the claim region. On their computer screens, they are also watching the activities of scrip buyers, identifying them



BOTH: DAVID BARBOUR

I, Lucia Janvier within named,
 make oath (or declare) and say that the within answers given by me are true in every particular. So help
 me God.
 Sworn (or declared) before me, at Portage Lucia ^{her} ~~mark~~ Janvier
La Loche this 11
 day of July A. D. 1907
 having been first read over and explained in the
Chippewyan language to the deponent, who
 seemed perfectly to understand the same.
John Potholick
Commissioner

I, Joseph Janvier of Portage la Loche
 make oath (or declare) and say that I know Lucia Janvier, who has
 made oath to the correctness of the within answers, and so far as his answers to questions numbered
1 to 21 are concerned, I know them
 to be correct, and so far as the remainder are concerned. I believe them to be true and correct in every
 particular. So help me God.
 Sworn (or declared) before me, at Portage his
La Loche this 11 Joseph X Janvier
 day of July A. D., 1907 mark
witness Awdell



conscientiously believing it to be true and knowing that it is
 true and by virtue of "THE CANADA EVIDENCE ACT, 1868"
Witnessed by Sadore
her
Lucia Janvier
mark
 190
 a. 5h.
 subscribed by name, this nineteenth
 10
Lucia Janvier

The crisp X-mark Lucia Janvier made on her scrip application on July 11, 1907 (TOP), bears no resemblance to the shaky cross (ABOVE RIGHT) that appeared on her Jan. 18, 1910, application to redeem a scrip certificate (ABOVE). Even more astonishing, 24 hours later, she allegedly signed her full name (RIGHT) to a document transferring her 240 acres of land to speculator Frank Mason.



Divided by treaty

The MatriX Project is investigating the history of some 17,000 Metis who live in 19 villages (ABOVE, in shaded area) in northwestern Saskatchewan. They are the descendants of early European fur traders and the Dene and Cree women who started families with them. In most of the villages, 90 percent of the population is Metis.

They speak English and Dene or Michif, a combination of Cree or Dene and French, and many are as fluent in aboriginal languages as are their roughly 3,000 First Nations neighbours with treaty status on five nearby reserves. Their elders hunt, trap and fish as proficiently as do the elders with treaty rights.

Many Metis families have intermarried with local First Nations families so often over the generations that their way of life is indistinguishable from that of cousins with treaty status. They share the same enduring attachment to the same traditional territory, but they choose to identify as Metis.

The vast majority of the population of northwestern Saskatchewan was classified as "half-breed" in the 1901 census. In 1906 and 1907, more people applied for land and money scrip than accepted treaty status under Treaty 10.

"The stories were kept alive by the old people," says Allan Morin, whose grandparents were scrip recipients in Île-à-la-Crosse, Sask. "Some would tell us the families gave the scrip to the church or the Oblates or Revillon Brothers [fur traders] to hold in trust. They are still waiting for their money to this day."

Morin leads the northwest land-claim committee for the Metis Nation-Saskatchewan. For the past four years, researchers have interviewed elders in the communities and mapped their traditional life — their genealogy, travelling routes, place names and hunting, trapping, fishing and gathering areas.

The Metis want compensation for lost land, the right to self-government and recognition of aboriginal title.

L.G.

and mapping their land acquisitions across the West.

Team members share more than a need to know. "There is a sense that justice needs to be done," says Cardinal. "I think it's important that this knowledge gets out there, that people know exactly what happened."

Nonnie Jackson says a visit to the descendants of the scrip claimants inspired her to work harder to find the truth. "You make a human connection with the people," she explains. "This is someone's life. For every new thing you find, you ache for more time."

SEPTEMBER 1906. A violent storm tosses a few small boats across the choppy waves of Buffalo Lake. Commissioner J. A. J. McKenna is on his way north to sign Treaty 10 with the aboriginal bands at Portage La Loche (now known as La Loche West) and to collect applications for Metis scrip. He is travelling with 36 men, 26 of them scrip buyers from as far away as Winnipeg, Calgary and Edmonton.

Water swamps the boats. The men survive the trip, but they lose baggage, books and supplies overboard. The *Prince Albert Times* reports another loss in its account of the storm: "Everyone carried considerable money."

A young Winnipeg law student, W. P. Fillmore, would later write about his experiences as a scrip buyer on the trip. A man he identified as "Mr. X" had asked him to accompany the scrip commission. "I was supposed to act as an independent buyer," Fillmore writes, "and was given \$5,000 in a canvas bag, which I carried in my hip pocket."

The speculators had a gentlemen's agreement, he continues. "Right at the start, the scrip buyers got together and decided that it would be foolish to indulge in any competitive buying. It was further decided and agreed that the price to be paid for scrip would be \$1 an acre."

Fillmore says he wondered at the time how the buyers would convince the Metis seller to go south to file the documents. By law, a Metis scrip holder had to appear in person at a Dominion Land Office to convert a coupon to property.

"After my return to Winnipeg, I made some inquiries, and I was told that the practice was for the holder of a scrip to pick out some local Indian or half-breed and take him to the Dominion Land Office and present him as the person named in the scrip." In short, they would hire impersonators.

JOACHIM JANVIER applies for land scrip in 1906, but his married daughter Lucia doesn't accompany him because she is ill. The following summer, she travels from her home near Portage La Loche to meet Commissioner Thomas Borthwick.

Listening to an interpreter, Borthwick takes notes as Janvier answers his questions in the Dene language. Her application survives in the public record. She says she is 25 years old and married to Samuel Janvier. Her first child, Narcisse, died in infancy. She applies for scrip worth 240 acres for herself and her toddler son, Pierre. She signs her X.

Only nine scrip buyers accompany Commissioner Borthwick on this trip, but they are competitive and scrappy. In a

letter to his superiors in Ottawa, Borthwick has already described them as “an annoyance.” Four buyers later send affidavits to the Department of the Interior alleging that Bishop Pascal of Prince Albert and A. T. Benard of the Revillon Brothers fur-buying company are working together to cut out the competition. One Fort McMurray buyer protests that Janvier and other local Metis had promised him their scrip until the local priest, Father Pinard, intervened. Janvier and the others subsequently ask that their scrip be delivered to Bishop Pascal. In response, the federal authorities deliver scrip directly to Janvier’s home in 1909.

Perhaps the young woman sells her scrip at this point for an unknown sum. Perhaps she doesn’t. Her name disappears from Canada’s ledger books for a full year.

MatriX researchers tracked the speculators from Janvier’s cabin door. Bishop Pascal and Benard collected 94 of the 202 accepted claims in the vicinity. Other buyers scooped the rest. Scrip passed through many hands before it was redeemed for real land.

“A noticeable amount of the Treaty 10 [area] scrip was delivered to the church,” Tough explains. “If the Oblates would give us access to their [archival] material, we might know whether it was held in trust or whether it went into the local church coffers.”

Tough speculates that the church’s land scrip was eventually sold or incorporated into its own land holdings. Someone signed the wobbly cross mark above Janvier’s name on January 18, 1910, at the Dominion Lands Office in Moose Jaw — 710 kilometres from Janvier’s home as the crow flies, a trip that now takes almost nine hours in a car on highways that didn’t exist in 1910 — to redeem her scrip coupon for land. And then, a day later, someone signed Janvier’s full name in cursive handwriting on a document transferring ownership of the land she acquired to real estate agent Frank E. Mason of Lethbridge, Alta.

Someone in Canada today owns 240 acres — two parcels of prairie land tucked just inside the Saskatchewan border, directly east of Calgary — courtesy of a Metis woman who never saw the farm her X-mark bought.

SPECULATOR is a sleazy word. In 2003, it is convenient to imagine the scrip buyers as the carpetbaggers of the Canadian West, a minority of sharpies on the edge of a frontier economy with an eye out for the quick buck. In truth, scrip buyers were the respected gentry of the early Prairies: bankers, doctors, Members of Parliament, lawyers, hotel keepers, clergy, store owners. They flipped the scrip repeatedly over many years. Metis scrip became valuable currency. A smaller group of syndicates assembled scrip for sale in parcels. In this way, Metis land scrip approved in Churchill, Man., could eventually be redeemed for rangeland in southern Alberta. One white Westerner willed scrip to his descendants. Tough found a reference to scrip in government files as late as 1946, in a letter from Manitoba Court of Appeal Judge S. E. Richards, who was trying to redeem his scrip a little too late.

Researchers on the MatriX Project have traced 706 scrip



GLENROW ARCHIVES/NA-2788-9

North West Mounted Police Superintendent Gilbert Sanders (ABOVE) was based at Athabasca Landing, Alta., in 1910 when he advised his superiors that scrip was being issued in the name of Metis who knew nothing about it. “Scandalous stories of the manner in which scrip has been handled have been rife in this country,” he wrote. Rather than being urged to investigate, he was told not to take any action.

coupons associated with northwestern Saskatchewan to 19 scrip buyers. They listed their addresses on government documents. Scrip from the remote region flowed through the hands of speculators in Winnipeg, Edmonton, Calgary, Montréal, Saskatoon, Medicine Hat, Regina and Lethbridge. One buyer listed an address in Lucknow, Ont. Another was in Coaticook, Que. Another in New York City.

Frank Mason, the Lethbridge realtor who acquired

Janvier's scrip, was one successful businessman. He collected Metis scrip in northwestern Saskatchewan and Alberta worth 19,234 acres at face value alone. Less than one percent of the total land scrip resulted in property ownership for Metis inhabitants of the region. The same pattern holds across the West.

Impersonating a Metis individual to obtain scrip land and forging a signature were punishable under the Criminal Code from the beginning. Punishable, but not punished. Few cases sparked criminal charges. In 1921, charges were laid against an Edmonton businessman for bribing a woman to impersonate a legitimate Metis claimant at the Dominion Land Office. The gentleman had paid the woman in full — \$10 in coins and a new shawl — to file the 240-acre claim and turn it over to him. A little over a month later, the charges were dropped because of new retroactive legislation from Ottawa. In 1921, the Government of Canada amended the Criminal Code to put a three-year time limit on "offences relating to or arising out of the location of land which was paid for in whole or in part by scrip." Sir James Lougheed, grandfather of a future premier of Alberta, defended the bill in the Senate. He had Metis family connections, but he spoke for the majority of his white contemporaries.

"There were a good many irregularities amounting to fraud and perjury in connection with the location of these lands," he said in 1922, "and parties are raking up these frauds for the purpose of blackmailing."

Tough has found no evidence that the Metis were blackmailing white speculators. "My explanation would be that there were many improperly located land-scrip coupons," he says, and the federal government knew it. Some Canadians had been objecting to the irregularities of the scrip process and calling for a Royal Commission to investigate. But politicians weren't eager to unravel the complications of alleged land swindles or to confront the prairie gentry that

had put them in office.

"No other category of Dominion lands had a time limit on fraud," Tough adds.

White pioneers and their descendants could appeal to the courts to protect every inch of their homestead land, but Canada decriminalized scrip fraud that exploited the Metis people and disinherited their descendants.

FEW CANADIANS have encountered more than a dozen paragraphs on Metis history in school textbooks in the decades since Janvier signed her X-mark. What has been published has been short, sweet and sanitized. If students took away any knowledge at all when the bell rang, they would have remembered a story that smoothed away the wrinkles in their country's reputation.

Debate among Western Canadian historians about the rights or wrongs of Metis scrip has been inconclusive. The handful of historians who have probed the issue have been engaged as paid consultants by either the federal government or the Metis. University of Calgary political scientist Thomas Flanagan, for example, has been one of Ottawa's consultants for legal disputes on land claims. He argues that the Metis made a logical choice in a fair system.

"No one made them sell; indeed, there is much evidence that they eagerly sought out buyers," he writes in *Metis Lands in Manitoba*. Flanagan says the scrip system offered real benefits in the market economy. "The much-maligned speculators were in fact benefactors of the community ... the policies of the Dominion government had created a land lock on the boundless prairies."

On the other side of the debate is Doug Sprague of the University of Manitoba, who has worked as a historical consultant for the Manitoba Metis Federation. He has described the administration of Metis scrip in Manitoba as nothing short of "government lawlessness." He argues

Red River to Batoche

There have been mixed-blood families in North America from the first years of European settlement, but it wasn't until the early 1800s in Manitoba that the Metis emerged from the mists of Canadian history as a distinct people and a political force. They were buffalo hunters and provisioners to the fur trade and occupied lands in the Red River valley.

The first Metis rebellion in 1869-70 began after the Canadian government decided to open Metis territory to white settlement. Metis representatives travelled to Ottawa to press their case. The negotiations concluded with the federal government passing the Manitoba Act, which promised to set

aside more than 1.4 million acres of land for them. This was the beginning of the scrip system. According to the Royal Commission on Aboriginal Peoples, scrip simply "created opportunities for unscrupulous land agents and even government officials to defraud Metis landholders. The activities of Robert Lang, a federal official who extorted bribes for prompt settlement of Metis claims, were known to Prime Minister [Sir John A.] Macdonald by April 1883, but Lang remained on the government payroll for a further two years and was never prosecuted."

In the decade after 1870, many Metis families despaired of obtaining a fair land settlement and abandoned southern Manitoba to move west and north, often joining existing communities. Again,

white settlement followed. Metis frustrations multiplied, and Ottawa once more promised them land in the form of scrip when it passed the Dominion Lands Act in 1879 for the territories that would one day become Manitoba, Saskatchewan and Alberta. Although Ottawa's scrip offer meant immediate cash for many Metis, it did not satisfy aspirations for self-rule and it delivered almost no land to Metis families.

In 1885, the frustrations exploded again. Under the leadership of Louis Riel, the Metis fought their last armed insurrection against the Government of Canada. Defeated at Batoche, Sask., Riel was hanged, and it would be more than 50 years before new Metis leaders would emerge to press for land and other claims for their people.

L.G.

that the Canadian state was fully implicated in the marginalization of Canada's original inhabitants after 1870.

"Who were the villains?" he asked in a recent article, challenging his colleagues to reach a conclusion. "Who were the victims?"

Tough works under contract for the Metis Nation of Saskatchewan and the University of Alberta. Like Flanagan and Sprague, he considers himself a historical investigator and educator. Although he says he has made it clear to funding bodies and others that he is not a political activist for a partisan cause, academic granting agencies have been slow to finance scholarly research on aboriginal land disputes. He questions that reluctance in a nation which requires reliable information about historic grievances, evidence that might lead to reconciliation.

Scrip sales fed the western economy and assisted a group of middlemen and their banks, not the Metis.

Tough is preoccupied with the question of Canada's motivation for scrip. He says the evidence he and his team have assembled so far shows that the federal government was eager to develop the West and used scrip as a means of turning public Dominion lands into private property, increasing the land value along the way. Scrip sales fed the Western economy and assisted a small group of middlemen and their banks, not the Metis themselves.

Tough will devote the coming year to a detailed analysis of the MatriX findings. He wants to understand the complex relationships between the scrip speculators and Canadian banks and to explore the tangled web linking speculators, syndicates, real estate developers, civil servants and politicians.

"I think the average person's reaction, when he or she finds out how this scheme worked, is going to be dismay."

Funds for the MatriX Project are dwindling. Last July, the federal government and the Metis National Council agreed to "exploratory talks" on the issues at stake. The Metis of the three Prairie provinces are also exploring the possibility of joint litigation. Through 2003, lawyers will review the MatriX databases, analyze the information and recommend the next step.

ON A SATURDAY MORNING in Edmonton, Clem Chartier is reviewing a statement of claim that is almost a decade old. Long before he was a lawyer or the president of the Metis Nation-Saskatchewan, Chartier was a university student from Buffalo Narrows with the same intense curiosity, the same idealism, that motivates the MatriX researchers today. His own family members, Jeremie and Anna Caisse, had applied for scrip in 1906. Chartier travelled to Ottawa in 1976 with a delegation of Metis researchers to explore the scrip boxes in the Archives. They, too, thought they could change a government's fixed opinion with their hard work. When former Justice Minister Jean Chrétien wrote to

Saskatchewan Metis leaders in 1981 to say they had "no valid land claim in law," a younger Chartier remained hopeful that more informed negotiations would change the federal position in time.

The Constitution of 1982 promised full recognition of the existing rights of the Metis. Chartier joined the teams of lawyers who put the promise to the test with tough bargaining, then watched the collapse of the Charlottetown accord in 1992 with a growing sense that constitutional negotiations were leading nowhere.

"We realized it hadn't happened and it probably was never going to happen," says Chartier, "so that's why we proceeded through the courts."

The Saskatchewan claim hasn't yet reached court. Chartier takes a pen and puts check marks beside the names of

nine Metis elders and two leaders who have died since the lawsuit was filed. Will the remaining 23 live to see their grievance resolved in their lifetime? Will it be settled in his own lifetime? He offers no assurances, but he remains convinced of the validity of the claim.

"I think the federal government knew all along that the Metis were not benefiting, certainly not in terms of land," he says. "I think the evidence speaks for itself."

Canadians might consider other questions. Was Janvier informed in advance that she and the Metis of Western Canada were signing away permanent title to much more than a million square kilometres of territory? How much cash did she receive for her X-mark? Could she purchase anything of enduring value with this money? Was someone hired to impersonate her in Moose Jaw? Were the second and third signatures submitted in her name forgeries? Who benefitted from her signature, her share of the West's good fortune? Who benefits to this day? Who acknowledged her gift?

With substantive suggestions of widespread fraud — and a system that offered only distant land far from Janvier's homeland — can the Government of Canada continue to claim that the Metis scrip system permanently extinguished aboriginal title? Can the Canadian people? Answers to these questions hide in the darker recesses of a nation's consciousness. In the shadowy equations of Canadian history, X stands for the unknown. ♦

Edmonton-based journalist Linda Goyette investigated relationships between aboriginal peoples and other Canadians as the recipient of the Atkinson Fellowship in Public Policy in 2000. She is currently writing a new history of Edmonton.

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