

Senior 3 Canadian History Assignment #8 - Louis Riel

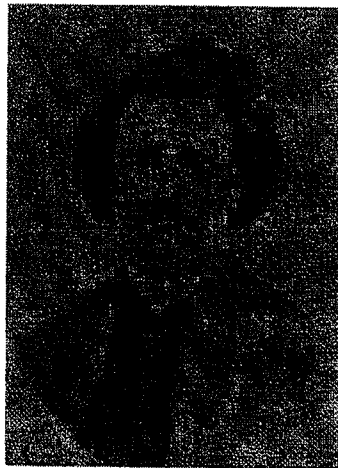
Instructions:

Using the articles given to you, write a one-two page response that answers the following questions. Note: You must use references in your writing. They are included in the information provided with the exception of article #2.

Questions to consider in your writing:

- 1) Why was Scott executed? Was this justified in your opinion or not?
- 2) Was the trial fair? Consider the time period, remembering other trials we have discussed.
- 3) Would the trial have been conducted in the same manner today? What would be some of the differences?
- 4) Was Riel right in executing Scott? Why or why not?

Marking out of 20: Each of the above worth 5 marks.



Article on Scott and Riel #1

<http://www.shsb.mb.ca/Riel/escott.htm>

On January 9, 1870, 12 prisoners including Charles Mair and Thomas Scott escaped from the Fort. On January 23, John Schultz managed to escape as well. On February 12, Riel freed the other prisoners on the condition that they not interfere with the politics in the Settlement. This initiative cooled the ardour of many, but the "Canadian" party continued its march on Fort Garry.

On February 18, Major Charles Boulton and his men, passing near the Fort, were arrested by Riel's men, 48 were captured, including Thomas Scott. Major Boulton was tried and sentenced to death, but the sentence was never carried out. After causing problems and attempting to escape, Thomas Scott was summoned to appear before a Métis court martial formed in accordance with the custom of the buffalo hunt and presided over by Ambroise Lépine, Louis Riel's lieutenant. The seven members of the court found him guilty of defying the authority of the Provisional Government, of fighting with the guards and insulting the President.

He was sentenced to death by a vote of five to two and the next day, March 4, 1870, he was executed by a firing squad. Although pressure was brought to bear on Riel to prevent the execution, he refused to be swayed. We can only wonder what motives prompted Riel to allow Scott's execution.

Was it an act of vengeance against Scott or fear of losing the respect of the Métis? Scott was an Orangeman who was fiercely anti-Catholic and Riel perhaps believed he would make an example of him. Whatever the real motive, this action excited much controversy. It forced Riel into exile and shook even his most ardent supporters.

Article on Scott and Riel #2

The business Thomas Scott

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condemned to death, but its sentence was never carried out. Thomas Scott, following problems and of an escape bid, had to appear before a court of Mongrel made up according to the habit of hunting for the bison, and chaired by Ambroise Lépine, lieutenant de Louis Riel. The seven members of the court admitted it guilty to have defied the authority of the provisional government, to have risen against the guards and to have insulted the president.

He was condemned to die by five votes against two and the following day, March 4, 1870, shot by a firing squad. In spite of the pressures at Riel to prevent the execution, this one was not let influence. One can only wonder about the reasons which pushed Riel to be let shoot Scott.

Was this revenge against Scott, or the fear of losing the respect of the Mongrels? Scott was a orangist, a violent one anti-catholic and Riel would have perhaps believed to make an example of him. Whatever the true reason, this action raised much controversy.

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Article on Scott and Riel #3

<http://library.usask.ca/northwest/background/riel.htm>

Louis Riel, a leader of his people in their resistance against the Canadian government in the Canadian Northwest, is perhaps the most controversial figure in Canadian historiography. His life and deeds have spawned a massive and diverse literature.

He was born in the Red River Settlement (in what is now Manitoba) in 1844. A promising student, he was sent to Montreal to train for the priesthood, but he never graduated. An attempt at training as a lawyer ended similarly, and by 1868 Riel was back in the Red River area. Ambitious, well educated and bilingual, Riel quickly emerged as a leader among the Métis of the Red River. In 1869-1870 he headed a provisional government, which would eventually negotiate the Manitoba Act with the Canadian government. The Act established Manitoba as a province and provided some protection for French language rights.

Riel's leadership in the agitation, especially his decision to execute a Canadian national Thomas Scott, enraged anti-Catholic and anti-French sentiment in Ontario. Although chosen for a seat in the House of Commons on three occasions, he was unable to take his seat in the house. In 1875, Riel's role in the death of Scott resulted in his exile from Canada. These years in exile would include stays in two Quebec asylums and the growing belief in Riel that he had a religious mission to lead the Métis people of the Canadian northwest.



Métis frontier justice
was regarded as
savagery in Ontario

The Trial Of Thomas Scott

A NOTORIOUS EXAMPLE OF LEGAL culture clash occurred during the "insubordination" trial of Thomas Scott. The Ontario Orangeman stood accused of conspiring against the Provisional Government formed by Louis Riel and his Métis followers. His trial, however, was conducted in a form completely foreign to the recent arrival from Ontario.

The Métis operated a justice system that was a mix of European and aboriginal experience. The Order of the Buffalo Hunt grew out of the need to maintain discipline on the important hunting missions sent out each summer and fall. It was a harsh

regime, but necessarily so: offences might put the success of the hunt in jeopardy, and with it, the survival of Red River during the hard winter months.

Infractions such as disobedience, stampeding the herd, theft and assault could be punished by a panel convened for the purpose. Penalties ranged from a reprimand, to flogging, destruction of kit and outright banishment (which was often tantamount to a death penalty out on the plains).

Scott, a hot-headed troublemaker from the time he arrived in Red River in 1868, cared little for Métis traditions. He made it clear from the

beginning that he held the French-speaking, Catholic mixed-bloods in contempt. Scott had a violent streak as well. As a labourer for the survey crew that was building the Dawson Road between Winnipeg and Lake of the Woods, he led a strike which culminated in an assault upon the crew's leader. For this, Scott was later fined by the local magistrate's court.

When the Canadian sector of the community challenged Riel's provisional government, Scott was in the forefront. The agitators were quickly captured and imprisoned, with most of his companions being released upon their oath to support the new

the execution of Thomas Scott outside the walls of Fort Garry.

government. But Scott refused to do this, and together with other malcontents, he used every opportunity to provoke and insult his captors. When Riel personally attempted to get Scott's co-operation, and was rebuked in coarse and insulting language, the Métis decided an example had to be set. If such a flagrant rejection of authority had taken place on the hunt, a summary trial would be held. It was decided by Riel's advisors that a court-martial should take place, alleging general charges against Scott of insubordination.

The Council, six in all, under the direction of Ambroise Lépine, convened after the afternoon meal. Joseph Nolin was clerk, who swore the witnesses. Several testified to Scott's rebellious behavior; that he had assaulted a guard and Riel himself. All of this was in French, which Scott could not understand. Riel translated a summary of the evidence, though Nolin somewhat sheepishly admitted that his notes were incomplete. Engrossed in the proceedings, he had left large gaps in his transcript, and apparently some of the witnesses had been heard in Scott's absence. Scott, while perhaps a bully and a fool, was not easily cowed. He refused to recognize the tribunal's authority. He condemned the Métis as miserable cowards who would not dare execute him, any more than they had dared to execute Major Boulton who was previously condemned but reprieved by Riel.

Then, Janvier Richot, one of the

jurors, stood up and announced that the allegations of sedition and violence had been made out, and that Scott's conduct called for the death penalty. All the others, save one, Baptiste Lépine, agreed by standing. Ambroise Lépine agreed with his brother that the sentence was too severe, but the others were resolute. Though the debate was in French,



Scott was regarded by most to be a belligerent bully.

Scott could tell that it was not going well for him.

Addressing Scott in heavily-accented English, Ambroise Lépine declaimed that the matter had been resolved against him, and that the judgement of the council was death. The stunned prisoner was led away.

Two Métis entered Scott's cell early the next morning, March 4,

1870, and he was led, squinting brilliant sunlight, to the execution site at Fort Garry. Blindfolded and he was forced to kneel in the snow. The firing squad nervously lined up. André Nault, captain of the squad, raised his hand, holding a balled-up handkerchief. When he dropped it, the muskets sputtered, and Scott fell in the snow, groaning but still alive.

Bystanders were aghast. One of the squad stepped up, held a pistol to Scott's head, and pulled the trigger, provoking more cries from onlookers.

Quickly, Scott was bundled into a rough board coffin; the thump of the body tossed around inside scandalized the watching crowd, and later gave rise to rumours that Scott was buried alive. Riel denied a request from the crowd for the coffin, fearing that his funeral would become a flashpoint for more opposition to his government.

As European trials go, it was a travesty; there were no formal charges, no counsel was afforded Scott, the proceedings were in a language foreign to the accused, and he was not able to mount any sort of realistic defence. No appeal existed, and the execution proceeded with indecent haste. Though it seemed important to Riel to make a

point with the Dominion government that his "governmental authority" would be "exercised in all severity," the execution was widely viewed as excessive and undermined the gains he had made for Manitoba. In the end, no other act was to count grievously against him.