

ments, the Half-breed settlements and the reserve till two o'clock on the morning of the 26th.

Q. Were you alone?—A. Part of the time. Part of the time H. Ross was with me.

Q. You posted a proclamation?—A. Yes, I posted a proclamation from Crozier, telling those who had been forced into rebellion that if they gave themselves into the charge of the police they would be protected. I posted those as far as Lepine's and back by the other road, in the most conspicuous places where I thought there would be a chance of their being seen, one in English and the other in French. I noticed in passing the road afterwards that these notices were nearly all torn down. I went over the road on the morning of the 26th, to see if the French Half-breeds were trying to intercept Major Crozier. Ross was with me. We were about the place where the battle took place. I was about thirty or forty yards on ahead of Ross, and an Indian suddenly jumped alongside of me and pointed his rifle or shot gun at my breast. I turned around to see if my partner was prisoner too. I saw that he was, and that there was some sixteen or twenty of them all armed, and, as he was captured first, I thought it was best to give up quietly.

Q. Who appeared to be the leader of the party?—A. Gabriel Dumont. There were about 16 or 20 of them, part Half-breeds and part Indians. We were taken to Duck Lake and put in the Telegraph office till the morning, and an armed guard was placed outside the building that night. Albert Monkman seemed to be in charge of Duck Lake at that time.

Q. How many men would be at Duck Lake at that time?—A. 80 or 100, that is, taking into consideration those who were acting as outside guard. In the morning we were removed upstairs, in what had been Mitchell's house.

Q. During that day did any more come in?—A. After we were placed upstairs, about noon or shortly before, a lot of Half-breeds and some Indians came from Batoche with the prisoner in command, that would be some time about noon.

Q. The accused was in command, how did you come to that conclusion?—A. That morning he interviewed me and Ross, and talked to us; he brought Bourget with him, he seemed to have control and asked the questions. I was down stairs afterwards for a few minutes, and I saw the prisoner beckoning to the men to fall in line, and they fell in line.

Q. He was giving commands?—A. Yes.

Q. After they were reinforced how many men had they altogether?—A. I should say about 400, taking both Indians and Half-breeds.

Q. How many Indians?—A. About 150 Indians altogether.

Q. Did you see any of the prisoners on the 26th?—A. Lash, Tompkins, Simpson, McKean and Woodcock were brought up into the same room. We heard some report of Mackay having come near the building, and being ordered back by Dumont. In the afternoon, looking towards the west, we noticed them running towards Carlton. Shortly after that, all that were there, except what I would call a fair sized guard, who remained around the building, went in the same direction. Shortly after the prisoners heard firing, I myself did not hear it, I heard the sound of a cannon, that is all I can swear to. In about an hour or an hour and a-half, they returned bringing a wounded prisoner, Newett, with them; he was shot through the leg and hammered on the head with a musket or something. I dressed his wound, and the prisoner came upstairs and talked to us about the battle. He said that ourselves as prisoners might have been sent into his hands to show future people in what way he had conducted the war, pointing to the wounded prisoner and saying that he used that man humanely. He said the volunteers and the police fired first. I told him that from what I knew of Major Crozier, he did not intend to fire first, that he had told me so. I suggested that perhaps a gun had gone off by

accident, and the prisoner admitted that that was perhaps so, but that one shot caused the start. He called on his men in the name of God or the Supreme Being: "I say unto you fire," and he explained that the troops were beaten by the bravery of his own soldiers.

Q. At this time were the stores looted?—A. They were not looted when we went there, but before we left they were cleared out.

Q. You were taken to Carlton on what day?—A. On the 31st of March we left Duck Lake for Carlton. When we got out in the yard Riel was there in person; some were getting into sleighs, when he told us to march.

Q. Who was in command of the party that took you?—A. Monkman. When we got to Carlton, we remained there till the 3rd of April, we were then moved to Batoche.

Q. Who was in command in taking you to Batoche?—A. André Jobin. In Batoche we were placed in a room on the lower floor of the store, afterwards we were put on the upper flat of the same store. Soon after I sent a communication to Riel in reference to Ross and the other prisoners, seeing what I could do towards getting an exchange. Riel came upstairs and told me he could not see things in the same light, but that he would exchange us for Clark, Sproat and McKay.

Q. The Hon. Lawrence Clark?—A. Yes; I said that could not be done.

Q. How were you treated as a prisoner?—A. In the early part well, as well as men could be under the situation, but after that, when we were taken down into the cellar, we could not have been treated worse.

Q. Did they take extra precaution at the time of Fish Creek?—A. There was always a home guard left around the buildings. Just after the Fish Creek fight, the Indians came back earlier, and alarmed me as regarded the safety of the prisoners. I thought as long as the Half-breeds were there, the Indians could not get at us, but if the home guards were taken away, when the Indians came back earlier, they might massacre the prisoners. After the Fish Creek fight, I wrote to Riel asking him for an interview, that would be about the 26th of April; had a long talk with him about the prisoners. I told him about the fears I entertained about the Indians, and asked him if he would allow me to see the General or Irvine, to try and effect an exchange. He refused to exchange.

Q. What did you say to him?—A. I said: What do you want to keep us for? I said: I suppose you wish that if you or your council get into danger, you will want the prisoners for that purpose. Riel said: Yes, certainly. I said to him to allow me to go and see either Irvine or the General about getting an exchange. I said: You claim a victory at Fish Creek and Duck Lake. And I said: Let me go and try for terms. He said that he had gained two victories. I asked him if he would not allow me to do that. He said: We must have another battle, and he said: If we gain another battle, the terms will be better. And he said: If we loose it, the terms will be the same as now. He said that after another battle, he would allow me to go. From that day, I was waiting, expecting that another battle would occur. On the last day, that would be the 12th of May, he came to the cellar and called my name in a hurry, and as I was getting out, he told the rest of the prisoners that he was sending me to the General with that message. I think the paper is there.

Q. Is that the paper?—A. Yes, that is the message I carried out that morning (Paper shown to witness.)

Q. Did you see the prisoner right after that?—A. Yes, right at the council chamber at Batoche. At the same time that he wrote another message for Jackson to take, I took the message to the General, I also saw him write that one for Jackson.

Q. Is that it (shown witness)?—A. Yes, that is the one that Jackson carried.

Q. He gave that to Jackson the same time he gave you yours?—A. Yes, at the same

time ; one of us was supposed to go one way and the other the other way. I rode to the general with that on horseback, the prisoner went with me until he passed me through his own lines. I went out, reached the general and give him the note ; he read the note and took a few minutes to consider. I asked him to write a note to Riel. He wrote that note and I took it back to Riel. I think that note is among the papers there. Instead of allowing me to go back into the cellar the prisoner made me go into the church, and he put an english-speaking Half-breed and an Indian to guard the church. In about half an hour or so Riel called for me again and I went with him among the women and the children. He wrote several notes, but none of them seemed to please him and he tore them up, except one which seemed to suit him. I sat talking with him till he had finished writing and then I began to ask him whether it would not be better to let me see and try what terms I could get. I said that he could come with me and see the General. After talking a long time he left me and came back in a short time with Gabriel Dumont, but as I do not talk French I had to let the prisoner explain to Gabriel what we were talking about. Finally he said there was a great deal to consider, it would then be about one o'clock ; about half past one o'clock he had nearly agreed to what I proposed he should do. The firing then began and he at once turned to and asked me what that meant. I told him that some of the Indians must have started it ; I told him if he would write a note to the General, thanking him and say nothing about fighting, but leave it to me, I would get the firing stopped if possible, anyway I would see what could be done. He then wrote a note and asked me to take it. I asked him to pass me through the lines.

Q. Is that the note (showing witness) ?—A. That is the note just as an excuse for me to get the firing stopped.

Q. That is the note ?—A. Yes, he wrote that in a tent or in the council chamber and gave it to me ; he went part of the way with me through his lines, in the position outside his own rifle pits, the firing was pretty heavy. Riel went down into a low place till I overtook him, he was on horseback. Some of his men had left the rifle pits and gone to where he was. When I came up to him, Riel asked for the note and put it into an envelope.

Q. Is that the envelope ?—A. Yes.

Q. Are those words the words he wrote upon the envelope ?—A. Yes, he took the note out of my hands and wrote those words on the outside in my presence. He ordered the men who had left the rifle pits to go back again and they went back along with me ; I continued on, went to the General and gave him the note. I did not call his attention to the memorandum on the outside of the note till night time. I asked him how the fire began and he said that the Sioux started it, but that if Riel would get his men to stop firing that he would order his men to remain where they were and they would not advance any further. There was not time to write a letter and I went back and it took a long time to find Riel ; I went among the women and the children and I found him. The firing was getting warm. I told him what the General had said, that if he would order his men to stop the firing he would do the same and that he could come with me personally to the General. He hesitated for a time. At last I said: There are not many minutes to waste if you want to call the council together, call them and let me address them. At last the prisoner said : " It is not necessary to call the council." He said he would do as I wished. I said you acknowledge you have the power to do as I wish without the council. He said yes. I said for him to give the order to stop firing. He said : You know the men I have. I cannot go among these men and tell them to stop firing. He said : You know that. I told him I would go back and explain how every thing stood and see if it was possible for the General to stop his men at a certain position if he was willing to do as I wished he was.

Q. That is willing to surrender ?—A. Yes, I went back and told the General what he said. He said that he could not accept it as a surrender, unless Riel ceased firing. I knew he could not get his men to cease firing. I went back to try and keep the troop from getting at the women and children. I got the General to send a note to Riel offer

ing the same terms as I had offered, that is that he should be kept safe till he had a fair trial.

Q. Did he speak to you of his personal safety?—A. He had very little to say about the Half-breeds, as far as regards himself seemed the principal object.

Q. What did he ask you in regard to himself?—A. If I would explain what risk he ran personally himself. He said to me that we knew that he never carried a rifle, of course at the same time we had seen him carry a rifle on one occasion. I told him he ran no danger as I could look at it. He suggested that I should broach the subject of the Church to the General, and it would give him a chance to broach the subject when he came to be interviewed by the General. He would say that he was not to blame, that the council was to blame.

Q. During the time that you saw the prisoner there did you see him in command?—A. He ordered the men into the pits on that occasion when some of them were leaving them. He took one Half-breed and made him go back saying that he would be able to do some fighting with the troops at all events.

Q. When did you see him armed?—A. Some time before the Fish Creek fight, it must have been about a week before. I was talking to Riel before the council chamber one day, when a french Half-breed came up with the report that the troops were coming. Shortly after, myself and the rest of the prisoners saw him as he passed the front of the house quickly with the Half-breeds going towards the river armed.

Q. During the eight days you were in the cellar were you bound at any time?—A. They used to tie us up about supper time and leave us that way till next morning, that was for the last eight days. Delorme came down and threatened to shoot us if we were loose when he returned. They used to tie our hands behind our backs and release us in the morning again.

Q. It is suggested to ask you if, when you were released on the 12th, anything was said to the prisoners?—A. He told the other prisoners the message I took to the General, that if the women and children were hurt or were wounded by the troops he would massacre the prisoners, or words to that effect, just the same as was in the note.

By Mr. JOHNSTON.

Q. Was the 26th of March, the first occasion on which you saw the prisoner?—A. No, I saw him in the settlement since last summer off and on, but not to know him as I know him now.

Q. How often did you see him from that time?—A. Perhaps ten or twelve times.

Q. Where did you see him?—G. At the Batoche settlement, Prince Albert and different parts of the Prince Albert District.

Q. Were you present at any of the meetings?—A. I never attended any. I was at Prince Albert meeting a few minutes, but I took no interest in it at all.

Q. A few minutes at Prince Albert?—A. Yes, just walked into the hall and saw the prisoner at the end of the hall.

Q. When did you commence to take an interest in him?—A. When I went to Carlton as a volunteer and when I undertook scouting.

Q. You went up from Prince Albert with the volunteers, how long did you remain at Carlton?—A. About a day, and then I went through the settlement.

Q. When you left Carlton, where did you go?—A. Past the Indian Reserve, Duck Lake, and through the principal part of the French Half-breed settlement. I didn't go quite to Batoche.

Q. You returned when?—A. Some times at night and some times in the day time.

Q. Did you see the prisoner at Batoche?—A. Till the 26th I did not go to Batoche.

Q. Now you were prisoner, who took you prisoner?—A. Sixteen or twenty Half-breeds took me. Gabriel Dumont was in charge of the scouting party.

Q. How long were you prisoner before you saw Riel and his men?—A. From two o'clock that morning till about noon the same day; that is, when he came in person from Batoche.

Q. How long was he at Duck Lake before you saw him?—A. I saw him coming in the yard.

Q. Was he the first man that came into the yard?—A. You could not see the yard, he was the first man I noticed. I knew him by sight.

Q. Were there others besides him?—A. Yes.

Q. Was he mixed with the others?—A. No, he was more advanced than the others he was by himself.

Q. How was he dressed?—A. Large check common looking trousers as well as I remember, about the same kind of tweed he wore most of the time. Riel was never very particular about his dress.

Q. How long was he there before he came to interview you and the other prisoners?—A. I would say it might be perhaps half an hour.

Q. Did he come to see you or did he send for you?—A. He came to see Ross and myself.

Q. To whom did he address himself first?—I do not know, I may have been the spokesman.

Q. What did you say to him?—A. I did not tell him exactly what I was there for. I gave him another story.

Q. What was the story?—A. That I was travelling through the country making inquiries if the outfit was stopped at his headquarters.

Q. What was your object in telling that?—A. To get away from that place.

Q. Was the prisoner excited at that time?—A. Not that I could see, he talked reasonably, as rather a clever man.

Q. What did he say? How long were you engaged in conversation with him at that time?—A. Just while I explained him.

Q. Did he tell you afterwards he had found out you were not telling the truth?—A. I don't think he found it out for five weeks.

Q. Did he say anything about the Church and State at that time?—A. Not at that time.

Q. Did he talk about the rebellion? What did he say? That was the last you saw of him till you returned from Duck Lake?—A. No, after the battle was over he came up and saw us.

Q. Did he say that he was at that battle?—A. Yes, that he had ordered the men to fire.

Q. He said that Crozier fired the first shot?—A. He said that the volunteers or the policemen fired the first shot. I said that I knew that Crozier would not fire the first shot, that perhaps one went off by accident. Then he admitted that it might be so. He laid no stress on the first shot being fired.

Q. How long did you talk with him at that time?—A. Quite a long time.

Q. How long?—A. I could not say as to the time at all.

Q. How long did you converse with him?—A. He talked to us prisoners.

Q. How many of you?—A. Myself, Lash, the two Tomkins, Ross, McKean and Woodcock.

Q. Were the wounded prisoners with you at this time?—A. Charlie Newett. I dressed his wounds. The prisoner asked him some questions.

Q. What did he ask him?—A. He asked him whether he knew the Hon. Lawrence Clark was among the volunteers, that was the principal thing.

Q. Did he give directions how the wounded man was to be treated?—A. He left that in my hands. He hoped and expected I would do the best I could for the wounded prisoners.

Q. You say you were speaking to him a considerable time, did he at this time strike you as being excited or excitable, or was he calm?—A. He was cool enough, a little elated at his victory.

Q. Did he speak of dividing the Territories?—A. He mentioned about the Half-breeds making certain claims and told us that we had no business in that part of the country, that we belonged to Canada, and that this country belonged to the Indians and Half-breeds. I did not take much interest in what he was saying, as I was dressing the wounded prisoner.

Q. Did you hear him talking of defeating the Government that time?—A. Not as far as defeating the Government is concerned.

Q. What did he say about it?—A. He told us what the ordinary claims were, and said that we might have been sent to show how he conducted the war.

Q. Do you know, did he say anything about saving the life of this wounded man?—A. He said that he himself had stopped an Indian from killing that man. I told him that was the effect of raising the Indians and that was the way the Indians fought, to kill a man when he was wounded.

Q. When had you a conversation with him again?—A. The next day I was downstairs a short time, and I met him and had a talk with him about the Indians. I told him it was a bad thing to have anything to do with the Indians. He said that he could not help it, that he was compelled to use Indians. I told him that he was aware that he could not control the Indians.

Q. Who was present at that conversation?—A. I was by myself just coming out of the door.

Q. Were there any others around?—A. Some Half-breeds were stationed as guards, they were armed.

Q. During that occasion, or on any occasion, did he speak of the Church or of the Dominion of Canada?—A. No, nothing of any importance, except at Batoche.

Q. What did he say at Batoche about his Church?—A. He said he wanted me to mention to the General that he was to be recognized as the founder of the new Church, and that if the subject was mentioned to the General he could continue the subject when he met him.

Q. What did you understand by founding a new Church?—A. I understood it as a sharp trick to get the upper-hand of the unfortunate Half-breeds.

Q. Did you understand that before?—A. I looked upon it in that light.

Q. Were there other Half-breeds listening to this conversation at Batoche?—A. Lots of them were standing around, but only an odd one could talk English. He spoke in English to me.

Q. Why did you think it was to get the advantage of the Half-breeds?—A. I considered that he was using them for his own end.

Q. Did you consider his actions eccentric?—A. He seemed intelligent, and in many ways a clever man.

Q. What did you say to General Middleton about this man?—A. I told the General exactly what I knew about the matter.

Q. Did you tell the General that you had considerable influence over Riel, and that he was a simple-minded man?—A. No.

Q. You have had considerable to do with the working up of evidence against Riel.—A. Not that I am aware of.

Q. Have you been engaged in that line for the last month?—A. Not working up evidence.

Q. Working up the case?—A. No, I am here as a simple witness. I am not more than the others.

Q. Have you given instructions to the Crown about this prosecution?—A. Not in any other light. I gave no instructions, it would be rather strange if they received instructions from me.

Q. Had you anything to do with preparing of the papers or giving information?—A. Not in preparing the papers, I have only given my own information.

Q. Did Riel appear to have been engaged in this fight, or was he afraid to fight?—A. As far as I could see he was too much afraid to run his neck into unnecessary danger.

Q. You were not alarmed that you would receive injury at the hands of Riel or the Half-breeds?—A. At the hands of the Indians.

Q. Not injury from Riel?—A. Not as far as the Half-breeds were concerned. I knew Riel's object in keeping us. He admitted himself that that was his object.

Q. How many interviews had you with General Middleton altogether?—A. One in the morning, one a little after the fire began and one after. I could not get back.

Q. How many altogether?—A. Three.

Q. During that time you had made arrangements as to the surrender of Riel to General Middleton?—A. He said he would do as I wished, but I could not get that, because by that time the charge had begun and Riel was gone.

Q. What reason can you give for Riel's willingness to surrender himself?—A. I told him what a kind man the General was, and he thought from the words of the note that what I said was true.

HAROLD ROSS sworn, examined by Mr. Scott :

Q. Where do you live, Mr. Ross?—A. At Prince Albert.

Q. What is your occupation?—A. I am Deputy Sheriff.

Q. Where were you on the 20th of March last?—A. I was at Carlton.

Q. In what capacity?—A. I went up as a volunteer under Captain Moore.

Q. When did you go there, on the 20th?—A. On the 18th, I think.

Q. On the 18th of March you went there?—A. Yes.

Q. Do you remember the 20th of March? Were you doing anything on that day in your capacity of volunteer?—A. Nothing; nothing particular at all.

Q. What duty were you engaged in after you went to Carlton?—A. Chiefly volunteer.

Q. What description of duty?—A. Just staying there, waiting for an attack on Carlton.

Q. How long did you stay there?—A. I was there, we went there on Thursday, and I was there until the 21st. The 21st would be on Sunday—on the 21st.

Q. What did you do at Carlton?—A. I saw Major Crozier, and he asked me if I would go to Stoney Lake, between three and five miles from Carlton, and see certain English and Scotch Half-breeds there, and ask them to come into the Fort.

Q. Did you go?—A. I went and they came in with me.

Q. When did you come in?—A. We came in the same evening or about, I suppose, six o'clock that night.

Q. Were you out after that again?—A. On the following Monday morning I left with Mr. Astley. I went out scouting on Monday.

Q. Monday, the 22nd?—A. Yes. We went to Duck Lake, and from Duck Lake we went to the St. Laurent church mission.

Q. When did you go back to Carlton?—A. Tuesday night, about eleven o'clock.

Q. On the 23rd?—Yes, the 23rd, and on Wednesday, I stayed there all day, and about eleven o'clock in the evening, half past ten or eleven, Mr. Astley said that Major Crozier wanted us to go out and see if the Half-breeds would intercept Col. Irvine on the route from Regina to Carlton, and we went out.

Q. About what time?—A. Between half past ten and eleven, as near as I can judge.

Q. On Wednesday night?—A. On Wednesday night, yes.

Q. How far did you go?—A. Well, somewhere near where the battle of Duck Lake was fought, and about a mile or so between Duck Lake and Carlton, close to Duck Lake.

Q. Did anything happen there?—A. We were taken prisoners by Gabriel Dumont and between sixty and one hundred men.

Q. Did you know any of those beside Gabriel Dumont?—A. No, I could not recognize any.

Q. Will you describe how you were taken prisoner?—A. I heard a sort of noise behind me. The horse at first drew my attention to it by picking up his ears, and a sort of stopping, and I turned around and saw a body of men behind me, and I called Mr. Astley's attention to it, and I wheeled my horse around and I was surrounded by Half-breeds and Indians. And he told me to dismount. Gabriel Dumont came to me and recognized me, and said how are you a scout, and he told me to dismount, that I was his prisoner, and I refused to dismount, and they pulled me off the horse.

Q. Were they armed?—A. They were all armed, every one of them. Gabriel Dumont then felt my revolver, he felt it under my coat, he got quite excited and he went to take it away from me, and I drew the revolver out myself, and he held it, (witness showing how it was held holding his right hand to his stomach) and I was covered by an Indian on my right with a gun, and there were two more behind me.

Q. Guns were pointed at you?—A. Guns were pointed at me, and Mr. Astley called on me not to shoot, better hand over the revolver.

Q. And did you surrender?—A. I did.

Q. And what was done with you?—A. We were taken to Duck Lake and put into the telegraph station.

Q. What was the aspect of Duck Lake, at this time?—A. Full of armed men, all around the post. Guards all around the post. Wherever we were, in front of the building on the road, all around the building where we were imprisoned.

Q. Where were you put?—A. In the telegraph office.

Q. What kind of a building is that?—A. A very small building.

Q. How many stories?—A. A small little building, as large as an ordinary porch.

Q. How many stories?—A. One.

Q. Was there any body else in there, besides you and Astley?—A. No.

Q. I suppose Astley was taken with you?—A. Yes, only the two of us.

Q. How long were you kept there?—A. Till about nine o'clock the next morning, as near as I can judge.

Q. Did anything occur next morning?—A. No, nothing particular.

Q. How long did you continue alone there?—With Mr. Astley?

Q. Yes?—A. Well, we were there until we were removed to Mitchell's house, up stairs.

Q. And when was that?—A. That same morning, about nine o'clock.

Q. This was on the 26th?—A. On the 26th. We were there until the rest of the prisoners came over from Batoche.

Q. And what time was that?—A. They came somewhere about noon.

Q. This was in the upper story of Mitchell's house?—A. Of Mitchell's house.

Q. And the other prisoners were sent up there too?—A. They were sent up with us.

Q. Did you see any people about that morning?—A. Outside?

Q. Yes?—A. The square was full of armed men all the time.

Q. Was there a larger crowd there when the prisoners were brought in than there was in the forenoon before?—A. Yes, there was a good many came over with the other prisoners.

Q. How many armed men did you see there altogether?—A. I should say there would be between 300 and 350 men, as near as I could judge. I did not count them.

Q. Of what nationality?—A. French Half-breeds and Indians.

Q. What proportion would be Indians?—A. I should say near 100, between 75 and 100.

Q. Did anything occur that afternoon?—A. That afternoon the battle of Duck Lake took place.

Q. How do you know? A. We could hear the shots.

Q. About what time?—A. About half past three or four in the afternoon I should say.

Q. Did you see any of the men armed going?—A. I saw them all going, I saw about 300 going.

Q. In the direction of the battle-field?—A. Yes, the first intimation I had that the battle was taking place was Albert Monkman coming upstairs where we were, and we asked him what was the matter, and he said there was a little fight going on, at that time they were all going then.

Q. All this armed force you had seen were hurrying in that direction?—A. Hurrying in that direction.

Q. Did you hear any shooting and firing before going in Mitchell's?—A. No, after that we heard rifle shots.

Q. Anything else?—A. No, nothing else, I did not hear the cannon, they had a cannon there. I did not hear the gun.

Q. What occurred that afternoon, after you heard the firing?—A. Well, after we heard the firing, about half an hour afterwards, they came back, some of them came back, some of the men came upstairs, one Fiddler in particular.

Q. Did you see the prisoner Riel that afternoon?—A. Yes, I saw Mr. Riel that afternoon.

Q. Where?—A. He came upstairs.

Q. When? After the firing or before?—He came up before the firing and he spoke to me upstairs.

Q. What did he say?—A. He called me by my name and asked me how I was. Spoke to me and said I need not be afraid, that I would not suffer at his hands, something to that effect. I forget the exact words that he said now, but then after the fight he came up.

Q. And what did he say then?—A. The first thing he said was something about Newett, one of the men that was brought in as prisoner.

Q. What did he say about that?—A. He said he thought he would be better with us than with anybody else. We were his friends and we could look after him better than anybody else, and he put him upstairs and then he and Mr. Astley were speaking something about the battle.

Q. Did you hear the conversation between them?—A. I heard the conversation.

Q. What was it?—A. Mr. Riel said the troops fired first, and Mr. Astley suggested that perhaps the shot went off by accident, and Mr. Riel said—well he did not agree with him for some time afterwards—he said perhaps that was the way.

Q. Did he say anything else?—A. And he said: When I heard the shot I called on my men in the name of God to fire. And he seemed quite proud of it.

Q. Did he say so?—A. No, judging from his actions, that is all.

Q. How long did you remain in the upper story of Mitchell's store?—A. Until the 31st. On the morning of the 31st we were sent to Carlton.

Q. By whom?—A. By Mr. Riel himself. We came out in sleighs. He said we were going to Carlton.

Q. How did you go to Carlton?—A. In sleighs.

Q. Did you go alone?—A. No, seven of us altogether.

Q. Seven persons?—A. Yes.

Q. Anybody besides the prisoner?—A. The Indian and Half-breed guards.

Q. You were taken under guard to Carlton?—A. Yes, under guard.

Q. How long did you remain at Carlton?—A. Until the 3rd of April.

Q. Who was in command at Carlton?—A. Albert Monkman.

Q. Were there many men there?—A. About 150 to 200.

Q. Armed?—A. All armed.

Q. You were kept there until what day did you say?—A. Until April 3rd.

Q. What was done with you then?—A. We were then ordered from Carlton. We were called up about two o'clock in the morning.

Q. Ordered up where?—A. For Batoche. We were called up about two o'clock in the morning, and we started for Batoche, and when we were leaving, the buildings were set on fire.

Q. Then the Fort was deserted at the time you left?—A. Yes, they deserted the Fort.

Q. And they marched to Batoche?—A. Yes.

Q. What was done with you when you reached Batoche?—A. We were put in the lower flat of a house owned by Baptiste Boyer for that day, and we were put upstairs on the second flat.

Q. And how long did you remain there?—A. We were there till the end of the campaign. That was our prison at the time of peace, and, if there was any excitement, we were shoved into the cellar of an adjoining building.

Q. How many times were you put down into the cellar?—A. three or four times.

Q. Do you remember how long you were there the last time?—A. About ten days.

Q. Continuously?—A. Yes.

Q. In the cellar?—A. In the cellar.

Q. How many prisoners were there in the cellar?—A. Seven.

Q. What was the size of the place?—A. About sixteen feet square and nine feet deep.

Q. Any other precautions taken to prevent you escaping besides putting you in the cellar?—A. Always a guard upstairs, and the trap was very well secured, so there was no chance of us escaping by knocking the trap up.

Q. Anything else? Were you shackled?—A. We were tied every night with our hands behind us.

Q. When did you first see the prisoner after you were taken to Batoche?—A. I saw him at different times. I saw him every day nearly.

Q. What was he doing?—A. He would be out addressing the men, talking to them.

Q. Could you say what was said to them?—A. No, it was in French, I don't understand French, apparently giving orders.

Q. You don't know?—A. I could not say what.

Q. Did he ever visit you during the time you were confined there?—A. He came, I think it was two or three times. I am not sure as to the number of visits. Once particularly he came and I asked him for a little exercise, and he said he would see about it. He did not come back for some days, perhaps two days after that, and I heard him talking outside and I went out, and he said that, under the circumstances, he could not allow us to go out at all; that we would have to stay in.

Q. Was that all the conversation you had with him?—A. Yes, that is about all.

Q. When did you last see him?—A. I saw him

Q. That is at Batoche?—A. About eleven o'clock on the 12th, or a little earlier than that. It was at the time they called Mr. Astley, on the 12th of May, the day of the Charge.

Q. Did he say anything to you that day?—A. He came and opened the hatch in the cellar and called Mr. Astley. Mr. Astley, he said, come up and stop the troops advancing, for if they hurt any of our families we will massacre all the prisoners in the cellar.

Q. That is what he said?—A. That is what he said.

Q. Do you remember having any conversation with the prisoner after the Fish Creek battle?—A. After the Fish Creek battle, I remember Riel one time—I cannot tell the day or date—saying that they had gained two victories and they wanted to gain a third, and they could make better terms with the Government.

Q. That was after the Fish Creek fight?—A. Yes; after the 24th of April.

Q. Where were you confined at this time, in the cellar or in the building?—A. We were taken out of the cellar and we were in the building.

Q. This was during one of his visits to you?—A. Yes, during one of his visits.

Q. Was the building in which you were confined attacked, or the building above the cellar in which you were confined? Did they attack it at any time?—A. No, not at all.

Q. Do you remember the shell?—A. That was done by the troops. I think it was the eleventh of May there was a shell went through the building.

Q. Did you see Riel shortly after that?—A. I did not see him. He came to the cellar—the hatch—and asked me if we were safe, all safe. I knew his voice, and we said we were, and he said: I am glad to hear it. And he went out of the building and came back again. We could hear him walking along the floor, and he said: I forgot to tell you you had better call on God, for you are in his hands.

Q. Was that all he said?—A. That is all he said.

By Mr. Fitzpatrick:

Q. Mr. Riel was not with the party that arrested you, was he?—A. He was not.

Q. The first time you saw Mr. Riel was after you were put in Mitchell's house, was it not?—A. I had seen him a year before that.

Q. On the occasion in question we are talking about?—A. That was the first time I saw him.

Q. You say you saw the troops leave for the Duck Lake fight also?—A. His troops—yes, the rebels.

Q. Did you see Riel with them?—A. No, not going away, I did not see him.

Q. If he had been there, of course you would have seen him?—A. I saw him outside.

Q. When they were going away did you see Mr. Riel with them, going away to Duck Lake?—A. I did not.

Q. Had he been with them you would have seen him, would you not?—A. I might not. There was a big crowd going away.

Q. There were 300 going out?—A. Yes.

Q. And you say they were half an hour away, half an hour elapsed from the time they left till the time they came back?—A. About half an hour, I should say, perhaps a little more.

Q. When Mr. Riel saw you in Mitchell's, the first thing he said was that he was glad to see you?—A. No, he did not say he was glad to see me. He said: How do you do? You shan't suffer.

Q. Who wanted you to go down to the cellar at the time you were put in the cellar at Batoche, who put you there?—A. We were down different times. At one time or twice Delorme, another time it was a French Half-breed, his name I have forgotten.

Q. Neither of those times was Riel present when you were put down in the cellar?—A. No, he was not.

Q. At the time you asked to go outside for exercise, Riel said to you that you had better not go out because the Indians wanted to kill you, did he not?—A. He did not.

Q. Did he not give you to understand, at that time, that that was the reason?—A. He did not.

Q. Did you not know that was the reason?—A. I had a sort of idea, the Sioux were rather dangerous at that time. It was not from any information from him.

Q. You knew very well the protectors you had there were the Half-breeds as against the Indians?—A. Certainly we did. We looked to the Half-breeds for protection.

By Mr. Scott.

Q. You say, Mr. Ross, that Gabriel Dumont was the leader of the party who took you prisoner?—A. He was.

Q. Did you see him afterwards?—A. Yes.

Q. Where?—A. I saw him at Batoche. I saw him at Duck Lake. I don't remember whether I saw him at Carlton or not.

Q. Did you see any others of the party who took you prisoner afterwards?—A. One Indian, that is all I can remember.

Q. Then Gabriel Dumont formed part of the same party that you saw Riel in company with afterwards?—A. Certainly.

PETER TOMPKINS, sworn, examined by Mr. Casgrain.

Q. Where did you live in the month of March last?—A. Duck Lake.

Q. Do you remember the 18th of March last?—A. Yes.

Q. What happened on that day?—A. Nothing particular happened on that day, till towards evening.

Q. Well, what happened towards evening?—A. Towards evening, I was up at the mail station, and the telegraph operator came up there for me and wanted me to go and repair the line, the telegraph line was down.

Q. Well, what did you do?—A. I told them I would go.

Q. Did you go?—A. I did.

Q. Well, what happened?—A. I went and got a horse and rig and tried to get another man. I had considerable difficulty in getting another man, and finally I got my horse and brought him to Duck Lake to the telegraph office, and the miller, Mr. McKean, volunteered to come along with me, and the operator got a message that we were to start for Duck Lake at 12 o'clock at night, start about midnight at Duck Lake to repair the line.

Q. You repaired the line didn't you?—A. I repaired the line, in two different places.

Q. Well, what happened to you after you repaired the line?—A. When we were repairing the line, there were about 30 Half-breeds came rushing down on us and arrested us.

Q. Did you know any of them?—A. Yes.

Q. Who were they?—A. I knew the man that was in charge.

Q. Who was it?—A. Joseph Delorme was one of the men who arrested me, and Jean Baptiste Parenteau was the other.

Q. What did they do with you?—A. They told us to surrender in French, at least that is what I understood them to mean, and they took us down by Walter and Baker's store.

Q. Well, did you see anything strange at Walter and Baker's store?—A. I saw them going through the store, looting everything there was in it.

Q. Who was going through the store?—A. The Half-breeds and Indians, there were not many Indians there.

Q. Were they armed?—A. Yes, they were all armed.

Q. Whom else did you see there, did you see in particular there any body that you recognised?—A. Well, I saw quite a few that I recognized, I saw Gabriel Dumont, and when we were sent upstairs I saw Mr. Lash, the Indian agent.

Q. You were taken upstairs in Walter and Baker's store?—A. Yes, we were sent upstairs, and I seen Lash, Marion, Joseph Gagnon, Mr. Walters, William Tompkins and quite a few others upstairs.

Q. What were they doing there?—A. Most of them were prisoners. George Ness was another man.

Q. Was there a guard there?—A. Yes.

Q. Could you get out of the house, could you have gotten out of the house?—A. Not without a guard following us.

Q. There was a guard over you all the time?—A. Yes.

Q. Well, how long did you stay there, how long were you kept there?—A. We were kept there till about nine o'clock, I should judge, the next morning.

Q. That would be the 19th?—A. Yes.

Q. Where were you taken to then?—A. We were taken to the church, across the road.

Q. What was the church used for at the time you were taken there?—A. It appeared to be used as a council room and barracks and prison, and a restaurant and everything else.

Q. Well, whom did you see there?—A. I seen a whole church full of people there. I knew some of them and some of them I did not know.

Q. Were the people arme! —A. Yes.

Q. Were there any Indians there?—Yes.

Q. What took place when they took you to the church? Was there anything done there by the rebels whom you saw?—A. Yes, they brought some freighters there, and the prisoner addressed the people there.

Q. What did he say?—A. Well, he spoke in French, and I did not understand what he said, except towards the last. The last thing he said—I understood him to say, to tell his men—he asked them what was Carlton or what was Prince Albert? They are nothing. March on my brave army. I understood him to say that.

Q. You heard the prisoner say that?—A. I understood the prisoner to say that.

Q. To a crowd of people who were standing before him?—A. Yes.

Q. Was this in the church or outside the church?—A. In the church, he was addressing them from right in front of the altar.

Q. Well, who appeared to be the leader of the crowd there?—A. The prisoner.

Q. Did anything else take place in the church that day?—A. Yes, we had our dinner in the church. And there were two men tried or I understood them to be tried.

Q. Who were they?—A. Tried by the prisoner.

Q. What for?—A. For not being with him and his movement. They were William Boyer and Charles Nolin.

Q. Well, were they acquitted or sentenced, or what became of them?—A. I don't

know what became of Nolin. I didn't hear his trial, but Boyer Mr. Riel had a talk with, and when he was through talking, Mr. Boyer spoke in his own defense, and the prisoner said that instead of it being a dishonor to him, it was an honor. I understood him to say so, he was talking French.

Q. It was an honor to whom?—A. To Boyer.

Q. Was this trial carried on before Riel only or before any others acting with him?

—A. Riel was standing on the platform, and Boyer stood up from among us men and spoke in his own defence from there.

Q. Did you hear or see anything about that council while you were in that church?

—A. Yes, I understood them to be electing a council there.

Q. Did you see the council elected?—A. Yes.

Q. Who were the councillors?—A. I can name some of them, I can't name them all.

Q. Name some of them?—A. Gabriel Dumont was the man who called them out; he called Baptiste Boyer, Joseph Delorme, Moise Ouellette and several more I don't remember.

Q. Well, was this before or after this trial took place?—A. I think it was after the trial took place.

Q. Well, where did you go from that church?—How long were you kept there?

—A. We were kept there till about nine o'clock the next evening, and then we were sent down to Garnot's place.

Q. Philippe Garnot's place?—A. Yes.

Q. What capacity was he acting in do you know?—A. He was acting as secretary to the council.

Q. To Riel's council?—A. Yes, we were told that we would be sent down there, and there would be a few men sent with us to look after us, that our word of honor would be taken that we would not escape; so about nine o'clock that evening we were sent down there and there was about in the neighbourhood of fifteen men came down to see whether we kept our word of honor.

Q. Were these armed?—A. Yes.

Q. Well, how long did you stay in Philippe Garnot's house?—A. Well, I could not say. I don't remember how long we stayed there, we stayed there quite a while.

Q. Where did you go from Batoche?—A. To Duck Lake.

Q. Did you go there of your own free will?—A. No.

Q. How were you taken there?—A. Taken there as prisoners and by a strong guard.

Q. By whom?—A. One of the guards told me it was by. . . .

Q. You were taken there any way to Duck Lake under a strong guard?—A. Yes.

Q. Of armed men?—A. Of armed men, yes.

Q. Where were you placed at Duck Lake?—A. We were hurried upstairs into Mitchell's residence.

Q. Hilliard Mitchell's house?—A. Yes.

Q. Did you meet any body upstairs?—A. Yes.

Q. Whom did you meet?—A. Harold Ross and John Astley.

Q. The witness Ross who has just been heard?—A. Yes.

Q. And what was done to you there or what took place while you were there?—

A. Just as we were coming to Duck Lake, Albert Monkman galloped out of the yard

and came to meet us, and he ordered his men up to the front and he said the police are coming from Carlton. He ordered some men who were with us to the front, that the police there coming from Carlton, and in Cree, at the same time, he called for us again and wanted to know who had his gun in our party, and then the man that was driving the team, the sleigh that we were in, put the whip to his horses and got in as quick as he could, and then we were taken upstairs.

Q. And what happened while you were up there?—A. Well then, when we were up there, we could see quite a few of them going off towards Carlton.

Q. Quite a few of the Half-breeds?—A. Of the Half-breeds, yes, and Indians.

Q. And how many were there going off altogether?—A. I suppose probably over 400, all that went.

Q. This was on the 26th day of March, was it?—A. I can't swear to the day.

Q. It was in the month of March last?—A. Yes.

Q. Well, did you hear anything while you were upstairs in Mitchell's house?—A. Yes.

Q. What did you hear?—A. Well, I heard a cannon go off a couple of times, and then when the Half-breeds returned, Riel rode into the yard on horseback.

Q. The prisoner rode into the yard on horseback?—A. Yes, and turned his horse around to the back of the building, and with his hat he was waving and cheering his men, and he thanked them.

Q. He apparently came in with them, didn't he?—A. Yes, he came in just along with them; the men came with him, the men behind him and some in front of him, and he waved his hat cheering and hurrahing, and he thanked Ste Marie, and St. Jean-Baptiste and St. Joseph for his victories.

Q. Did anybody come upstairs into Mitchell's house when you were there on that same occasion?—A. After night.

Q. Yes?—A. The prisoner came upstairs and before he came up, Charles Newett, who was wounded on Duck Lake field, was brought to the door and we helped him up.

Q. Who helped him up?—A. The prisoners who were there.

Q. Helped him into the room?—A. Garnot helped him up.

Q. Garnot was there too?—A. Yes.

Q. Did you see Gabriel Dumont around there?—A. Yes, Gabriel Dumont rode into the yard a little while after, I think it was after the prisoner had been cheering, he rode into the yard and said in Cree to bring out the prisoners and kill them.

Q. Well, you say that the prisoner went into Mitchell's house with those some time after the volunteer was taken up, didn't you?—A. Yes.

Q. Did he say anything there?—A. Yes, I don't remember everything that he said there, I remember him speaking to the wounded man.

Q. Did he speak of the fight that had just taken place?—A. Yes, one thing he said about the fight was that the volunteers or the police had fired a shot first. They fired first and when they fired he said, he told me distinctly that he ordered his men to fire: "In the name of the Father Almighty, who created us, fire." Them is the words he used.

Q. Did he say anything else at that time?—A. Nothing that I remember just now.

Q. Well, did anything take place at that time, did the prisoner go down then, or did he come back?—A. Afterwards he went downstairs, and some time he came to see us.

Q. Well, what was he doing there from what you could see?—A. From what we could see, I thought at the time that he was running the whole thing.

Q. Whenever you had any communication to make to anybody, whom did you make it to?—A. Well, if ever we wanted anything in particular, we generally applied to Mr. Riel.

Q. The prisoner?—A. Yes.

Q. Was any message sent to anybody at that time?—A. I wrote a letter home myself.

Q. Well, was there anything else sent?—A. There was one of our men, who was a prisoner there, sent to Carlton with a message.

Q. By whom?—A. By the prisoner.

Q. Who was sent?—A. Thomas Sanderson.

Q. What for?—A. He was sent to Carlton to tell Major Crozier to send some men and take the dead off the field, to tell them they were allowed to take their men off the field unmolested.

Q. Did the prisoner say anything further to you on that occasion?—A. Nothing that I can remember just now.

Q. Well, did you remain at Duck Lake any length of time?—A. We remained at Duck Lake quite a while till after the police left Carlton. We remained at Duck Lake till a day or so after the police left Carlton.

Q. Then how did you go to Carlton?—A. We were taken to Carlton.

Q. By whom, by the Half-breeds?—By the Half-breeds.

Q. Then where did you go or where were you taken to?—A. When we left Carlton we were taken from Carlton to Batoche by Duck Lake.

Q. Well, what took place at Carlton? Did anything take place at Carlton before you left?—A. Yes, they had set fire to the police stables before we left.

Q. Who had?—A. The Half-breeds, and the whole place apparently was on fire; just as we got up the hill, we could see by the fire and smoke that there was more than one building on fire.

Q. You say you were taken to Batoche, to where were you taken at Batoche?—A. To Baptiste Boyer's store.

Q. How long were you kept there?—A. We were kept there till about the time of the Fish Creek fight, when we were removed to the cellar.

Q. Who was with you at that time?—A. There was seven of us: Mr. Lash, Mr. Astley, Mr. Ross, Mr. William Tompkins, Mr. McKean, and Mr. Woodcock.

Q. Was there a guard over you?—A. Yes, always a guard over us.

Q. Well, did you have occasion to see the prisoner during the time, during the time you were there?—A. The prisoner used to come in and see us some times.

Q. Did he say anything to you?—A. Yes, he used to speak with us every time he came, pretty near.

Q. What was he doing there that you could see of him?—A. From what I could see of him I thought that he was apparently the leader.

Q. Well, did you hear anybody giving any orders there?—A. Giving orders?

Q. Yes, giving orders?—A. Yes.

Q. Whom?—A. I heard the prisoner ordering his men to go on guard one night.

Q. Well, if any orders were given, who gave them, who were they given by?—A. The orders that I heard given were given by the prisoner.

Q. Well, did you stay at Baptiste Boyer's house all the time?—A. We stayed there until we were removed to the cellar.

Q. How long were you kept in the cellar?—A. I don't recollect how long we were in the cellar; the first time we were kept there for several hours.

Q. Were you at liberty to go all around the cellar, or were you tied up or how?—A. We were not tied till the time of the Fish Creek fight or about that; before it, the day of the fight, Delorme came down the cellar and ordered three guards to come down after him, and he ordered them to cock their guns, which were double barrel shot guns, and they covered the men, while they tied me hands and feet, and we were left that way till eleven o'clock next day, supposed to be that way.

Q. Did anything happen after that before you were released?—A. Every night that we were in the cellar we were tied mostly.

Q. How were you released?—A. I was released by General Middleton's men.

Q. Before you were released did you see the prisoner at all have any conversation with anybody in your presence?—A. The day he came to the cellar after Mr. Astley I did, the day that Batoche was taken.

Q. The day that Batoche was taken you saw him come to the cellar to see Astley?—A. Yes, he came for Astley; he came there in a very excited manner; he was very much excited, and so were the men who were with him. We could tell by the way they flung the stones off the cellar door. They just sent them rolling all over the building and he came to the door of the cellar and the first words I heard him say was: "Astley! Astley! come here and go tell Middleton if they—I think massacre was the word used—if they massacre our women and children, we will massacre you prisoners.

Q.—Well, from that time till your release did anything happen between you and the prisoner?—A. No, I did not see the prisoner afterwards.

Examined by MR. FITZPATRICK:

Q. You speak Cree perfectly, do you not?—A. Not perfectly, I speak Cree pretty well.

Q. You were arrested on what day?—A. I was arrested about four o'clock on the 19th of March.

Q. You saw Mr. Riel for the first time when?—A. I am not positive whether I saw him at Walter's store or at the church for the first time. I am certain of seeing him at the church, but I don't remember whether I saw him at Walter's or not.

Q. You saw him at the church?—A. I saw him at the church, but I am not positive whether I saw him at the store or not.

Q. Did you have any conversation with him?—A. Yes.

Q. At the church?—A. Yes.

Q. What did he say to you and what did you say to him?—A. I asked him if he would respect my property, and he said my property would be respected and he gave me leave to take my horse out of the cutter that some Half-breed had kindly hitched him up to.

Q. Some Half breed had taken your horse and he told the Half-breed to deliver your horse up to you and you got him back?—A. No, some Half breed had it hitched up to a cutter and tied the horse up to a post, and I asked leave to undo it and feed him some hay, and he gave me permission to do so.

Q. And he told you your property would be respected?—A. He told me it would.

Q. Now you heard Mr. Riel make a speech to his men, did you not?—A. Yes.

Q. You heard him tell that Carlton and Prince Albert were nothing?—A. Yes.

Q. And did not amount to anything?—A. Yes.

Q. Was he very far from you when he made that little speech?—A. No, he was about as far as you are from me now.

Q. That little speech was delivered by him to his men in French, was it not?—A. Yes.

Q. You would have no objection now to repeat the little speech, the substantial words he used, would you?—A. Well as near as I can repeat the words he used, I don't know whether I can repeat them now or not. He said: "Qu'est-ce que c'est que Carlton? Qu'est-ce que c'est que Prince-Albert? Rien. Marchons, mes braves!" something pretty near that.

Q. You next heard him make that speech to his men after the men had come back from Duck Lake, did you not?—A. Yes.

Q. Where was he at the time?—A. He was sitting on horseback outside in the yard.

Q. And where were you?—A. Upstairs in Mitchell's house, looking out through the window.

Q. You were in the second story of Mitchell's house, were you not?—A. I was in the upstairs of the house.

Q. And he was down in the yard?—A. Yes.

Q. And you heard all that he said, no doubt?—A. Well I heard mostly all that he said but I did not understand him, at least I did not understand all he said.

Q. Of course the windows were closed and he was downstairs?—A. No, the windows were not closed. There was a pane of glass partly knocked out of the window and through this pane I was looking.

Q. Through the pane you were looking down at him?—A. Yes, through the broken pane.

Q. And you heard what he said out in the yard?—A. Yes, I heard what he said.

Q. You heard him make his speech there saying he thanked the Lord and the Virgin Mary for his successes?—A. I don't remember him thanking the Lord, I remember him thanking the Virgin Mary.

Q. Whom else did he thank?—A. St. Jean Baptiste, St. Joseph and several other Saints.

Q. He went through the whole list, didn't he?—A. What do you mean by the whole list?

Q. How many more did he repeat?—A. I don't remember how many more he said, he mentioned other Saints.

Q. You next were present at the choosing of the council in the church, were you not?—A. I was present at the council before I was to Duck Lake.

Q. That was in the church at Duck Lake, was it not?—A. No, it was in the church at Batoche.

Q. Were there many people there?—A. Yes, the church was full.

Q. Did Riel take any part in the election?—A. In the election of the council?

Q. Yes.—A. I don't think he took much part, except he spoke in one man's favour whom somebody else rose objection against.

Q. As far as you can now recollect, that is all the part he took in the election?—A. That is all.

Q. What he said of course was in French and you understood what he said?—No, I don't understand French.

Q. Well you understand it sufficiently to know what Riel said on that occasion, do you not?—A. I understand some of it, I did not understand every thing he said.

Q. Did Riel at any time prevent Gabriel Dumont or anybody else from killing prisoners?—A. Well I don't know who prevented Gabriel Dumont at Duck Lake. He did not seem to act as a man, as though he wanted to kill prisoners very bad. He just simply ordered them out and then he seemed to quit there when he had ordered them out.

Q. That was Dumont?—A. Yes, he did not seem to push matters ahead very much to try to get them out.

Q. Riel took no part in your arrest, did he? Was he present when you were arrested?—A. No, he was not present when I was arrested.

Q. Was he present when you were put down in the cellar at Batoche, you were put down with other prisoners of course?—A. Yes. No, he was not present then.

Q. He was not down in the cellar at the time you were pinioned and tied there, either was he?—A. No, but I had sent men to tell him we were tied. I had asked the guards to tell him we were tied.

Q. But he was not present at the time?—A. No.

Q. At the time that the shell fired by the troops struck your house, he went there and asked after your safety, did he not? You were there with the other prisoners of course in the cellar?—A. Yes, I was there with the other prisoners in the cellar.

Q. You know the house was struck with a shell, do you not?—A. Yes, I know and I ought to know.

Q. Do you know also Riel came there after the house was struck?—A. I don't know whether he came there after the house was struck or before the house was struck, but I am inclined to think it was before it was struck, and after he asked if we were safe and alive and went out of the house and afterwards returned and spoke through the floor, and he said: "I forgot to say a good word to you. Remember the Almighty," he said, "we have all got religion," and then he went off.

Q. Very good advice?—A. Kind of cool advice coming through the floor at that time.

Q. I suppose it would have been cooler had it gone through an ice house, wouldn't it?—A. Probably.

Q. You know that he gave a prisoner that had been wounded at Duck Lake into custody of the prisoners that were at Mitchell's house, do you not? Or do you think you can remember that? A man named Newett?—A. Newett was brought to us, I don't think Riel brought him there, I don't remember Riel bringing him there.

Q. You are quite sure also that Riel did not say anything to you about him when he was brought there? You are quite sure now on your oath that Mr. Riel did not tell Mr. Astley in your presence to take good care of that man?—A. I can't swear that he did not.

Q. You don't think he did do it, don't you?—A. I can't swear he did nor yet I can't swear that he did not.

Q. Your impression is that he did not do it?—A. I ain't got no impression about it.

Q. That fact did not remain sufficiently on your memory to be able to remember it of course?—A. No, it did not. I don't remember him telling me.

Q. You don't remember anything about it at all, but you remember well about the angels he gave praise to after the victory at Duck Lake?—A. Yes.

WILLIAM TOMPKINS, SWORN. Examined by Mr. Robinson.

Q. You are a brother of the last witness I think, are you not?—A. A cousin.

Q. You have been in the employment of the Indian Department in these Territories, have you not?—A. Yes.

Q. For how long?—A. I have been in their employment now on and off for the last five years.

Q. In what capacity?—A. As assistant farmer and interpreter also.

Q. You were at Fort Carlton in the month of March last I believe?—A. Yes.

Q. For how long have you been stationed there?—A. Since the 15th of August, up till that time.

Q. Do you recollect the 18th of March last?—A. Yes.

Q. Do you recollect leaving the Fort on that day?—A. Yes.

Q. With whom did you go?—A. Mr. Lash, the Indian Agent.

Q. And for what purpose?—A. I did not know that.

Q. Did he ask you to go with him?—A. Yes, he said I was to go.

Q. You were ordered by him to go then?—A. Yes.

Q. You were under his instructions, were you not?—A. Yes.

Q. He was the Indian Agent there?—A. Yes.

Q. Just tell us what happened, you went with him I suppose?—A. I went with him.

Q. Where to?—A. One Arrow's reserve he started for.

Q. About how far from Carlton?—A. Twenty miles.

Q. On horseback or driving?—A. Driving.

Q. Both in the sleigh?—A. No, I was separate.

Q. Each had your own sleigh?—A. Yes.

Q. What took place then?—A. When we came as far as Duck Lake Mr. Lash stopped there a few minutes, and then he went on to the river and stopped at Walter & Baker's, and finally we got to the reserve and found the Farm Instructor not at home, and fed the horses there, and the Farm Instructor drove up and Mr. Lash stopped a little while, and then we started back. He wanted to buy some potatoes or something for the Indians, as far as I could understand, and we came to this place, where I was taken prisoner at Mr. Kerr's store.

Q. Who were you taken prisoner by?—A. Mr. Riel.

Q. And were there others with him?—A. Yes, there was Gabriel Dumont and a lot of others.

Q. About how many others?—A. I should judge between 60 and 100.

Q. Were they Half-breeds?—A. Yes, principally.

Q. Were they armed?—A. Yes, not them all, they were not all armed at the time.

Q. Were the majority of them armed, do you think?—A. No, I don't think they were.

Q. And what were those armed with that were armed, as far as you observed?—A. Guns.

Q. Well, who first stopped you?—A. Gabriel.

Q. What did he say to you?—A. He told us to remain there awhile.

Q. What happened then?—A. Mr. Riel drove up and said he would detain us a few hours.

Q. Well, what happened?—A. Well, we stopped there, remained there for about ten minutes, I should think, and finally we were taken to the church.

Q. Under a guard?—A. Yes.

Q. Did all these men go with you to the church, or only a small guard?—A. They all went with us, as far as I could see.

Q. And what was done then?—A. Well, we went to the church, and of course I don't understand the French language but I understand the Cree, and as far as I could make out from the Indians, they were trying to elect a council there, and we remained there all that night.

Q. Who were engaged in trying to elect a council, was Dumont there?—A. Gabriel was appointed to elect them, as far as I could find out.

Q. Was Mr. Riel there?—A. Yes.

Q. And what part did he seem to be taking?—A. Well, I could not say as he was taking any part.

Q. Then you were put into the church?—A. Yes.

Q. Were you kept in the church that night?—A. No, we were taken across to Walter's store, and we were kept there upstairs until the morning, and then they returned us back to the church again, and we remained there that night,—not that night,—we stopped there that night, and we were removed down to Philippe Garnot's restaurant at Batoche, he was cooking there.

Q. Yes, and what happened then?—A. First there was one of the councillors, he took our names, as a word of honor to go down there, if we would not try to escape, and we put down our names on the word of honor, and then they sent some guards along to be sure.

Q. How many guards did they send in addition to the word of honor?—A. Well, there were two with me. I don't know how many there were with the rest.

Q. How many of you were sent down?—A. Well, there was Mr. Lash and I, and George Ness and McKean and Mr. Tompkins, my cousin.

Q. Were the guards armed?—A. Yes, the guards that were with me were armed.

Q. What happened then?—A. Well, we remained there until we went to Duck Lake.

Q. And what day did you go to Duck Lake?—A. It was the 26th.

Q. And who took you there?—A. The Half-breeds took me there.

Q. Did you go with the other prisoners?—Yes, all in one sleigh.

Q. And how many Half-breeds went with you?—A. Well, I should judge there was about sixty.

Q. Any Indians?—A. Yes, some Indians.

Q. How many Indians do you think?—A. I should think there would be about ten or twenty.

Q. Were the Indians also armed?—A. Yes.

Q. What did they do with you at Duck Lake when you got there?—A. They put us upstairs in Mitchell's house.

Q. Tell us what happened next?—A. Well the next thing that I heard was we were ordered down to be shot in the afternoon. I met Mr. Astley and Mr. Ross there.

Q. The next thing you heard you were ordered down to be what?—A. To be shot.

Q. In the afternoon; who by?—A. Gabriel was the man that I thought ordered us.

Q. Was that before or after the affair at Duck Lake?—A. After the affair.

Q. Well tell us anything you can that took place before that affair? Did you see them going out to Duck Lake?—A. Yes, I saw them going out.

Q. Where did they come from?—A. The principal part of them were ahead when we got there.

Q. How many do you think were ahead of you?—A. I should judge about three hundred.

Q. And there were how many with you?—A. Well, about 60 or 70 altogether, Indians and all.

Q. And of the 300 how many do you think were Indians?—A. About 150.

Q. Well, they were ahead of you. Did you get to Duck Lake before they left it, for the place where the fight took place? before they went out to where the fight took place?—A. No, they were just going out; how I knew they were going to fight, Monkman came running by and he said in Cree, asked an Indian where was his gun, or had he brought his gun with him, and he ordered them to the front, so I thought by that there was going to be a fight.

Q. Did you see Riel at that time?—A. No.

Q. Well then, did you hear any firing?—A. Yes.

Q. How long after they had gone out, did you hear the firing?—A. I should judge about an hour or an hour and a-half, to the best of my knowledge.

Q. Did you hear many shots fired?—A. I heard quite a number.

Q. You heard them plainly, I suppose?—A. Yes.

Q. What happened next?—A. Well then, they all returned and we were ordered out to be shot the next. Gabriel got wounded, I heard them talking about it down stairs.

Q. Well who interfered to stop that, any one that you know of?—A. A Half-breed by the name of Magnus Burstein, told me that he interfered.

Q. Well, you were not taken out, and what happened next?—A. Well we were removed to Carlton next.

Q. Before that, did you see Riel? Did you see Riel at Duck Lake?—A. Yes, he came with the prisoners.

Q. And what did he say to you?—A. He did not make any remark at all to me.

Q. Did he make any remark to anyone else in your hearing?—A. He made a remark to Astley or Astley made a remark to him, they were talking about the fight, he said that the police fired the first, and Mr. Astley said that probably the gun might have gone off accidentally, and he said, perhaps so.

Q. Did he tell you anything more about the fight?—A. The next day he allowed me to go out, Ross and I, to take the bodies off the field.

Q. Before that he told Mr. Astley the police fired first, and Mr. Astley said perhaps the gun went off accidentally, and he said, perhaps so, was there anything else spoken of as regards firing?—A. He said he gave the word, in the name of God, to fire.

Q. He said he gave the word to whom?—A. To his men.

Q. Did he say anything more about his men or what any of them had done at the fight?—A. No, nothing that I heard.

Q. Nothing that you remember?—A. No.

Q. Well, did he say anything about yourselves?—A. He said that probably we were brought in there for our lives, to have our lives saved, whereby if we had been out I suppose we would have been shot, that is the way I understood it.

Q. He said that probably you were brought in there for your lives' sake, that if you had been out you might have been shot?—A. Yes.

Q. Well how long did you remain at Hilliard Mitchell's?—A. We remained there until the 31st.

Q. And where were you taken then?—A. To Carlton.

Q. By whom?—A. Taken by Baptiste Laplante, when he was driving the team, there were three guards in the cellar, as far as I can think.

Q. How many other Half-breeds were there with you there?—A. I should judge about fifteen altogether, 12 to 15.

Any Indians?—A. Yes.

Q. How many?—A. Two.

Q. About fifteen Half-breeds and two Indians?—A. Yes.

Q. What was done with you there?—A. We were placed in a house there, upstairs.

Q. When you got there, who did you find in possession of Carlton?—A. Monkman.

With how many men? A. I should think about 60.

Q. Were they armed? A. Yes.

How long did you remain there?—A. We remained till the 3rd April.

Q. What was done with you then? A. We had to go back to Batoche.

Q. What distance is that? A. Twenty miles.

Q. Under a guard? A. Yes.

How many were in the guard? A. We went with all the crowd.

The whole that were at Carlton? A. Yes.

Q. Did they burn before leaving? A. It was in fire before I left, I could see the flames when I had left.

Q. Then the whole force went over with you to Batoche, about 100? A. Yes.

Q. They were armed as I understand? A. Yes.

Q. Then when you got to Batoche what was done with you? A. We were put in Baptiste Boyer's house.

Q. How long were you kept there? A. Kept there till the battle of Fish Creek.

Q. That would have been on the 24th April? A. On the 24th April.

Q. Under guard? A. Yes.

Q. And what happened on the 24th April? A. Well, before we were taken to the cellar, I saw a man get up there and wave to the other party that were across the river to come on this side and they started, and we were taken down to the cellar and we did not hear anything more.

Q. Who took you into the cellar, who was in command of the guard if there was one?—A. I could not say who was in command.

Q. How long were you kept in the cellar?—A. We were kept in till the battle of Fish Creek was over and then we were taken out.

Q. That would only have been a day or two, I suppose at that time?—A. Yes.

Q. Well, how long were you left out of the cellar after that?—A. Well, to the best of my knowledge, I think we were put down either that day or the next, I am not sure which.

Q. Now while you were in Baptiste Boyer's house did you see Mr. Riel at all?—A. Yes, I saw him around.

Q. Did he ever speak to you?—A. No, never had any conversation with me at all that I know of.

Q. Did he ever have any conversation with other persons in your presence?—A. Yes.

Q. With whom?—A. He used to converse with Mr. Astley.

Q. What did he say to Mr. Astley in your presence?—A. Well, Mr. Astley told me

Q. Never mind what Mr. Astley told you, what did you hear him say to Mr. Astley?—A. Well, I heard him say he would exchange us for the Hon. Lawrence Clark, and Mr. Thomas McKay or Colonel Sproat.

Q. What did Mr. Astley say to that?—A. Well, I don't know exactly what he said to that.

Q. You don't remember what the answer was?—A. No.

Q. Then during all this time were you in the custody of an armed guard?—A. Yes.

Q. Who appeared to be in command of the people there, the armed men?—A. Riel, as far as I could see.

Q. Did you ever see him armed?—A. Yes.

Q. What with?—A. Winchester Rifle.

Q. You were left out of the cellar for a short time, and when were you put back there?—A. I think we were moved back, but we came out, I think we were moved back either that day or the next.

Q. You came out about the day of the battle of Fish Creek, 24th?—A. Yes.

Q. You moved, were moved back you mean, on the 25th and 26th?—A. Yes.

Q. How long did you remain there?—A. The 24th was the battle of Fish Creek, and we were out on the 25th I think, and than we were put back again right that next day.

Q. Then you were put back on the 26th, and how long did you remain there then?—A. Remained there till I was released.

Q. That would be the 12th of May?—A. Yes.

Q.—Who was there with you?—A. In the cellar.

Q. Yes?—A. There was Mr. Astley, Mr. Ross, Mr. Lash, Mr. McKean, Mr. Woodcock and myself.

Q. Was there any light in this cellar or what sort of a place was it?—A. No, no light.

Q. No light at all?—A. No.

Q. How did you get into it?—A. Through a trap door

Q. And that was closed I suppose?—A. Yes.

Q. Were you at liberty or confined, or tied in any way?—A. We were tied for the last three nights.

Q. Hands or hands and feet or how?—A. I was tied hands and feet, the others were only tied hands.

Q. Who was it ordered you to be tied?—A. Well Delorme was the man that tied me.

Q. Well how was it done, was he armed?—A. Yes, he was armed.

Q. Did he say anything when he did it?—A. He said if he found us unloosed he would shoot us.

Q. Do you remember seeing Riel on the 12th, the day you were rescued?—A. Yes.

Q. Where did you see him?—A. He came to the trap door and took Mr. Astley out.

Q. What did he say to him?—A. He said to go and tell General Middleton, as far as I can understand, if he did not stop shelling the houses he would massacre the prisoners.

Q. Did Astley go?—A. Yes.

Q. Were you there when Astley returned, or did you see him?—A. No.

Q. Then have you told me all that you know about the matter?—A. Yes.

Q. Had you known Riel before this?—A. I had seen him, I never was acquainted with him.

Q. How often had you seen him before this?—A. I had seen him just once to my knowledge.

Q. And when would that have been?—A. He was holding a meeting at a settlement.

Q. When?—A. I forget the date.

Q. How long before this?—A. I should judge about six months.

Examined by Mr. GREENSHIELDS.

Q. Were you present at the meeting?—A. Yes.

Q. Did you hear any of the speeches at the meeting?—A. Yes.

Q. What was the meeting held for?—A. It was grievances as far as I could find out.

Q. Grievances that the Half-breeds contended they had against the Government?—A. As far as I could understand that was it, I was not there long.

Q. I think you stated in your examination in chief that you did not understand French, but you did understand Cree?—A. Yes.

Q. And will you state what Mr. Riel said, did he speak in French or English then?—A. When Mr. Riel was speaking:

Q. Yes?—A. He was talking French.

Q. Somebody interpreted it for you?—A. I asked an interpreter that had it interpreted to him. He told me in Indian.

Q. So that what you know then is the statement that you have proved that Mr. Riel has made was interpreted to you by an Indian?—A. An Indian that understood French.

Q. But you did not know what he said himself personally?—A. No, I did not say I did.

Q. I think you said also that at the meeting of the council where you were present when they were electing the council, that Riel did not seem to be taking much part, very much of any part in it?—A. Yes.

Q. Now you understood, did you not, the Half-breeds during your arrest were really standing between you and the Indians, that is you looked to them for protection?—Yes, I did.

By Mr. ROBINSON.

Q. These conversations with Astley were they in English, or how did Riel address him?—A. In English.

Q. So that you understood them?—A. Yes.

JOHN B. LASH, sword, examined by Mr. Osler.

Q. I believe you are Indian Agent for the Dominion Government at Fort Carlton?—A. Carlton district.

Q. You had not been there very long at the time of the occurrences in question?—A. No, I went there in January.

Q. On the 18th March I believe you were with the last witness?—A. He was my interpreter.

Q. And you were taken prisoner?—A. Yes, I was taken prisoner at Batoche.

Q. Relate how you were taken prisoner?—A. I was returning from One Arrow reserve, and near Batoche I came down upon a crowd of armed men. Gabriel Dumont came forward and said Mr. Riel wanted to see me. While he was talking Riel drove down at a furious rate, he came forward and addressed me as Mr. Agent, he says: I will have to detain you. I asked on what ground he was going to detain me? And he said the rebellion had commenced and they intended fighting until the whole of the Saskatchewan Valley was in their hands.

Q. That is what Riel told you himself?—A. Yes.

Q. What else passed between you?—A. Then he told me to give up my arms if I had any, to hand them over to Dumont.

Q. Then what was done?—A. From that we were taken to the church.

Q. Who seemed to be in authority when Riel came up?—A. He seemed to command the whole thing, it was by his orders that the mules I was driving were unhitched, and he took possession of them and the trap.

Q. It was he told you the intention of the party?—A. Yes.

Q. About how many men were there in arms?—A. I should say there were about 40 or 50 in the mob.

Q. How were they armed?—A. With guns, chiefly guns and a variety of arms, rifles.

Q. Do you mean they were all fire arms?—A. Yes, all fire arms.

Q. Then where were you put?—A. We were taken down to the church and remained there till about 8 o'clock.

Q. The church at what place?—A. Batoche. Then we were sent to the south side of the river, to Walter and Baker's store.

Q. About what time on the 18th?—A. Between 8 and 9 in the evening.

Q. What was going on at Walter and Baker's store?—A. The store was being pillaged by the armed mob, we were put upstairs.

Q. Did you see Riel there that evening?—A. No.

Q. You were put upstairs and whom did you find there?—A. I found Walter and his clerk Mr. Hannipin, they were prisoners.

Q. Any one else in the house?—A. Not at that time.

Q. On the 19th what took place?—A. That evening there was another prisoner brought in, Louis Marion.

Q. On the 19th what took place ?—A. Early in the morning there were two more prisoners brought in.

Q. Who were they ?—A. Tompkins and McKean.

Q. The men who had been repairing the telegraph line ?—A. Yes, they stated so.

Q. What happened further on the 19th ?—A. We were then removed to the church and kept there all day.

Q. What happened at the church ?—A. There was a great deal of excitement going on, but it was spoken in French chiefly, and I did not understand it.

Q. Whom did you see at the church, did you see the prisoner at the church ?—A. Yes.

Q. What was he doing ?—A. Addressing the crowd.

Q. Anything else ?—A. There was nothing that I know of particularly.

Q. Who was in charge that day so far as you saw ?—A. The prisoner.

Q. Then where did you go from the church and when ?—A. They kept us there till about 8 o'clock, and we had no blankets or anything, and a man by the name of Monkman came along and I spoke to him and he said he would see Riel and see what could be done, and we were removed to Philip Garnot's house.

Q. How long did you stay there ?—A. We remained there till the morning of the 26th.

Q. Of March ?—A. Yes.

Q. During that time had you any conversation with the prisoner ?—A. Several.

Q. Can you give us anything of importance he said to you as to his intentions ?—A. On one occasion he said that he had three enemies, and enumerated them as the Government, the Hudson Bay Co., and the police, he also stated to me he would give the police every opportunity to surrender and if they did not do so there would be bloodshed ; on another occasion he told me he had heard the Lieut. Governor was on his way up and that he had sent an armed body to capture him.

Q. Anything else ?—A. I cannot remember what his ordinary conversation was, on one occasion he said he would not release me on any account as I was a Government official, that he would hold me as a hostage.

Q. Anything else, anything personal to himself as to his motives ?—A. Yes he talked about as soon as they had the country it would be divided up and so forth, he would give, he was going to give a seventh to the Indians, a seventh to the Half breeds and I do't know what was to become of the balance.

Q. It was only two sevenths he was going to give away apparently ?—A. That was all he stated to me.

Q. Was anything said as to his intentions or movements ?—A. No, not that I am aware of ; on one occasion he wanted me to join the movement, he said he would guarantee me a position in the service if I fell in with him.

Q. What did he say ?—A. He said he would give me a position in the Government that they were to form.

Q. Did he say anything about the Indians ?—A. Nothing out of the way.

Q. Did he say what position they were taking ?—A. No, I do not remember any particular conversation about the Indians.

Q. Was there anything said as to the length of time he had been considering these matters ?—A. Yes, he told me he had been waiting 15 years and at last his opportunity had come.