

Q. Then where were you taken on the 26th?—A. To Duck Lake.

Q. And where were you put there?—A. We were put above Mr. Mitchell's store, above his house I should say.

Q. That is with the other prisoners?—A. Yes.

Q. Did you see Riel there at all before the fight?—A. No, the main body had gone to the fight when we arrived there.

Q. Did you see him after the fight?—A. I saw him returning with the mob.

Q. Who was he returning with?—A. If my memory serves me right, he was on horseback.

Q. How many men about him?—A. I should say between 300 or 400.

Q. How were they armed, if armed?—A. They were partly armed with guns, rifles and so forth.

Q. When did you hear Riel after that say anything?—A. He came up with a wounded prisoner, the wounded volunteer, and he said "he will be better in your hands as he is one of yourselves," or words to that effect.

Q. Then what conversation took place, in which the prisoner took part?—A. On another occasion he came up and was anxious to find out if Mr. Lawrence Clark was at the Duck Lake fight, I don't know as there was anything else particularly said by him.

Q. Was there anything said by him as to which fired first?—A. Yes, he claimed the police fired first and then he told his men to fire, that is what he claimed.

Q. Did you hear him make that claim that he told his men to fire?—A. Yes, I did.

Q. Was that all you heard him say?—A. That was all I remember at present.

Q. Did you remain there any length of time at Duck Lake?—A. We remained there till the morning of the 31st.

Q. What took place in the interval?—A. One of the prisoners, Sanderson, he sent him to Carlton.

Q. Who sent him?—A. The prisoner.

Q. For what purpose?—A. With a message to Major Crozier, to send for the dead and that he would not molest any parties coming for them.

Q. Do you remember the day that was?—A. A Friday.

Q. The Friday after the flight?—A. Yes.

Q. Did Sanderson return?—A. Yes he returned on Sunday.

Q. Do you know personally of the dead being taken away by Sanderson?—A. I did not.

Q. Then was anything said by Riel at any time as to who were with him in the movement?—A. No, he never mentioned any names.

Q. Not names, but what people?—A. Yes he told me the Indians were all with him, and the Half-breeds, both French, English and Scotch.

Q. Were with him?—A. Were with him in the movement.

Q. Then you were taken on the 31st where?—A. Taken to Carlton.

Q. All of you?—A. Yes.

Q. What was done with you there?—A. We were kept there till the morning of the 3rd april, and then we were carted or walked the best part of the way to Batoche.

Q. Where were you put in Batoche?—A. In the bottom of a store on arriving, and the next day we were moved above the store.

Q. You were kept above the store until when?—A. We were kept above the store until some excitement sprung up there and we were put down the cellar a day or two and we were taken out and put back again and we remained there then till Thursday the 23rd, and we were taken out of the cellar after the Fish Creek fight was over.

Q. How were you treated in the cellar?—A. Our hands were tied at night.

Q. Had you any communication with Riel during your stay at Batoche, any talk with him?—A. I spoke to him several times about getting released.

Q. What did he say to that?—A. He refused it every time.

Q. Give any reason?—A. He said he might release the other prisoners, but I was a Government official and he would not release me.

Q. Did you ever see Riel armed?—A. I did.

Q. With what?—A. It was a rifle of some kind.

Q. When?—A. Prior to the Fish Creek fight, I cannot give you the date.

Q. Did Riel say anything about the Fish Creek fight?—A. Yes, he claimed a victory there.

Q. In talking to you?—A. Not to me personally no, I heard of him claiming the victory, and that is all.

Q. Do you remember anything taking place on the day you were released?—A. Yes, Riel came to the trap door, it was loaded with stones, he called Mr. Astley, and he says come quick go and see Middleton, and he turned back and says: "if our families are hurt in any way, I will massacre the prisoners," addressing us all who were left in the cellar, six of us.

Q. What occurred after that?—A. Shortly after that we were released by the arrival of the troops.

MR. FITZPATRICK. We do not wish to cross-examine the witness.

GEORGE NESS, sworn examined by Mr. Burbidge.

Q. You live near Batoche, Mr. Ness?—A. Yes.

Q. On which side of the river?—A. On the East side of the river.

Q. How far from Batoche?—A. About two miles.

Q. What is your occupation?—A. A farmer.

Q. Are you a Justice of the Peace as well?—A. Yes.

Q. You know the prisoner?—A. Yes.

Q. When did you first see him?—A. Somewhere in the month of July, about that time.

Q. July 1884?—A. Yes, 1884.

Q. Where did you see him then?—A. I cannot say exactly the first place I saw him, but I saw him around the settlement.

Q. In the parish of St. Antoine?—A. Yes.

Q. Was he living there at that time?—A. Yes, somewhere there.

Q. Were his wife and children living there to?—A. Yes.

Q. Do you know if he had continued to live in the country since then?—A. Yes.

Q. You know of his holding meetings?—A. Yes, I believe he was holding meetings.

Q. Did you attend any of those meetings?—A. I attended one of them.

Q. One of the first meetings?—A. No, this was on the 24th February.

Q. Where was it held?—A. In the church of St. Antoine.

Q. Did anything of importance take place at that meeting, and if so tell us?—A. I did not continue all the way through the meeting, I left when it was about half way through.

Q. And you say it was conducted principally in French?—A. Yes, it was conducted in French.

Q. You understand French?—A. Yes, I knew what they were saying.

Q. Was that meeting attended by persons who afterwards remained loyal?—A. Yes, several and also by persons who were in the rebellion.

Q. Did you take any part in the meeting yourself?—A. No, I was just listening, I heard there was to be a meeting, and I just went out of curiosity.

Q. Had you any reason for not taking part?—A. I never did take any active part.

Q. Had you any conversation with Riel after he came into the country?—A. Yes, I talked to him several times.

Q. In what month of '84 would that be?—A. It might have been the end of July or August.

Q. What were you speaking about?—A. He was talking of trying to assist the people in their grievances, to have their grievances righted.

Q. Speaking of getting up an agitation?—A. Yes, an agitation or a bill of rights.

Q. Did he at that time make any suggestions of using force?—A. No.

Q. Did you see him frequently from that time forward?—A. Yes.

Q. You live in the same neighbourhood?—A. Yes, I have seen him there very often.

Q. He attended church regularly?—A. Yes.

Q. Did you see anything or hear anything to lead you to suppose they would take up arms?—A. No, nothing, till the 17th March.

Q. Now tell us what took place then?—A. As I was proceeding home in a cutter I overtook one of my neighbours on the road, he was on foot, and as in the custom of that part of the country I took him into my cutter as far as my place; he said: "I believe Gabriel is exciting the indians on One Arrow reserve." I went home, I thought probably it might be true, and I took and fed my horse and started for Carlton.

Q. This was about three in the afternoon?—A. About three, it was getting towards sunset. I went to Carlton and informed Major Crozier of what I had heard, I came there that night it was late, I suppose it was about twenty miles to drive there. I asked permission to camp from the Major, and the next morning I saw him, and he told me if I heard anything more to try and let him know as soon as possible. When I got back to Duck Lake, Mr. Kerr told me: "They are in arms already at the river, and they are going to take Carlton to-night." I thought it was my duty to send back to the Major and inform him what was going on.

Q. You did so?—A. I did so, I sent a letter by a special messenger.

Q. All this time your own family was about two miles from Batoche?—A. Yes.

Q. After sending the message, what did you do?—A. I started for home to my family, as I was anxious about them.

Q. What took place on your way home?—A. On my way home, on the north side

or west side of the river, at Walter's store, I heard there agdin that a mass meeting was to be held that evening.

Q. There was something really stirring then?—A. Yes, there was something real in the matter. I determined to go on.

Q. Did you do so?—A. Yes. As I crossed the river, I met another man, he was under arms already. He said: "they have taken up arms already." I said it was very foolish. Take the advice of a friend, says I, and leave that thing alone. So I continued on my way, and when I got opposite Kerr Bros.'s store, I saw a big crowd there.

Q. Is Kerr Bros.'s store on the East or West side?—A. On the East side.

Q. Or on the South side, as some say?—A. Yes. As I got close to them I saw them coming on foot to the road. The store is perhaps 70 or 80 feet from the road. Gabriel Dumont was in front. He said: "Bonjour." I took his hand, and I said: "Gabriel what is it you wish? It is not for nothing you stop me in this manner." He said, "where have you been to?" I said: "I have been to Duck Lake. And he said: You have been doing something, you have been further than Duck Lake." I said: "Gabriel, it is none of your business where I have been. Well, he says, I will take you prisoner. I says: "You can do what you please. I says: If you want to kill me, I am ready." I asked him if he was at the head of affairs. He said "no, Mr. Riel (the prisoner here), was at the head. He said: I will have to keep you prisoner till his arrival."

Q. How many people were with Dumont?—A. There were probably 40, 50 or 60.

Q. And they were principally your neighbors?—A. Neighbors and Indians.

Q. People you knew well?—A. Yes.

Q. And some Indians?—A. Yes.

Q. How many Indians do you think were there?—A. There might have been 20 or 25.

Q. Did you say anything to these people?—A. I asked them who was taking me prisoner whether they assisted Gabriel or not, and no one would answer me. I said it was a very foolish thing they were doing, that they would all be killed if they went on with it, if they meant rebellion.

Q. You made a speech to them?—A. Yes. They said: There is some old men in the house. A young man said that. He said: you had better go and ask them if they will take him prisoner. They went back to the house and brought along two men.

Q. Who were they?—A. Donald Ross and Clive Tourond. Tourond made a jump for my horse, and caught him by the rein and Ross coursed.

Q. The people all consented to your arrest?—A. Yes.

Q. Where did they take you to?—A. Back to the store about seventy or eighty feet from the road. Gabriel says: "You can get down and warm yourself." So I went in and warmed myself. While I was in the house, I heard the people saying in French "they have taken Captain Gagnon."

Q. Who is he?—A. A captain of the police force stationed at Carlton. All the people went out. I went out with them, I saw Mr. Lash.

Q. Had the prisoner arrived at this time?—A. After I went out, I saw Mr. Riel, and he was saying to Mr. Lash: "Have you any arms?" Lash said: "No, I never carry any arms."

Q. Who appeared to be in command after the prisoner arrived?—A. Mr. Riel told me, he says: "You go down to the church." And we started almost immediately for the church.

Q. Did every one appear to obey him?—A. Yes.

Q. Dumont and all the rest?—A. Yes.

Q. Tell us about their taking you to the church?—A. When we got to the church, they were in the front of the church, Mr. Riel commenced saying he was a prophet, that he could foresee events.

Q. Before that how many men were in arms? At the time you and Nash were taken prisoners to the church?—A. Well there might have been about 50.

Q. How were they armed?—A. With guns.

Q. Had any of them rifles?—A. They might have had rifles, I did not take much notice.

Q. They were armed with fire arms?—A. Yes.

Q. Who was in charge of the church?—A. Revd Father Moulin.

Q. Did you see him on that occasion?—A. When the crowd got to the church he came out and he wished to speak to the people. Mr. Riel said: "No we wont let him speak. Take him away, take him away, we will tie him."

Q. He threatened to tie him?—A. Yes. He said: "Shall we keep him prisoner?" Some of them said: "No, we will put a guard over him."

Q. Did he say anything about taking possession of the church at the same time?—A. Yes, Riel said: "I will take possession of the church." Father Moulin said: "I protest against you touching the church." Riel says: "Look at him, he is a protestant."

Q. The prisoner said that?—A. Yes. "Go away" says Riel, "go away."

Q. What happened then?—A. They went into the church then and ordered us to go into the church.

Q. Ordered you, prisoners?—A. Yes, us prisoners. Mr. Riel jumped into my cutter as I was going to the church, he bowed very politely to me, and said to take my horse.

Q. How long were you in the church?—A. Probably a quarter of an hour or half an hour.

Q. Where did they take you to?—A. Across the river, to Walter and Baker's store.

Q. Where did they put you then?—A. Upstairs.

Q. Were there any prisoners in that store when you arrived?—A. They took Mr. Lash and Tompkins.

Q. Did you find any prisoners when you got there?—A. Mr. Walters was a prisoner with his assistant Mr. Hannipin.

Q. Were you kept under guard at Walters and Baker's store?—A. Yes, all the time.

Q. That would be on the night of the 18th still?—A. Yes.

Q. Tell me if anything of importance took place that night?—A. They took Louis Marion a prisoner on the 18th, about nine or ten o'clock, and during the night I heard some one call down stairs to go and cut the telegraph wires. I heard a noise as if they were going, and then several hours afterwards I heard them saying they saw a lantern, that some one was repairing the telegraph. I heard them as if they were starting off again.

Q. Did they bring in any more prisoners that night?—A. They brought back Peter Tompkins and McKean, who had been repairing the telegraph.

Q. What took place on the 19th? A. On the morning of the 19th, they sent us back to the church again.

Q. Were you kept there all that day? A. Yes.

Q. As prisoners? A. Yes, as prisoners.

Q. Was the prisoner giving orders?—A. Yes, he appeared to be at the head of affairs. He was giving orders.

Q. What was the chief event of that day as far as you can remember?—A. He was giving orders to go and take William Boyer and Charles Nolin prisoners.

Q. Did you hear him say why they were to be taken prisoners?—A. Because they would not take up arms.

Q. Did he say anything about, because they had been movers up to that time?—A. Because they had been movers, and had left it at the time of taking up arms.

Q. Was Nolin tried?—A. About his trial I cannot say exactly, I heard Riel saying he ought to be shot or that they should shoot him.

Q. You understood Nolin and Boyer were to be shot?—A. Yes, both of them.

Q. And because they would not join the movement in taking up arms?—A. In not taking up arms.

Q. Where did they take you from the church?—A. In the evening they offered to take our word of honor we would not try to escape, and they gave us a book to put our names down, and they told us we would be more comfortable down at Garnot's house, and they took us down there, with the big guard in addition to our word of honor.

Q. Coming to the 20th the next day, can you tell us anything of importance that occurred on that day?—A. Yes, somewhere about the middle of the day Riel came down to see the prisoners.

Q. While you were at dinner?—A. Yes, while we were at dinner.

Q. And addressed you all?—A. Yes addressed us all.

Q. Did he say anything to any of you particularly?—A. Well he told Mr. Walters. Mr. Walters asked him why he was keeping him prisoner, if he would not give him his liberty, and Riel said he would think over it, and that he would give him his liberty. He says to Lash: "We will offer you the same position in our Government which you hold under the Dominion as Agent, that is if you will accept of it."

Q. After that did he take you to the council house?—A. He told me he wanted me at the council house, so I went to the council house.

Q. What did he say to you there?—A. He told me he was going to give me my liberty and they would read my penalty for my crime, my offence.

Q. Did he make any further promises there?—A. Yes, he would let me go on condition that I would not do anything against the movement.

Q. What did you say to that?—A. I said I preferred he would leave a guard over me, that I could hardly consent to that.

Q. Was anything else said? did you see Maxime Lepine there?—A. Yes, I saw Maxime Lepine there.

Q. Did he take part in any conversation you remember?—A. Yes, he was one of the councillors.

Q. Do you remember anything he said?—A. No, I cannot remember now.

Q. When you told him you would rather he would keep a guard over you, what took place?—A. They took me in and read my crime to me.

Q. What was your crime?—A. Communicating with the police.

Q. Was this before the council?—A. Yes.

Q. Who appeared to be in the chair?—A. Albert Monkman and Garnot.

Q. What was Garnot acting as?—A. Secretary of the council.

Q. They read over to you your offence?—A. Yes, they read over to me my offence and my penalty.

Q. What was your offence?—A. Communicating with the police, and insulting Gabriel Dumont.

Q. What was your penalty?—A. They took my horse and cutter and robe.

Q. They were to be confiscated?—A. Yes.

Q. You were to be given your liberty on the condition that you would do nothing against them?—A. Yes.

Q. That you would be neutral?—A. Yes, I had no alternative, I had to take it.

Q. Your wife and family were at home?—A. Yes, when I arrived home that evening, I found my wife in a great state of excitement about me, it appears Sioux Indians had been through there and told her I was to be shot.

MR. GREENSHIELDS.—There should be a limit to this hearsay evidence.

Q. From the 20th March till the 14th May where were you?—A. I was at home.

Q. Where you within the line of guards of the rebel position?—A. Yes.

Q. You had frequent occasion of seeing armed parties?—A. Yes they were passing and repassing all the time.

Q. Did you see Indians in arms too?—A. Yes.

Q. Did you have any of the rebels quartered on you during that time?—A. Yes, they told me my property was public, every body's property was public.

Q. The prisoner and others with him took whatever they saw fit?—A. Yes.

Q. Did they ever speak with you about what they intended to do, or you with them?—A. Well after the Duck Lake fight most of them were frightened. They saw they had put their foot in it, and they did not know how to get out of it.

Q. Do you know the day of the Fish Creek fight?—A. Yes.

Q. What date was that?—A. On the 24th of April.

Q. How far is Fish Creek from your home?—A. About twelve miles.

Q. Did you see the rebels going down to Fish Creek?—A. Yes, I saw them.

Q. Did you see them returning?—A. Yes.

Q. Had you any conversation with any of them on returning?—A. Yes, when they were returning there was a wounded man brought into my house, one who was wounded at Fish Creek.

Q. Did you see Riel among the men who went down?—A. No I did not. I could not see them well enough to identify them, I would not expose myself that much, I was hiding.

Q. Did't you see Riel returning from the direction of Fish Creek before the fight?—A. No, I did not.

Q. Did you ever see Riel armed?—A. I saw him with a revolver.

Q. On what occasion was that?—A. That was while I was a prisoner.

By MR. FITZPATRICK.

Q. You saw Riel in connection with the present difficulty for the first time last July or August?—A. Yes, somewhere in July or August.

Q. You knew the circumstances under which he came into the country?—A. I believed he was sent for, as far as I heard.

Q. At the time you first saw him, there was a certain amount of agitation in the country, was there not?—A. Yes Sir.

Q. The agitation was to obtain by constitutional means to redress certain grievances that the Half-breeds pretended to exist?—A. Yes.

Q. That agitation had been going on for some years?—A. Yes.

Q. Riel told you when you first saw him that he had come for the purpose of taking part in that agitation at the request of the persons interested?—A. Well, I could not say he exactly said that, but I understood he came for that purpose.

Q. You saw him frequently from July last up to the month of March?—A. Yes.

Q. Did you, during all that time, hear anything either from himself or any person else which would lead you to believe that any thing in the shape of a rebellion was intended by him?—A. No Sir, not till the 17th of March.

Q. During all that time he lived in the country, and took part in all the movements that took place?—A. I believe he did.

Q. It was a matter of common report he took part in all those movements?—A. Yes.

Q. You never heard any extraordinary remarks passed with regard to him until the 17th March?—A. No.

Q. You know that different petitions had been in circulation in the country and had been forwarded to Ottawa?—A. I believe they had.

Q. You were also aware that as late as the month of February last, a petition was prepared under the direction of the prisoner, which was signed by yourself, and which was sent to Ottawa, or of which you approved?—A. I might have approved of it, but I never signed it. He showed me a petition, some time in August, I think; but I never heard of it being taken around to be signed.

Q. Did you hear of anything in February?—A. No.

Q. At the time of that meeting which you referred as having taken place on the 24th February? A. No, I had heard the Government had refused Riel, that they would not have anything to do with him.

Q. Do you know whether any answer had been given to any petition that had been sent in? Any answer by the Government? A. I believe not. I never heard of any.

Q. It was a matter of common report previous to the 17th March, that the police force was being increased? A. Yes, there was some talk of it.

Q. That was generally considered among the people there as being the answer to their petition? A. I could not say.

Q. Was not that the general opinion formed by the public report circulated at that time? A. I could not say.

Q. After Riel came into the country at the request of the Half-breeds do you know, of your own knowledge, that he was very poor? A. Yes.

Q. You know a subscription was made up for the purpose of enabling him to exist in the country? A. Yes, a subscription was made.

Q. You know he also desired to return to Montana again? A. Yes, there was something said about him returning to Montana.

Q. You said that the first time you heard of anything in the shape of an armed rebellion was on the 17th March?—A. Yes.

Q. Up to that time there had been nothing of that kind spoken of in anyway to your knowledge?—A. No, there were some reports in the papers.

Q. But among the people, among your neighbors?—A. No.

Q. When did you first see Riel after the 17th?—A. On the 18th.

Q. You saw him at the time he took possession of the church?—A. Yes.

Q. You heard what he said to the priest at that time?—A. Yes.

Q. Up to that time had you heard him make any remark derogatory to the priests?—A. Yes.

Q. When?—A. In the month of February, I think.

Q. Towards the end of February?—A. Somewhere in February.

Q. At that time did he not have a difficulty with Father Moulin, just state what that difficulty was?—A. He accused Bishop Taché and Bishop Grandin of being thieves and rogues.

Q. Made a general onslaught on all parties connected with the Roman Catholic Church?—A. Yes.

Q. Didn't you clearly understand at that time that this man declared publicly that he had ceased to belong to the Roman Catholic Church?—A. No.

Q. Didn't he say at that time that the priest was entirely outside of the church that he was a protestant?—A. No.

Q. What about the word, protestant, you used in your examination in chief?—A. He said that on the 17th of March.

Q. The difficulty with Father Moulin was in March?—A. Yes, and in February.

Q. In March he said the priest was a protestant or something to that effect?—A. Yes.

Q. Did you consider at that time he acted as he had acted when you first knew him in July or August with reference to the priests and religion?—A. No, he acted very much otherwise.

Q. Now, can your memory enable you to say what he said at that time on the 17th March, in his difficulty with Father Moulin?—A. It was on the 18th March.

Q. State what took place, the words that were used and how he acted on that occasion?—A. He said the spirit of God was in him and Father Moulin said he was making a schism against the Church, and Riel said Rome had tumbled, *Rome est tombée*.

Q. Proceed if you please, he said the Pope of Rome was not legally Pope?—A. Yes.

Q. He said the episcopate spirit had left Rome and come into the North-West Territories?—A. No, he did not say that.

Q. Did he say anything of that kind?—A. He said the spirit of God was in him and that Rome had tumbled, and he could tell future events.

Q. Did he state the reason why Rome had tumbled?—A. No, he did not give the reason.

Q. During July, August, September and October, immediately after his return to this country he attended church as Roman Catholic generally do?—A. Yes, he acted very devoutly.

Q. The first time you heard of the rebellion, heard it talked of was at this time of the 17th March, and it is on that day he gave expression to this extraordinary language you have just told us about?—A. Yes, on the 18th of March.

Examined by Mr. BURBRIDGE.

Q. When you told Mr. Fitzpatrick you understood the government had refused Mr. Riel, I understand you to be referring to Mr. Riel's own personal claims, is that what you mean?—A. No, I said the government had declined to accede to Riel's terms?

Q. You were referring to Riel's own claims?—A. Yes, from what I understood, it was his personal claims.

The Court then adjourned till July 29th.

Regina, wednesday, July 29th, 1885.

Court reassembles at 10 A.M.

GEORGE KERR, sworn, examined by Mr. Casgrain.

Q. You live at Batoche, I believe?—A. Yes.

Q. How long have you lived there?—A. I went there in November, in 1884.

Q. Do you know the prisoner?—A. Yes.

Q. Well between November 1884 and the outbreak of the rebellion, what happened at Batoche? Did anything happen that you know of?—A. No, meetings were held.

Q. What was the first intimation you had of the outbreak of the rebellion?—A. Meetings were held alternatively at different places, and they called at our store.

Q. Who held the meetings?—A. I do not know, the council, I guess.

Q. They called at your store?—A. Yes, they called there, we were dealing with them.

Q. Who were they?—A. Mr. Vandal and Mr. Norbert Delorme, I do not know any more of them I think.

Q. When was this?—A. In January and February.

Q. You keep store at Batoche?—A. Yes.

Q. In partnership with your brother John Kerr?—A. Yes.

Q. What did they do at your store?—A. We traded with them for cattle and furs.

Q. Did they call at your store after this?—A. They always called at the store and traded there as a general thing.

Q. What was the first intimation you had of any outbreak or insurrection?—A. The first intimation of any outbreak was on the 18th of March.

Q. What happened on the 18th March?—A. On the 17th March there was a rumor circulated around the store that a meeting was to be held at Batoche.

Q. By whom?—A. Gabriel Dumont and Riel, the prisoner.

Q. Well, what happened then?—A. That is on the 17th, on the 18th he came down to the store.

Q. Who came down to the store?—A. The prisoner himself.

Q. Who with?—A. There was a good many followers of his.

Q. Can you give the names of any?—A. Yes, I can. I can name some, Jean Baptiste Vandal, Joseph Vandal, that is all I can name.

Q. How many were there about?—A. About 50.

Q. What did they do at the store?—A. Riel came into the store and demanded my guns and ammunition, just asked for them.

Q. What did you say?—A. I told him they were up on the shelf. The store was with cross beams and the guns were on the cross beams, I told him to take them.

Q. Did they take them?—A. The Half-breeds jumped around to take them, and he said, "who is boss here"? I told him I was, and he said "they have no right to go behind your counter."

Q. Were you boss there at that time?—A. Yes.

Q. How did you allow them to take your guns?—A. I told them to take them.

Q. What happened?—A. He went away.

Q. Who went away?—A. The prisoner. He told me then, he says "give my men what they want, and charge it."

Q. To whom?—A. He did not say to whom. I told him to take whatever he wanted in the store.

Q. Did he come back to your store?—A. No, he did not come back at all. I wrote him a letter the next morning to know if my brother and I could go down about three miles to find out where our cattle were.

Q. Did he give you permission?—A. Yes, he sent up word that I could go.

Q. When they went to your store the first time, were the men armed?—A. Yes, they were all armed.

Q. How much ammunition did they get at your store?—A. A keg of powder and six English double barrel shot guns.

Q. Anything else?—A. Yes, a box of Ballard Rifle cartridges.

Q. He gave you permission to go and get your cattle?—A. Yes, to go five miles.

Q. Did you go?—A. Yes, we went up and my brother and I stopped about two hours I think at Pellar's house, that is about three miles from where the store was; when we were coming back, we met a load of Half-breed women and Indians with packs on their backs.

Q. Did you recognize any of them?—A. They had some frying pans which were ours. I said to my brother: "Jack, these are ours." He said "no." I said "I think they are." I went to one of the women and asked her and she said they had broken into the store and taken everything out. We walked on down to the store and when we went into the store there were four or five Indians pulling nails out of the beams, the store was upside down and the Fairbanks scales were turned upside down, nothing was left in the store at all.

Q. What day was that?—A. On the 18th.

Q. Did anything happen on the 19th?—No, that was the 18th.

Q. Is that all that happened on the 19th?—A. Yes, that is all that happened on the 19th.

Q. Do you know anything else that happened that day?—A. No.

Q. What happened on the subsequent day, the 20th March?—A. No, I don't know, I was not allowed to go away. I promised Riel I would not leave my place of business and I kept myself reserved.

Q. Did the prisoner give you any orders?—A. No, he asked me if I would promise him not to leave my place of business. I told him I would and I kept my word.

Q. Did you leave your place of business?—A. No.

Q. Did you stop there all the time?—A. I went down to Mrs. Venn's

Q. What for?—A. I was stopping there.

Q. Did you get back from Mrs. Venn on the 19th?—A. Yes.

Q. Did anything happen to you on the 20th?—A. Yes.

Q. Were you always at liberty there?—A. Yes.

Q. Do you know anything about the council that was formed there at Garnot's?—
A. Yes.

Q. Under what circumstances did you become acquainted with the council?—A. I do not know as I can you give any information. I know the whole of them pretty well.

Q. Were you at any time arrested?—A. Yes.

Q. Whom by?—Yes, by Solomon Boucher, Modeste Rocheleau.

Q. Were they armed?—A. Yes.

Q. Where were you taken to?—A. To Mr. Ludger Gareau's house, a French Canadian's house.

Q. Whom did you see there?—All the men were there.

Q. Who were there?—A. I cannot tell you all the names, Norbert Delorme, Charles Nolin and Boyer who keeps the store there.

Q. William Boyer?—A. No.

Q. Jean-Baptiste Boyer?—A. No.

Q. Joseph Boyer?—A. No.

Q. A man of that name who keeps the store?—A. Yes.

Q. How many were in that room?—A. I suppose 50 or 60.

Q. Were there any arms around?—A. They were standing at the door with those double barrel shot guns.

Q. Did you see the prisoner there?—A. No, I did not see him, he was upstairs.

Q. How do you know? A. I met him when I went in first.

Q. Did he say anything to you?—A. No, not just then.

Q. Any time on that same day did you see him?—A. Yes, he came downstairs and told the council that he had always found us very decent fellows, he said of course they may have done something that has escaped my memory, but he says "if they have, excuse them."

Q. Who was in command?—A. Gabriel Dumont as far as I was concerned.

Q. In command of what?—A. He appeared to be in command of the whole outfit, as they say in this country.

Q. What did the prisoner do there?—A. I don't know, he was upstairs, when he came down he came to the council and he says "perhaps something has escaped my memory, if there has," he says "excuse them." And he says: "These prisoners are in your hands, do as you like with them." And he said: "They always acted kindly with me."

Q. How was this council constituted?—A. Philippe Garnot was at the head of the table.

Q. What was he doing?—A. He was there. He had a book, sitting down. He got up and said: "Messieurs les conseillers, these men have come here and we want to know what to do with them." He talked like that and they came over.

Q. Who came over?—A. Dumont and Delorme.

Q. Did you say the council was sitting there?—A. Yes.

Q. They were in session?—A. Yes.

Q. Were any charges made against you before the council ?—A. Yes, three charges.

Q. What were they ?—A. One charge was that my brother had telegraphed with George Ness to major Crozier, another charge made was that we wanted to get our cattle away from Batoche, and that we wanted to get to the telegraph officers and evade the vigilance of the police.

Q. What action was taken upon those charges ?—A. They could not prove anything and they let us go.

Q. I understood you to say that the prisoner was in the house all the time ?—A. Yes, upstairs.

Q. Did he know what was going on ?—A. Yes. No, I don't know, he was upstairs with the priest.

Q. He came down you said ?—A. Yes.

Q. Did you answer these charges ?—A. Yes, of course.

Q. You were acquitted ?—A. Yes.

Q. What was the state of that part of the country ?—A. Greatly agitated.

Q. Is not that a mild word ? Was it only greatly agitated, what do you mean ?—

A. I mean that the whole country was excited, something like that.

Q. What do you mean by excited ?—A. That every man was taking care of himself as near as possible.

Q. Did you see any people under arms, other than those you saw in this council ?—

A. Yes, all around the council chamber they were under arms.

By Mr. FITZPATRICK.

Q. When did you first see Mr. Riel ?—A. I met him in November.

Q. Of last year ?—A. Yes.

Q. You were aware he was in the country from November up till March, till the fight at Batoche ?—A. Yes.

Q. Did you have occasion to attend any of the meetings which were held in the country during that time ?—A. No, I did not.

Q. Do you know the nature of those meetings of your own knowledge ?—A. No, I do not.

Q. Do you know for what purpose they were held ?—A. No.

Q. Did you at any time attend any meeting at which Riel was present ?—A. Yes.

Q. What time was that ?—A. I think in January.

Q. Last year ?—A. Yes.

Q. Can you remember what took place at that meeting, was it a political meeting ?—
A. No.

Q. What kind of a meeting was it ?—A. A presentation to Riel of some money.

Q. Money gathered by the people of that place ?—A. Yes.

Q. Did you hear anything there about the Government in reference to the grievances ?—
A. No, not a word.

Q. What took place at that meeting ?—A. My brother and I were invited to go to the meeting, I gave one dollar toward it myself. We were invited to the supper, and the prisoner was there. I guess the whole people were there. There were about 150 in

Baptiste Boyer's house. There was a pretty good spread, after the thing was started he made me and my brother sit at the first end of the table.

Q. Were any speeches made at the table?—A. Yes, Riel proposed the health of Our Sovereign Queen Victoria.

Q. Riel did that?—A. Yes.

Q. Did you see the prisoner after that meeting?—A. I saw him when I left that night.

Q. Did you see him any other time between the time after that meeting and the 19th March?—A. No, I did not.

Q. Did't have any conversation with him at all?—A. No.

Q. Have had no intercourse with him?—A. Not since then.

Q. Never attended any meeting held by him of the council?—A. No.

Q. Do you remember a meeting about the 24th February, at the church?—A. No, I was not there at all.

Q. You are quite certain about that?—A. Yes.

Q. You said these people broke into your house the time you went away for your cattle?—A. Yes.

Q. Did the prisoner approve of their doing that, did he counsel it?—A. No, I wrote to him the next morning about it, and I got a letter back saying that he did not advise them in any way at all.

Q. Protesting against it?—A. Yes, protesting against it.

Q. Did Riel take your part before the council?—A. Yes, he took my part.

Q. Did you notice anything peculiar about Riel at the time you saw him, did he give you any explanation as to his plans or programme?—A. No, he never spoke about that at all.

Q. He never mentioned his political programme?—A. No.

Q. Never gave you to understand what he proposed to do?—A. No, I did not know him very well, only sometimes to meet him.

Q. At the meeting where he proposed the health of the Queen, do you remember under what circumstances he proposed it?—A. No. Philipp Garnot came with that paper and I put my name down for one dollar, and they asked me to go down.

Q. Riel, you say, proposed the health of the Queen at that meeting?—A. Yes.

Q. Was there any treason talked?—A. No, not a word.

Q. They were all pleasant together as loyal subjects?—A. Yes.

Q. How long have you been in that section of the country?—A. About a year.

Q. You knew that there were meetings being held alternately in the vicinity of Batoche?—A. Yes.

Q. By all the people?—A. Yes.

Q. You knew that Nolin took an active part in these meetings?—A. Yes.

HENRY WALTERS sworn, examined by Mr. Scott :

Q. Where were you living in March last ?—A. Batoche.

Q. What was your occupation ?—A. Keeping store.

Q. Was it your own store ?—A. I had a partner.

Q. What was your partner's name ?—A. Baker.

Q. And the firm's name ?—A. Walters & Baker.

Q. On which side of the river was your store ?—A. On the West side.

Q. Is there any houses there besides your own store ?—A. There is only one house close, belonging to the firm.

Q. Batoche proper is on the East side ?—A. Most of the stores are there.

Q. Were you there on the 18th of March ?—A. Yes.

Q. Did anything happen that day ?—Yes, that evening this thing broke out.

Q. What broke out ?—A. The rebellion. The first act was committed.

Q. What intimation had you of the breaking out of the rebellion ?—A. About six o'clock in the evening of the 18th of March I looked out of the store, and I saw a party of armed men driving towards the door, they came up the hill apparently from the East side.

Q. You say about six o'clock in the evening you saw an armed party driving to your door from the direction of the river ?—A. Yes.

Q. What did they do ?—A. They came to the store and entered it. A man came and spoke to me whom I did not know at the time.

Q. A man whom you did not know spoke to you ?—A. Yes, he asked for the proprietor. I said I was the man.

Q. Who was the man who spoke to you ?—A. The prisoner is the man. He said : " Well, Mr. Walters, it has commenced."

Q. What did he say to you ?—A. I said to him : " I suppose you are Mr. Riel." He said he was. I asked him what he wanted, and he said he wanted arms and ammunition. I told him he could not have them.

Q. Did the conversation continue ?—A. Yes he asked me to give them up quickly and peaceably, and he said that if they succeeded in the movement, they would pay me, and if they did not the Dominion Government would pay for them, it would be all right either way.

Q. Did you ask him what had commenced ?—A. Yes, he said it was a movement for the freedom of the people, or something to that effect.

Q. Did you ask what movement ?—A. Yes.

Q. He said a movement for the freedom of the people ?—A. Yes.

Q. Was that before or after he asked for the arms and ammunition ?—A. It was before.

Q. When you refused to give up the arms what was said ?—A. He argued with me and wanted me to give them up, and I told him that I could not do it.

Q. Was anything done ?—A. Yes, they finally took them.

Q. Did you consent ?—A. No, they went through some form and put their hands upon my shoulder. Riel ordered the men to do that. I was swanning behind the counter and they forced their way past. I did the best I could to stop them.

Q. They got past you ?—A. Yes, there were 15 or 20 to one.

Q. Were all the party armed ?—A. 5, 6, 7, or 8 were armed. I did not count the number.

Q. Was the prisoner armed ?—A. I did not see anything with him.

Q. Had you any conversation with him ? Did you say the intention was to arrest you when they laid their hands upon you ?—A. I did not think so at the time I was arrested a few minutes after.

Q. Had you any conversation with the prisoner about the movement, did he say anything beyond what you have told us ?—A. No he did not at the time. We talked. I thought he would not succeed but they thought he would. That was about all.

Q. Had you any conversation with him at any other time about the movement ?—A. No, not in reference to the movement. He told me what they were going to do when they took the country.

Q. What were they going to do ?—A. If successful he told me they were going to divide the land.

Q. How was he going to divide it ?—A. One 7th to the pioneer whites, one 7th to the Indians, one 7th to the French Half-breeds, one 7th to the Church and schools and the balance was Crown Lands, I suppose Government Lands.

Q. That is the way ?—A. Yes, that is the way I understood it.

Q. Lands of which Government ?—A. Government Lands, he did not say which Government.

Q. Did he make any charges against you ?—A. The time I was arrested he said that something had transpired which led him to believe I was in deadly opposition to his course, and he would have to detain me.

Q. How long did he detain you ?—A. I was allowed to go on the third day. The first night I was kept over my own store. The next morning I was moved across to the church at Batoche.

Q. And kept three days ?—A. Not three whole days, only until the third day.

Q. Were you then released ?—A. Yes, the prisoner allowed me to go.

Q. You had a conversation with him on the other side of the river ?—A. Yes.

Q. Did he say anything about the movement there ?—A. No, he did not say anything very particular about it. He said they would have no opposition from Prince Albert. He said the people were friendly, he said if the whites struck a blow, a thunderbolt from heaven would strike them, that God was with their people.

Q. Did you know of any meeting before the beginning of this movement ?—A. I only heard of meetings from time to time, I never was at any of the meetings.

Q. Were there any other prisoners besides you detained at the same place ?—A. Yes, one young fellow that was with me at the time, and during the evening Lash and his interpreter Tompkins, George Ness, Tompkins and another man that was repairing the line. That is all I saw.

Q. I suppose they took the guns and amunition from your store, did they take anything else ?—Yes.

Q. What did they take ?—A. I dont think they were taken at that time. They took it all out before the morning.

Q. Everything out of the store ?—A. Pretty nearly everything, some unbroken packages they did not take. They were there when I left.

Q. Do you know who was superintending the removal of the goods ?—A. Every one

helped themselves to the clothing and mocassins and in the morning they were carrying away the heavy goods, and Riel was superintending their removal.

Q. Do you say that the prisoner superintended the removal of the goods in the morning?—A. He was giving directions, he was standing up on the seat of his cutter in a prominent position and the Half-breeds were loading up the goods.

By Mr. GREENSHIELDS,

Q. How long have you been living at Batoche?—A. Nearly two years.

Q. Were you aware that there was excitement and agitation going on among the Half-breeds some time previous to this time?—A. Yes.

Q. It was rumoured?—A. Yes.

Q. Had you ever seen Riel before the time he came to your store?—A. No, not to my knowledge.

Q. Did you know that he came to the country last year?—A. I heard at the time that he came in.

Q. You heard that he had been sent for by the Half breeds?—A. Yes.

Q. Did you know for what purpose?—A. No, I heard that the Half-breeds had grievances.

Q. And they wanted Riel to assist them?—A. Yes.

Q. When this discussion between you and the prisoner took place regarding the division of the North-West Territories was that in the store?—A. No, in the church, next day.

Q. Did you talk about anything else at that time with him?—A. No, what I was thinking about was to try and get away.

Q. Did he tell you that he expected assistance from other powers in this rebellion?—A. No, I cannot say he did.

Q. Are you positive he did not?—A. I have no recollection of his saying so.

Q. Did he say anything about the Germans and Irish?—A. No.

Q. Or the United States?—A. No.

Q. Did you have any conversation with him about his religion at that time?—A. No.

HILLYARD MITCHELL, SWORN, examined by Mr. Osler.

Q. What is your occupation?—A. Indian trader.

Q. Where were you carrying on business in March last?—A. Duck Lake.

Q. I believe you are a Justice of the Peace there?—A. Yes.

Q. You had a store at Duck Lake?—A. Yes.

Q. What was the first you knew of this trouble?—A. The first I heard of the actual rising was when I was coming from a place called Sandy Lake to Duck Lake. I was crossing the Saskatchewan when I met one of the priests, and he told me to get back to Duck Lake as the Half-breeds were in arms and intended to take my store.

Q. You heard from him that this was their intention?—A. Yes.

Q. What was the first you saw of the trouble?—A. I went to the Fort and saw Ma or Crozier, and he told me—

Q. He will speak for himself. What date was that?—A. I don't remember the date, it was on Thursday. I don't remember the date of the month, but I think it must have been the 19th.

Q. The Thursday preceding what?—A. Preceding the day of the Duck Lake fight.

Q. What was the first you saw of the prisoner?—A. The first I saw of the prisoner was some time after Christmas. He came to my store then, and that was the first I saw of him.

Q. I speak more in reference to the first time you saw him after the trouble commenced?—A. I saw him at Batoche, after coming from Carlton I went to Duck Lake and from there I went to Batoche.

Q. On a Thursday?—A. Yes.

Q. At Batoche whom did you see?—A. I met Bernard Paul, and I asked him what was the trouble.

Q. You had a talk with him?—A. Yes.

Q. We want to come down to the occurrences with which the prisoner was connected?—A. I went to the river, where I met this man, two miles from the river.

Q. What took place at the river?—A. I saw a great many people around the river. It was then getting dark. I saw that two or three of the people on this side of the river had guns in their hands, people whom I knew. I recognized some of them, and when they saw me they appeared to be getting out of the way. On the other side of the river, I saw a man standing on the hill with a gun in his hand. I went on to the village of Batoche and saw some English Half-breeds waiting with loads of flour. They said they had been waiting all day to be unloaded, and that they had been taken prisoners by Riel. They were loaded with flour, and I saw the loads and they were loaded with flour.

Q. What next?—A. I tried to get as much information as I could. I did not know whether it would be safe for me to proceed, and I did not know how I might be received by these people. I saw Fisher and also Garnot, and their opinion was that I could go into the council room. I asked where the council room was, and Philip Garnot took me to the council room. I did not go into the council room, I went into the priest's house. I saw some people standing outside, and I went upstairs in the house.

Q. Whom did you see?—A. Charles Nolin, Philippe Gardupuy and a small man named Jackson who was walking up and down.

Q. Did you see the prisoner?—A. I saw him after some time, I waited about an hour before I saw him. I said that I wanted to see him, and that was what I came for.

Q. Can you place this date more accurately, do you know the day Walter's store was raided?—A. I am told it was on Wednesday, not on Tuesday.

Q. Was this after that store had been raided?—A. Yes, I left Duck Lake on Tuesday.

Q. This would be Thursday the 20th probably?—A. I think it was the 19th.

Q. Had you a conversation with the prisoner?—A. I had a long conversation with him, he did most of the talking.

Q. Tell us what the conversation was?—A. Some one told me that he was pleased to see me. I went down below, there was no light. He asked me to sit down and said he was pleased to see me, and that kind of thing. I told him I came to find out the cause of this trouble, what it meant. And I said that he need not look upon me as a spy, as I simply came as a friend of the Half-breeds, to give them some advice and try to get them to go home. He went on explaining the cause of the rising. He said that the Half-breeds had petitioned the Government several times to have their grievances redressed, but never got

a proper reply and the reply they were getting now was 500 policemen to shoot them. I told him the whole thing was a false rumour, that no police were coming. There always have been false reports, and I looked upon this one as not true. He said it did not matter whether it was true or not, that the Half-breeds intended to show the Government that they were not afraid to fight 500 men, either he or the others told me that that was said. He went on about the Half-breeds grievances, and he said he had suffered himself, that he had formerly been kicked out of the country fifteen years ago and kicked out of the House. He said a great deal against Sir John and the other members of the Government, particularly against Sir John. He said that he intended to bring Sir John to his feet and talked a great deal of bosh. This was all in the dark, others were in the room, several Half-breeds.

Q. He talked as well of his own grievances?—A. Yes, principally. All he said about the Half-breeds grievances was that they had petitioned the Government, and then he went on with a long string of his own grievances, about his being turned out of the House and having to leave the country. I think he called himself an outlaw. He said he had been outlawed.

Q. He was particularly hard on Sir John?—A. Yes.

Q. Then was there anything else of importance that evening?—A. Of course, I asked him to give some decided answer. I tried to persuade him and the people to go home. I had to be careful as I did not know what ground I was treading on. I did not know what moment they would make me a prisoner, and I did not want to be made a prisoner. He said he was very glad I had come, that my coming no doubt might stop the thing at once, but he said he could not give an answer to me, as it would take some time to consider it. He expressed a desire to communicate with the Government and try and get the grievances redressed through the telegraph. I said for him to have the wire repaired as there would be a great many false reports in Canada. I told him he had done a foolish thing, and asked him to have the wire put up at once, get the grievances redressed if possible and get the thing stopped in that way. I did not look upon it as serious, I thought the thing would simmer down. He said he would give no answer that day, that it would take some time to consider it.

Q. What did you do?—A. I went home.

Q. In going home did you see anything?—A. I saw several men—of course, it was dark when I was going back—I saw several men around the village, loafing about with guns. After I crossed the river, I was stopped by two men on the other side of the hill, one catching hold of my horse. They came alongside with the sleigh and asked me if I was free? I said yes. And I was allowed to go on. I came back to Batoche the next day to get a decided answer from the people and to see what they would do, and see if I had made any impression upon them.

Q. What passed that day?—A. I was taken to the council-room and I was told they wanted the unconditional surrender of Fort Carlton, and I was asked if I would make that proposal to the police. I told them it was too absurd, but I said I would be happy to arrange a meeting between Major Crozier and themselves, but I would not make such a proposal myself. Before I came that morning I heard they had got some plan for sending for me. I think I was to carry a white flag ahead of those gentlemen to Carlton, and I was to make the proposal to the people in the Fort. They said if the police did not surrender they would go for them. I think the police were to carry a cross. They told me they were 800 strong. It was not Riel that said that, it was at the Council that it was said. Nolin was the speaker. I asked him to put up the wire. He said he could not, that it was cut below Saskatoon. The two things I asked him about were the release of the prisoners and about the wire.

Q. He refused both?—A. He released Walters and his clerk.

Q. Was this the occasion when Thomas McKay was with you?—A. No, after that

I went to Carlton to try and arrange a meeting between them and the head of the Government, Major Crozier.

Q. The interview you are now speaking of would be on the 20th?—A. On Friday the 20th.

Q. Then you went to Carlton?—A. Yes, and reported matters.

Q. What next?—A. Major Crozier said he was willing to meet Riel man to man with or without an escort, and at any place that suited. I named a place I asked the Major to send a written note to Riel, but he said that it was not necessary, there was no occasion for it. McKay went back with me.

Q. Was it the next morning that you went?—A. We started from Carlton about one o'clock in the morning. We went to Duck Lake. I had arranged with the council to have two messengers ready, so that I would not have to go back to Batoche again, and they would carry the reply of the Major, and I found the two Arcands waiting to get the reply from Carlton.

Q. Did you send it on by them?—A. No, I did not say anything at all about it. . . .

Q. So the interview of the morning of the 21st was arranged, and you and Mr. McKay went forward?—A. Yes, we went over to Batoche.

Q. Whom did you see there?—A. A great many people.

Q. Speaking of the actions of the prisoner, or the words of the prisoner, tell us what took place?—A. On this occasion he was very much excited and he did not like my bringing over Mr. McKay.

Q. What did he say?—A. McKay had some conversation with these people here in my house and these two men and some other men were brought up as witnesses against McKay, that he was a traitor, and they talked pretty roughly to him. Mr. Riel talked very roughly to him and said that the government and the Hudson Bay Company were the two curses of the country, and that he, McKay, was hand and glove with the Hudson Bay Company.

Q. That was spoken of McKay?—A. Yes, and he said if he was not careful his blood would be the first blood shed on this occasion. I told them I had asked Mr. McKay to come as my friend. I told the people he was one of Her Majesty's soldiers, and I told them it was rather rough for them to speak of Mr. McKay in that way. Riel called down and said: If Mr. McKay came as your friend, he is entitled to the same protection that you are, but that is the only thing that saves him.

Q. Then, what else took place?—A. After that, I asked Riel if he would come to the council chamber up stairs, we went up there and I told him the message I had from Major Crozier, that he would meet him man and man at a certain place alone or with an escort, and he got very much excited and said he would not take Major Crozier's word of honor, that I ought to have brought the thing in writing and he asked me to put it in writing. I objected at first but finally I did put it in writing to the effect that Major Crozier would meet either Riel or some one sent for Riel's people if he gave him time.

Q. You made a memorandum of it and signed it?—A. Yes, to his dictation.

Q. Then, what else?—A. He seemed very much excited, and he said something about a war of extermination unless he could come to terms with the government, and he blackguarded the government a great deal, and he blackguarded the members of the government and he said their word was not worth that (indicating with his thumb), that it was no good. I offered to give myself as a hostage, that Major Crozier's word was perfectly good. He said I had nothing to risk and he refused to take it. In fact he refused to meet Crozier, but he named people who would meet him.

Q. Two who would meet him?—A. Yes, of course. I carried this message back to Carlton.

Q. Is that about all that took place on that occasion?—A. Yes.

Q. Did you see many people around the council house?—A. I saw the whole of the population. I saw a great many people there. I considered the whole settlement was there.

Q. Did you see any body armed?—A. Yes they were all more or less armed.

Q. Any Indians?—A. No I did not see many Indians there but I met Indians coming down.

Q. Did you go back to Fort Carlton?—A. I went back to Duck Lake and then to Fort Carlton with Mr. McKay.

Q. Then did any further meeting take place?—A. I finished the thing there. I told Major Crozier what they had decided upon.

Q. What did you next do?—A. I came back to Duck Lake.

Q. What was the next you knew of it?—A. I met two people who had been named by the Council to hold a meeting. I did not go to the meeting. I only arranged for the meeting. It was Captain Moore who went. I met these two people coming and told them to get there as soon as possible. that it was getting dark and that they should go as soon as possible and then they went on and had their meeting and came back about 9 o'clock, and I had some conversation with Mr. Nolin then. I advised him to escape, he had been a prisoner before and he told me he had been forced into the thing and that he had been condemned to be shot. I told Nolin to tell Riel and the people that I had finished with them and that they must now consider I would have nothing more to do with them, that I had done what I could to quiet them down.

Q. Then was there any formal proceeding or any attempt at formality on the occasion of Mr. McKay and yourself being at the Council house?—A. I don't exactly understand you.

Q. It is said Garnot was secretary and that the council was called together. What do you know about that?—A. There was a general hurrah given and people went up to the Council table. There was a speaker and a secretary.

Q. Was any one called upon to act as secretary?—A. Garnot was secretary.

Q. Philippe Garnot?—A. Yes, at that time.

Q. Where were you on the occasion of the Duck Lake trouble?—A. I was with the troops.

Q. On the occasion of that fight?—A. I was advancing on to Duck Lake with the police and volunteers.

Q. And were you in the fight?—A. Yes; I was in the fight.

Q. And the result was that you did not get to Duck Lake?—A. No, we had to retreat.

Q. You were not able to take possession of your store?—A. We did not get to the store; we were stopped.

Q. By reason of the armed force?—A. Yes.

Q. I believe your store was raided afterwards?—A. Every thing I had was taken away and the place was burnt down, they made that place their headquarters for two weeks, and they cleaned my store out entirely.

THOMAS E. JACKSON SWORN, examined by Mr. Osler.

Q. Do you live at Prince Albert, Mr. Jackson?—A. I do.

Q. You are a druggist?—A. I am.

Q. You have been there for some years?—A. Some six years.

Q. Your brother William Henry Jackson I believe was one of the prisoners?—A. He was.

Q. And he had been in the company of Riel immediately prior to these troubles and during the troubles?—A. For some time previous to them.

Q. You had known of the movement and the agitation that was in the country?—A. Oh yes, and I sympathized with them.

Q. Did you know of the prisoner being in the country?—A. Yes, I knew of his coming to the country. I heard he was coming shortly before he came back.

Q. You knew of him after he came to the country?—A. Yes.

Q. I believe you have seen him write?—A. Yes.

Q. Do you know his handwriting?—A. I know his handwriting.

Q. You went over, I believe, on an occasion shortly after the Duck Lake fight for the bodies of those who were slain?—A. I did, I was one of those who went.

Q. How many days after?—A. Three days after. It was the Sunday after the fight.

Q. How did you come to go, under what circumstances did you take that journey?—A. Mr. Sanderson who had been a prisoner of Riel was released by him to carry a message to Major Crozier to remove the dead bodies, and Crozier had taken him prisoner at Carlton and then took him to Prince Albert; I interviewed Sanderson and asked him about my brother and he told me he was insane.

Q. You were enquiring about your brother from Sanderson?—A. Yes.

Q. It was arranged Sanderson should go?—A. Yes, Sanderson said he was going and offered me to go with him.

Q. And who else went with you?—A. William Drain.

Q. You started I think on the 31st?—A. Sunday the 29th, the Sunday after the fight.

Q. You went to Duck Lake?—A. Yes.

Q. Did you see the prisoner there?—A. I did.

Q. What passed between you?—A. General conversation.

Q. Give us the material part of it?—A. He spoke of having taken up arms, that he had done it in self defence and in talking about the Duck Lake fight, he said he had gone there in person, that after Major Crozier had fired the first volley he replied and he urged his men to fire, first in the name of God the Father, secondly in the name of God the Son and thirdly in the name God the Holy Ghost, and repeated his commands in that manner throughout the battle.

Q. That is what he told you about the engagement?—A. Yes.

Q. What else did he say?—A. He spoke of the people in the town and the settlers generally. He said he had no desire to molest them, that this quarrel was with the government and the police and the Hudson Bay Co. He wished the settlers to hold aloof from taking up arms in opposition to him, and he said if they held aloof he would

prevent the Indians from joining them. If they kept aloof he was to oppose the police himself.

Q. Did he ask you to do anything in reference to that?—A. He gave me a letter to the people generally stating so.

Q. What have you done with that letter?—A. I have destroyed it.

Q. It is not now in existence?—A. No.

Q. Did you read the letter?—A. Yes.

Q. What was in it, what was the purport of it?—A. To the effect that if the people would hold aloof and remain neutral, that he would not bring in the Indians, and also to the effect at the last part of it, that if they did hold aloof he believed they would celebrate the 24th May, but that if they did not, the Indians would come in and parties from across the boundary and the result would be they would celebrate the fourth of July, some thing like that.

Q. What was he going to do with Prince Albert?—A. He said he would give them a week to decide whether they would accept his terms or not.

Q. And in the event of their not accepting his terms?—A. That he would take the place. He said Prince Albert was the key of the position and that he must attack it. He said that if the settlers did not stay at home but kept in town with the police, he would attack them all.

Q. Whom did you arrange with to get the bodies of the slain?—A. We requested first some assistance from him, that some of the Half breeds would go with us to remove them, but there was some discussion about it, and when they learned that major Crozier was suspicious of them, he refused assistance, and the French Half-breeds also he refused to let go; in fact, I believe the suggestion came through some of them in the first place, and in consequence we had to go and remove them ourselves.

Q. Who was in charge there, who were you taking orders from at Duck Lake?—A. Mr. Riel.

Q. Who was giving orders?—A. Riel.

Q. Anybody else?—A. Nobody else.

Q. Then you went to get the bodies?—A. Yes.

Q. I believe he showed you the bodies that had been slain on their side?—A. Yes he did, just as we were leaving.

Q. Then you made another visit within the rebel lines?—A. Yes, about a week later.

Q. What was the occasion of that visit?—A. I heard from a Half-breed named Toussaint Bussièrès that Albert Monkman and 15 men were in charge of the prisoners at Fort Carlton, and that my brother was with them, and they left them across the South branch to attack general Middleton and I thought it would be a good opportunity to get my brother away. I knew Monkman, and I thought he would give him up. I obtained a pass from Irvine and went after my brother.

Q. What did you find when you got there?—A. I went to Carlton first and then to Duck Lake. I found Carlton was burned down and I found Duck Lake in ashes. I went to Batoche and arrived there on the Tuesday after.

Q. What is the date?—A. About the first of April; no, about the 4th of April probably.

Q. You reached Batoche when?—A. That was some time on the Tuesday.

Q. When had you left Prince Albert?—A. On the Saturday.

Q. That was the fourth of April?—A. I reached Batoche on the fourth of April, on the Tuesday following.

Q. That would be the seventh April?—A. I suppose so.

Q. Then did you see the prisoner after you got there?—A. Yes, I did.

Q. Had you any conversation with him?—A. I had.

Q. This was where?—A. On the South side of the river.

Q. The day you got there was the day of the fight?—A. The day I got there?

Q. You had a talk with him about your brother?—A. Yes.

Q. Did he say what was the matter with your brother?—A. He said he was sick, he said his mind was affected, he said it was a judgment on him for opposing him.

Q. He seemed to know his mind was affected?—A. Yes.

Q. Did you find his mind was affected?—A. I did.

Q. How were they considering him, as a sane or insane man?—A. Allowing him his own way, but they had a guard over him.

Q. Did Riel speak as to what was best to do with him or what they were doing with him?—A. Yes, he thought he would improve there but I applied for permission to get him away. Riel said he was getting along very nicely there and that he would recover.

Q. He did not let you take him away?—A. No, he refused to do so.

Q. Then did you make any formal application to get him away?—A. I did to the Council.

Q. And it was refused, I believe?—A. Yes, it was refused.

Q. What kept you in the camp?—A. They refused to let me go or my brother either.

Q. Giving any reason?—A. Yes, I heard a discussion. I was upstairs in the council room, and I had spoken to Albert Monkman to speak in my favour and I heard them discussing the matter. Of course they spoke in French and I did not understand, but Monkman was speaking in Cree. Riel came down to the room and commenced to eat, and while he was eating Monkman kept on talking, and he rushed upstairs and attacked Monkman, and in the course of his remarks he accused him of not doing his duty with the English Half-breeds, that he had not brought them up with 20 men he had sent for them. Monkman defended himself and there was a discussion about it. Monkman said the reason he did not bring them was because one man said he would if another would, and Riel told him he had given him these 20 armed man to bring the leading men of the English Half-breeds by force.

Q. And what Riel was complaining about was that the orders had not been obeyed?—A. Yes.

Q. And Monkman was excusing himself?—A. Yes.

Q. Did you hear any discussion after your arrival there as to what they should do, as to any places that should be attacked?—A. They talked about attacking Prince Albert; but I believe they were waiting for the Indians to join them in greater numbers.

Q. Had they Indians there?—A. They had Indians there.

Q. At this time about the 8th of April, could you form any idea as to the number of men under arms?—A. I could not say, I was told when I first arrived there they had 1800, but I did not believe it. They said they were in houses near by. Afterwards I was told by English Half-breeds that there was only about 700.

Q. Then do you remember an occasion of a false alarm, do you remember anything being done by Riel on that occasion?—A. On one occasion I remember he rushed to the church and brought out the crucifix and ran around among the houses calling out the men and insisting all should come, and I saw him go out and choose the ground upon which to defend themselves, expecting an attack from the Humboldt trail.

Q. He went out and arranged the ground and warned the men?—A. Yes, he urged them all to fight and made preparations for the defence.

Q. Did he ask you to do anything for him?—A. Yes, the first night I was there he intimated he would like me to write some letters to the papers and place a good construction on his acts.

Q. Wanting you to write to the Eastern papers?—A. Yes, to place a favourable construction on his action in taking up arms.

Q. Do you remember anything, any particular matter he wanted?—A. I refused to do so at first, because he had not allowed me my liberty and had taken away my brother. In my application to the council, I said unless they showed me some consideration they could not expect any consideration from me in writing letters. After the Fish Creek fight, I thought the thing was going to last all summer, and I commenced to write for him.

Q. Then do you remember Riel asking you to write any particular matter with reference to himself?—A. Yes, he claimed that he had applied to the Government for an indemnity through D. H. Macdonald, and in reply the Government had made use of some expressions.

Q. What indemnity had he applied for through Macdonald?—A. For 35,000 dollars.

Q. For what?—A. For supposed losses through being outlawed and his property being confiscated.

Q. That was the money he wanted from the Dominion Government?—A. Yes.

Q. He did not tell you how he made up the account?—A. No. He claimed in all, his claim against the Dominion Government amounted to 100,000 dollars.

Q. Did you know from him anything as to his personal motives in taking up arms?—A. Yes, he disclosed his personal motives to me on this occasion. He became very much excited and angry, and attacked the English and the English constitution, and exhibited the greatest hatred for the English and he showed his motive was one of revenge more than anything else.

Q. Revenge for what?—A. For his supposed ill-treatment, his property being confiscated and he being outlawed.

Q. Did you hear anything about the Half-breed struggle?—A. Yes, he spoke of their grievances.

Q. In his communications with you whose grievances were the most prominent?—A. I think his own particular troubles were the most prominent, of course he spoke of the Half-breeds troubles.

Q. Were you put in close confinement at any time?—A. Shortly after this outburst, he placed me in confinement with my brother.

Q. Had you refused to write for him in this way?—A. Yes, and it was in reference to discussing that that he became excited, and it was shortly after that he placed me in close confinement.

Q. You were kept with the other prisoners?—A. No, I was kept by myself with my brother. They would not allow me to communicate with the other prisoners.

Q. When you were placed in close confinement had you any conversation with him?—A. He came in on one occasion and accused me of trying to incite an English Half-

breed named Bruce to desert. He said I had been speaking with him, and if he could prove I had been inciting him, it would go hard with me.

Q. Had you any other interview with him while you were in close confinement?—
A. Not just then. Shortly after General Middleton approached Batoche, he placed us in the cellar of George Fisher's house. The first day he took me up to attend to the wounded in case there should be any wounded, and he had some talk then in regard to the wounded, and he asked me if I would attend to them as well as if nothing had happened between us?

Q. Did you attend to the wounded?—A. No, they suspected I was going to desert, and they put me back in the cellar that night.

Q. Did anything material happen till the 12th May?—A. No.

Q. What happened then?—A. On the 12th of May a Half-breed opened the cellar and called out and said Riel was wounded, I came up to the council room and presently Riel entered with Astley, and as soon as he came in he told me Middleton was approaching and if he massacred the families, he would massacre my brother and the rest of the prisoners and he wished to send both of us with messages to Middleton.

Q. Were you to deliver the message?—A. I was.

Q. Did you see Riel write the message?—A. Yes, I did.

Q. Is this the message (produced)?—A. I believe that is the message.

Q. By whom was it written?—A. Written by Riel (The message alluded to is exhibit 2)

Q. Do you remember what you did with this message?—A. I believe I delivered it to General Middleton.

Q. You don't know?—A. I don't remember the fact, but I believe I did.

Q. With that message you left the camp?—A. I did.

Q. The rebel camp?—A. Yes.

Q. And I believe you did not go back?—A. I did not go back. I did not go directly to Middleton because he changed his mind at the last.

Q. Who changed his mind?—A. Riel. He took us down about a mile and a half and he ordered me to go to Lepine's house and wave a flag in front of it.

Q. Just to go back for a moment, did you ever see the prisoner armed?—A. I did on one occasion.

Q. When was that occasion?—A. It was some time after the Fish Creek fight.

Q. Who was in charge at Batoche?—A. Riel.

Q. Who instructed the movement of the armed men?—A. Well Gabriel Dumont instructed them immediately, but Riel was over him.

Q. Do you remember what he did on the occasion of the Fish Creek fight?—A. He went out with 180 men the night before and returned with 20, thinking there might be an attack on Batoche from Prince-Albert or Humboldt or from the other side of the river, as he knew General Middleton's forces were divided.

Q. You said you know the handwriting of the prisoner?—A. Yes.

Q. Look at this document dated St. Antoine 21st March 1885, in whose handwriting is that?—A. Louis Riel's (Document put in, exhibit 5)

Q. Is all this writing on the third page his?—A. Yes it is all his writing.

Q. These signatures are in Garnot's writing?—A. Yes, they seem to be Garnot's.

Q. In whose handwriting is this document?—A. Louis Riel's (Document put in, exhibit 6).

Q. In this paper in the writing of Louis Riel?—A. Yes, that is his writing (Document put in, Ex. 7).

Q. Are the two papers attached here in Riel's hand writing?—A. Yes. (Document put in, Ex. 8).

Q. Is this document in Riel's handwriting?—A. It is. (Document put in, Ex. 9).

Q. Perhaps you can tell me the meaning of the word *ex ovile*?—A. It means one of the flock.

Q. Is this letter in the handwriting of Riel?—A. It is, with the exception of a piece of back-hand, which appears to be in Philip Garnot's writing. (Document put in, Ex. 10.)

Q. In whose writing is this?—A. Riel's. (Ex. 11.)

Q. Is Ex. 12 in Riel's writing?—A. Yes.

Q. Ex. 13 and Ex. 14 are both in Riel's handwriting?—A. Yes, it is all Riel's.

Q. Are these five sheets, comprising Ex. 15, in Riel's writing?—A. They are all in the handwriting of the prisoner.

Q. Ex. 16 is in the handwriting of the prisoner?—A. Yes.

Q. And Ex. 17 is in his handwriting?—A. Yes.

Q. Ex. 18, is this document in his handwriting?—A. It is all but the last signature.

Q. Ex. 19, is that in the handwriting of Riel?—A. Yes.

Q. It is Riel's signature that is to this document?—A. Yes. (Document put in Ex. 20.)

Q. The body of the writing, is that Riel's?—A. No.

Q. But the signature is?—A. Yes.

Examined by MR. FITZPATRICK.

Q. You know nothing more of the documents that have been shown you except that you know they are in the handwriting of Riel?—A. That is all I know.

Q. You don't know if they ever left Riel's possession or not?—A. I don't.

Q. You said, at the beginning of your deposition, that you were aware of a certain amount of agitation going on in the Saskatchewan district during last autumn and fall?—A. I did.

Q. Will you explain the nature of that agitation?—A. That agitation was for provincial rights principally, also for Half-breeds' claims, and also against duties and such things as that. We felt the duties onerous.

Q. A purely political agitation?—A. Yes.

Q. You were in sympathy with the agitation?—A. Yes.

Q. You were aware Riel was brought into the country for the purpose of taking part in the agitation?—A. He was brought to this country on account of his supposed knowledge of the Manitoba Treaty.

Q. The people of the Saskatchewan district were of opinion that Riel could be useful to them in connection with the agitation?—A. Well, he was brought in principally by the Half-breeds. The Canadians knew nothing about it till he was very nearly here.

Q. Almost the whole of the people in that district had joined together for the purpose of this agitation?—A. They had.

Q. That agitation had been going on for a considerable length of time?—A. For some time.

Q. Can you say for about how long?—A. Five or six years, or longer.

Q. Did you attend any meetings held by Riel?—A. I attended the meeting in Prince Albert.

Q. You were present during that meeting?—A. During the greater part of it.

Q. You heard what Riel said?—A. I did.

Q. What date was that meeting held?—A. I could not say exactly, some time in June or July.

Q. At his first arrival?—A. Yes.

Q. He stated he wished the movement to be entirely a constitutional movement?—A. Purely a constitutional movement, he said if they could not get what they agitated for in five years, to agitate for five years more, that constitutional agitation would get what they wanted.

Q. You knew he continued assisting in the agitation up to the time of the difficulty in March?—A. He was there as a sort of Half-breed adviser principally, he was not a member of the committee, but he was there in the capacity of Half-breed adviser.

Q. Did you at any time hear he wished to resort to any means other than constitutional up to March?—A. Nothing.

Q. You, being an active participator, would naturally have heard of any such intention if it had existed?—A. Certainly.

Q. There was no such movement up to that time?—A. No.

Q. After the 1st of March when did you first see Riel?—A. When I went to Duck Lake.

Q. When had you seen him previous to that time?—A. Some time in January, he was in the town.

Q. Had you conversation with him then?—A. I had.

Q. Did you speak to him about the movement?—A. I dare say I did, but I cannot remember.

Q. Did he, at that time, say anything to you that would lead you to believe that he intended to do anything that was not a constitutional agitation?—A. Nothing of the kind. He never referred to anything that was not constitutional agitation.

Q. At the discussion you had with him previous to March last, it always appeared to you that the ordinary means adopted by the settlers were adopted by him?—A. Certainly.

Q. When you saw him at Duck Lake you spoke to him about your brother and he told you your brother had become insane?—A. He did.

Q. He told you he had become insane because he had opposed Riel, and that he was punished by God for his opposition to Riel?—A. That is what he said.

Q. You never heard such a remark by Riel previous to that time in any of your other conversations with him?—A. No.

Q. Did it strike you as a peculiar remark?—A. No, I don't think so.

Q. You thought it was quite natural such a thing should occur?—A. I didn't agree with it, but I thought it was a very nice explanation on his part to make.

Q. He told you at that time the priests were entirely opposed to him in the move-