

French advocate of standing and ability in Quebec, and the personal presence and assistance of the Deputy Minister of Justice was given to them throughout the proceedings.

The procedure adopted and the course taken at the trial, to be now shortly stated, as it appears on the record, will show that every opportunity for the fullest defence was afforded; and it is needless to add, what is well known and recognized, that the prisoner was represented by counsel whose zeal and ability have made it impossible to suggest that his defence could in any hands have been more carefully or more ably conducted.

The charge was made against the prisoner on the 6th of July, 1885, and the trial was then fixed to take place on the 20th of that month, of which the prisoner was duly notified.

On the same day a copy of the charge, with a list of the jurors to be summoned and of the witnesses to be called, was duly served upon him, the Crown waiving the question whether this was a right which could be claimed, and desiring, as far as possible, to afford every privilege which, under any circumstances or before any tribunal, he could obtain, and which, consistently with the procedure otherwise prescribed in the Territory, could be granted to him.

On the day named, the prisoner, having been arraigned, put in a plea to the jurisdiction, to which the Crown at once demurred, and this question was then argued at length. The grounds taken by the prisoner's counsel had been in effect decided unfavorably to their contention by the Court of Queen's Bench in Manitoba in a recent case, and the presiding judge held that it was therefore impossible for him to give effect to them.

This decision having been announced, the prisoner, by his counsel, then demurred to the information, which was alleged to be insufficient in form, and this demurrer having been argued, was also overruled.

The prisoner then pleaded not guilty, and his counsel applied for an adjournment until the next day, to enable them to procure affidavits on which to apply for a further postponement of the trial; and, the Crown not objecting, the court adjourned.

On the following day, July the 21st, the

prisoner's counsel read affidavits to the effect that certain witnesses not then present were necessary for the defence, and that medical experts on the question of insanity were required by them from the Province of Quebec and from Toronto. They represented that the prisoner had not had means to procure the attendance of these witnesses, and desired an adjournment for a month, during which they would be able to obtain it.

In answer to this application, of which the Crown had no notice until the day previous, the Crown counsel pointed out that these medical witnesses, as well as some others in the North-West Territories who were wanted, could all be got within a week; and they offered not only to consent to an adjournment for that time, but to join with the prisoner's counsel in procuring their attendance, and to pay their expenses.

The counsel for the prisoner accepted this offer, which the presiding judge said was a reasonable one, and the trial was adjourned until the 28th. In the meantime the witnesses were procured. They were present and were examined for the prisoner, and their expenses were paid by the Crown, the medical gentlemen being remunerated as experts at the same rate as those called for the prosecution. The other grounds which had been urged for delay were not further pressed.

The court met on the 28th. No further adjournment was asked for, and the trial proceeded continuously until it was concluded on the 1st of August. The exceptional privilege accorded to persons on trial for treason, of addressing the jury after their counsel, was allowed to the prisoner and taken advantage of.

As to the general character of the tribunal, and the ample opportunity afforded to the prisoner to make his full defence, it may be well to repeat here the observations of the learned Chief Justice of Manitoba in his judgment upon the appeal.

"A good deal," he remarked, "has been said about the jury being composed of six only. There is no general law which says that a jury shall invariably consist of twelve, or of any particular number. In Manitoba, in civil cases, the jury is com-