

Batoche, in the said North West Territories of Canada, and within this Realm and did then, maliciously and traitorously attempt and endeavour by force and arms to subvert and destroy the Constitution and Government of this Realm as by law established, and deprive and depose Our said Lady the Queen of and from the style, honour and kingly name of the Imperial Crown of this Realm in contempt of Our said Lady the Queen and her laws, to the evil example of others in like case offending, contrary to the duty of allegiance of him, the said Louis Riel, against the form of the Statute in such case made and provided, and against the peace of Our said Lady the Queen, Her Crown and dignity.

(Signed)

A. D. STEWART.

Sworn before me, the day and year first above mentioned, at the town of Regina, in the North West Territories of Canada.

(Signed) HUGH RICHARDSON,

A Stipendiary Magistrate in and for the North-West Territories of Canada.

CLERK.—Louis Riel, are you guilty or not guilty?

MR. JUSTICE RICHARDSON.—Who appears for the prosecution?

MR. CHRISTOPHER ROBINSON Q. C.—I appear with my learned friends B. B. Osler, Q. C., G. W. Burbidge, Q. C., D. L. Scott and T. C. Casgrain.

MR. F. X. LEMIEUX.—I appear for the prisoner with Mr. Charles Fitzpatrick, J. N. Greenshields and T. C. Johnston. I hold in my hand a plea to the jurisdiction of the Court, supported by the usual affidavits, and we have agreed that Mr. Fitzpatrick shall argue that part of the case. Will your Honor be kind enough to have the prisoner swear to the affidavit supporting the plea?

MR. RICHARDSON.—The clerk may swear him now, as the Court is open.
Affidavit sworn to by the prisoner.

MR. FITZPATRICK.—May it please your Honor, I will now proceed to read to the Court the plea to the jurisdiction of the Court in this case and affidavit.

“THE QUEEN vs. LOUIS RIEL.”

Charged under the North-West territories Act 1880.

“And the said Louis Riel, in his own proper person cometh into a Court here and having heard the information and complaint of Alexander David Stewart, of the City of Hamilton, in the Province of Ontario, in the Dominion of Canada, Chief of Police, taken the sixth day of July, in the year of Our Lord one thousand eight hundred and eighty-five, before Hugh Richardson, one of Her Majesty's Stipendiary Magistrates in and for the North-West Territories of Canada, saith:

“That Hugh Richardson, Esq., one of Her Majesty's Stipendiary Magistrates for the North-West Territories of Canada, exercising criminal jurisdiction, in open Court, with a justice of the peace and a jury of six, under the provision of the North-West Territories Act, 1880, ought not to take cognizance of the offences in the said information charged and specified because, protesting that he is not guilty of the same, nevertheless, the said Louis Riel saith that the offences with which he is charged are punishable with death and he should be committed for safe custody and sent for trial to Upper Canada or to any Court constituted in British Columbia, taking cognizance of like offences committed therein, and because in virtue of the laws in force in the place where the said offences are charged to have been committed, the said Hugh Richardson, in open Court, with a