

was received with universal approbation. I do not remember a single voice or newspaper ever being raised against it. It was universally thought that the Government had done proper in issuing, and issuing early, that particular amnesty. It did not, however, cover this particular offence; but the rising, the political part of the whole affair, the raising of men in rebellion, the creation of a Government, the organisation of forces, all that was with the unanimous assent of the people of Canada amnestied. There remained, as I have said, the question of this particular offence. As to that, what was my attitude in 1871? It is the same as my attitude to-day. I thought then, I said then, that in my opinion the death of Scott was a cruel murder. There is just one point in respect of which the discussions which have gone on within the last few months have tended to modify my view, and that is the very point to which I have been drawing the attention of the House this evening. It is questionable, in my opinion, and those who read with the light which recent events and evidence have thrown upon these matters, will agree with it, will see in much that has occurred the reason of that question, it is questionable how far the mind of Riel may even at that early day have been thoroughly balanced. I do not intend to discuss it; I allude to it as the only thing in regard to which there is an observation to be made which differs in my attitude to-day from my attitude of 1870 with respect to that event. That being my attitude then and my attitude ever since, an attitude in which I was confirmed by Sir George E. Cartier, who called it a cruel murder, by Sir John A. Macdonald, who also stigmatised it as such and invoked his Maker to testify to his anxiety to catch the criminal—that being my attitude, I was exposed at that time to a storm of indignation, because I expressed the view that those who had been, as I conceived, guilty of cruel murder should be brought to justice.

Mr. HESSON. It was because you wanted to make political capital out of it?

Mr. BLAKE. The hon. gentleman, who is always charitable, says it was because I thought to make political capital. The hon. gentleman has been some time in Parliament, and he ought to know it is not parliamentary to impute motives. I wonder what the hon. gentleman thought of it himself? I wonder whether he thought it was a cruel murder, and whether he thought the murderer should be brought to justice or not?

Mr. HESSON. I have not changed my mind.

Mr. BLAKE. The hon. gentleman thought it then and thinks it now.

Mr. HESSON. You have, I have not.

Mr. BLAKE. We shall see. I have just said I have not changed my mind. I did my best to enforce that view. I am told that I did it without papers and I want papers now. I had papers; the Government had brought down the papers to the House; they had brought down the full account of the murder. I had Mr. Donald A. Smith's account and the account of other dignitaries—all the evidence on which a man might reasonably come to a conclusion in advance of a trial. What did I want? I wanted a trial; I wanted that the man should be brought to trial, and I thought then and I think now that I had quite ample evidence to justify me in stigmatising that event as a murder, and in calling that the perpetrator should be brought to trial. That being so, yet, in the year 1875, I think I was amongst those who—though not of the Government, but in our party councils, and subsequently in my place in Parliament—most strongly supported by voice and vote the proposition that there should be an amnesty in respect of that offence. I believed that the events which were revealed before the special committee on the North-West troubles proved that we were in duty bound to grant that amnesty, that we were

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in honor bound to grant that amnesty; and so believing I acted upon that belief and sustained, as I have said, by every force in my power the proposition that an amnesty should be granted. That amnesty was a very effectual and complete transaction. It was not granted simply upon the responsibility of the Crown without the approval of the people's representatives. The people's representatives were asked to take the initiative, at the instance, of course, of the responsible Ministers of the Crown, and they did so by an overwhelming majority, in which you are to count, not merely that very large majority that voted for the granting of that amnesty, but also all those who voted for the granting of an unconditional amnesty and may have recorded their votes against this one because it was conditional. There was not absolute unanimity. The Minister of Customs was, I have no doubt, Protestant, as Riel says, upon that subject, as some others were, and the First Minister declined to vote upon that occasion at all, so his opinions were left to be gathered from rather indefinite observations. But take it all round both as to political parties and as to the absolute majority, there was a very close approach to unanimity. The hon. member for Ottawa has made a discovery on the head of this and has found that because Riel was amnestied on the condition that he should absent himself from Canada for five years, and because for some sixteen months of those five years he was confined as a lunatic in a lunatic asylum by the authority of and at the instance of the Local Government of the Province of Quebec in Canada, he thus broke the condition and made himself liable, but for the leniency, kindness and consideration of this Government, to be executed forthwith upon his being found in the country and caught by the constables. Such is the view of the hon. member for Ottawa upon the criminal law. He has supported it by some extracts from a book upon contracts, dealing with civil rights, and with the somewhat complicated question of the voidable character of agreements when made by a person of insane mind. But I will tell the hon. member, without endeavoring to enlighten him upon these subjects, that my opinion is that the presence in this country of Riel in an insane state should not be taken as a breach of that condition in point of law, and that I little regard it, for I believe it would be considered even if it were a nominal, a technical breach, as nothing less in the literal sense of the term than a judicial murder if advantage had been taken of the presence of this lunatic to award execution against him. I therefore pass from this essay of the hon. member for Ottawa, into the regions of criminal law. I am a little surprised that it should be said that I am not free to exercise my judgment now, and to decide as to the extent of Riel's responsibility, because, in common, I believe, with a very large majority of my fellow-countrymen, I came to a particular conclusion which I still retain, with reference to the events of 1869 and 1870, which had been amnestied in 1875. How of my critics? Was the Minister of Customs free to come to such a conclusion? Was he hampered by the views he held on that topic in the earlier days? Was he hampered by his declination to vote even for the amnesty? Was not he perfectly free to deal with this question in his executive capacity, entirely irrespective, as he was bound to do, of the view that he held that the death of Scott was in fact a cruel murder? How of the Secretary of State? As I have said, I was exposed to a storm of obloquy in certain portions of this Dominion because I had affirmed the proposition I have mentioned with reference to the death of Scott. Different views upon that subject were stated by many hon. gentlemen, and amongst them was the Secretary of State, who was of an entirely different opinion with reference to the question of the execution of Scott. My hon. friend from East Quebec, read the other day the resolutions which the hon. gentleman obtained to be passed by the Legislative