

April 8, 1874

House might desire with regard to the several localities and tribes to which particular members might be desirous of referring. He was aware that in several of the cases referred to by his honorable friends the difficulty was that Indians kept possession of lands in prominent parts of the country which they did not cultivate. The Government was bound to exercise the wise discretion, and sometimes probably the wise pressure, which a guardian observed with regard to his ward. The Government had received no such petition of charge as that referred to by the hon. member for Haldimand (Mr. Thompson), and he believed the complaint arose out of the rather strict exercise of his duty by the superintendent.

The Government would not object to the Committee which the hon. member for Brant South (Mr. Paterson) had moved for, but it would be extremely inconvenient to have a Committee of a general character which would have power to inquire into all the matters and grievances of the Indians. It would, therefore, be better for gentlemen who had particular cases to complain of to ask for the papers containing the necessary information, and, if it were desirable, make further examination by a Committee of the House. He thought it would be better to allow the hon. gentleman's motion to pass as it stood.

The motion was then carried in its original form.

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#### THE RIEL CASE

On the orders of the day being called,

The Clerk read the first order, as follows:

"Hon. H.J. Clarke, Attorney General of the Province of Manitoba, to appear at the Bar to answer questions relative to the indictment laid before the Grand Jury of the Queen's Bench of Manitoba, and the true bill returned by the said Grand Jury against Louis Riel, member for the electoral district of Provencher, for the murder of Thomas Scott."

**Hon. Mr. CAUCHON** said that remembering the telegram received by Mr. Speaker yesterday from Mr. Clarke, he supposed the House would consent to the postponement of this order. He moved "That the order of the day for the attendance of Mr. Clarke, and the two following orders of the day, do stand over till Friday next at 3 o'clock, then to be the first, second and third orders of the day." The second order was as follows:—"Louis Riel, Esq., member for the Electoral District of Provencher, to attend in his place." The third order was:—"Detective Philip Hamilton, of the Ottawa police force, to appear at the bar to be examined in the matter of the warrant for the arrest of Louis Riel."

**The SPEAKER:** Is Mr. Clarke in attendance?

**The SERGEANT-AT-ARMS** (after exploring the lobby): Mr. Speaker, the Hon. Henry J. Clarke is not in attendance.

**Hon. Mr. CAUCHON** then repeated his motion.

**Mr. BOWELL** said he would have no objection to the postponement of the order for the attendance of Attorney General

Clarke, but he saw no reason for the postponement of the two other orders. The detective ordered to appear was, he believed, in attendance; and besides that, the Finance Minister had announced his intention to make his budget speech on Friday, so that if the motion were carried, the whole matter would lie over till next week. The second order had been delayed from last week, and there was no reason why it should not now be called. The third order might certainly be called, as the witness was in attendance.

**Hon. Mr. CAUCHON** thought they should proceed logically. The first and most important business was the evidence of the Attorney General of Manitoba, and it was only in corroboration of his evidence that the police officer was to be called. He thought, therefore, the evidence of that gentleman should be completed. If it turned out that the Attorney General was too sick to attend at all, then they might proceed without him, but at the present time it was only fair and logical that the whole thing should stand over.

**Mr. SCHULTZ** agreed with the hon. member for Hastings North (Mr. Bowell). He did not see any connection between the postponement of the order for the attendance of Mr. Clarke and the two other orders. The more quickly the House disposed of a matter so interesting to everybody, either in or out of the House, the better. The cause which had detained Mr. Clarke today might detain Mr. Riel another day, and thus there might be an indefinite postponement of the whole matter.

**Mr. BOWELL** said he would like to say the evidence he desired to prove by the detective had nothing whatever to do with Attorney General Clarke. The evidence was totally separate and distinct, and therefore did not corroborate anything that the hon. gentleman had said in his evidence.

He desired to state further that, so far as his case, as the hon. member for Quebec Centre (Hon. Mr. Cauchon) had put it, was concerned, he took it to be the case of the House and not his individually, and all he desired to prove by Attorney General Clarke had been proved. He did not desire his services any more. The evidence in that particular was complete. He would like to ask, as a question of order, whether it was regular to move to set aside three orders of the day in one motion, and whether they should not be taken separately as called.

**Hon. Mr. HOLTON** thought there could be no doubt that it was quite in order to move the postponement of all the orders of the day in one motion. It was frequently done here, and in England it was necessary to move the postponement of all the orders of the day before the House adjourned. By parity of reasoning it must be in order here to move that the orders of the day be postponed. He would say, however, with regard to the merits of the motion, that it did appear to him to be logical and in consequence he was quite sure, with the opinion of his learned friends the members of the legal profession, that the direct examination or the cross-examination of one witness should be completed before another witness was put on the stand. This seemed to him to be the common sense view of the matter.

**Mr. PALMER** agreed with his hon. friend from Châteauguay (Hon. Mr. Holton) on the point of order but he would ask his hon.