

returning peacefully to his home. As to bringing a charge of striking a captain, I have stated to you what Murray says. Whatever may have been his offence, they had no right to put him to death, and if the evidence is to be believed, he was one of the most innocent men in the world. Take the evidence of Modeste Lajemoniere, who says that he saw Scott from the attic window of Dr. Cowan's house. He looked and saw Scott pass out of the gate. He says a man by the name of Guay was with him (Lajemoniere); at that moment while he was at the window he turned around and saw Riel and the prisoner. One of them made use of the expression, "Then in God's truth they are bringing him down," or words like these. He does not say which of the two men uttered them. He says, "I left the prisoner and Riel in the attic and came down and went to the southern gate until all was over. I then went to the little gate." His Lordship here explained what might be considered an apparent inconsistency between the statements of the Rev. Mr. Young and others and Modeste Lajemoniere to the effect that after Lajemoniere had come down-stairs and gone to the south gate, Riel and Lepine could have descended and gone out by the eastern gate, as it would take them only a moment. That Riel was there, every witness of the matter swears to be a fact. Several witnesses saw the prisoner there also. But, gentlemen of the jury, it makes no difference whether he was outside or inside, if he deliberately consented to the death of that man, and was assenting to the execution being carried out, he is just as guilty as if he fired the whole six guns himself, certainly much more than the six men who had been made drunk before they could sum up courage to commit the slaughter, because you see that every witness speaks of the men being more or less tipsy, and one of the witnesses states that Guilmette was so drunk that he sank down. Can it be possible that the prisoner and those acting with him could not get six executors without first blunting their intellectual and their moral senses by giving them whiskey and strong drink? As I told you I am going over to repeat the evidence. You must always mind this that several persons looking at the same occurrence, one will see one thing and one will remark another thing, and when they come to describe what took place, one will say he saw one thing, and one will say that he saw another thing that actually did take place, while one did not see what the other saw. It is a very common circumstance, and it does not apply only to the sense of sight, but also to that of hearing. A person may talk and hear words quite within the power of your hearing, but if your attention is directed to something else, you will not hear a word. In that way, of course, an apparent conflict of evidence, both for the prisoner and against him, is entirely swept away. You would suppose that unless a person came here to perjure himself, that the man who says that he actually spoke to the prisoner near Scott, François Charette, and saw the prisoner and the pistol, and that the prisoner told him to go into the Fort, that he had no business there, and he was even pressed by a kick, you would think that unless the man wanted to perjure himself grossly, you would feel disposed to believe what he states. I repeat to you there is no conflict of evidence. The main question is, did the prisoner sit on that judgment, sit when that *coterie* of persons were there that night? Did he say, "The majority want his death and he shall be put to death?" Was he around with those men the next morning? Was he within reach of that execution that took place? I do not care what he was doing. If he never came down from the attic, he is just as guilty as if he had fired the shots himself. There is no misunderstanding the way in which I lay down the law. If I am wrong I can be set right, but if you go astray the mishap is irreparable. Now, gentlemen, divest yourselves of any other aim or object but the truth. Is Scott dead, and did he come to his death by reason of what happened on the 4th of March, during the day or during the night, and is he now dead? And here I must call your attention to the admissions of the prisoner in his own letter. They have a bearing upon the question. Then, if he is dead, did the prisoner act along with those individuals who said he should