

He has his chance of a writ of error, to bring up defects shown by the record, and as regards any objections to the evidence or to the rulings of the judge, the judge may himself decide whether he shall have an appeal or not. Louis Riel was not in that position. He had the right to bring before the bench in Manitoba every question of law or fact that arose on his trial, and when he took that appeal he was represented by the best counsel, I suppose, that this Dominion could have given him, and yet not a single exception was taken to the fairness of the trial or the rulings of the judge. The prisoner took this additional step, which is a very rare one in connection with criminal justice in this country—he applied to Her Majesty to exercise the prerogative by which Her Majesty, by the advice of Her Privy Council, is able to entertain an appeal in a case connected with criminal jurisprudence from any one of Her subjects in the Empire; and how is it that in the petition that was prepared to enable the prisoner to take the judgment of that high tribunal, which had to make its report to the fountain of justice itself in the British dominions—how is it that neither the prisoner's counsel, nor himself, nor his petition, nor anything said or written in his favor, urged a single objection to the fairness of the trial, the rulings of the judge at that trial, or the way in which the judge had directed the jury? I should suppose, Sir, that that was exceedingly significant. We were told, the other night, that the judgment of the Privy Council said nothing about the procedure of the trial—that it was silent on that point. The significance of that silence is all we want. When a man has a full opportunity to appeal, and takes his appeal, and makes no complaint about the fairness of a ruling, which would have given him his liberty if he could establish its error, I want to know if we need any more than his silence and the silence of the able counsel by whom he was advised and represented, to satisfy us that exceptions were not taken in the highest court of appeal in the Empire for the simple reason that they did not exist. I have another piece of testimony with regard to that, if that were not conclusive, as I should suppose it would be, and that is this: The *Regina Leader* of August 13, contained this statement of what took place immediately after the trial:

"The counsel for the defence, Messrs. Fitzpatrick, Lemieux and Greenshields, waited on Judge Richardson before they went East, and thanked him for the fairness and consideration which had characterised his rulings."

Notwithstanding the statement which was made by an interviewer of a Montreal paper, and which was read to this House a few evenings ago, I hesitate to believe that Mr. Lemieux actually changed his mind when he got among his friends in the Province of Quebec, and did, either for the purpose of creating sympathy for his client or making capital against the Government, say anything that he would not have said at Regina about the fairness of the trial. Mr. Fitzpatrick has also spoken again. At a public meeting in Montreal, he said:

"It was unfair to arraign before the tribunal of public opinion the judge and jury who tried Riel. They were simply the outcome of the law as it was found in the Statute Book."

And yet, Sir, because we administered, in the case of Louis Riel, the judgment which the law pronounced, the confidence of this House is asked to be withdrawn from the Government. I must read from the *Winnipeg Free Press* an extract which was read to the House once or twice before, and which I am, therefore, almost ashamed to repeat, but which I must repeat, because it applies directly to the point in hand, and comes from a newspaper as hostile to this Government as any newspaper in the Dominion. It was published on the 17th of December, immediately after the execution. Some papers have been accused of inconsistency in advocating Riel's execution beforehand and taking the opposite ground afterwards; but after his execution the *Winnipeg Free Press* said:

"Riel was fairly tried, honestly convicted, laudably condemned, and justly executed."

But, Sir, if our confidence in the tribunals themselves be not sufficient, if the fact that the courts of appeal before which the case was taken, ruled that the trial was fair and that justice had been done, be not sufficient, I ask hon. gentlemen opposite if, with any sense of candor or fair play they can ask that this Government should be condemned for not changing the sentence on the ground that the trial had been unfair, when there has not been down to this hour a petition or request presented to the Government, either from Louis Riel, from his counsel, from his ecclesiastical superiors, or from any of the advisers and sympathisers he has had throughout this country, for the commutation of the sentence, on the ground that the trial was in any sense unfair. And yet, Sir, after the decision of the jury, after the decision of the judge, after the decision of the Court of Queen's Bench in Manitoba, where, as I have said, he had an extraordinary advantage; after the disposal of his case before the Judicial Committee of the Privy Council, and without a single utterance from anybody, either himself or any sympathiser, that anything was unfair, this House is asked to carry this resolution on the ground that his trial was unfair, and give what Riel never asked, redress on the ground that he had been unfairly tried. The condemnation of the prisoner having been arrived at, the duty of the Executive commenced. The first question we had to consider was the criminality of the prisoner, and with almost a certainty that I shall be exhausting your patience, I find it absolutely necessary to quote even extracts which have been read to the House before, for the purpose of showing what the criminality of this man was and how the Executive should have dealt with him, not only because it is in the regular course of my argument, but because this condemnation has been commented on by the other side for the purpose of drawing a very different conclusion from it. Dr. Willoughby, at page 12 of the report, referring to the prisoner, gave evidence as to what the latter told him:

"He said they had time and time again petitioned the Government for redress, and the only answer they received each time was an increase of police."

"Q. What next did he say?—A. He said, now I have my police, referring to men at the door."

"Q. Those 60 or 70 men?—A. Yes; he pointed to them and he said, 'You see now I have my police. In one little week that little Government police will be wiped out of existence.'"

This is the man who, we are told, was to be regarded as a loyal subject, because at some time he drank a glass of liquor to the health of the Queen. This is the man who, I understood the hon. member for Quebec East (Mr. Laurier) to say the other night, must have come to this country for the purpose of pressing a constitutional agitation, although one of the first things he said was that the force that supports Her Majesty's Government, and represents there the law of the country and the rights of the settlers, was to be absolutely wiped out of existence:

"Q. That was the reason why he said the settlers of Saskatoon had no right to protection?—A. He said: 'We will now show Saskatoon or the people of Saskatoon who will do the killing.'"

"Q. Anything else?—A. He said that the time had now come when he was to rule this country or perish in the attempt."

Shall it be said he came to this country under any mistake as to his position, under any idea that he was to be treated once again as a political offender, under any notion that he had a right to receive again the clemency of the Crown which, fifteen years before, he had trampled under foot and spat upon? No; he knew well the real issue.

"Q. You say he referred to the previous rebellion of 1870, what did he say in regard to that?—A. He referred to that and he said that that rebellion, the rebellion of fifteen years ago, would not be a patch upon this one."

"Q. Did he say anything further with regard to that?—A. He did; he spoke of the number that had been killed in that rebellion."