

the charge which lies against him, that in his own mind the claims of humanity had no place, but that he was prepared to carry out his designs by bringing upon an unoffending people all the horrors of an Indian rising, with the outrages and atrocities which, as he knew full well, must inevitably accompany it. That this cannot be disproved, but that it is beyond all dispute true, the evidence makes plain.

From the beginning, even before Duck Lake, he was found in company with Indians armed, and to the end he availed himself of their assistance.

In that engagement, the first occasion of bloodshed, according to the evidence of the witnesses Astley, Ross and William Tompkins, the Indians composed a large portion of his force—one-third, or thereabouts.

In a letter found in the camp of Poundmaker, an Indian Chief, in the prisoner's handwriting, and signed by him, after describing in most exaggerated language what is termed their victory at Duck Lake, it is said: "Praise God for the success He has given us. Capture all the police you possibly can. Preserve their arms. Take Fort Battle, but save the provisions, munitions and arms. Send a detachment to us of at least one hundred men."

In a draft letter, also in his handwriting, and proved at the trial, addressed to the French and English Métis from Battle River to Fort Pitt, the following expressions are found:—

"We will help you to take Fort Battle and Fort Pitt. * * * Try and have the news which we send to you conveyed as soon as possible to the Métis and Indians of Fort Pitt. Tell them to be on their guard; to prepare themselves for everything. * * * Take with you the Indians; gather them together everywhere. Take all the ammunition you can, in whatever stores they may be. Murmur, growl and threaten. Rouse up the Indians."

Other evidence to the same effect was given at the trial, and it may be added that in the scouting reports and Orders in Council the active employment of Indians in carrying on hostilities clearly appears.

It could not be overlooked either, upon an application for executive clemency, that upon the trials of One Arrow, Poundmaker, White Cap and other Indians, it was apparent that they were excited to the acts of rebellion by the prisoner and his emissaries. Many of these Indians so incited and acting with him from the commencement were refuge Sioux from the United States, said to have been concerned in the Minnesota massacre and the Custer affair, and therefore of a most dangerous class.

It is to the credit of the Indian chiefs that their influence was used to prevent barbarity, but by individuals among them several cold-blooded, deliberate murders were committed, for which the perpetrators now lie under sentence of death. These crimes took place during the rebellion, and can be attributed only to the excitement arising out of it.

4. Whether rebellion alone should be punished with death is a question upon which opinions may differ. Treason will probably ever remain what it always has been among civilized nations, the highest of all crimes; but each conviction for that offence must be treated and disposed of by the Executive Government upon its own merits, and with a full consideration of all the attendant circumstances. In this particular instance, it was a second offence and, as on the first occasion, accompanied by bloodshed under the direct and immediate order of the prisoner, and by the atrocity of attempting to incite an Indian warfare, the possible results of which the prisoner could and did thoroughly appreciate. In deciding upon the application for the commutation of the sentence passed upon the prisoner the Government were obliged to keep in view the need of exemplary and deterrent punishment for crime committed in a country situated in regard to settlement and population as are the North-West Territories; the isolation and defenceless position of the settlers already there; the horrors to which they would be exposed in the event of an Indian outbreak; the effect upon intending settlers of any weakness in the administration of the law; and the consequences which must follow in such a country if it came to be believed that such crimes as Riel's could be committed, without incurring the extreme penalty of the law, by any one who was either subject to delusions, or could lead people to believe that he was so subject. The crime of the