

Nault, Goulet and Delorme voted yea along with the mover and seconder. Lajemoniere voted that it would be better to exile him. Baptiste Lepine voted nay. Ambrose. (the prisoner) said the majority want his death and he shall be put to death. Riel explained to Scott his sentence. Riel asked Scott if he had no request to make, if he wanted to send for a minister; I do not know what answer Scott made to Riel; Riel said if he wanted a minister, if he was at the Stone Fort he would send for him; Riel said he would take his shackles off, and would send him to his room; he would have pen, ink and paper to write; he told him the next day he would be shot; Scott was then taken to his room; Scott was handcuffed when taken before the council; I saw the prisoner the next morning about 8 o'clock; the prisoner came to my room and asked me to write a *procès-verbal*, that is a minute of what passed before the council; I did what was required; Riel examined the minute and said it was not formal." (To the Jury)—Does it suggest itself to your minds that Riel and the prisoner were in communication, because Nolin in his evidence says that Riel called once that morning about the process? "The prisoner called and I gave it to him that morning about 8 or 9 o'clock; he called for the minutes twice; it was shown to Riel who remodeled it in form; I rewrote and then the prisoner called for it; I gave it to him; I saw Scott that morning going out of the gate." (The remainder of what Nolin saw was read by His Lordship.) I have read the evidence of Joseph Nolin, who lays the most complete foundation for this prosecution. If you believe that evidence, if you believe what he says is substantially true of what did occur on the night of the 3rd and the morning and noon of the 4th of March, I tell you as a matter of law that the prisoner is guilty of the murder of Scott. Upon you rests the responsibility of determining the truth, and there is no escaping from the conclusion if the evidence be true, that the prisoner at the bar is guilty of that murder. That evidence is everything that the law requires to constitute evidence. He presided at the council of the men who deliberated and decided that the man Scott should be shot. He was a consenting party who interested himself in the act or in respect of it in the morning. He was either inside the Fort or outside the Fort. He was not one of the firing party that shot their guns at Scott, but he certainly was within such distance either within or without the Fort to lend his own hand to the commission of the deed. I tell you that a person in that position is guilty of the accusation charged against him.

This is not all of Nolin's evidence. He was cross-examined very fully. "After I saw Scott I went up within three paces of Scott's body; the only thing I observed was a kind of a scratch on the upper part of the left shoulder; I think it was the left; at the time I went up to the body the box was inside the Fort; I had seen it previously to my going out; the box was brought out to the little gate; where the box was I saw some persons, two or three, carrying that box; when the box was brought to the corpse I believe it was put in the box and taken inside the Fort; I am not sure that I saw the body put in the box; I did not see the box after it was carried into the gate; Modeste Lajemoniere was often seen by me in the Fort; I don't know where the body or box went afterwards." The cross-examination substantially confirms Nolin's examination in chief. Gentlemen, I tell you that the conclusion and the whole proceeds were commenced and finished within an hour or two. They gave no patient hearing or investigation on a charge of rebellion against that despotic government of guns, powder and lead, and the fact is proved by Nolin that no proof was given of that rebellion. Nolin says in his evidence that it was not proved that Scott had taken the oath not to fight against Riel, that no evidence of that was given at all, and it is said that it could not be denied that he broke out of prison and went to the Portage. It is not proved that he had taken up arms for the purpose of opposing the movement at all. The evidence is that after being in prison for a while, he broke out and went to the Portage and joined his party for the release of the prisoners. That liberation having been already done, he was